NOTICE

The Soldiers' and Sailors' Civil Relief Act of 1940 and renamed Servicemembers Civil Relief Act as codified at 50 U.S.C. App. et.seq. and recently amended and passed by the 108th Congress last year requires that in any civil case in which the defendant does not make an appearance, and before entering judgment for the plaintiff, the court must required th plaintiff to file an affidavit that:

(a) states whether or not the defendant is on active duty in military services and show necessary facts to support the affidavit; or

(b) If the plaintiff is unable to determine whether or not the defendant is on active duty in military services, states that the plaintiff is unable to determine whether or not the defendant is in military services.

Only if the affidavits establish that the plaintiff is not an active servicemember can the court proceed with a default judgment in the normal fashion.

NOTICE: The nonmilitary affidavit must be filed at the time of filing of all evictions and civil suits.