

McKEAN COUNTY COURT OF COMMON PLEAS

DIVORCE: 23 Pa.C.S. § 3301 (d)

INSTRUCTIONS AND FORMS

Under Section 3301(d) of the Divorce Code the Court may grant a divorce where it is alleged the marriage is irretrievably broken and the parties have lived separate and apart for a period of at least two years.

These forms are designed to assist you with the divorce process. While the forms will help you meet the legal requirements for obtaining a divorce, they are not intended to be a substitute for the advice and guidance of an attorney. To reduce your risk of losing important legal rights, you should consider seeking the advice of an attorney before engaging in the legal process on your own.

Our staff is not able to give you legal advice or help you complete the forms. The information in the packet is not a substitute for legal advice. The Court assumes no responsibility and accepts no liability for actions taken by those using these documents. If you want to obtain the services of an attorney but do not know whom to contact, you may call the Pennsylvania Bar Association Lawyer Referral Service at 1-800-692-7375.

INSTRUCTIONS

1. Fill in the caption on the Notice to Defend. You are the plaintiff and your spouse is the defendant. The Prothonotary will assign a number to your case when you file the Complaint. Make 4 copies.
2. Fill in the blank spaces on the Complaint, sign it and sign and date the Verification. Make 4 copies.

If you want to raise other issues such as custody or alimony, you must add a separate count for each issue. For example, if you are seeking custody of your children in addition to the divorce, you would write "Count II Custody" in the blank space following number 8 on the Complaint. You would then state your children's names and ages. You may raise equitable distribution, custody, child support, spousal support, alimony, alimony pendent elite and counsel fees and costs. There is a charge for each count you raise in the Complaint.

3. Fill in the blank spaces on the Affidavit Under Section 3301(d) of the Divorce Code. Sign and date. Make 4 copies.
4. Fill in the caption on the Counter-Affidavit. Make 4 copies. You do not complete anything other than the caption. Your spouse must complete this form if he or she responds to the Complaint.
5. File the original and one copy of the Notice to Defend, Complaint, Affidavit, and Counter-Affidavit with the Prothonotary. You should have the 3 copies remaining.
6. Send to your spouse by certified mail, restricted delivery to your spouse, return receipt requested, one copy of the Notice to Defend, Complaint, Affidavit, and Counter-Affidavit. Be sure to keep the returned, signed green card for filing.
7. Send to your spouse by regular mail one copy of the Notice to Defend, Complaint, Affidavit, and Counter-Affidavit.
8. Retain for your records the other copy of the Notice to Defend, Complaint, Affidavit, and Counter-Affidavit.
9. For proof of service you need to file with the Prothonotary either:
 - a. The green card with Defendant's signature showing the mail was accepted, or
 - b. The returned letter with a notation that Defendant refused to accept delivery of the certified/registered mail. You **must** also file the Affidavit of Service. Do not sign the Affidavit of Service until 15 days have passed since you sent the regular mail and the regular mail has not been returned. You **must** sign the Affidavit of Service in front of a notary, and have it notarized. Please note you only need to file the returned letter and Affidavit of Service if you **do not** have a green card with the defendant's signature on it.

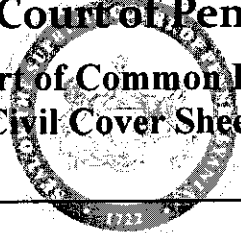
10. After 20 days have passed from the date your spouse signs the green card receipt or from the date representing 15 days after you sent the materials by regular mail, fill in the blank spaces on the Notice of Intention to Request Entry of Section 3301(d) Divorce Decree and the caption on the Counter-Affidavit. This is the same Counter-Affidavit you prepared once before. On the Notice of Intention, the date you fill in must be a date at least 20 days after the date you mail the Notice. (For example, if you mail the Notice of Intention on May 1, you may put May 21 or later in the blank.)
11. Make 2 copies of the Notice of Intention and Counter-Affidavit. Retain 1 copy for your records. Retain 1 copy to file with the Prothonotary when you file the Praeipere to Transmit the Record.
12. Send to your spouse by certified mail, restricted delivery to your spouse, return receipt requested, one copy of the Notice of Intention and Counter-Affidavit. Be sure to keep the returned, signed green card for filing.
13. Send to your spouse by regular mail one copy of the Notice of Intention and Counter-Affidavit.
14. Retain for your records the other copy of the Notice of Intention and Counter-Affidavit.
15. For proof of service you need to file with the Prothonotary either:
 - a. The green card with Defendant's signature showing the mail was accepted, or
 - b. The returned letter with a notation that Defendant refused to accept delivery of the certified/registered mail. You **must** also file the Affidavit of Service. Do not sign the Affidavit of Service until 15 days have passed since you sent the regular mail and the regular mail has not been returned. You **must** sign the Affidavit of Service in front of a notary, and have it notarized. Please note you only need to file the returned letter and Affidavit of Service if you **do not** have a green card with the defendant's signature on it.
16. After 20 days pass from the date you mailed the Notice of Intention and Counter-Affidavit, fill in the caption and blank spaces on the Praeipere to Transmit the Record.
17. File with the Prothonotary:
 - (1) Praeipere to Transmit Record
 - (2) Proof of Service of the Notice to Defend, Complaint, Affidavit, and Counter-Affidavit (Green Card or the Returned Letter and Notarized Affidavit)
 - (3) Proof of Service of the Notice of Intention and Counter-Affidavit (Green Card or the Returned Letter and Notarized Affidavit)
 - (4) Copy of the Notice of Intention and Counter-Affidavit
18. As the plaintiff, you may also file a Counter-Affidavit. Review the document to determine if it is something you wish to complete, and follow any instructions it provides. If you choose to file a Counter-Affidavit, file it with the Prothonotary when you file the items listed under 17 above.

19. If your spouse does not respond to the documents you sent, you must also file with the Prothonotary the Affidavit of Non-Military Service. The Affidavit of Non-Military Service **must** be signed in front of a Notary.

20. **Please note** each time you file documents with the Prothonotary, you must also file a Local Cover Sheet and Supplement. One copy of each is included in this packet for your convenience.

Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet



County _____

For Prothonotary Use Only:

Docket No: _____

TIME SLIP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:			
<input type="checkbox"/> Complaint	<input type="checkbox"/> Writ of Summons	<input type="checkbox"/> Petition	<input type="checkbox"/> Declaration of Taking
<input type="checkbox"/> Transfer from Another Jurisdiction			
Lead Plaintiff's Name: _____		Lead Defendant's Name: _____	
Are money damages requested? <input type="checkbox"/> Yes <input type="checkbox"/> No		Dollar Amount Requested: <input type="checkbox"/> within arbitration limits (check one) <input type="checkbox"/> outside arbitration limits	
Is this a <i>Class Action Suit</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No		Is this an <i>MDJ Appeal</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Name of Plaintiff/Appellant's Attorney: _____			
<input type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)			

SECTION B

<p>Nature of the Case: Place an "X" to the left of the <u>ONE</u> case category that most accurately describes your PRIMARY CASE. If you are making more than one type of claim, check the one that you consider most important.</p>		
<p>TORT (do not include Mass Tort)</p> <input type="checkbox"/> Intentional <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability (does not include mass tort) <input type="checkbox"/> Slander/Libel/ Defamation <input type="checkbox"/> Other: _____	<p>CONTRACT (do not include Judgments)</p> <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Debt Collection: Credit Card <input type="checkbox"/> Debt Collection: Other _____ <input type="checkbox"/> Employment Dispute: Discrimination <input type="checkbox"/> Employment Dispute: Other _____ <input type="checkbox"/> Other: _____	<p>CIVIL APPEALS</p> <input type="checkbox"/> Administrative Agencies <input type="checkbox"/> Board of Assessment <input type="checkbox"/> Board of Elections <input type="checkbox"/> Dept. of Transportation <input type="checkbox"/> Statutory Appeal: Other _____ <input type="checkbox"/> Zoning Board <input type="checkbox"/> Other: _____
<p>MASS TORT</p> <input type="checkbox"/> Asbestos <input type="checkbox"/> Tobacco <input type="checkbox"/> Toxic Tort - DES <input type="checkbox"/> Toxic Tort - Implant <input type="checkbox"/> Toxic Waste <input type="checkbox"/> Other: _____	<p>REAL PROPERTY</p> <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Ground Rent <input type="checkbox"/> Landlord/Tenant Dispute <input type="checkbox"/> Mortgage Foreclosure: Residential <input type="checkbox"/> Mortgage Foreclosure: Commercial <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Other: _____	<p>MISCELLANEOUS</p> <input type="checkbox"/> Common Law/Statutory Arbitration <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Mandamus <input type="checkbox"/> Non-Domestic Relations Restraining Order <input type="checkbox"/> Quo Warranto <input type="checkbox"/> Replevin <input type="checkbox"/> Other: _____
<p>PROFESSIONAL LIABILITY</p> <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional: _____		

_____ Plaintiff : IN THE COURT OF COMMON PLEAS OF
 vs. _____ : McKEAN COUNTY, PENNSYLVANIA
 _____ Defendant : CIVIL DIVISION - ___ Law ___ Equity
 : NO. _____
 : _____ Medical Professional Liability Action

LOCAL COVER SHEET

Dated: _____, 20____

1. Type of Pleading (e.g. Complaint in Divorce) _____

2. By whom filed: ___ Plaintiff ___ Defendant Are monetary damages requested? ___ Yes ___ No
 Jury trial demanded ___ Yes ___ No Complex* ___ Yes ___ No Small Claim (<\$12,000) ___ Yes ___ No
 To be listed for Arbitration? ___ Yes ___ No Note: A civil action is to be listed for Arbitration unless (1) the
 amount in controversy exceeds \$50,000 exclusive of interest and costs or (2) the case involves title to real property.
 * For definition: See Note following L205.2(b)(2).

3. The plaintiff is represented by:
 Attorney _____ Email _____
 Firm _____
 Address _____
 Tel. # _____ Fax # _____ Supreme Court ID No. _____

The plaintiff appears *pro se*:
 Address _____
 Telephone number _____ Email _____

4. The defendant(s) is (are) represented by (attach a separate sheet of paper, if necessary):
 Attorney _____ Email _____
 Firm _____
 Address _____
 Tel.# _____ Fax # _____ Supreme Court ID No. _____

The defendant(s) appear(s) *pro se* (attach a separate sheet of paper, if necessary):
 Address _____
 Telephone number _____ Email _____

5. Name of the assigned Judge: _____

6. This action was commenced by:
 ___ filing a writ of summons on _____ filing a complaint on _____
 ___ filing on _____ a notice of appeal from a judgment of the Magisterial District Judge
 ___ filing a notice of appeal from a decision of a Board of Arbitration on _____

7. Case* type, from Initial Cover Sheet including supplement: _____
 *If case includes real property, the address and tax assessment number are required.
 Address _____ Tax assessment no. (Map No.) _____

Filer/Counsel for the Plaintiff/Defendant

		: IN THE COURT OF COMMON PLEAS OF
Plaintiff		: McKEAN COUNTY, PENNSYLVANIA
		:
vs.		: CIVIL DIVISION - ___ Law ___ Equity
		: ___ Medical Professional Liability Action
		:
Defendant		: NO. _____

**McKEAN COUNTY COURT OF COMMON PLEAS
SUPPLEMENT TO Pa.R.C.P. No. 205.5 COVER SHEET**

FAMILY LAW

- Annulment
- Child Custody/Visitation
- Divorce
- Paternity
- Protection from Abuse
- Divorce Counts**
- Check all that apply*
- Alimony/Spousal Support
- Alimony *pendente lite*, counsel fees & costs
- Child Custody/Visitation
- Child Support
- Equitable Distribution/Property Rights
- Other: _____

ORPHAN'S COURT

- Adoption
- Wills
- Administration of Estates
- Accounts
- Trust Estates
- Minors
- Incapacitated Persons
- Auditors & Masters
- Official Examiners
- Absentees & Presumed Decedents
- Real Property Transactions
- Non-Profit Corporations
- Other: _____

Nature of the Case

Note: Be brief and concise. Type or print legibly.

	Plaintiff	:	IN THE COURT OF COMMON PLEAS OF
		:	
vs.		:	McKEAN COUNTY, PENNSYLVANIA
		:	
	Defendant	:	CIVIL DIVISION
		:	
		:	NO. _____ C.D. _____

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the court. A judgment may also be entered against you for any other claim or relief requested in these papers by the plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary at

Prothonotary
 McKean County Courthouse
 500 West Main Street
 Smethport, PA 16749
 (814) 887-3270

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, A DIVISION OF PROPERTY, LAWYERS' FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Prothonotary
 McKean County Courthouse
 500 West Main Street
 Smethport, PA 16749
 (814) 887-3270

_____, : IN THE COURT OF COMMON PLEAS OF
Plaintiff :
vs. :
_____, : McKEAN COUNTY, PENNSYLVANIA
Defendant : CIVIL DIVISION
: NO. _____ C.D. _____

COMPLAINT UNDER SECTION 3301(d) OF THE DIVORCE CODE

1. Plaintiff is _____ (name), who currently resides at _____ (address), _____ County, _____ (city), Pennsylvania, since _____ (date).
2. Defendant is _____ (name), who currently resides at _____ (address), _____ County, _____ (city), Pennsylvania, since _____ (date).
3. _____ (plaintiff and/or defendant), has/have been a bona fide resident(s) in the Commonwealth of Pennsylvania for at least six months immediately previous to the filing of this complaint.
4. The plaintiff and defendant were married on _____ (date), at _____ (city), _____ County in the State of _____.
5. There have been no prior actions of divorce or annulment between the parties except _____.
6. The marriage is irretrievably broken.
7. Plaintiff has been advised that counseling is available and that plaintiff may have the right to request that the court require the parties to participate in counseling.

8. Plaintiff requests the court to enter a decree of divorce.

Plaintiff

Verification

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Date

Plaintiff

Plaintiff

IN THE COURT OF COMMON PLEAS OF
McKEAN COUNTY, PENNSYLVANIA

VS.

CIVIL DIVISION

Defendant

NO. _____ C.D. _____

AFFIDAVIT OF SERVICE

_____ (*plaintiff*), being duly sworn according to law deposes and states that he/she served a true and correct copy of the Divorce Complaint and Affidavit under Section 3301 of the Divorce Code filed in this matter by certified/registered mail, return receipt requested, restricted to addressee only and also by regular mail at _____ (*address*), on _____ (*date*). The regular mail has not been returned within fifteen days after mailing. Attached to this affidavit is the returned letter with the notation that the defendant refused to accept delivery.¹

Plaintiff

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

Notary Public

¹ Under Rule 1930.4 (h) (4) of the Pennsylvania Rules of Civil Procedure, proof of service by mail is satisfied where the plaintiff files with the court the return receipt signed by the defendant. When the defendant signs the return receipt, and acceptance is not refused, plaintiff need not submit this affidavit. Only when the defendant refuses to accept mail service must this sworn affidavit be submitted along with the returned letter.

			: IN THE COURT OF COMMON PLEAS OF
Plaintiff			:
vs.			: McKEAN COUNTY, PENNSYLVANIA
			:
			: CIVIL DIVISION
Defendant			:
			: NO. _____ C.D. _____

NOTICE

If you wish to deny any of the statements set forth in this affidavit, you must file a counter-affidavit within twenty (20) days after this affidavit has been served on you or the statements will be admitted.

AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE

1. The parties to this action separated on _____ and have continued to live separate and apart for a period of at least two years.
2. The marriage is irretrievably broken.
3. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

I verify that the statements made in this complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Date

Plaintiff

Plaintiff	,	: IN THE COURT OF COMMON PLEAS OF
		:
vs.		:
		: McKEAN COUNTY, PENNSYLVANIA
		:
		: CIVIL DIVISION
		:
Defendant	,	: NO. ____ C.D. ____

**COUNTER-AFFIDAVIT UNDER SECTION 3301(d)
OF THE DIVORCE CODE**

1. Check either (a) or (b):

(a) ___ I do not oppose the entry of a divorce decree.

(b) ___ I oppose the entry of a divorce decree because:

Check (i), (ii) or both:

(i) ___ The parties to this action have not lived separate and apart for a period of at least two years.

(ii) ___ The marriage is not irretrievably broken.

2. Check either (a) or (b):

(a) ___ I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

(b) ___ I wish to claim economic relief, which may include alimony, division of property, lawyer's fees or expenses or other important rights.

I understand that in addition to checking (b) above, I must also file all of my economic claims with the prothonotary in writing and serve them on the other party. If I fail to do so

before the date set forth on the Notice of Intention to Request Divorce Decree, the divorce decree may be entered without further notice to me, and I shall be unable thereafter to file any economic claims.

I verify that the statements made in this complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Date

Defendant

NOTICE: IF YOU DO NOT WISH TO OPPOSE THE ENTRY OF A DIVORCE DECREE AND YOU DO NOT WISH TO MAKE ANY CLAIM FOR ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

Plaintiff

vs.

Defendant

: IN THE COURT OF COMMON PLEAS OF
:
: McKEAN COUNTY, PENNSYLVANIA
:
: CIVIL DIVISION
:
: NO. _____ C.D. _____

NOTICE OF INTENTION TO REQUEST ENTRY OF §3301(d) DIVORCE DECREE

TO: _____ (defendant)

You have been sued in action for divorce. You have failed to answer the complaint or file a counter-affidavit to the plaintiff's affidavit. Therefore, on or after _____ (date), the plaintiff can request the court to enter a final decree in divorce.

If you do not file with the prothonotary of the court an answer with your signature notarized or verified or a counter-affidavit by the above date, the court can enter a final decree in divorce. A counter-affidavit which you may file with the prothonotary of the court is attached to this notice.

Unless you have already filed with the court a written claim for economic relief, you must do so by the above date or the court may grant the divorce and you will lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Prothonotary.
McKean County Courthouse
500 West Main Street
Smethport, PA
(814) 887-3270

		: IN THE COURT OF COMMON PLEAS OF
Plaintiff		:
vs.		: McKEAN COUNTY, PENNSYLVANIA
		:
Defendant		: CIVIL DIVISION
		:
		: NO. ____ C.D. ____

**COUNTER-AFFIDAVIT UNDER SECTION 3301(d)
OF THE DIVORCE CODE**

1. Check either (a) or (b):

(a) ___ I do not oppose the entry of a divorce decree.

(b) ___ I oppose the entry of a divorce decree because:

Check (i), (ii) or both:

(i) ___ The parties to this action have not lived separate and apart for a period of at least two years.

(ii) ___ The marriage is not irretrievably broken.

2. Check either (a) or (b):

(a) ___ I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

(b) ___ I wish to claim economic relief, which may include alimony, division of property, lawyer's fees or expenses or other important rights.

I understand that in addition to checking (b) above, I must also file all of my economic claims with the prothonotary in writing and serve them on the other party. If I fail to do so

before the date set forth on the Notice of Intention to Request Divorce Decree, the divorce decree may be entered without further notice to me, and I shall be unable thereafter to file any economic claims.

I verify that the statements made in this complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

Date

Defendant

NOTICE: IF YOU DO NOT WISH TO OPPOSE THE ENTRY OF A DIVORCE DECREE AND YOU DO NOT WISH TO MAKE ANY CLAIM FOR ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

Plaintiff

vs.

Defendant

: IN THE COURT OF COMMON PLEAS OF
:
: McKEAN COUNTY, PENNSYLVANIA
:
: CIVIL DIVISION
:
: NO. _____ C.D. _____

AFFIDAVIT OF SERVICE

_____ (*plaintiff*), being duly sworn according to law
deposes and states that he/she served a true and correct copy of the Notice of Intention to
Request Entry of Section 3301(d) Divorce Decree of the Divorce Code and Counter-Affidavit
Under Section 3301(d) filed in this matter by certified/registered mail, return receipt requested,
addressee only to the defendant and by regular mail
at _____ (*address*), on
_____ (*date*). The return receipt signed by the defendant is evidence of
delivery to him/her and is attached hereto *or* the regular mail has not been returned and more
than 15 days has passed since the mailing of the same.

Plaintiff

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

Notary Public

IN THE COURT OF COMMON PLEAS OF

McKEAN COUNTY, PENNSYLVANIA

CIVIL DIVISION

NO. _____ CD _____

Plaintiff

vs.

Defendant

PRAECIPE TO TRANSMIT RECORD

1. Ground for divorce: Irretrievable breakdown (2 year divorce)
2. Date and manner of service of the Complaint: _____.
3. Related claims pending: _____.
4. Date Plaintiff signed the Affidavit Under Section 3301(d) of the Divorce Code:
_____. Date delivered to Defendant _____.
5. Date and manner of service of the Notice of Intention to Request Entry of §
3301(d) Divorce Decree _____.
6. The following have been filed with the Prothonotary or are being filed with this
Praecipe to Transmit Record:
 - a. Copy of Notice to Defend, Complaint, Affidavit and Counter-Affidavit;
 - b. Proof of service of the items listed in 6(a);
 - c. Copy of Notice of Intention and Counter-Affidavit;
 - d. Proof of service of the items listed in 6(c);

Plaintiff

Plaintiff
vs.

Defendant

: IN THE COURT OF COMMON PLEAS OF
:
: McKEAN COUNTY, PENNSYLVANIA
:
: CIVIL DIVISION
:
: NO. ____ C.D. ____

AFFIDAVIT OF NON-MILITARY SERVICE

_____, (*plaintiff*) being duly sworn according to law, deposes and says that he/she is the plaintiff in this action and that he/she knows of his/her own personal knowledge, and therefore avers, that defendant, _____, is not in the military service of the United States or its allies, or otherwise subject to the provisions of the Soldiers and Sailors Civil Relief Act of 1940, 50 U.S.C. § 501 et seq.

Plaintiff

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

Notary Public