

**INSTRUCTIONS for CAO 16-14**  
**AFFIDAVIT OF SERVICE of Summons and Complaint**  
**(Specific Performance)**

This document is necessary to prove to the Court that the defendant was properly served (delivered) a copy of your Complaint and Summons. This must be served by a person who is not a party to the law suit. If you use a process server or sheriff's department they will probably have their own affidavit of service. 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 landlord for you, you will fill 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 fill in the judicial district and county where you are filing your action.
- Inside of the box in the heading on the first two lines fill in your name(s) as the *plaintiff(s)*. The name(s) the landlord(s) is/are typed on the second two lines as the *defendant(s)*.
- 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. Use two separate Affidavits of Service.) The process server can fill in the date and place of service, 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 AND SUMMONS)

STATE OF IDAHO )  
 ) : ss  
County of \_\_\_\_\_ )

I swear under oath:

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

2. On \_\_\_\_\_, 20\_\_\_\_, I personally served copies of the Summons for Specific Performance and Expedited Hearing and Complaint for Specific Performance and Expedited Hearing on \_\_\_\_\_, a Defendant, at (address) \_\_\_\_\_ (city) \_\_\_\_\_ (state) \_\_\_\_\_.

\_\_\_\_\_  
Affiant's Signature

\_\_\_\_\_  
Typed or Printed Name of Affiant

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public for Idaho  
Residing at \_\_\_\_\_  
Commission Expires: \_\_\_\_\_