

Cause Number: _____

In the _____
Court Number

- ☐ District Court
☐ County Court at Law
☐ Justice Court

County Name County, Texas

Military Status Declaration

(Check only one)

☐ I am signing this affidavit in front of a notary public.
DO NOT SIGN THIS DOCUMENT UNTIL YOU ARE IN FRONT OF A NOTARY PUBLIC.

☐ I am signing this document **under penalty of perjury** under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1. "My name is: _____
First Middle Last

2. "I am the Petitioner in this case.

3. "I am at least 18 years old.

4. "I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7. "I understand that if I make or use a military status affidavit or declaration, knowing it to be false, I may be fined, imprisoned for not more than one year, or both. See 50 U.S.C. App. Section 521(c).

8. "The Respondent's name is: _____
First Middle Last

9. "The Respondent's military status is:

☒ **Check all boxes that describe your situation.**

☐ The Respondent is in the military now.

☐ I know the Respondent is **not** in the military now because I searched the U.S. Department of Defense's Defense Manpower Data Center (DMDC) database. According to the results of the search of the DMDC database, Respondent is not on active duty in any of the armed forces. I have attached a true copy of the DMDC verification.

(If you check the box above, you must attach a copy of the DMDC verification. You can print a copy of the DMDC verification from this web address:
<https://scra.dmdc.osd.mil/scra/>.

☐ I know the Respondent is **not** in the military now because: _____

☐ I do not know if the Respondent is in the military now.

Signature

If you **DO NOT** have access to notary public services, sign below.

My name is _____. My date of birth is _____.

My address is _____
street city state ZIP country

I declare **under penalty of perjury** that all information in this Military Status Declaration is true and correct.

Signed in _____ County, _____ (state),

on this date: ____/____/____
Month/ Day/ Year/



Your Signature

WARNING: Under Texas Civil Practice and Remedies Code 132.001, an unsworn declaration may be used in lieu of a written sworn declaration, verification, certification, oath, or affidavit required by statute or required by a rule, order, or requirement adopted as provided by law. This provision does not apply to a lien required to be filed with a county clerk, an instrument concerning real or personal property required to be filed with a county clerk, or an oath of office or an oath required to be taken before a specified official other than a notary public. An unsworn declaration made under this section must be 1) in writing, 2) signed by the person making the declaration as true under penalty of perjury and 3) in substantially the form used above. Perjury is a crime in Texas. See Texas Penal Code 37.02 and 37.03.

If you **DO** have access to notary public services, sign below—but not until you are in front of a notary public.

Petitioner's signature

Notary fills out below

State of Texas,

County of _____
(Print the name of county where this affidavit is notarized.)

Sworn to and subscribed before me, the undersigned Notary, on date: _____

by _____
(Print the first and last names of the person signing this affidavit.)

I, the Notary Public, whose signature appears below, certify that I am not an attorney in this case.

(Notary's seal here)



Notary's signature

HOW CAN I VERIFY IF SOMEONE IS IN THE MILITARY

1. Please **use the Defense Manpower Data Center's (DMDC) Military Verification Service** to verify if someone is in the military. The website will tell you if the person is currently serving in the military. This will require defendant's date of birth or Social Security number. The site is available 24-hours a day.

2. **What if the Plaintiff does not have a computer ?**

The Plaintiff may request a manual search by mail using the defendant's name and date of birth or Social Security number. Send a request with a self-addressed stamped envelope to:

**Defense Manpower Data Center
Attn: Military Verification
1600 Wilson Blvd. Suite 400
Arlington, Virginia 22209-2593**

3. **What if the Plaintiff does not have the defendant's social security number and/or a date of birth ?**

The Plaintiff must file a Military Affidavit which contains a factual basis upon which the court may reasonably conclude that the defendant is or is not a member of the military service. Simply writing **"I have never seen the defendant in a military uniform,"** or **"the defendant never mentioned that he is a military service member."** The court will not consider these statements. Some factors the court may consider if articulated are:

- a. Whether the defendant has recently been asked if they are a member of the military.
- b. Whether an inquiry has been made of a resident (name required) of the same household who is (an adult 18 or older) as to the defendant's military status.
- c. Whether the defendant's spouse has been asked about the defendant's military status.
- d. Whether a neighbor (name required) has been asked about the defendant's military status.