

Memorandum



To: Members of the Cumberland County Bar
From: Ellen Hancox, Trial Court Administrator
Date: April 21, 2015
Re: Compliance with Servicemembers Civil Relief Act

In order for all of our courts to comply with the provisions of the Servicemembers Civil Relief Act of 2003 and the recent NC Supreme Court ruling, *In Re Branch* (2015), a Military Service Affidavit will be required to be filed for each individual defendant in all civil actions and special proceedings. A local form has been developed for this purpose and is attached to this memorandum.

An affidavit in this form will be required to be filed in all:

- Superior Court civil cases (“CVS” filings)
- District Court general civil cases (“CVD” filings)
- District Court domestic cases (“CVD” filings)
- Special Proceedings (“SP” filings, excluding name changes and incompetencies).

The local form attached is in a fillable pdf format for use by your offices. Please make your office staff members aware of this requirement.

Thank you for all the work you and your staff members do to make our court system work! If you have any questions, please feel free to call me at (910) 475-3018 or stop by my office anytime.