

HOW to SERVE a Civil Complaint by the SHERIFF

This method requires you to contact the Sheriff's Office in the county where the Defendant lives to arrange for a Sheriff's deputy to give the defendant the civil court papers. This method requires you to pay a fee to the Sheriff's Office, *unless you receive a fee waiver or deferral*.

The fee waiver or deferral **form** that Arizona uses is available at the Law Library Resource Center and is only for persons who meet certain financial requirements and cannot afford the cost of service. The fee waiver and deferral form requires you to explain to the Sheriff why your situation requires you to use this method of service. If you are granted a fee waiver or deferral at the time you file your civil Complaint packet, the clerk will direct you to take the Defendant's packet and the fee information to the sheriff's office down the hallway.

Service is complete at the time the sheriff or deputy hands the Defendant the court papers. Either the Sheriff may return the affidavit of service to you or to the clerk of court to show your packet was served. If you choose this method of service, use the "**Service by Sheriff**" form.

STEP 1: GO. Contact the Sheriff's Office in the county where the Defendant lives. Bring the Defendant's civil Complaint packet with you. (If the Defendant does not live in Maricopa County, send a copy of the court papers to the Sheriff's Office in the other county. In Maricopa County the Sheriff's Office Civil Process Unit is located

Maricopa County Sheriff's Office, Civil Unit
201 West Jefferson Street, 2nd Floor
West Court Building
Phoenix, Arizona 85003 - **602-876-1840**

Notice: There is a filing fee for all Civil Complaints and Answers as well as fees for service of court papers. You may request a waiver or deferral of the filing fees (and the Sheriff's service fees if you intend to use the Sheriff's Office for service) at the time you file your papers with the Clerk of the Court.

STEP 2: WRITE. If you are asking that the papers be served by a Sheriff's Department *other than* Maricopa County's, fill out the attached sheet for identifying the Defendant and provide:

- Defendant's set of copies of the civil court papers.
- A picture or written physical description of the Defendant.
- A written description of the automobile the Defendant drives.
- The address where the defendant can be served.
- "**Certified Order Waiving/Deferring Fees,**" or a \$200.00 deposit fee - cash/money order.

STEP 3: WAIT. The Sheriff may mail you a copy of the "**Affidavit of Service**" after the Defendant is served with the papers - **or** the Sheriff may file these papers instead of sending them back to you. If the Sheriff mails the affidavit to you – file it pronto!

STEP 4: COUNT: Read the "**Affidavit of Service**" to find out the date the Defendant was served with the court papers and start counting the days the Defendant has to file an Answer. (When counting the days, start counting with the day **after** the Defendant was served with the court papers.)

 (YOUR NAME)

 (ADDRESS)

 (CITY/STATE/ZIP)

 (TELEPHONE NUMBER)

 (DATE)

 (COUNTY NAME) **County Sheriff**

 (ADDRESS)

 (CITY/STATE/ZIP) **COURT CASE NO.** _____
REGARDING: (NAME OF PERSON TO BE SERVED) _____

I enclose a copy of the following documents: (LIST ALL DOCUMENTS YOU WANT TO BE SERVED)

Please serve these papers on the Defendant. His or her current address and physical description are:

 (Defendant's NAME)

 (HOME ADDRESS) (WORK ADDRESS)

 (HOME CITY/STATE/ZIP) (WORK CITY, STATE, ADDRESS)

| SEX | RACE | BIRTH | HGT. | WGT. | EYES | HAIR | SSN |
|-----|------|-------|------|------|------|------|-----|
| | | | | | | | |

Please return a notarized **"Affidavit of Service"** to my address at your earliest convenience. The court requires that each document served be named in the **"Affidavit of Service."**

- I also enclose a deposit of \$200. I understand there is a \$16.00 service fee, a travel fee of \$2.40 per mile (one way), for each attempt at service, and a \$8.00 notary fee. I understand that the difference between my deposit and the fees accrued for service will be billed, or returned, to me.
- OR,**
- I also enclose a certified copy of the **"Order for Waiver/Deferral of Fees for Service of Process."**

Thank you for your cooperation in this matter.

 (YOUR SIGNATURE)

Enclosures