

INSTRUCTIONS for CAO 16-5
Affidavit of Service of Eviction Summons and Complaint

This document is necessary to prove to the Court that each defendant was properly served a copy of your Complaint and Summons. The Complaint and Summons must be served by a person who is not a party to the action. That person must be over 18 years old and not a party to the lawsuit. If you use a process server or sheriff's department they will probably have their own affidavit of service form. It may be called a return of service or other such name but is a document stating that they have served the defendant with your complaint. If a friend or acquaintance serves the defendant for you, you will fill out this Affidavit of Service document with the appropriate information and the server must sign it in front of a notary public.

How to fill in this document:

- ❑ In the top left hand corner of the document you put your name on the first line and your address on the second and third lines. Put your phone number, including area code, on the fourth line.
- ❑ In the blanks in the heading of the document, make sure that you type in the judicial district and county where you filed your action.
- ❑ Inside of the box in the heading on the first two lines type in your name(s) as the *plaintiff(s)*, owners of the property. The name of the tenant(s) is/are typed on the second two lines as the *defendant(s)*. These lines must match the Complaint.
- ❑ In the blank after "Case No." fill in the number that was assigned when the case was filed.
- ❑ Type the name of the county in which the server resides on the blank in paragraph 1.
- ❑ Type the name of the defendant who was served on the blank line following the word "on" in paragraph 2. (If there is more than 1 Defendant, you must serve each one.) The process server can fill in the date and place of service in paragraph 2 after serving the Summons and Complaint.

Full Name of Party Filing This Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone Number

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

Plaintiff(s),
vs.

Defendant(s).

Case No. _____

AFFIDAVIT OF SERVICE
(COMPLAINT & SUMMONS)

STATE OF IDAHO)
) : ss
County of _____)

I swear under oath:

1. I am a resident of _____ County, State of _____, over the age of eighteen (18) years, and not a party to the above-entitled action.

2. On _____, _____, I personally served copies of the Summons for Eviction and Complaint on (name) _____, a/the above-named Defendant, in the County of _____, State of _____ at (address) _____.

Affiant's Signature

Typed/printed name of Affiant

SUBSCRIBED AND SWORN TO before me this _____ day of _____, _____.

Notary Public for _____
Residing at _____
Commission Expires: _____