

## START HERE: How to serve the other party

### What is service?

“Service” means giving legal notice to another party that you have filed papers with the court that may affect them. You must give a copy of those papers to the other party and show proof to the court that you have done so.

Methods of Service (choose one):

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- Acceptance of Service – Use this service method if the other party is willing to sign the Acceptance of Service form in front of a notary and return the form back to you. You will have to give or mail the court papers to the other party and include the Acceptance of Service form.

The other party’s signature on the Acceptance of Service form does not mean that they agree with the court papers. It simply means that the other party agrees they have received the papers.

Service is effective when the signed Acceptance of Service form is filed with the Court.

You will need the following documents in this packet:

- Procedures: How to serve court papers by Acceptance of Service . . . . . DR22p  
 Family Department Acceptance of Service form . . . . . DR22f

**Warning: Do not use this method of service if you are the victim of domestic violence, or believe the other party will hurt you, take your money, or take your children. If you believe the other party will become violent or uncooperative when you ask him/her to accept service, use one of the other methods of service.**

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- Service by Mail or National Courier Service – This service method allows you to serve the other party using the U.S. Postal Service or other national courier service. You may use this method if you are willing to pay to ship the required court documents through signature confirmation restricted delivery mail, and the other party is willing to sign for the documents.

You will need the following forms in this packet:

- Procedures: How to serve court papers by Signature Confirmation Restricted Delivery mail. . . . . DR24p  
 Affidavit of Service with Signature Confirmation for Family Cases . . . . DR24f

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- Service by Registered Process Server - This service method allows you to hire a registered process server to hand deliver your court papers to the other party. If you are able to pay for a registered process server's fees, then you may use this method.

You will need the following forms in this packet:

- Procedures: How to serve court papers by Registered Process Server. . . DR23p
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- Service by Sheriff - This service method requires you to contact the Sheriff's Office in the county where the other party lives. You will arrange for a sheriff's deputy to hand deliver your court papers to the other party. If you are able to provide the Sheriff's Office with the required deposit and fees, along with the other party's address and physical description, then you may use this method. Additionally, if you have an order for a fee deferral or waiver, you may use this method.

You will need the following forms in this packet:

- Procedures: How to serve court papers by Sheriff . . . . . DR26p
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- Service to Incarcerated Person – Use this method to serve court papers to a person who is in a jail, prison, or a correctional facility. If you need to serve an incarcerated person, then you may use this method.

You will need the following forms in this packet:

- Procedures: How to serve court papers to an Incarcerated Person . . . . . DR25p  
 Affidavit of Service with Signature confirmation for Family Cases . . . . . DR24f
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- Publication or Other Alternative Service – This service method requires you to get court permission to use an alternative means to serve the other party. It should only be requested as a last resort. If you cannot find the other party, you may request permission to serve the other party by publishing notice in newspapers. You may also request permission to create a different service method, provided it is the best practical means for providing the other party with notice. You must show the court that you have made reasonable efforts to use other methods to serve the other party, and that those efforts have been unsuccessful.

You will need the following forms in this packet:

- Helpful information: Alternative Service / Service by Publication . . . . . DR28h  
 Motion to Serve by Alternative Service / Publication . . . . . DR28f  
 Order to Serve by Alternative Service / Publication . . . . . DR29f  
 Procedures: How to serve court papers by Alternative Service or  
Publication . . . . . DR28p  
 Declaration Supporting Publication . . . . . DR30f

When is a written response to the court papers due?

Look at the timetable below. 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. If the other party files a written response with the court, you cannot proceed by Default.

When Response is Due - Default Timetable

<u>Service By</u>	<u>Count</u>	<u>Event</u>
“Acceptance of Service” (in Arizona)	20 days	after the “Acceptance of Service” is filed
Signature Confirmation (in Arizona)	20 days	after other party signs for the delivery
Process Server (in Arizona)	20 days	after other party receives papers from process server
Sheriff (in Arizona)	20 days	after other party receives papers from sheriff
“Acceptance of Service” (out of State)	30 days	after the “Acceptance of Service” is filed
Signature Confirmation (out of State)	30 days	after other party signs for the delivery
Process Server (out of State)	30 days	after other party receives papers from process server
Sheriff (out of State)	30 days	after other party receives papers from sheriff
Publication (in Arizona)	50 days	after the 1st day of publication
Publication (out of State)	60 days	after the 1st day of publication