

## HOW to SERVE a CIVIL COMPLAINT by USING “ACCEPTANCE OF SERVICE” METHOD

### STEP 1: ASK THE OTHER PARTY TO ACCEPT SERVICE OF THE CIVIL COMPLAINT PACKET AFTER YOU HAVE FILED THE CIVIL COMPLAINT PACKET WITH THE CLERK OF THE COURT.

- You can ask the Defendant to accept service by talking to the Defendant, calling the Defendant, or sending the Defendant the letter which is in this packet.
- The other party **cannot** sign the “*Acceptance of Service*” until **after** you have filed the Civil Complaint Packet.

### STEP 2: IF THE DEFENDANT AGREES TO ACCEPT SERVICE, YOU HAVE 3 OPTIONS:

**A. GO:** You and the Defendant can go to the Clerk of the Court filing counter at any of the Maricopa Superior Court locations. Bring the original “*Acceptance of Service*,” plus two copies (one for you and one for the Defendant). The Defendant must now sign the original “*Acceptance of Service*” in front of the Clerk at the filing counter. The Clerk will notarize the Defendant’s signature for FREE. The Defendant must have a valid picture I.D. with him/her for the Notary Public to sign the “*Acceptance of Service*.”

OR

**B. MEET:** Arrange with the Defendant, a place and time to meet before a Notary Public (your bank may have a Notary Public). Bring the original “*Acceptance of Service*” plus two copies (one for you and one for the Defendant). You should also bring the Civil Complaint packet with you in case the Defendant or the Notary Public want to see the Civil Complaint packet. The Defendant must have a valid picture I.D. with him/her for the Notary Public to sign the “*Acceptance of Service*.” There is usually a small cost to use a Notary Public.

OR

**C. MAIL:** Mail a copy of the Civil Complaint packet to the Defendant with the original “*Acceptance of Service*.” Ask the Defendant to sign the “*Acceptance of Service*” and tell the Defendant **why** you have asked the Defendant to sign the “*Acceptance of Service*.” You may use the form letter in this packet to tell the Defendant why you have asked the Defendant to sign the “*Acceptance of Service*.”

AND

The Defendant must sign the Original **“Acceptance of Service”** and write in the date the Defendant signed the **“Acceptance of Service.”** The Defendant must sign the Original **“Acceptance of Service”** in front of a Notary Public. The Defendant must have a valid picture I.D. with him/her for the Notary Public to sign the **“Acceptance of Service.”** There is usually a small cost to use a Notary Public. The Defendant should then send you the signed and notarized Original **“Acceptance of Service.”** You should write the date the other party signed the **“Acceptance of Service”** on your copy.

**NOTE:** If the Defendant does not send back the **“Acceptance of Service,”** ask the Defendant again to send it back. If Defendant still does not send it back, then you have to serve the Defendant by one of the other service methods.

**STEP 3: FILE THE SIGNED AND NOTARIZED “ACCEPTANCE OF SERVICE” AT THE COURT:**

- **GO** to the Clerk of the Court filing counter at any of the Maricopa County Superior Court locations and file the original **“Acceptance of Service”** signed by the Defendant and notarized.
- **GIVE** the Clerk the ORIGINALS:
  1. **“SUMMONS,”** if you had one
  2. **“ACCEPTANCE OF SERVICE”** signed by the other party in front of a notary public

**STEP 4: COUNT:** Count the days from the date the Defendant signed the **“Acceptance of Service.”** If the Defendant signed the **“Acceptance of Service”** in the State of Arizona and does not file an Answer within **20** days from the date the Defendant signed the **“Acceptance of Service,”** or if the Defendant signed the **“Acceptance of Service”** *outside* the State of Arizona and does not file an Answer within 30 days from the date the Defendant signed the **“Acceptance of Service,”** see Packet #3 regarding Default.

**DO NOT BRING CHILDREN TO COURT.**

\_\_\_\_\_  
(YOUR NAME)

\_\_\_\_\_  
(ADDRESS)

\_\_\_\_\_  
(CITY/STATE/ZIP)

\_\_\_\_\_  
(TELEPHONE NUMBER)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(NAME OF DEFENDANT OR DEFENDANT'S ATTORNEY)

\_\_\_\_\_  
(ADDRESS)

\_\_\_\_\_  
(CITY/STATE/ZIP)

**Re: Acceptance of Court Papers**

Dear \_\_\_\_\_  
(Name of Defendant or Defendant's Attorney)

I have filed court papers for Civil Complaint.

Enclosed is a copy of the following court papers for you: (list the names of all of the court papers here)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_

I have also enclosed an **"Acceptance of Service"** form. Sign this form in front of a Notary Public and return it to me in the self-addressed stamped envelope. This does not affect your right to object to or to disagree with the Complaint that has been filed.

If you choose to sign the **"Acceptance of Service,"** you still have the right to disagree with the Complaint I have filed. If you sign the **"Acceptance of Service,"** and you want to file a written Answer or Ariz.R.Civ.P. Rule 12 Motion with the Court, you must file your Answer or Motion within **20** days of signing the **"Acceptance of Service"** if you sign in the State of Arizona, or within **30** days of signing if you sign outside the State of Arizona.

Sincerely,

\_\_\_\_\_  
(PLAINTIFF'S SIGNATURE)

Enclosures