

Affidavit of Service

20

No.

Supreme Court of Nova Scotia

Between:

	Applicant
and	
	Respondent
	or
	Respondents
	[delete one]

Affidavit of Service for Application

I, _____ [name of person who served], of _____ [community], _____ make oath and say that/affirm that I did, on _____ [date] before the hour of _____ [a.m./p.m.], personally deliver a certified copy of a notice of application, the same as the certified copy to which this affidavit is attached, together with other documents bearing the same heading, namely a copy of an affidavit of _____ [name] sworn on _____, 20____, a draft order, _____ [other], to _____ [name of person served]. The delivery took place at _____ [community]. I knew the person to be the one to whom delivery was to be made because _____

_____ [state how identified person].

[Sworn to/Affirmed] before me)
 on _____, 20____)
)
)
)
 _____)

Signature of Authority

 Signature of Witness

Print name:
 Official Capacity:

Note for Applicants Acting on Their Own

A person who is named as a respondent must be notified of the proceeding as soon as possible. The deadline for regular chambers is ten days before the hearing.

The person is notified by handing him or her a copy of the notice of application certified by the court and exact copies of the supporting materials, such as affidavits.

You cannot make the delivery yourself. You need a literate person who is not a party to do it. See Rule 31.04(1).

There are solutions to almost all procedural problems, such as when a respondent cannot be identified or found and when the deadline for service causes serious harm. You need to consult the *Nova Scotia Civil Procedure Rules*, which can be found online at http://www.courts.ns.ca/Civil_Procedure_Rules/cpr_home.htm, or get advice.

The person who makes the delivery for you has to swear an affidavit and you have to file it. The notice of application is an exhibit to the affidavit of service. The other documents referred to in the affidavit are not to be attached.