

Service of Family Law Documents

It is very important to have the other party served or accept service *after* you file the documents with the court.

Personal Service

You may have service completed by the Sheriff in the county where s/he lives, by a private process server, or by another individual who is mentally competent, 18 years or older, a resident of the state where service is made, and not a party or an attorney for a party. When the affidavit of service signed by the server is filed with the court, the original summons must be attached.

Acceptance of Service

If the other party is willing to accept service, s/he must fill out the *Acceptance of Service* form, sign it in front of a notary or court clerk and then file it with the court. It is not necessary for the person to agree with what is in the papers, just that s/he is willing to acknowledge receipt of them. When you file the acceptance of service with the court, the original summons must be attached.

Substitute Service

You may have the documents given to a person living at the other party's home who is at least 14 years old *plus* you must then mail copies of all the served documents, as well as a copy of the completed affidavit of substitute service, to the person's home address by regular first class mail. You must file an affidavit of substitute service signed by the server (with the original summons attached), and file an affidavit of mailing signed by the person who mailed the documents.

Office Service

You may have the documents given to a person who appears to be in charge at the party's place of employment during working hours *plus* you must then mail copies of all the served documents as well as a copy of the completed affidavit of office service, to the person's home address by regular first class mail. You must file an affidavit of office service signed by the server (with the original summons attached), and file an affidavit of mailing signed by the person who mailed the documents.

Responses

Responses to an action typically do not have to be served. They may be mailed by regular first class mail, and a certificate of mailing filed with the court indicating the date and address of mailing.

Alternate Service

If you are not able to have the party served by any of the methods described above, you may ask a judge to allow you to use another service method. The judge might allow you to publish or mail the documents. You must get a court order permitting you to use an alternative method of service *before* you serve.