

INSTRUCTIONS FOR FILLING OUT FORM

PURPOSE. This form is to be used when you are filing for an action in court and either you are unable to afford to pay the filing service fee or you want someone other than the Court Process Server to serve the summons and complaint on the defendant(s).

FORMS INVOLVED. The form first form is an **Affidavit of Service**. You will need to fill in the necessary information with help from the instructions below and then file the affidavit with the court.

The Tribal Code allows you to have an adult (someone over the age of 18) member of the Rosebud Sioux Tribe who resides on the reservation personally serve your papers on the defendant within the reservation. If they do, have the person who serves the defendant fill out the **Affidavit of Service form** contained in this packet. Then file the affidavit of service with the court to placed in your court file.

INSTRUCTIONS FOR FILLING OUT THE FORM. To fill out this form follow these instructions. The number below is the number on the form where the information for that number needs to be inserted.

Instructions for filling out the Affidavit of Service:

- (1) on this line insert plaintiff's name from the pleadings (your name).
- (2) on this line insert defendant's name from the pleadings (the opposing party's name).
- (3) on this line insert the name of person who personally served the defendant.
- (4) on this line insert name of the person served with the summons and complaint.
- (5) on this line insert the date the defendant was served with summons and complaint.
- (6) on this line insert the day.
- (7) on this line insert the month.
- (8) on this line insert the year.
- (9) on this line have the person who served the defendant sign their name before a notary public who will fill in the rest of the information below this by notarizing

**ROSEBUD SIOUX TRIBAL COURT)
ROSEBUD INDIAN RESERVATION)SS
ROSEBUD, SOUTH DAKOTA)**

IN CIVIL COURT

(1) _____
_____,
Plaintiff(s)

DOCKET # _____

AFFIDAVIT OF SERVICE

VS

(2) _____
_____,
Defendant(s).

Comes now, (3) _____ and upon oath states and alleges as follows:

1. That I did personally serve a true and correct copy of the attached summons and complaint upon (4) _____ on (5) _____ within the exterior boundaries of the Rosebud Sioux Indian Reservation.

2. That I am over the age of 18 years old.

3. That I am an enrolled member of the Rosebud Sioux Tribe.

4. That I am a resident and do reside on the Rosebud Indian Reservation.

5. That I am not a party to this to this action as either plaintiff or defendant.

Dated this (6) _____ day of (7) _____, (8) _____.

BY:

(9) _____
AFFIANT

Sworn and subscribed to before me this _____ day of _____, _____.

Notary Public
My commission expires:
(SEAL)