

SELF-SERVICE CENTER

**PROCEDURES: HOW TO SERVE LEGAL PAPERS BY
ACCEPTANCE OF SERVICE**

in matters of
**GUARDIANSHIP, CONSERVATORSHIP, INFORMAL PROBATE OF ESTATES, and
SALE OF REAL PROPERTY**

Before Step 1, you must have filed the court papers.

STEP 1 ASK THE PERSON TO ACCEPT SERVICE OF THE PAPERS:

A. IF THE PERSON BEING SERVED GOES WITH YOU TO THE FILING COUNTER:

- Give the other person his or her set of copies.
- Stay at the counter with that person.
- The person must have valid picture identification with him or her to sign the original ACCEPTANCE OF SERVICE. The person must then sign the Acceptance in front of the Clerk, which the Clerk will notarize for **free**, **OR**

B. IF THE PERSON WILL NOT OR CANNOT GO WITH YOU TO FILE PAPERS:

- Arrange a meeting place and time with the person before a Notary Public. Remind the person being served to bring valid picture identification with him or her to the Notary Public.
- Give the person his or her set of copies.
- Have the original of the court papers with you in case the person wants you to prove that you have it, **OR**

C. IF YOU CANNOT GIVE THE PERSON THE PAPERS BY HAND:

- Mail **all** the copies to the person with an explanation, such as the form letter attached.
- The person must sign and date the original Acceptance.
- The signature must be witnessed by a notary public.
- You should write the date the person signed the Acceptance on your copy.

NOTE: If the person does not send back the Acceptance, or file it with the court himself (or herself), ask him or her again to send it back. If he or she still does not send it back, **then you have to serve him or her by one of the other processes.**

STEP 2 FILE THE ACCEPTANCE OF SERVICE AT THE COURT:

A. FILING THE PAPERS:

- Go back to the Clerk of the Court where you filed your original court papers and file the **original** of the ACCEPTANCE OF SERVICE signed by the person.
- Give the Clerk the **originals** of the following documents:
 - 1) **NOTICE OF HEARING**
 - 2) **ACCEPTANCE**, signed by the person in front of a notary public
 - 3) **WAIVER OF NOTICE** if person signed one

DO NOT BRING CHILDREN TO COURT.

Do not copy or file this page

(YOUR NAME)

(ADDRESS)

(CITY/STATE/ZIP CODE)

(TELEPHONE NUMBER)

FOR CLERK'S USE ONLY

(DATE)

(PERSON'S NAME)

(ADDRESS)

(CITY/STATE/ZIP CODE)

Re: Acceptance of Court Papers for: _____

Dear _____
(PERSON'S NAME)

I have filed court papers for (list title of petition here)_____. Enclosed is a copy of the following papers for you: (NOTICE: Documents listed should *at the very least* include the **Petition** on whatever matter is before the court, and a **Notice of Hearing** on the Petition)

1. _____
2. _____
3. _____
4. _____
5. _____

Also enclosed is an **Acceptance of Service** form for you to sign in front of a Notary Public to indicate you have received the documents listed. Signing the Acceptance may prevent unnecessary extra expenses as Arizona Rules of Court (A.R.C.P. 4.1 (c)) provide that a person who chooses not to accept service may be charged for additional costs required to achieve service by other methods. After signing, mail the Acceptance back to me in the addressed, postage-paid envelope provided.

Signing the Acceptance does **not** indicate agreement; you still have the right to file a written response or to appear at the court hearing to inform the court that you disagree with what is stated or requested in the Petition.

Sincerely,

(YOUR SIGNATURE)

Enclosures