

### **Instructions for Military Affidavit**

This Military Affidavit form may be used in all case types where the filing of a Military Affidavit is applicable. The Military Affidavit is in PDF fillable format and complies with both the Servicemembers Civil Relief Act (the "SCRA"), 50 U.S.C. § 3931(b), and Mass. R. Civ. P. 55(b)(4).

The SCRA requires an affiant to "show[] necessary facts to support the affidavit," SCRA § 3931(b)(1)(A), and accordingly, the Supporting Facts section of the form must be completed prior to filing. This may include facts actually known via contact with the party. If the Party's social security number and other identifying information is known, a search to determine whether he or she is on active military duty can be made online at the Department of Defense Manpower Data Center website, <https://scra.dmdc.osd.mil/>. Otherwise, you may write to the appropriate military service headquarters, listed at <http://www.defense.gov/Sites>. If you are unable to determine whether the Party is on active military duty, the court may require you to post a bond or may issue other orders to protect the rights of the Party if he or she is on active military duty.