Click to prove you're human



1Understand the purpose of your affidavit. Before you begin to write anything down, make sure you understand what issues are in dispute and why you've been called on to provide supporting evidence. You need to know this so you can include in the affidavit only relevant information. If your observations are not relevant to anything at issue in the case, they won't be admissible. For example, suppose your friend is abusive to her child is being challenged by the child's father, who alleges that your friend is not abusive to her child. [4]2Check for affidavit forms. Some states provide affidavit forms, also called "declarations." You can use such a form for formatting purposes, but you'll have to adapt it to suit your own needs. [5]3Create the caption." Usually it includes the name of the court, the names of the parties, and the case number. The content and format of the caption should remain the same in all documents filed in the case. Thus you could simply copy the caption of one of the other documents. [6]4Title your affidavit. Urop two lines below the caption, and type a title such as "Affidavit of [Your Name]," or simply "Character Affidavit." Use a previously filed document in the case as a guide for how to format the title, as document-formatting preferences differ from one court to the next. Generally, titles are centered and in bold-face type. Some courts prefer the title to be in all capital letters or underlined.5Identify yourself and your relationship to the party in the case. Start the body of your affidavit by introducing yourself to the court. [7]You may use traditional, formal court language if you prefer, which is "Comes now [your name], a nonparty, and states as follows:" followed by numbered statement typically covers one subject. It may be one sentence or several.Make a statement typically covers one subject. It may be one sentence or several.Make a statement typically covers one subject. 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It may be one sentence or several.Make a statement typically covers one subject. It may be one sentence or several.Make a statement typically covers on the sentence or several.Make a statement ty has a good moral and ethical character.6Describe your background. Explain to the court who you are and any part of your background or experience that makes you a credible witness. [8]For example, if you are the child's baseball coach and have observed the parent interact with the child's baseball coach and have part of you've are the child's baseball coach and have observed the parent interact with the child's baseball coach and part of you've are the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact with the child's baseball coach and have observed the parent interact. been a youth baseball coach and approximately how many other parent-child relationships you've observed.7Write about your observed that demonstrate and support your belief about the person's character.Follow the general writing advice: "show, don't tell." Show the court specific facts or instances that illustrate the good character of the person, rather than simply saying the person has a good reputation, or that in your opinion s/he has strong morals. Stay away from vague statements such as "Dad is an actively involved parent." Instead, provide specific instances of Dad's active involvement. For example, if you're the child's baseball coach, you might mention that Dad comes to every gractice and every game and also helps the team in the dugout. [9]Be cautious of citing facts that might not be seen as demonstrating good moral character, but that would not necessarily be persuasive evidence in the eyes of someone of a different spiritual temperament. Be objective. Rather than setting forth church membership as evidence of character, talk about the things the person did through the church. For example, building a house for a needy family or operating a canned-food drive might be seen as indicating good character. Try your best to remain balanced. If you know of positive attributes of the other parent, include that information, too. Entirely one-sided affidavits may raise suspicions. [10] Avoid trying to make the person look like a saint. Nobody's perfect. If you list only positive and glowing traits of your friend, your affidavit won't be very credible. If you know of weaknesses, include those as well. It will make your affidavit more persuasive. [11]For example, suppose the child's mother, your friend, is an alcoholic. If you know that she sometimes drinks, occasionally to excess, you should include that information. Doing so will lend authenticity to your statement. Remember that you are writing your affidavit under oath.8Format your signature block. When you've finished saying everything you want to say, drop down two lines and lay out the area where you'll sign your affidavit.Include a statement such as "I swear the information contained above is true and correct to the best of my knowledge and belief."Leave enough space beneath the above statement for your signature and date. Under that, type your name, address, telephone number, and email address, telephone number, and email address. Affidavits must be signed in the presence of a notary public, who also must sign the affidavit as a witness and affix a seal. The exact format and space needed for a notary block vary from state to state. Search online to find the form you need for your affidavit. [12]10Sign your affidavit in their presence of a notary public near you, and make arrangements to sign your affidavit in their presence of a notary public near you. also find a notary service at some private businesses such as check-cashing companies, or at your local courthouse. These notaries typically charge a small fee for their services.11Make a copy of your signed affidavit. The person who requested the affidavit will need the original to file with the court, but make sure you have a copy for your own records before you hand it over. 12Appear in court if necessary. Some family-court judges will want you to appear in court and testify on the stand to the facts stated in your affidavits for temporary decisions, they might want to see you in person before any permanent order is made. [13] Advertisement A court case involves a dispute between two or more parties. The parties have differing views on central issues of the case and each tries to convince a judge and/or a jury that her view of the facts and the law is correct. Witness recollections can help, but can a party use a witness affidavit in place of live witness testimony in a trial? The answer is usually no, certainly not in criminal cases or about central issues in civil cases, but an affidavit can be useful in other situations. An affidavit is a voluntary, sworn written statement made by someone with relevant facts that she knows or information she has good reason to believe is true. No attorneys need be present during the making of an affidavit, and the witness signing the affidavit, and the witness signing the affidavit, and the witness signing the affidavit usually doesn't have to be presented in any particular form as long as the facts are clearly set out and the document is signed under penalty of perjury. Read More: How to Write a Witness Affidavits are useful and accepted in many situations. They are made under oath lends them some credibility. Affidavits are often submitted to administrative agencies in lieu of witness testimony. For example, immigration officials accept a signed, sworn statement from someone sponsoring a foreigner entering the stay. And when it is necessary to establish residency to get a lower rate of college tuition, the applicant files an affidavit of residency. On the other hand, an affidavit is simply a statement on a piece of paper, which makes it a poor substitute for a live witness, and the jury cannot observe her demeanor to assess her credibility. And an affidavit can be completely true, without presenting the entire truth. For example, if a person is a witness to an accident and says that the hit-and-run driver was in a blue Prius. But if the defendant's attorney could cross-examine the affiant, she might get other details about the Prius that would differentiate it from the defendant's car. Imagine a criminal trial in which the defendant is charged with a robbery, and the prosecutor presents an affidavit from a witness saying that he saw the whole crime and that it was the defendant who did it. The defendant who did it. affidavits is not permitted in criminal cases in lieu of important witness against him in a criminal action. Each state has its own rules about when affidavits are permitted in civil cases. Affidavits are most often used in civil cases in uncontested matters or in collateral matters in a contested case. For example, affidavits are permitted in California in limited cases, such as: To verify a pleading or a paper in a special proceeding. To obtain a provisional remedy, the examination of a witness or a stay of proceedings. In uncontested proceedings to establish a record of birth. In a court motion. In any other case expressly permitted by statute. Affidavits in lieu of testimony when it comes to custodians of record. A character affidavit is a document in which someone swears under oath that another person is upright and moral. People may seek this type of affidavit or, more often, character letter from their friends and associates in many different types of court proceedings including child custody disputes, immigration cases, prisoner sentencing, admission to the bar or adoptions. Good character letters and affidavits serve the same purpose: they give a judge an indication of how a party to a pending case is viewed by those in her personal circle. Generally, the judge is considering a question that involves discretion, like which spouse should be given primary custody of the kids, whether a prisoner should be sentenced harshly or with leniency, or whether an immigrant should be deported for a misdemeanor. A letter is simply a document, signed by the writer, relating her knowledge of the other person's behavior and habits. An affidavit is also a document, but it is usually set out in numbered paragraphs, and the person signs it under oath, often before a notary. That means that a letter is giving an opinion while an affiant is swearing to facts. It is never a good idea for a person to swear that a fact is true if there is any doubt in her mind of its accuracy. Read More: What Is in a "Character Letter" for a Child Custody Court Hearing? Whether the information is conveyed by letter or affidavit, the basic job of these documents is to give positive information to the judge about the character of the person whose issues are before the court. The focus of the letter should be on the traits that indicate good parenting practices like patience, kindness, prudence and delight in the children. When a person sits down to draft a character affidavit, he should start by stating who he is. He should mention where he lives and what he does for a living. Next, he should set out what his relationship is to the person he is describing, how long he has known the person and in what capacity. the true character of the person. If the affidavit is for a prisoner or someone against whom charges are pending, for example an attorney the court know that, despite the charges, the affiant remains willing to speak up for the person. After these introductory paragraphs, it is time to focus on the person's character. The person writing the affidavit should mention any and all good qualities and habits the person is kind, for example, she might tell the court about how the kind person brought food to a family down the street who were in need. It is better to talk about how the person as honest. An affidavit is a sworn statement, so it needs to include an oath swearing under penalty of perjury that everything set out is true to the best of the affiait's knowledge. Some states require that the affidavit be sworn by a notary; if that is the case, take it to a notary and get a signature and seal. Share copy and redistribute the material in any medium or format for any purpose, even commercially. Adapt remix, transform, and build upon the material for any purpose, even commercially. The license terms. Attribution You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the license terms. ShareAlike If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original. No additional restrict others from doing anything the license permits. You do not have to comply with the license for elements of the material in the public domain or where your use is permitted by an applicable exception or limitation. No warranties are given. The license may not give you all of the permissions necessary for your intended use. For example, other rights such as publicity, privacy, or moral rights may limit how you use the material. 1Understand the purpose of your affidavit. Before you begin to write anything down, make sure you understand what issues are in dispute and why you've been called on to provide supporting evidence. You need to know this so you can include in the affidavit only relevant information. If your observations are not relevant to anything at issue in the case, they won't be admissible. For example, suppose your friend's custody of her child is being challenged by the child's father, who alleges that your friend is not abusive to her child. [4]2Check for affidavit forms. Some states provide affidavit forms, also called "declarations." You can use such a form for formatting purposes, but you'll have to adapt it to suit your own needs. [5]3Create the caption." Usually it includes the name of the first page of the affidavit is called the "caption." Usually it includes the name of the court, the names of the parties, and the case number. The content and format of the caption should remain the same in all documents filed in the case. Thus you could simply copy the caption of one of the other documents. [6]4Title your affidavit. Drop two lines below the caption, and type a title such as "Affidavit of [Your Name]," or simply "Character Affidavit." Use a previously filed document in the case as a guide for how to format the title, as document-formatting preferences differ from one court to the next. Generally, titles are centered and in bold-face type. Some courts prefer the title to be in all capital letters or underlined.5Identify yourself and your relationship to the party in the case. traditional, formal court language if you prefer, which is "Comes now [your name], a nonparty, and states as follows:" followed by numbered statement regarding your belief that the person for whom you're writing the affidavit has a good moral and ethical character.6Describe your background. Explain to the court who you are and any part of your background or experience that makes you a credible witness. [8]For example, if you are the child's baseball coach and have observed the parent interact with the child at games and practices, you might mention how long you've been a youth baseball coach and approximately how many other parent-child relationships you've observed.7Write about your observed that demonstrate and support your belief about the person's character.Follow the general writing advice: "show, don't tell." Show the court specific facts or instances that illustrate the good character of the person, rather than simply saying the person has a good reputation, or that in your opinion s/he has strong morals. Stay away from vague statements such as "Dad is an actively involved parent." Instead, provide specific instances of Dad's active involvement. For example, if you're the child's baseball coach, you might mention that Dad comes to every practice and every game and also helps the team in the dugout. [9]Be cautious of citing facts that might not be seen as demonstrating good moral character. For example, you may believe that active membership in a church is evidence of good moral character, but that would not necessarily be persuasive evidence in the eyes of someone of a different spiritual temperament. Be objective. Rather than setting forth church membership as evidence of character, talk about the things the person did through the church. good character. Try your best to remain balanced. If you know of positive attributes of the other parent, include that information, too. Entirely one-sided affidavits may raise suspicions. [10] Avoid trying to make the person look like a saint. Nobody's perfect. If you list only positive and glowing traits of your friend, your affidavit won't be very credible. If you know of weaknesses, include those as well. It will make your affidavit more persuasive. [11]For example, suppose the child's father alleges that the child's father alleges the child's father alleges that the child's father alleges that the child's father alleges the child's Remember that you are writing your affidavit under oath.8Format your signature block. When you've finished saying everything you want to say, drop down two lines and lay out the area where you'll sign your affidavit.Include a statement such as "I swear the information contained above is true and correct to the best of my knowledge and belief."Leave enough space beneath the above statement for your signature and date. Under that, type your name, address, telephone number, and email address, telephone number, and email address.9Add a notary block. Affidavits must be signed in the presence of a notary public, who also must sign the affidavit as a witness and affix a seal. The exact format and space needed for a notary block vary from state to state. Search online to find the form you need for your state, and then copy it onto your affidavit. [12]10Sign your affidavit in the presence of a notary public near you, and make arrangements to sign your affidavit in their presence. Many banks have a notary available to their customers for free. You can also find a notary service at some private businesses such as check-cashing companies, or at your local courthouse. These notaries typically charge a small fee for their services.11 Make a copy of your signed affidavit. The person who requested the affidavit will need the original to file with the court, but make sure you have a copy for your own Character Affidavit for Character ReferenceCharacter AffidavitWhile there are some situations where a person is asked to attest to their own character, in most cases, a character affidavit will be completed by a friend, family member, or colleague who can affirm that the individual (subject) is an honest, fair, and respectable person. Affidavits of good moral character might be required in the following instances: Adult name changeChild custodyAdoption and foster careImmigrationEmploymentHousingProfessional licensing and certificationLegal proceedings An affidavit of character must contain the name of the affiant should address, relationship to the subject, and how many years they have known them. A character affidavit may also require the affiant to include their job and employer name. Affirmation of Character The affidavit must contain a statement affirming that the subject is of good moral character. Depending on what the form is used for, the affiant may need to provide a few sentences outlining the subjects positive traits, examples of responsibilities or community involvement, and that they have no knowledge of any criminal behavior. Notary Acknowledgment for the form is reserved for the notary public. An affidavit of character must be signed in the presence of a notary public (or other notarial officer), so the affiant will have to wait and sign only when instructed to do so. Download: PDF, Word (.docx), OpenDocumentClick to Copy SampleCopy to ClipboardAFFIDAVIT OF CHARACTERDate: [MM/DD/YYYY]I, [AFFIANT NAME], with an address of [AFFIANT ADDRESS], employed at [AFFIANT EMPLOYER] as [AFFIANT NAME], with an address of [AFFIANT NAME], with an address of [AFFIANT EMPLOYER] as [AFFIANT NAME]. POSITION], being duly sworn, hereby swear under oath that: I have been acquainted with [SUBJECT NAME] for [#] years as their [RELATIONSHIP], and I know them to be of good moral character. Additional information: [PROVIDE EXAMPLES OF MORAL CHARACTER] Under penalty of perjury, I hereby declare and affirm that the above-mentioned statement is, to the best of my knowledge, true and correct. Affiant Signature State of [STATE]County of [COUNTY]Subscribed band sworn to (or affirmed) before me on this [DAY] of [MONTH], [YEAR], by [AFFIANT NAME], proved to me on the basis of satisfactory evidence to be the person who appeared before me.WITNESS my hand and official seal.Signature: My Commission Expires (Seal) More Articles For You Wills & Trusts Learn More Personal & Family Learn More Personal & Family Learn More Personal & Family Learn More More Articles For You Tax, Licenses & Permits Learn More Personal & Family Learn More Personal & Family Learn More Personal & Family court case, please read this thoroughly before starting to create your affidavit. Before we get started, this post assumes a few things you should be aware of: 1. We practice law in South Carolina so this article is geared toward our SC procedures and terminology. Your state may be slightly different. And 2, the article assumes you have lawyer representation. If you dont have a lawyer on board, just ignore the lawyer references. However, if youre reading this, you should have a lawyer involved, if at all possible. This isnt the time to be casual, cheap or cut corners. 3. Every case is different. The ideas presented here are for use in general. We highly advise you to get help from a licensed attorney. These affidavits are used in custody and temporary orders hearings, and other serious situations. The outcomes of these hearings can have profound impacts on your life. These cases hinge on the affidavits we are discussing. Do not take anything on this website as legal advice. affidavits, sometimes called client affidavits, are written by parties to the case. Character affidavits are written by those who are supporting someone named in the case. This article is geared toward our SC procedures. Your state may be slightly different.) If you have been asked by someone involved in a family court matter to create an affidavit to support their case, this is you. The first part of this article is for you. If the person you are supporting. If you are named in the legal action needing affidavits, you will need to create a personal affidavits. You need to read the whole article. The first part of the aritcle will be for your supporters, writing character affidavits. You need to know what you want them to produce so get familiar with the character affidavit part. Wikipedia defines an affidavit (/fdevt/AF-i-DAY-vit) as a written sworn statement of factvoluntarily made by anaffiant or deponent under oath part. of the definition means that by signing the affidavit in front of a notary, the person giving the affidavit is legally bound to tell the truth in the same way as in court, it must be notarized. That means you will have to sign it in front of a notary. So dont make a very common mistake and sign it before you see the notary. In order for an affidavit to be useful it must be four things: 1) credible; 2) knowledgeable; 3) factual; and 4) relevant. Foreman Affidavits are sworn, written statements designed to convey information to the judge in legal matters. They are used in place of witnesses that would be used in trials or other more formal proceedings. Affidavits will be filed with the court prior to your hearing. The judge will read the content of all affidavits used by both parties in the case. He/she may even ask questions of the parties involved. He will then consider relevant law and case law. She may ask for additional information. Next, he will make a ruling. In temporary orders hearings, we are limited (in South Carolina) to 8 pages per plaintiff and 8 pages per plaintiff and 8 pages per defendant of affidavits. This means you could have 8 tightly focused affidavits making an impact on a judge. Or, you could have 2 rambling, wordy affidavits, filled with fluff that leave the judge wondering: What was the point? Character affidavits should be excerpted to only show the relevant sections of longer documents. If you are named in the legal matter or case, you should write a personal affidavits. These will be people who can say good things about you and back up your claims. They have relevant information about your case. They will back up the statements and claims you make in court. Importantly, they are willing to take the time to write a glowing affidavit about you, it may be more impactful to have more impactful to have more impactful to have your mother write a glowing affidavit about you, it may be more impactful to have more impactful to have your mother write a glowing affidavit about you. or coaches write on your behalf. If you have supporting documentation such as photos, diagrams, receipts, copies of other documents are a good way to back up opinions and conclusions with facts. Also, they dont impact the page count toward any page limitation we might have. Be sure to reference your attachment in the affidavit. Use phrases like: See Exhibit H, Bank Statement. If you have more than one exhibit, mark them A, B, C, etc., in order, and arrange them alphabetically. Number the pages of each exhibit starting from page 1. Make it easy for the judge to get the point you are trying to make. Point out what is relevant and what makes it relevant. Just like affidavits, each exhibit must be short and to the point. The judge can only consider what is relevant. Find the most important part and just refer to that. Keep in mind, your affidavits could be read by the judge, the clerk, other court administrative staff, all parties named in the proceeding, their attorneys and staff. Your affidavit will be available to the public only on a need to know basis. However, there are no guarantees to privacy. Read this article thoroughlyDownload or copy the templatesPrepare a draft based on some of the sample affidavits, here is a sample affidavit for a same sports teams. I live at 1815 Elm Street, Charleston, SC.I see Ms. Carter and her son at soccer practice at least twice each week during the kids and teaching them basic skills. See attached Exhibit B, a picture of kids at practice with Ms. Carter.I have every reason to believe that Ms. Carter is a kind, caring, devoted parent. She is a wonderful mother to her son, Billy and her daughter Carey. Respectfully submitted this the dav of .(SIGN AND PRINT NAME) SWORN TO & SUBSCRIBED before meThis NOTARY PUBLIC FOR SOUTH CAROLINAMy Commission Expires: need some background about you and your relationship to the plaintiff or defendant. Example: Affidavit of: Martha White in support of Jerry T. Simmons. We met when he moved in 4 years ago. We are friends and see each other at least once a month at school functions. As objectively as possible, list out relevant facts. Number the statements in your character affidavit to make it easier for others to refer to them later. Example: 2. On October 3, 2018, I was walking my dog on Elm Street. Around 2 pm, I saw Ms. Parkers grey Cadillac strike Mr. Simmons blue SUV at the intersection of Elm and Maple. Mr. Simmons car was stopped, waiting to make a left turn. Also consider expressing the personal qualities of the recipient that youve observed over the course of your relationship. Provide specific examples of leadership, generosity and work ethic that personalizes the recipient and makes him or her come alive as a human being. Focus on positive qualities only and include events that you personally witnessed in order to authenticate those experiences. End with a conclusion summarizing the point you were making in your affidavit. Example: 3. I got a good look at the accident. Mr. Simmons was driving correctly. Ms. White failed to stop in time and was at fault in the accident. Dont go into name-calling of other parties involved. Dont put in hearsay if you dont have firsthand knowledge. Fluff. Uninformed opinion, speculation, guesses, etc. Proofread it. check spelling and grammar. Get feedback for your lawyer. Font size and spacing. Caption or no caption. Stick with the facts and opinions. Dont lie or embellish. Dont go overboard. Be brief. In SC, we are limited to 8 pages of affidavits, not including exhibits, except under certain, specific circumstances. Keep it short and to the point. Also, judges dont want to read lengthy pieces of fluff. They just want the first line of the person supported by the character affidavit. Number your paragraphs. Indent the first line of the person support of the per each paragraph. Use a 12 pt font, so that its easy for the judge to read. Use serif fonts, also easier to read. If you need to squish the content to fit on one page, use less space between lines are left justified so the paragraphs all line up.Do what you can to save using extra pages. If your character affidavit is longer than one page including the notary section and the heading, you probably need to say more in less words. Prepare your character affidavit writers that they will have to get this done. Find location options of notaries for them. Prepare to pay any fees needed. They will need to have a valid drivers license or other government-issued photo ids. Sample Notarized DocumentHere are some suggested places to find notaries: Your lawyers office, our offic lawyers office and staff should be an option. The notarizing section of the document needs to be big enough for the notary to add notary info and apply a stamp. If you are tight on page count for your affidavits, make sure the notary section is not taking up too much space. After you get the affidavit, make sure the notary info and apply a stamp. If you have a lawyer, they can do this. You will get a copy, one for your spouses lawyer, one for your spouses lawyer, one for the judge and the original gets files with the court. Captions are the formal heading section that references the court case, the type of document, case number, dates and other details. Captions are great if you have room for them. In other words, if your affidavits without captions. Just be sure that somewhere in the character affidavits without captions may be less formal looking, etc. They will still be read. They will still be as powerful as affidavits without captions. Just be sure that somewhere in the character affidavit, you reference: who you are and who your affidavit supports. Personal affidavit supports are caption. If you are reading this article as to a character affidavit writer to support someone else, you dont have to read this section. It only applies to people named in the case. Skip below for the samples at the bottom. If you are a party to the case writing your personal affidavit, read this section carefully. Your affidavit is going to be the most important piece of your legal case. Be sure to get it done right. If you have a lawyer, they should be involved in creating your affidavit. Your affidavit will be a little different than the character affidavits your supporters are creating. Your personal affidavit will be the presentation of your case. It tells your side of the story. It allows you to present evidence documents that back up your claims. Your personal affidavit will respond to any complaints against you (if you are defending) or reinforce the points you included in your complaint (if you are the plaintiff). Make sure to add attachments as needed and refer to them in your affidavit. Start off with a summary about your case. As a plaintiff/ petitioner, it might read: My husband and I have separated and I am seeking a divorce. I wish to keep sole custody of our 2 minor children. Any visitation my husband receives should be supervised because of his marijuana use. I need child support of \$500/month. As a defendant/ respondent it might read: My wife is seeking a divorce. I want 50/50 custody of the kids. She wants me to have supervised visitation on the grounds of drug use. As to child support, our incomes are similar and she has access to brokerage accounts in her name only, so I dont think I should pay more than \$100 /month in child support. The judge will clearly understand what each of you want by this point in just those few lines. Next, you will have to fill in with some detail about why your request is justified.Plaintiff: In a text message from my husband he admits using marijuana. (Exhibit A)Defendant: In December of 2018, I attended a bachelor party at a ski resort in Colorado). I do not use any illegal substances, except in incident. I am a very light drinker. My wife is aware of this incident. I told her about this thinking she would think it was funny. Of course, these examples address just one topic. In most situations, there are many such points to be made. List the points you feel need to be made. Get with your lawyer to prioritize them. Then put them into your words. Order them for most important to least important. If there are incidents that happen over time, list them in sequence. Make sure the judge will be able to understand your timeline. If you are a defendant, you may have counterclaims. Your personal affidavit should address those too. This may be the first time the judge hears about the counterclaims you will be making. In many hearings, the judge will not be hearing any verbal testimony or argument. If there are points you want to make with the judge, the affidavit is your only avenue. Your personal affidavit will be longer than the character affidavit syour supporters are writing. Four-page affidavits are common. Creating any verbal testimony or argument. powerful affidavit is an iterative process. You and your lawyer will repeat a cycle of edit, proofread. Since your affidavit is the most important one you present, it should have a caption. See above section on captions. //www.carolynbonelaw.com/prepare-an-effective-affidavit //en.wikipedia.org/wiki/Affidavit A blank character affidavit text form is provided below. Copy and paste into whatever word processing program you use and edit it to suit your particular needs.=== Start Character Affidavit Template ==== Affidavit of: The affiant, after being duly sworn, deposes and says as follows: 1. Replace all the text below in these numbered sections with your own words. Start off saying who you are supporting.2. Indent like this sample. Number the paragraphs. State relevant facts about the person you are supporting. Dont make disparaging remarks about others. Reference attachments if any are used.3. Be concise, yet use the space you need to convey the facts. Consult the person youre supporting or their attorney with questions.4. Wrap up with a conclusion. Try to keep your affidavit to less than a page including the heading and notary section. Respectfully submitted this the day of (Sign & Print Name) SWORN TO & SUBSCRIBED before me this day of 20 NOTARY PUBLIC FOR SOUTH CAROLINA My Commission === End Character Affidavit Template === HomeTemplates Affidavit of Character takes character tekes character templates. Our professional, printable designs ensure high quality. Download now!You might have heard of a character reference, but an affidavit of character takes character referencing to a whole new level. The document is for legal and administrative purposes such as court witness statements to a judge, child custody, and more! Writing the legal document can be challenging, so Template.net offers downloadable and free Affidavit of Character Templates. Each template provides various sample content and the best formats for your needs and other documentation requirements. The letters work like certifications in court that prove an individual's personality or work ethic, as you've witnessed it. Besides court trials, the contents found on the affidavit of character to Affidavit of Marriage Templates or Affidavit of Employment Templates. Affidavit of characters can ease court hearings and hiring decision-making. Each form you create signifies what one or more people have witnessed. Template.net also offers affidavit templates for various items, properties, and purposes, such as Affidavit of Vehicle Templates. You can download the affidavit you need in just a few clicks in Word, Apple Pages, and more. When you download a copy, you can edit, share a draft, send it via email, or use the document for future purposes. The prewritten guide texts also help you write the necessary information you need for your affidavit. Download any templates in Google Docs and Microsoft Word and continue writing and using the affidavit samples anytime you understand the purpose of your affidavit. Before you begin to write anything down, make sure you understand the purpose of your affidavit. you can include in the affidavit only relevant information. If your observations are not relevant to anything at issue in the case, they won't be admissible. For example, suppose your friend's custody of her child's father, who alleges that your friend is abusive. Focus in the affidavit on observations you've made that tend to demonstrate your friend is not abusive to her child. [4]2Check for affidavit forms. Some states provide affidavit forms, also called "declarations." You can use such a form for formation at the top of the affidavit is called the "caption." Usually it includes the name of the court, the names of the parties, and the case number. The content and format of the caption of one of the other documents. [6]4Title your affidavit. Drop two lines below the caption, and type a title such as "Affidavit of [Your Name]," or simply "Character Affidavit."Use a previously filed document in the case as a guide for how to format the title, as document-formatting preferences differ from one court to the next. Generally, titles are centered and in bold-face type. Some courts prefer the title to be in all capital letters or underlined.5Identify yourself and your relationship to the party in the case. Start the body of your affidavit by introducing yourself to the court. [7]You may use traditional, formal court language if you prefer, which is "Comes now [your name], a nonparty, and states as follows:" followed by numbered statements. Each numbered statement typically covers one subject. It may be one sentence or several. Make a statement regarding your belief that the person for whom you're writing the affidavit has a good moral and ethical character. 6Describe your background. Explain to the court who you are and any part of your background. and have observed the parent interact with the child at games and practices, you might mention how long you've been a youth baseball coach and approximately how many other parent-child relationships you've observed.7Write about your observed that demonstrate and support your belief about the person's character. Follow the general writing advice: "show, don't tell." Show the court specific facts or instances that illustrate the good character of the person, rather than simply saying the person has a good reputation, or that in your opinion s/he has strong morals. Stay away from vague statements such as "Dad is an actively involved parent." Instead, provide specific instances of Dad's active involvement. For example, if you're the child's baseball coach, you might mention that Dad comes to every practice and every game and also helps the team in the dugout. [9] Be cautious of citing facts that might not be seen as demonstrating good moral character. For example, you may believe that active membership in a church is evidence of good moral character, but that would not necessarily be persuasive evidence in the eyes of someone of a different spiritual temperament. Be objective. Rather than setting forth church membership as evidence of character, talk about the things the person did through the church. For example, building a house for a needy family or operating a canned-food drive might be seen as indicating good character. Try your best to remain balanced. If you know of positive attributes of the other parent, include that information, too. Entirely one-sided affidavits may raise suspicions. [10] Avoid trying to make the person look like attributes of the other parent, include that information, too. saint. Nobody's perfect. If you list only positive and glowing traits of your friend, your affidavit won't be very credible. If you know of weaknesses, include those as well. It will make your affidavit more persuasive. [11]For example, suppose the child's father alleges that the child's mother, your friend, is an alcoholic. If you know that she sometimes drinks, occasionally to excess, you should include that information. Doing so will lend authenticity to your affidavit. Include a where you'll sign your affidavit. Include a statement such as "I swear the information contained above is true and correct to the best of my knowledge and belief."Leave enough space beneath the above statement for your signature and date. Under that, type your name, address, telephone number, and email address.9Add a notary block. public, who also must sign the affidavit as a witness and affix a seal. The exact format and space needed for a notary block vary from state to state. Search online to find the form you need for your state, and then copy it onto your affidavit. [12]10Sign your affidavit in the presence of a notary public near you, and make arrangements to sign your affidavit in their presence. Many banks have a notary available to their customers for free. You can also find a notary service at some private businesses such as check-cashing companies, or at your local courthouse. These notaries typically charge a small fee for their services.11Make a copy of your signed affidavit. The person who requested the amdavit will need the original to file with the court, but make sure you have a copy for your own records before you hand it over. 12Appear in court and testify on the stand to the facts stated in your amildavit. Although they may rely on amildavits for temporar decisions, they might want to see you in person before any permanent order is made. [13] Advertisement If you ever find yourself needing to file a case against an individual or an organization, you will need to create an affidavit. This is a formal, written general statement describing the facts on your side of the case. An affidavit also often serves as evidence in the court of law, which is why it must be sworn upon and affirmed before a legal persona, such as a Commissioner of Oaths or the Justice of the Peace, for it to be considered a credible record. You may also see affidavits, which is a name derived from Medieval Latin and means declared upon an oath, are intentionally and voluntarily created by an affiant to verify his simple statements. The authenticity of the documents and its contents is tested, as aforementioned, by a legal persona. Should any information written on it be proved to be untrue in any way, the affiant may be sued for perjury which is punishable by law. legal templates.net biztree.com avvo.com bylawyers.com.au biztree.com legaltemplates.net scorpionade.com scribd.com twihot.com citizenpath.com contactnumbers.coEssentially, affidavits are an oath. They will be based on the knowledge of the person creating it. Which means that any information that is lacking from his basic statements will not be held against him. Affidavits may also include opinions, biases, and emotion-based assertions. However, it should be made clear in the document which parts are only opinions and which details are facts. Affidavits can be created by anyone as long as they are considered mentally capable of doing so. But, in certain cases where an affiant is mentally ill, a legal guardian or close relative may draft the affidavit for the case. You may also see affidavit of marriage examples. However, for those who have legal supports along with them, their solicitors can inform them about it and even help in creating the document. Important Things to Remember about Affidavits 1. An affidavit is a written statement that can only be considered validif it was not forced or coerced from a person. Creating the document. Important Things to Remember about Affidavits 1. An affidavit is a written statement that can only be considered validif it was not forced or coerced from a person. you are willing to testify to the truthfulness of the statement in front of the court. It would also mean that you are mentally (of sound mind) and emotionally (over the age of majority which is usually 18 years old) fit to do so.3. Creating or attesting to a sworn statement is not a small task. You must be sure that the contents of the document are all true based on the extent of your knowledge on the issue. Otherwise, your oath may be used against you and the punishment for intentionally lying to the law is grave. You may also check out affidavit of heirship form examples.4. An affidavit can take your place during legal proceedings. If you are indisposed or simply lack the desire to visit the court, your attorney can use this document to express your statements in behalf of you.5. An affidavit can make other legal instruments valid, particularly in estate planning matters or familial issues.6. Affidavits may also be used by banks or insurance companies as a part of their basic requirements, which means that the role this document plays is not limited to legal settings.7. In writing your affidavit, you must plainly narrate the details of the events. Make use of simple English and avoid expressing your opinions about the third party involved. Your affidavit is an expression of what happened, not of what you feel about the person involved in the issue. You might be interested in statement of purpose examples.8. This is a formal, legal document. Be concise and direct with your statements. An affidavit form is a written statement of purpose examples.8. This is a formal, legal document. Be concise and direct with your statements. asserting that the information contained within is true to the best of their knowledge. Here are several scenarios when you might use an affidavit form: Divorces Legal Proceedings Financial Transactions Property Matters Personal Situations Immigration and Travel Business Operations Education and Employment Insurance and Claims Types of Affidavits Affidavits follow a standard form when created. If you seek the help of your legal solicitor, he will know all about it. However, there are different types of affidavits depending on their intended purpose, and this standard form may be edited, although still observed, to recognize the needs of the affiant. You may also see statement analysis examples. Here is a short list of some of the most common forms of affidavits: 1. Affidavit of DomicileThis affidavit may be necessary when establishing the credibility of a last will and testament or when dealing with certain types of trusts. An affidavit of domicile will seek legal approval of the information of a deceaseds last residenceat the time of their death. It will also include the addresses of where he lived prior to that and the length of the time he staved in those areas. You may also like statement of work examples. This affidavit may be necessary to make the transfer of assets to the successor of the decedent run smoother. property or funds to an heir. It would also be handy to have this document during probate process since it can keep any dispute regarding the will at bay because no one can argue with a legally issued document has not been prepared before a person has passed, an affidavit of heirship is often the document created to prove to the court that a person is the successor of the properties and other riches that the deceased has left. It is a way to avoid having to go to a court to create and process a probate will. Instead of going through all that trouble and expenses, an affidavit of heirship can settle the issue just as well. Aside from real estate properties, affidavits of heirships work best for situations where there is only one legal heir. However, if there are other family members involved, which is the case oftentimes, creating an affidavit of heirship will help you establish your case on why you should be the successor of the decedent. But the properties will only be yours if everyone else in the family agrees to it. Each state has slightly different requirements for these cases, so make sure you know yours. You might be interested in business statement examples. Affidavit of MarriageAs the name suggests, an affidavit of marriage is a way for you to prove that you are married to another individual. A certificate of marriage works the same function, but couples can also use an affidavit of heirship in cases where they cant locate their modern certificate. This document may be needed to apply for visa or any financial accounts as a married person. An affidavit of marriage is also very useful for states who recognize common law marriage because they do not have certificates of marriage is existing and is legally binding. They will also have to provide information about the wedding such as the date when it happened and the state where it was held. A witness must also observe the whole proceeding and the document must be notarized for it to be considered legal. You may also see concept statement examples. Tips for Writing an AffidavitIf you have decided to draft the document yourself, you need to do your best to make it look and sound official. Here are a few helpful tips you can follow:1. Use plain language and simple terms. There is no need to boast your eloquence in this one. The court only wants to hear the story in formation that will not help you form the story in your statement.3. Keep it clear and organized.You can arrange the facts of your statement in bullet form to make it easier to read and understand. Make sure that the sequence of your statements that are not completely stated factually, it may decrease your credibility as the writer. Avoid incorporating your emotions, especially toward the other concerned party, in your affidavit. Stick to the facts. You may also like personal statement examples.5. Spell-check and proofread the document.Grammatical errors and misspelled words will not help you make your case. Make sure that you have read your affidavit so thoroughly that you have memorized its contents. Have it signed and notarized only whenyou are sure that it is finally flawless to a fault. Otherwise, you will have to redraft the whole document since edits are not allowed to be made to an affidavit that has already been signed. You may also check out need statement examples. Things to NOT Include in an Affidavit1. As much as possible, avoid expressing your opinions in your affidavit because the court is not interested in them. However, if you must, clearly express that they are merely your belief and dont take any truthful part in the issue. 2. An exception to the rule about not expressing opinions, however, are experts. For example, the court calls a psychologist or alicensed doctor. Of course their statement will be accepted and trusted because they are supported by a careful scientific study with evidences to prove the credibility of their words. You might be interested in artist statement examples.3. Do not include facts thatyou have only heard from other people as well. These are called hearsay evidence and arenot reliable. Stating them in an affidavitin the court of law may only harm your reputation if proven that they are not true. You may also see financial statement examples.4. Do not refer to anything said to you or anything you have readin any document as reliable information for your affidavit. As much as possible, consult your attorney for this.5. If you have any document that you can attach along with your affidavit that can strengthen your statements, it would be a big help to your case. These attachments are also called annexures. Each page of the annexures must be signed by whoever created the affidavit. You may also like management statement examples. You can also use the statement of other witnesses that you trust, such as a family member or a close friend, as evidence to support your case. However, this will be a separate case altogether. A child (or an individual under 18 years of age) is not allowed to act as your witness unless the court demands it. You may also check out problem statement examples. Other Common Affidavits 1. Affidavit of ResidenceThis document will be used to verify the address of a person irregardless if he is living or not. This may be necessary for business or tax reasons. 2. Affidavit of Name ChangeThis type of affidavit is only useful to people who have changed their name, and who now need a legally issued document to proveit. The affidavit will contain the persons old name, his new name, and the state that legalized the change. You may also see scope statement examples. Affidavit of Small EstateIn cases where a person has died without a will and the property he has left is smaller or within the threshold amount, an affidavit of small estate will be necessary to prove this. With the help of the affidavit, releasing the property to the successors of the deceased will be easier and quicker. You may also like vision statement examples.4. Financial AffidavitsThese documents will testify about your financial information which may be necessary for specific familial matters such as filing for a divorce or child support proceedings.5. Affidavit of death will help you legally testify the death of a person. This document may be necessary for settling financial matters that the person has left unfinished, such as loans, debts, and insurances. However, most of the companies will most likely ask you for a death certificate rather than an affidavit of death. You may also check out mission statement examples. 6. Affidavit of service This document is ubiquitous in the corporate setting and legal personalities. An affidavit of service will state that a person has delivered certain documents to another individual or company. It will explain who received the documents and when and where it was delivered. This affidavit is important, usually legal, documents. You might be interested in income statement examples.7. Affidavit of DebtCreditors often use this affidavit to state the amount that a person owes them. These are necessary for cases where the creditor is going through bankruptcy. But affidavit of debt cannot be used as a contract either. You may also see value statement examples.8. Affidavit of SupportThis is a document commonly used during the immigration process. It will have to be signed by someone who is willing to support an immigrant as they learn to adjust to the life abroad. How to Write Affidavit. Include a caption with the legal jurisdiction and case number if its related to a specific legal case.2. Identifying InformationStart with your full name, address, and occupation to identify yourself as the affiant (the person making the affidavit). State that you are swearing or affirming under oath.3. Statement of Facts/Clearly and concisely state the facts you are swearing to affirming under oath.3. order. Use simple, straightforward language and first-person narrative. Ensure all information is accurate and based on your direct knowledge or experience. 4. Purpose of the Affidavit. This could be for a court case, financial verification, or any other legal purpose. 5. Oath and SignatureInclude a statement that you swear or affirm that the information provided is true to the best of your knowledge and belief. Indicate that you understand the consequences of making false statements under oath.6. NotarizationLeave space at the bottom for a notary public to sign and seal the affidavit. This section should include: A statement by the notary that you, the affiant, have sworn to or affirmed the contents of the affidavit in their presence. The notarys signature, seal, commission number, and expiry date.

Character affidavit example. How to write an affidavit of good moral character for immigration. How to write an affidavit for character witness. How to write an affidavit of good character. What do you write in a character affidavit. What is an affidavit of character.