

Commonwealth of Massachusetts

The Trial Court

Probate and Family Court Department

Division _____

Docket No. _____

MILITARY AFFIDAVIT

In the matter of: _____
Name of Case or Estate

I, _____ of _____
(Name) - Please Print (street address)
_____, in the County of _____, on oath depose and say:
(city or town)

A. None of the interested parties or heirs-at-law are in the military service of the United States or of any of its allies.

B. _____ has NOT assented and is currently in the military service of the United States or of any of its allies.

C. _____ has NOT assented and I am unable to determine his/her military status.

Signed under the penalties of perjury

(Date)

Signature

Print Name

NOTE

1. A Military Affidavit must be filed if all heirs at law have not assented or filed an appearance.
2. A separate Military Affidavit must be filed for each person for whom B. or C. above applies.
3. If defendant, an interested party, or an heir at law is in military service, the court shall appoint an attorney to represent that person and protect his/her interest in accordance with the Soldiers' and Sailors' Relief Act which provides an umbrella of protection whereby those on active duty status can request a delay in proceedings if they can show that their military responsibilities preclude their proper representation in court.
4. If defendant is in military service, the court may require a bond be filed before judgment is entered to indemnify the defendant against any loss or damage defendant may suffer by reason of the judgment.