

10 THE AFFIDAVIT

The Affidavit in Support of Conditional Acceptance is much easier to assemble and write than the CA. This is your affidavit, in Negative Averment form, as to the facts: that you have not seen or been presented with the documentations or evidence you are asking them to produce in your Conditional Acceptance. It is standard format with the county and state heading, the title of the document, followed by the text of the document. The first statement must be your ability to make an affidavit. Thereafter, you simply copy and paste the facts. Do not create the Affidavit until after you are happy with the entirety of your CA. It is wise to take a duplicate original to the notary as you will be mailing one original to the respondent and you will want an original to photocopy for the rest of the process the Notary will send out for you and to keep one in your file records.

The Affidavit (“A”) must be signed and sworn to, under penalty of perjury, in front of a Notary. You must raise your right hand and swear or affirm the truth of the document. Many notaries will not know the difference between simply witnessing the signature, verifying the identity of the maker (an acknowledgement), and giving an oath witnessing the affidavit (jurat). Tell them it is an affidavit and speak the oath firmly out loud. Ensure the notary makes an entry in their notary book that this notarial service was an affidavit and they signed a jurat.