

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff  
v.  
\_\_\_\_\_  
Defendant

Case No: \_\_\_\_\_

**DECLARATION OF  
NON-INCAPACITATED  
DEFENDANT and  
NON-MILITARY SERVICE**

To my knowledge, the following defendant (*full name*) \_\_\_\_\_  
was served with a *Summons*, initial pleading (*Complaint, Petition, etc.*) and other documents required by  
law. Defendant has not made an appearance within the time required by law or notified me of intent to  
appear **and** (*check all that apply*):

**Capacity Status:**

Defendant is not now, and was not at the time of service, incapacitated, a minor, a financially  
incapable person, a protected person, or a Respondent in a fiduciary protective proceeding, as defined by  
ORS 125.005

**Military Status:**

Status reports attached confirming that Defendant is not in active military service of the United States  
*or*  
 I am unable to confirm if Defendant is in active military service of the United States. *Provide facts you  
do know:* \_\_\_\_\_

*For residential evictions only:*  Defendant is not a dependent of someone who is in active military  
service of the United States and the monthly rent amount does not exceed the CPI-adjusted limit of (*enter  
current year rental cap*) \$ \_\_\_\_\_<sup>1</sup>

Defendant is in active military service of the United States and has waived SCRA default protections. A  
waiver of protection is attached.

**I hereby declare that the above statements are true to the best of my knowledge and belief,  
and that I understand they are made for use as evidence in court and I am subject to  
penalty for perjury.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Contact Address

\_\_\_\_\_  
City, State, ZIP

\_\_\_\_\_  
Contact Phone

<sup>1</sup> Consumer Price Index (CPI) - This amount is updated annually and published in the Federal Register. Go to  
<https://www.federalregister.gov/> and search for "servicemember's civil relief act rent." Be sure you select the link  
for the year in which you file your *Complaint*.