

**KITSAP COUNTY DISTRICT COURT
STATE OF WASHINGTON**

(1) _____, (2) _____, <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> (1) _____, (2) _____, <p style="text-align: center;">Defendant.</p>	No. _____ SMALL CLAIMS NOTICE FROM PLAINTIFF TO DEFENDANT CONCERNING MILITARY DEPENDENT STATUS
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To – _____, Defendant

FROM – Plaintiff

NOTICE TO DEFENDANT¹

State and federal law provide protections to defendants who are in the military service, and to their dependents. Dependents of a service member are the service member’s spouse, the service member’s minor child, or an individual for whom the service member provided more than one-half of the individual’s support for one hundred eighty days immediately preceding an application for relief.

One protection provided is the protection against the entry of a default judgment in certain circumstances. This notice pertains only to a defendant who is a dependent of a member of the national guard or a military reserve component under a call to active service, or a national guard member under a call to service authorized by the governor of the state of Washington, for a period of more than thirty consecutive days.

Other defendants in military service also have protections against default judgments not covered by this notice.

If you are the dependent of a member of the national guard or a military reserve component under a call to active service, or a national guard member under a call to service authorized by the governor of the state of Washington, for a period of more than thirty consecutive days, you should notify the plaintiff or the plaintiff’s attorneys in writing of your status as such within twenty days of the receipt of this notice.

¹ RCW 38.42.050(3).

If you fail to do so, then a court or an administrative tribunal may presume that you are not a dependent of an active duty member of the national guard or reserves, or a national guard member under a call to service authorized by the governor of the state of Washington, and proceed with the entry of an order of default and/or a default judgment without further proof of your status.

Your response to the plaintiff or plaintiff's attorneys about your status does not constitute an appearance for jurisdictional purposes in any pending litigation nor a waiver of your rights.

SIGNED at (city) _____, (state) _____ on (date) _____.

/s/ Signed Electronically

[Note – By typing your name, you intend to sign electronically and agree your electronic signature is the same as a handwritten signature for the purpose of validity, enforceability, and admissibility.]