

**MILITARY
AFFIDAVIT**
(UNDER 50 U.S.C. § 3931)

DOCKET NUMBER

**Massachusetts
Trial Court**



CASE NAME

v.

COURT DEPARTMENT (Select only one court.)

Boston Municipal Court District Court Housing Court
Juvenile Court Land Court
Probate & Family Court Superior Court

COURT DIVISION OR COUNTY

Under the Servicemembers Civil Relief Act, 50 U.S.C. § 3931, I, _____ (Insert Name), have signed below affirming, to the best of my knowledge, that the following statements are true:

1. As of _____ (Insert Month/Day/Year):

A. The following party(ies) is/are **in military service** as defined in the Servicemembers Civil Relief Act.

B. The following party(ies) is/are **NOT in military service** as defined in the Servicemembers Civil Relief Act.

C. The following party(ies) has/have **concluded military service** as defined in the Servicemembers Civil Relief Act. (Also, indicate the **exact date** that the party(ies) has/have **concluded military service**.)

D. I am **unable to determine** whether the following party(ies) is/are in military service as defined in the Servicemembers Civil Relief Act. As a result, under 50 U.S.C. § 3931(b)(3), I understand that the court, before entering a judgment, may require that I file a bond.

2. You are **required** to state facts that support this affidavit.

You **must** fill out this section and check choice "A" or "B."

A. I used the Servicemembers Civil Relief Act Website (<https://scra.dmdc.osd.mil/>) to determine the military status of the party(ies) listed in this affidavit. (You are **required** to provide your search results.)

The results from my use of the Servicemembers Civil Relief Act Website are attached. (Required.)

Additional facts (*Optional if search results are attached.*):

B. I have NOT used the Servicemembers Civil Relief Act Website (<https://scra.dmdc.osd.mil/>) to determine the military status of the party(ies) listed in this affidavit. However, the following facts support my statement above as to the military status of the party(ies). (You are **required** to provide facts below. Please be specific.)

Note: The term “military service” includes the following: active duty service as a member of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard; service as a member of the National Guard under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days for purposes of responding to a national emergency; active service as a commissioned officer of the Public Health Service or of the National Oceanic and Atmospheric Administration; and any period of service during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause. 50 U.S.C. § 3911(2). A U.S. citizen who is serving with the forces of a nation with which the United States is allied in a war or military action may also be entitled to relief under the Servicemembers Civil Relief Act if that service is similar to the definition of “military service” discussed above. See 50 U.S.C. § 3914.

Subscribed and certified or declared to be true under penalty of perjury.

SIGNATURE	DATED
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PRINT CLEARLY OR TYPE YOUR NAME, ADDRESS, PHONE NUMBER, AND E-MAIL ADDRESS	
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BBO NUMBER (FOR ATTORNEYS)	