SCRA SEARCH

General military affidavit form (Form SS-101)

Read this page first. Do not file this page with the court.

A courtesy form

SCRA Search (scrasearch.com) provides this form as a courtesy, free of charge. It is a general form based on the federal Servicemembers Civil Relief Act, 50 U.S.C. § 3931(b). It is not a court-issued form, and it is not legal advice.

Check that it is the proper form for your case

Many courts publish their own military affidavit or build the statement into their default judgment forms, and some courts require their own form. Before you file, confirm with the court clerk or a licensed attorney that this is the proper form for your court and your case. SCRA Search does not promise that any court will accept it.

How to complete the form

1. Fill in the court, the parties and the case number exactly as they appear in your case.
2. Use one form for each defendant.
3. In paragraph 3, check one box. Check only what you can support.
4. In paragraph 4, give the facts behind paragraph 3. If you rely on a Department of Defense status report, enter the "Status As Of" date and the Certificate ID printed on the report, and attach the report to the form.
5. Sign and date the form. Federal law allows a statement signed under penalty of perjury (50 U.S.C. § 3931(b)(4)). Have it notarized only if your court requires a notarized affidavit.

A false statement is a crime

A person who makes or uses a military affidavit knowing it to be false may be fined, imprisoned for up to one year, or both (50 U.S.C. § 3931(c)).

No Social Security number or date of birth for the defendant?

The Department of Defense search needs the last name plus one of them. SCRA Search locates the identifier, runs the official search and emails you the status report to attach: scrasearch.com.

_____

Name of the court, with county and state

_____
Plaintiff(s),

v.

_____
Defendant(s).

Case No. _____

AFFIDAVIT OF MILITARY SERVICE

Servicemembers Civil Relief Act, 50 U.S.C. § 3931(b)

I, _____, state:

1. I am (check one):
   ☐ the plaintiff ☐ the attorney for the plaintiff ☐ an authorized agent of the plaintiff

2. This statement concerns the defendant named here:

   _____

3. Military service (check one):
   ☐ The defendant is not in military service.
   ☐ The defendant is in military service.
   ☐ I am unable to determine whether or not the defendant is in military service.

4. Facts supporting the statement in paragraph 3 (check all that apply):
   ☐ A Status Report Pursuant to Servicemembers Civil Relief Act from the Department of Defense Manpower Data Center is attached.

   "Status As Of" date on the report: _____ Certificate ID: _____

   ☐ Other facts (attach a page if you need more room):

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____
(date) *(city and state)*

_____ _____
Signature *Printed name*

NOTARY *(complete only if your court requires a notarized affidavit)*

State of _____, County of _____. Subscribed and sworn to (or affirmed) before me on _____ by _____.

(Seal)

_____
Notary Public
My commission expires: _____