

Form A5 Affidavit

Form A5

To be inserted by Court

Case Number:

Date Filed:

FDN:

AFFIDAVIT

YOUTH COURT OF SOUTH AUSTRALIA
ADOPTION JURISDICTION

IN THE MATTER OF [*name of child*]

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

First Adoptive Parent

Only displayed if applicable

Second Adoptive Parent

Birth Mother

Birth Father

Only displayed if applicable

Chief Executive

Only displayed if applicable

First Interested Party

Filed by the [Party title]			
Party Role	Full Name		
Name of Law Firm /and Solicitor if any	Law Firm	Solicitor	
Address for Service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type - Number		

Deponent Details			
Deponent	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Occupation	Occupation		

Affidavit
Mark appropriate section below with an 'x'

I [full name, address and occupation of deponent]
[] SWEAR ON OATH / [] DO TRULY AND SOLEMNLY AFFIRM THAT:
Set out text in separate numbered paragraphs
If the affidavit relates to an application, identify the application and state the material facts relevant to the application.

1.

Sworn/Affirmed Delete whichever is inapplicable
By the abovenamed deponent

at [place]

on [date]

.....
Signature of deponent

before me
Signature and title of attesting witness

.....
Printed name and title of witness
Stamp here if applicable

.....
ID number of witness
If applicable

Instructions

- Each page of the affidavit, including any exhibit(s), must be consecutively numbered starting with page 2. Please attach additional pages to the Affidavit as necessary.
- The affidavit should be confined to facts and should not include submissions.
- The affidavit should not reproduce material already contained in affidavits or other material already filed in the matter. It should not exhibit documents already exhibited to affidavits filed in the matter. In both cases it is sufficient to simply refer to such material or documents and the place where they may be found.
- An exhibit to an affidavit must be clearly marked to identify it as the exhibit referred to in the affidavit.
- A single 'front page' must be inserted in front of the exhibits.
- Each page of the affidavit (but not any exhibit) must be signed by both the deponent and the witness.
- An affidavit is to be sworn if it is made in this State in accordance with section 6 of the *Evidence Act 1929* or, if made elsewhere, in accordance with the law for the taking of oaths or the making of affirmations in that place.
- The deponent must swear or affirm the affidavit before a person authorised by law to witness the swearing or affirming of affidavits ('the witness'). Persons authorised to witness an affidavit are:
 - (a) a Registrar or Deputy Registrar
 - (b) any other officer of the Court whom the Registrar has assigned for this purpose;
 - (c) a public notary;
 - (d) a commissioner for taking affidavits;
 - (e) a justice of the peace for South Australia;
 - (f) any other person authorised by law to take affidavits.
- The contents of an affidavit cannot be altered after the affidavit has been sworn or affirmed.
- The party serving an affidavit must serve copies of all exhibits with the affidavit.

Service on the birth parents(s) and the child:

Mark appropriate section below with an 'x'

The party filing this document is required to serve it on all other parties at least 5 clear business days prior to the next hearing, pursuant to the Rules of Court.

[] It is intended to serve this application on all other parties.

[] It is not intended to serve this application on the following parties: *[list names]*

because *[reasons]*