

Procedures: How to serve court papers by acceptance of service

Requirements:

- You must provide the other party with copies of the court papers that you have filed. You must also provide the Acceptance of Service form.
- The other party must be willing to sign the Acceptance of Service form in front of a notary or Clerk of Superior Court.

Warning: Do not use the Acceptance of Service method if you are the victim of domestic violence or believe the other party will hurt you, take your money, or take your children.

Step 1: After you have filed your papers with the court, ask the other party to accept service.

- You can ask the other party to accept service by talking to them, calling them, or sending them the letter provided at the end of these procedures.

Step 2: The other party may accept service in person or by mail.

- In person:
  - Meet the other party at a Clerk of Superior Court location or at a Notary.
  - Bring with you:
    - 1 copy of the filed court papers for the other party
    - The Acceptance of Service form. You may fill out the form ahead of time, but do not sign it.
      - The other party must bring a government-issued I.D.
  - The other party must sign the Acceptance of Service form in front of a notary or the Clerk.
  - Make 2 copies of the signed and notarized Acceptance of Service form.
  - Give the other party 1 copy of the Acceptance of Service form, along with the copy of the filed court papers.
  - Keep 1 copy of the Acceptance of Service form for your records.
  - File the original Acceptance of Service form with the court. If you do not, your case might be dismissed.

- By mail:
  - Fill out the form letter at the end of these procedures.
  - Mail to the other party:
    - The completed form letter.
    - 1 copy of the filed court papers.
    - The Acceptance of Service form – you may fill out the form with all the information, but do not sign it.
  - Instruct the other party to sign the Acceptance of Service form in front of a notary, have it notarized and mail the original back to you. The other party may keep a copy for his/her record, but the original must be mailed back to you.
  - You must file the original Acceptance of Service form with the court. If you do not, your case might be dismissed.

Note: If the other party does not send back the “Acceptance of Service form,” ask him/her again to send it back. If other party still does not send it back, then you must serve the other party by one of the other service methods.

Step 3: File the following documents with the Clerk of Superior Court:

- The original signed and notarized Acceptance of Service form.

Step 4:

**Timeline for filing a Response:**

- Time starts on the day that you file the Acceptance of Service form.
- If the other party was served in Arizona, then they have 20 days to file a Response.
- If the other party was served in another state, then they have 30 days to file a Response.

In counting the days, include weekends and holidays. The last day you count must be a day when the Court is open for business. If the last day for the other party to respond falls on a Saturday, Sunday, or legal holiday, you do not count that day.

Next: See the Law Library Resource Center website for next steps. Different procedures apply depending on whether the other party files a Response.

Do not bring children to court.

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

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

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

(TELEPHONE NUMBER)

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

\_\_\_\_\_  
(OTHER PARTY'S NAME)

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

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

Re: Acceptance of Court Papers

Dear \_\_\_\_\_  
(Other Party's Name)

I have filed court papers for (state title of petition or complaint here) \_\_\_\_\_

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 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 request that has been filed.

If you choose to sign the “Acceptance of Service,” you still have the right to disagree with the request I have filed. If you sign the “Acceptance of Service,” and you want to file a written Response or Answer with the court, you must file your Response or Answer within 20 days of the day the “Acceptance of Service” is filed if you sign in Arizona, or within 30 days of the day the “Acceptance of Service” is filed if you sign outside the State of Arizona, (If you received a Paternity Complaint, you can give a verbal response in front of the judge.)

Sincerely,

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(YOUR SIGNATURE)

Enclosures