

Form 10 Affidavit for person to act as litigation guardian

Court Procedures Rules 2006
(see r 278 (2) (Becoming a litigation guardian))

In the *[Supreme/Magistrates] Court of the Australian Capital Territory

No *[SC/MC] of (*year*)

(*name*)
Plaintiff

(*name*)
Defendant

On (*date*), I (*full name of person making affidavit*) of (*home or business address or place of employment*), *[say on oath/solemnly affirm]—

1. I make this affidavit as (*state capacity in which the person makes the affidavit*).
2. (*Name*), of (*address*), has agreed to be the litigation guardian of the *[plaintiff/defendant].
3. (*Name*) is an appropriate person to be the litigation guardian.
4. (*Name*) has no interest in the proceeding adverse to the interest of the *[plaintiff/defendant].

Filed on behalf of the *[plaintiff/defendant] by:
(*the person's address for service and telephone number (if any) or, if the person is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor*)

*[Sworn/Affirmed] by *(full name)*:

(signature of person making affidavit)

at *(place)* in the presence of:

(signature of person before whom affidavit is made)

(Full name of person before whom affidavit is made) of *(address)*

[Justice of the Peace/Barrister/Solicitor/(other)*]

**omit if, or whichever is, inapplicable*

Note Rule 278 (2) requires the following to also be filed:

- a consent by the litigation guardian; and
- if the person with a legal disability is a plaintiff—an undertaking by the litigation guardian as to costs.