

AFFIDAVIT OF SERVICE [NAME] [DATE]

Add the name of the person making the affidavit and the date the affidavit is made.

COURT DETAILS

Court	Supreme Court
#Division	Equity Division
#List	Probate
Registry	Sydney
Case number	Write the case number – you can find this on your published Notice of Application

TITLE OF PROCEEDINGS

[First] plaintiff	[name] Write The Estate of (name of the deceased)
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#Second plaintiff #Number of plaintiffs (if more than two)

[First] defendant	[name] Delete or leave blank
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#Second defendant #Number of defendants (if more than two)

FILING DETAILS

Filed for	[name] [role of party eg plaintiff] Write the full name of the person applying for administration and their role, for example, plaintiff
#Filed in relation to	[eg plaintiff's claim, (number) cross-claim] [include only if form to be eFiled] Application for Letters of Administration in the estate of the late (name of the deceased)
#Legal representative	[solicitor on record] [firm] Delete or leave blank if you do not have a lawyer
#Legal representative reference	[reference number] Delete or leave blank if you do not have a lawyer
Contact name and telephone	[name] [telephone] Write your name and telephone number
Contact email	[email address] Write your email address here, if you have one

AFFIDAVIT

Name Write the full name of the person making the affidavit
 Address Write the address of the person making the affidavit
 Occupation Write the usual occupation of the person making the affidavit
 Date Write the date the affidavit was signed and witnessed

I [#say on oath #affirm]: Delete whichever options does not apply

- 1 #I am [role of deponent] If you are a party to the application (for example, the plaintiff) write that here. Otherwise delete it.
- 2 I am over the age of 16 years.
- 3 On [date] write date the document was served at [place] write where the document was served, I served [name of person served] write the name of the person you gave the document to with the following documents [describe documents served. If the document served is a filed document include the date the document was filed in the description eg statement of claim filed (date). Do not attach a copy of any document already filed.]
- 4 I served the documents by [method of service] Write how you served the document. For example, 'I handed the document to him'.
- 5 #At the time of service [name of person served] write the name of the person you gave the document to stated [record what, if anything, the person served said].

#SWORN #AFFIRMED at **Write the name of the suburb the affidavit is sworn or affirmed at.**
Select one:

Signature of deponent **The person who made the affidavit must sign in front of the prescribed witness.**

Name of witness **Write the full name of the prescribed witness.**

Address of witness **Write the address of the prescribed witness.**

Capacity of witness **[#Justice of the peace #Solicitor #Barrister #Commissioner for affidavits #Notary public] Delete whichever option does not apply**

And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):

The witness must select one from options 1 and 2 to verify the identity of the person making the affidavit:

- 1 **#I saw the face of the deponent. [OR, delete whichever option is inapplicable]**
#I did not see the face of the deponent because the deponent was wearing a face covering, but I am satisfied that the deponent had a special justification for not removing the covering.*
- 2 **#I have known the deponent for at least 12 months. [OR, delete whichever option is inapplicable]**
#I have confirmed the deponent's identity using the following identification document:

Identification document relied on (may be original or certified copy)[†]

Witness must specify what type of identification document they sighted to confirm the identity of the person who made the affidavit.

Signature of witness **The witness signs here**

The executor and witness must also sign each page of the affidavit.

Note: The deponent and witness must sign each page of the affidavit. See UCPR 35.7B.

[* The only "special justification" for not removing a face covering is a legitimate medical reason (at April 2012).]

[[†] "Identification documents" include current driver licence, proof of age card, Medicare card, credit card, Centrelink pension card, Veterans Affairs entitlement card, student identity card, citizenship certificate, birth certificate, passport or see Oaths Regulation 2011.]