

Guide to Affidavit Submission

The Rutgers University Code of Student Conduct, Part 42 states:

“Affidavits shall only be admitted into evidence if signed by the affiant and witnessed by the referring Dean of Students or a notary. Unless the individual making the affidavit personally appears at the Hearing, it may be used for the purpose of supplementing or explaining other evidence only, but shall not be sufficient to support a finding itself.”

What is an Affidavit?

An affidavit is a written statement by a person who then swears an oath or affirms that the statement is true. This person is called the *affiant*. An affidavit is signed by the affiant in the presence of a notary (or Dean of Students) and sworn to or affirmed under penalties of perjury, in an oral declaration before the notary (or Dean of Students).

The Four Parts of an Affidavit

1. **Caption:** Includes the venue (location) and a title (reference to a judicial proceeding).
2. **Body:** Includes the affiant’s statement and signature. *Note: Affidavits must be signed in the presence of a notary.*
3. **Jurat:** Indicated by the words “sworn to and subscribed before me...” This is the notary’s certificate stating that the affidavit was signed and sworn to or affirmed in the presence of the notary. *Note: Some notaries have the Jurat in stamp form.*
4. **Signature:** Signature of notary and stamped seal.

NOTE: Making a false statement to a notary under oath or affirmation is considered perjury, which is a felony punishable by fine and/or prison time. Making a false statement to the Dean of Students is a violation of the University Code of Student Conduct Parts 10 (c) and 10 (s), which are separable offenses punishable by suspension or expulsion from the University.

For Students Using the Services of a Notary Public

When bringing an affidavit to a notary public for notarization, please bring:

- Proof of identification in the form of **photo ID**.
- Your **UNSIGNED** statement. You must sign your statement in the presence of the Notary Public.
- Notary’s fee. Notaries are permitted to collect a nominal fee for notarization and reimbursement for all travel expenses, but notaries are not required to collect a fee. This is something that you should inquire about when initially setting up the appointment.

You will be asked for:

- Your information and signature in a notarial acts record book. (The state of New Jersey requires notaries to keep a record of all notarial acts including signature and a description of the nature of the document.)
- Your oath or affirmation that statements in the document are true. Usually, the notary will ask you, “Do you swear that the information in this document is the truth, the whole truth and nothing but the truth, so help you God?” or “Do you affirm under penalties of perjury that the contents of this document are the truth, the whole truth and nothing but the truth?” You must respond “Yes” or “I do.”

For Students Using the Services of a Dean of Students

When bringing an affidavit to a Dean of Students to be witnessed, please bring:

- Proof of identification in the form of **photo ID**.
- Your **UNSIGNED** statement. You must sign your statement in the presence of the Dean.
- A copy of your affidavit for the Dean’s records.

You will be asked for:

- Your affirmation that statements in the document are true. The Dean should ask you, “Do you affirm under penalties of perjury that the contents of this document are the truth, the whole truth and nothing but the truth?” You must respond “Yes” or “I do.”

To the Notary Public

Please ensure that affiant provides you with:

- Proof of identification, unless the individual is personally known to you
- An **UNSIGNED** statement
- Your fee and/or travel reimbursement, if you require it
- An oath or affirmation that statements in the document are true.

Please view the sample affidavit on the next page and ensure that your document includes the required elements. The Office of Student Conduct requires a heading in the caption referencing the hearing in which the affidavit is to be used (example: Rutgers University Hearing of John P. Smith). If you have any questions about the process, please contact our office at (732) 932-9414 or conduct@rci.rutgers.edu.

To the Dean of Students

Please ensure that the affiant provides you with:

- Proof of identification in the form of photo ID.
- An **UNSIGNED** statement.
- A copy of the affidavit for your records.

You will need to:



Office of Student Conduct

Office of Student Conduct
Rutgers, The State University of New Jersey
Bishop House
115 College Avenue
New Brunswick, NJ 08901-8544

<http://studentconduct.rutgers.edu>
conduct@rci.rutgers.edu
Phone: 732-932-9414
Fax: 732-932-4154

- Verify the identity of the affiant from photo ID and verify that the name on the ID and the name on the affidavit match.
- Complete the *Caption* portion of the affidavit, including state, county and a heading in the caption referencing the hearing in which the affidavit is to be used (example: Rutgers University Hearing of John P. Smith).
- Ask the affiant to review the statement for accuracy. If all is correct, ask the affiant to both sign and print his or her name on the document. **The affiant must sign the document in your presence. No exceptions.**
- Ask the affiant “Do you affirm under penalties of perjury that the contents of this document are the truth, the whole truth and nothing but the truth?” The affiant must respond, “Yes” or “I do.”
- Complete the *Jurat* section of the affidavit, sign and print your name on the affidavit and **attach a business card** in place of the official notary seal.

Please view the sample affidavit on the next page and ensure that your document includes the required elements. If you have any questions about the process, please contact our office at (732) 932-9414 or conduct@rci.rutgers.edu.

Affidavit

Rutgers University Hearing of John P. Smith

State of: New Jersey

County of: Middlesex

caption

I, Jane Doe, make the following sworn statement:

On the night of December 9th, 2010, John P. Smith was in my residence hall room (Campbell 619) studying for a final examination between the hours of 8:00PM and 11:00PM. Mr. Smith was in my presence during that entire period of time and at no point did we enter the Alexander Library, where it is alleged that Mr. Smith stole three library books at approximately 9:30PM.

Jane Doe
Signature of Affiant

Jane Doe
Printed Name of Affiant

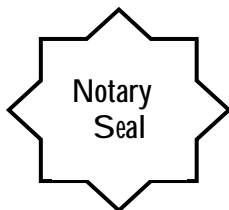
body

Sworn to and subscribed before me on this 5th day of January, 2011.

jurat

Thomas Grant
Signature of Notary or Dean

Thomas Grant
Printed Name of Notary or Dean



signature