SERVICE

JUVENILE COURT ONLY

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2

HOW TO SERVE NOTICE AS REQUIRED BY LAW

for JUVENILE DEPENDENCY or SEVERANCE (Termination) OF PARENTAL RIGHTS

"Service" refers to giving legally required notice to other parties that you have filed documents with the court that may result in a court order that may affect them, and proving that notice was given in a manner required or permitted by law.

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Service of court papers in a juvenile court case for dependency *or* termination of parental rights

Checklist

You may use the forms and instructions in this packet if …

- ✓ You have filed a petition or other document regarding a person under the age of 18, a minor, in the Juvenile Court for either:
  - Dependency, or
  - Termination of Parental Rights ("Severance").
- ✓ You are required to "serve notice" to parties legally entitled to receive notice of your filing such as the minor's parents, legal guardian, custodian (a person with whom the minor is or has been living), or other person claiming a right to receive notice.
- ✓ You understand that your case cannot proceed until you have provided proof to the court that notice has been given in a manner permitted by law.
- ✓ You understand that you may NOT hand-deliver the papers to the other party unless he or she (and no one else) will sign an "*Acceptance of Service*" form in front of a Notary or Clerk of the Superior Court, and return the form for you to file with the Court.

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NOTE: If you are required to serve notice on a person outside the United States, you may need to see a lawyer or research international law to determine what methods of service are permitted in your situation.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library Resource Center website.

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Service of Court Papers

How to serve the other parties in a juvenile dependency or severance case

This packet contains information, instructions, and court forms about serving court papers in a Juvenile Court case to establish a dependency or to permanently sever (terminate) parental rights. The items listed in **bold** are forms that, if applicable, you will need to fill out, copy, and submit to the Court. The other items are information or instruction pages. Do not copy or file the instructions and other non-bold items.

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Helpful information on serving the other party

- After you have filed your court papers with the Clerk of Superior Court, you must serve the papers on the other parties (the parents, the guardian, the custodian, and any other person whose presence in the action is required).
- Service means giving legal notice to the other party that you have filed court papers. You must provide proof of service to the Court.
- This packet explains the steps you need to take to serve the other party and what forms you must use.
- By completing the steps for service, you tell the Court that the other party has received a copy of the court papers.

METHODS OF SERVICE: Read the choices below to make sure that you are using the correct forms. Select the method of service that works best for you.

1. You Know Where the Other Party Lives in the State of Arizona. (Service must take place at least five (5) days before the date of the hearing.)

   A. Service by Acceptance. This method requires you to give or mail the court papers to the other party and include an "*Acceptance of Service"* form. The other party must sign the Acceptance of Service form in front of a Notary Public and return it to you. The other party cannot sign the Acceptance of Service until after you have filed the court papers with the Court. The other party's signature on the Acceptance of Service does not mean that he or she agrees with the court papers. It means that the other party admits receiving the papers, without being served in person by the sheriff or a process server. Service is complete at the time the other party signs the Acceptance of Service. If you choose this method of service, use the Acceptance of Service forms.

   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 or her to accept service, use one of the methods of service described below.

   B. Service by Registered Process Server. This method requires you to hire and pay a registered process server to serve the other party with Court papers. A process server is a person who will give the papers to the other party at home, work, or other location. This method of service costs more than service by acceptance and requires the process server to find the other party. If you decide to use this method, look under "PROCESS SERVER" in the Yellow Pages to find someone who can serve your papers. Service is complete at the time the process server hands the other party the court papers. If you choose this method of service, use the Service by Process Server form.

   C. Service by Sheriff. This method requires you to contact the Sheriff's Office in the county where the other party lives to arrange for a Sheriff's deputy to give the other party the 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 for persons who

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cannot afford the cost of service and meet certain financial requirements. The fee waiver and deferral form requires you to explain to the Sheriff why your situation calls for this method of service. Service is complete at the time the Sheriff or deputy hands the other party the court papers. If you choose this method of service, use the "Service by Sheriff" form.

D. Other Methods of Service. There may be other ways to serve the other party. To learn more about these other ways, you should see a lawyer for help.

2. You Know Where the Other Party Lives in the United States but not in the State of Arizona. (If the other party lives outside the United States, you should see a lawyer to find out which method of service will work best for you. Service must take place at least five (5) days before the date of the hearing.)

A. Service by Acceptance. This method requires you to give or mail the court papers to the other party and include an Acceptance of Service form. The other party must sign the Acceptance of Service form in front of a Notary Public and return it to you. The other party cannot sign the Acceptance of Service until after you have filed the court papers with the Court. The other party's signature on the Acceptance of Service does not mean that he or she agrees with the court papers. It means that the other party admits receiving the papers, without being served in person by the Sheriff or a process server. Service is complete at the time the other party signs the Acceptance of Service. If you choose this method of service, use the Acceptance of Service forms.

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 or her to accept service, use one of the methods of service described below.

B. Service by Certified Mail. Use this method of service only if the other party lives outside the State of Arizona and you know the address. This method of service allows you to give notice by a special type of mail. You can send the court papers by giving the post office copies of the court papers in an envelope postage prepaid to be sent to the other party by any form of mail requiring a signed and returned receipt. This is called Certified Mail, Restricted Delivery by the Post Office. This means that the other party must sign for the papers.

If the other party signs a receipt (green card) for the papers, the green card will be returned to you in the mail. You must then file an affidavit with the court stating (1) that copies of the petition and notice of hearing were sent to the person being served; 2) that the copies were received by the person to be served as evidenced by the attached green receipt; 3) that the original green receipt is attached; and 4) the date the party received the documents. A copy of the affidavit you will need is provided in the packet.

C. Service by Registered Process Server. This method requires you to hire and pay a registered process server to serve the other party with Court papers. A process server is a person who will give the papers to the other party at home, work, or other location. This method of service costs more than service by acceptance and requires the process server to find the other party. If you decide to use this method, look under "PROCESS SERVER" in the Yellow Pages to find someone who can serve

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your papers. Service is complete at the time the process server hands the other party the court papers. If you choose this method of service, use the Service by Process Server form.

D. Service by Sheriff. This method requires you to contact the Sheriff's Office in the county where the other party lives to arrange for a Sheriff's deputy to give the other party the 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 for persons who cannot afford the cost of service and meet certain financial requirements. The fee waiver and deferral form requires you to explain to the Sheriff why your situation calls for this method of service. Service is complete at the time the sheriff or deputy hands the other party the court papers. If you choose this method of service, use the Service by Sheriff Form.

E. Other Methods of Service. There may be other ways to serve the other party. To learn more about these other ways, you should see a lawyer for help.

3. You Cannot Find the Other Party.

Service by Publication. You may use this method only if you do not know, and cannot find the other party. Service by publication is your "last resort." It is used only if you do not have a current address for the other party and have tried to find the other party or after you have tried to serve the other party by personal service or certified mail and there are reasonable grounds to believe that the person is concealing him/herself to avoid service.

Service by Publication can be expensive and may delay your court case. This method requires that a notice be published once a week for four (4) weeks in a newspaper in the county where the action is pending. Service is complete 30 days after the first publication, and the initial hearing cannot be held until 10 days after service is complete. In other words, the hearing can be no earlier than the 41st day after the first publication.

To use this method, you must fill out several forms explaining to the Court what you have done to try to find the other party. If you choose this method of service, use the Service by Publication form.

TIPS FOR FINDING THE OTHER PARTY: Before using the Service by Publication method, you must take every reasonable step to try to find the other party. The Court requires you to file an "Affidavit Supporting Publication" telling the Court, under penalty of perjury, exactly *what you did* to find the other party. If the court is not satisfied that you have taken every reasonable step to locate and serve notice on everyone legally entitled to notice, your case may be delayed and you may be required to repeat publication.

Examples of steps you may be expected to take include:

- Verify the "missing" party is not at any former addresses.
- Talk to friends, family members, co-workers, employers, and/or neighbors.
- Search phone directories, the internet, county property and voter registration records, and even the obituaries.

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- You may also consider hiring a company to do computer searches for you or to otherwise help you track down the missing party.

4. Serving and Notifying the Department of Child Safety.

When to Serve and Notify. You must serve and notify the Department of Child Safety if any of the following are true:

- At least one of the children has been adjudicated delinquent and is under the jurisdiction of the Juvenile Court.
- At least one of the children is awaiting a delinquency decision from the Juvenile Court.
- At least one of these children has been released from the Department of Juvenile Corrections within the past six months.

Serve. You must serve the Department of Child Safety with the petition and notice, and do so according to its own procedures for accepting service.

Notify. To properly notify the Department of Child Safety, you must call their hot line at 1-888-767-2445 at least fourteen days before filing your dependency petition with the court. You must inform them that you will be filing the dependency petition, the claims that you are making in the petition, and the facts supporting the petition.

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How to serve the other party using the acceptance of service method

STEP 1: Ask the other party to accept service after you have filed the court papers.

- You can ask the other parties to accept service by talking to them, or by sending the *letter* included in this packet that asks them to sign the *Acceptance* in front of a Notary and return the form to you.
- WARNING: Do not do this in-person if you are the victim of domestic violence or believe the other party will hurt you, take your money, or take your children. Do not do this by *mail*, if the prior statements are true and the other person does not know your present address. If you have questions about whether you should use this method, you should see a lawyer for help.
- The other party *cannot* sign the *Acceptance of Service* until after you have filed the court papers.

STEP 2: If the other party agrees to accept service, you have three options:

A. GO: You and the other party can go to the filing counter at the courthouse where you filed the court papers. Bring the original Acceptance of Service, plus two copies (one for you and one for the other party.) The other party must sign the original Acceptance of Service in front of the Clerk of Superior Court at the filing counter. The Clerk will notarize the other person's signature for FREE. The other party must have a valid picture I.D. with him or her for the Clerk or Notary Public to sign the Acceptance of Service.

OR

B. MEET: Arrange a meeting place and time with the other party before a Notary Public. Bring the original Acceptance of Service, plus two copies (one for you and one for the other party). You should also bring the court papers with you in case the other party or the Notary Public wants to see the court papers. The other party must have a valid picture I.D. with him or 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 court papers to the other party with the original Acceptance of Service. Ask the other party to sign the Acceptance of Service before a Clerk or Notary Public and tell the other party why you have asked him or her to sign the Acceptance of Service. You may use the form letter in this packet to tell the other party why you have asked him or her to sign the Acceptance of Service.

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SIGN: The other party must sign the Original Acceptance of Service and write in the date he or she signed on the Acceptance of Service. The other party must sign the Original Acceptance of Service in front of a Notary Public. The other party must have a valid picture I.D. with him or her for the Notary Public to sign the Acceptance of Service. There is usually a small cost to use a Notary Public. The other party 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 other party does not send back the Acceptance of Service, ask him or her again to send it back. If the other party still does not send it back, then you have to serve the other party 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 Superior Court at the Court where you filed the court papers and file the original Acceptance of Service signed by the other party and notarized.
- GIVE the Clerk the original ACCEPTANCE OF SERVICE signed by the other party in front of a notary public.
- The Acceptance of Service should be signed by the other party at least five (5) days before the court hearing.

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_____
(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 and enclosed a copy of the following court papers for you:

(Check the box for the type of case and documents received, or check "Other" and list the type of case and title of the individual documents below.)

☐ JUVENILE DEPENDENCY

Petition

Notice of Hearing

Findings and Temporary Orders

☐ TERMINATE (SEVER) PARENTAL RIGHTS

Petition

Notice of Hearing

Order Setting Initial Hearing

☐ OTHER JUVENILE (List other type case): _____

List Names of individual "other" documents: _____ _____

_____ _____

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I have also enclosed an *Acceptance of Service* form for you to sign in front of a Notary Public and return to me in the enclosed self-addressed stamped envelope.

Signing the Acceptance acknowledges only that you have *received* these papers, not that you agree with anything stated or requested in them. Signing and returning the Acceptance will help to avoid unnecessary delay, expense, and having the papers served by the sheriff's department or a private process server. Signing and returning the Acceptance does not affect your right to file a written response and to attend the court hearing to disagree or to express your opinion.

Sincerely,

_____
(YOUR SIGNATURE)
Enclosures

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How to serve the other party by registered ("private") process server

STEP 1: FIND. You must hire a Registered Process Server. To find a Registered Process Server look in the Yellow Pages under "Process Servers."

Notice: There may be a filing fee for Petitions or Complaints, and Responses or Answers, and there are Service Fees. You may request a Deferral of the filing fees and/or the costs (and 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 Superior Court. You may not defer costs of a Registered Process Server.

STEP 2: GO. Go to the Registered Process Server's Office. TAKE with you the following things:

- ✓ Other party's set of copies of the court papers (Petition and Notice of Hearing).
- ✓ A picture or a written physical description of the other party.
- ✓ A written description of the automobile that the other party drives.
- ✓ The address where the other party can be served.
- ✓ The cash you need to pay for this service. (You can call ahead of time to ask the Process Server how much money it will cost.)

STEP 3: WAIT. The Process Server will mail you a copy of the Affidavit of Service after he or she serves the other party with the papers. IMPORTANT: If the Process Server does not file an Affidavit of Service with the Clerk of Superior Court, you must get the Affidavit of Service from the Process Server and file it.

STEP 4: GO. Go the Court Hearing. Bring a copy of the Petition, Notice of Hearing, and Affidavit of Service with you.

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How to serve the other party by certified mail

USE THIS PROCEDURE ONLY after you have filed your papers with the Court.

STEP 1: GO TO THE POST OFFICE and tell the clerk you would like to mail the other party a letter as follows:

- Certified Mail, and
- Deliver to Addressee Only, and
- Restricted Delivery, and
- Return Receipt Requested, and
- Pay the postage

STEP 2: WAIT for Green Receipt to be returned with the other party's signature. When you get the Green Receipt, note the date the other party received and signed for the papers.

STEP 3: PAPERS FOR THE COURT

- COMPLETE: Original of Declaration or Affidavit of Service by Certified Mail.
- ATTACH: You must attach the original Green Receipt to the Declaration or Affidavit to prove how you served the other party. Make sure you keep a copy of the Green Receipt for yourself (both sides).
- COPY: Make yourself a copy of the Declaration or Affidavit of Service by Certified Mail and attach the copy of the Green Receipt to it.

STEP 4: FILE PAPERS WITH THE COURT. File the Declaration or Affidavit of Service by Certified Mail and attached Green Receipt with the Clerk of Superior Court.

STEP 5: GO TO THE COURT HEARING. Bring your copy of the Petition, Notice of Hearing, and Declaration or Affidavit of Service by Certified Mail and attached Green Receipt with you.

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How to serve the other party by Sheriff

Step 1: Go. Contact the Sheriff's Office in the County where the other party lives. Bring your court papers with you or send a copy of the court papers to the Sheriff's Office if the other party does not live in the same county as you do. The Sheriff's Office in Maricopa County has two "Civil Process" windows where you can go to arrange service at the following locations:

Maricopa County Sheriff's Office, Civil Unit
111 South Third Avenue, 2nd Floor
West Court Building
Phoenix, Arizona 85003
602-876-1840

Northeast Court Facility
40th Street & Union Hills in North Phoenix
18380 North 40th Street
Phoenix, Arizona 85032
(Tuesday through Friday only)

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Notice: There are fees for service of court papers. If you intend to use the Sheriff's Office for service, you may request a deferral (delayed payment) of the service fees at the time you file your papers with the Clerk of Superior Court. You may not defer the cost of service by a Registered "private" Process Server.

Step 2: Write. Fill out the attached sheet for identifying the other party and bring:

- Other party's set of copies of the court papers (Petition and Notice of Hearing).
- A picture or a written physical description of the other party.
- A written description of the automobile the other party drives.
- The address where other party can be served.
- Certified Order Waiving/Deferring Fees, or a $200.00 deposit fee - Cash/Money Order.

Step 3: Wait. The Sheriff will mail you a copy of the Affidavit of Service after he or she serves the other party with the papers. (The Sheriff may also file these papers instead of sending them back to you.)

Step 4: Go. Go to your court hearing. Bring a copy of the Petition, Notice of Hearing, and Affidavit of Service from the Sheriff's Office.

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_____
(YOUR NAME)

_____
(ADDRESS)

_____
(CITY/STATE/ZIP)

_____
(TELEPHONE NUMBER)

_____
(DATE)

_____ County Sheriff
(COUNTY)

_____
(ADDRESS)

_____
(CITY/STATE/ZIP)

NAME OF PERSON TO BE SERVED: _____

COURT CASE NUMBER: _____

I have enclosed a copy of the Petition and Notice of Hearing. Please serve these papers on the other party. His or her current address and physical description are:

_____
(OTHER PARTY'S NAME)

_____ _____
(HOME ADDRESS) (WORK ADDRESS)

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

SEX	RACE	BIRTH	HGT.	WGT.	EYES	HAIR	SSN

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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 for $200.00. I understand there is a $16.00 service fee, $2.40 per mile, one way, for each attempt at service travel fee, and an $8.00 notary fee. I understand 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

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Procedures: How to serve court papers to an incarcerated person

Requirements:

- You may use this method if:
  - Your case is a dependency case.

    OR
  - Your case is a termination of parental rights case and the person being served is incarcerated outside Arizona.
- ✖ You may not use this method if:
  - ✖ Your case is a termination of parental rights case and the person being served is incarcerated in Arizona. Instead, you must hire a registered process server who is approved to serve papers in a jail, prison, or correctional facility in Arizona.

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Step 1: Serve the incarcerated person:

- Address two (2) large manila envelopes with the inmate's name, inmate number, jail or prison or correctional facility name and address. If the inmate is in an Arizona State Prison, you must address the envelopes exactly as described below. If the inmate is not in an Arizona State Prison, write "LEGAL MAIL" on the front of both envelopes. Put one set of court papers in one envelope, and the other set of documents in the other envelope.
- Go to the post office or any other business that delivers mail. Tell the clerk that you need to send 1 envelope as first-class mail. Tell the clerk that the other envelope must be sent with signed confirmation of delivery and that you will need the signature on the confirmation receipt. Keep the cash register receipt or package label. This will be filed with the Declaration of Service with Signature Confirmation (Declaration).
  - For inmates housed in Arizona State Prison facilities, the copy sent with a return confirmation (return receipt or signature confirmation) must be mailed to the following address. The sender must include the following information on the envelope, or the mail may be rejected: 1) the sender's full return address on the envelope, including first and last name, and 2) The words "JUVENILE COURT FILING" written along the bottom of the front of the envelope.

    Arizona Department of Corrections, Rehabilitation and Reentry
    [Inmate's Full First and Last Name] + [ADCRR Number]
    [Prison Complex], [Assigned Unit]
    801 E Jefferson Street
    Phoenix, AZ 85034

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- For inmates housed in Arizona State Prison facilities, the copy sent by first-class mail must be mailed to the following address. The sender must include their full return address on the envelope, including their first and last name.

  Arizona Department of Corrections, Rehabilitation and Reentry
  [Inmate's Full First and Last Name] + [ADCRR Number]
  [Prison Complex], [Assigned Unit]
  P.O. Box 211309
  Dallas, TX 75211

Here is the link to the ADCRR website where you can lookup inmate numbers, along with prison complex and assigned unit information for the address if not known.

https://corrections.az.gov/inmate-data-search

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Step 2: When you receive the signature confirmation:

- Wait for the returned copy of the jail or prison official's signature. If using signature confirmation mail, wait for the green receipt card to be returned with the other party's signature. When you get the green receipt, note the date the other party signed for the papers, and attach the card (or a photocopy of both sides of the card) to the Declaration.
- If using a different method of delivery with signature confirmation from the Postal Service or FedEx, etc., you may go to the company's web site to confirm delivery and get a copy of the signature confirmation. Tape that copy of the signature confirmation along with the cash register receipt or other proof of mailing to the to the Declaration.

Step 3: Prepare to file the Declaration with the court.

- Complete the Declaration.
  - Be sure you fill in the date the jail or prison official received the papers. If you fail to list a date, the court may not process your papers and your case may be delayed and possibly dismissed.
  - You must check the box indicating "Duplicate Service to Inmate and Inmate's attorney by First Class Mail," in addition to the other method you used for signature confirmation delivery.
  - You must attach a copy of the jail or prison official's signature confirming receipt of the court documents to the Declaration. If using signature confirmation mail, copy both sides of the green return receipt card and attach either the original or the photocopy to prove how and when you served the incarcerated party.

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- Make a copy of the entire Declaration for your records. Be sure to include a copy of the return receipt card or other document with the other party's signature acknowledging they received the court documents.

Step 4: File the original Declaration and the attached receipts with the Clerk of Superior Court at the Maricopa County Juvenile Court facility:

Durango Facility
3131 W. Durango Street
Phoenix, AZ 85009

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How to serve the other party by publication

STEP 1: PUBLISH THE COURT PAPERS.

A. How to serve the court papers by publication if you do not know if the other party lives in the county in which your case is pending (Maricopa County) and/or the other party's last known address was not in Arizona.

1. IF YOU HAVE A COURT ORDER WAIVING/DEFERRING COSTS of PUBLICATION, YOU MUST PUBLISH IN Arizona Business Gazette or The Phoenix Record Reporter. Mail or deliver the letter attached to these procedures, a copy of the documents you filed, and the certified order waiving/deferring costs of publication to:

The Record Reporter
2702 N. 3rd Street, #2007
Phoenix AZ 85004
Phone: (602) 417-9900
Fax: (602) 417-9910
Email: record_reporter@dailyjournal.com

Or

The Arizona Business Gazette
Call: (602) 444-7315 or
email: legal.advertising@pni.com

- OR -

2. IF YOU ARE PAYING THE COST of PUBLICATION, YOU MAY USE ANY NEWSPAPER OF "GENERAL CIRCULATION" in this county. Note that:

A. There are numerous eligible publications *other than* the one mentioned above;

B. The Arizona Corporation Commission maintains a list of eligible publications along with their contact information online at

https://azcc.gov/docs/default-source/corps-files/newspaper-list-for-publishing.pdf.

C. Fees vary. You may call and ask for "Legal Advertising" to compare prices.

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STEP 2: WAIT. Wait for the newspaper to send you the original of the document called AFFIDAVIT OF PUBLICATION.

STEP 3: COMPLETE YOUR PAPERWORK:

A. Fill out the *Declaration Supporting Publication* document that is attached.

B. ATTACH a copy of the *Affidavit of Publication* and published notice from the newspaper(s).

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C. KEEP A COPY for yourself of the *Declaration Supporting Publication* and *Affidavit of Publication*.

STEP 4: FILE THE COURT PAPERS:

A. File the original of the *Declaration Supporting Publication* with copy of *Affidavit of Publication* and published notice from the newspaper attached, and;

B. File the original *Affidavit of Publication* you received from the newspaper(s).

STEP 5: GO TO YOUR COURT HEARING. Bring a copy of the *Petition, Notice of Hearing, Declaration Supporting Publication*, and *Affidavit of Publication* with you to the hearing.

DO NOT COPY OR FILE THIS DOCUMENT

ALL RIGHTS RESERVED

_____
Print Name

_____
Print Address

_____, 20___
Date

_____
Name of Newspaper

_____
Address

_____

To Whom It May Concern:

I need to publish notice in the newspaper about Court Case No._____.

Enclosed is a copy of the *Notice of Hearing* regarding a petition for:

☐ **Juvenile Dependency,**

☐ **Severance (termination) of Parental Rights, or**

☐ **_____stamped by the Clerk of Court.**

Please publish a Notice in your newspaper about this court case once a week for four (4) weeks. I understand service in this matter is complete 30 days after the first publication and my hearing can be scheduled no earlier than ten (10) days after service is complete (no sooner than 41 days after the first publication).

Also enclosed is (check one box):

☐ **A check or money order in the amount of $ _____**for the cost of the publication as requested.

☐ **A certified copy of the Order from the court waiving the publication costs.**

When you receive this letter please call me at this area code and phone number (____) _____ **to tell me when publication will occur. When publication has been completed, please send to me the original and one copy of an Affidavit of Publication.**

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Thank you for your help in this matter.

Yours truly,

_____

Sign your name

Enclosures:

☐ Court documents AND

☐ Check or Money Order OR

☐ Certified copy of Court Order of Deferral of Publication Fees

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Person Filing:_____

Address (if not protected):_____

City, State, Zip Code: _____

Telephone:_____

Email Address:_____

Lawyer's Bar Number:_____

Licensed Fiduciary Number:_____

FOR CLERK'S USE ONLY

Representing ☐ Self, without a Lawyer OR ☐ Attorney for _____

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

IN THE MATTER OF:

_____

_____

_____

(Names of Children)

Case Number: _____

ACCEPTANCE OF SERVICE
A.R.C.P. 4(f)

THE PERSON WHO SIGNED BELOW STATES UNDER OATH OR AFFIRMATION:

1. ACCEPT AND WAIVE FORMAL SERVICE. I voluntarily accept and waive formal service by process server or sheriff of the court papers listed below and understand by accepting these papers it is the same as if I were personally served under Arizona law.

(Below: Check the boxes to indicate documents received. If papers received are **not** for a Dependency or to Terminate Parental Rights, check the box for "**Other**," list the type of case and the name of documents received (example: "Petition" or "Notice of Hearing"). Do not check the box unless you received the document.)

JUVENILE DEPENDENCY	**TERMINATE PARENTAL RIGHTS**	☐ **OTHER**_____
☐ **Petition**	☐ **Petition**	_____
☐ **Notice of Hearing**	☐ **Notice of Hearing**	_____
☐ **Findings and Temporary Orders**	☐ **Orders Setting Initial Hearing**	_____

2. DOES NOT INDICATE AGREEMENT. I understand that accepting service does not affect my right to appear at the hearing or file papers with the Court to disagree with what is stated or requested.

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3. **ATTEND THE HEARING.** I understand that if I do not attend the hearing that I may lose my right to be heard in this case. I understand that failure to appear at the hearing could result in the Court giving the other party any and all things requested in his or her legal papers.

4. **MILITARY SERVICE.** I am not in the military forces of the United States of America in any capacity *or* I waive the protection of the Service Members Civil Relief Act.

_____ _____
Date Signature of Person Accepting Service

_____
Printed Name of Person Accepting Service

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(Notary seal) _____
Deputy Clerk or Notary Public

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Person Filing:_____

Address (if not protected):_____

City, State, Zip Code: _____

Telephone:_____

Email Address:_____

Lawyer's Bar Number:_____

Representing ☐ Self, without a Lawyer OR ☐ Attorney for _____

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

IN THE MATTER OF:

_____

_____

_____

Case Number:_____

DECLARATION OF SERVICE
BY CERTIFIED MAIL

1. I am familiar with the facts stated in this Declaration and know of my own knowledge that the facts stated herein are true and correct. I make this Declaration to show that I have served the court papers on the other party by certified mail, postage prepaid, return receipt requested, pursuant to Rule 329 of the Rules of Procedure for the Juvenile Court and A.R.S. § 8-841(E). A copy of the verified Petition and Notice of Hearing were sent to:

   Person served (Name of Other Party): _____

   Relationship of Other Party to Me: _____

   Address where Other Party was served: _____

   Date of receipt by the Other Party: _____

   Date of return of green receipt to me: _____

2. These court papers were received by the other party as shown by the green receipt, the original of which is attached to this Declaration.

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3. Service by certified mail instead of personal service was used because: (Be specific)

_____

_____

_____

DECLARATION

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

_____ _____

Signature Date

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FOR CLERK'S USE ONLY

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

Licensed Fiduciary Number: _____

Representing ☐ Self, without a Lawyer OR ☐ Attorney for _____

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

IN THE MATTER OF:

_____

_____

_____

Case Number: _____

DECLARATION SUPPORTING PUBLICATION

1. **I make this Declaration to tell the Court why service by publication was used, and to show how service by publication was done. I have read this document and know of my own knowledge that the facts stated are true and correct.**

2. **Pursuant to Arizona Rules of Civil Procedure, Rules 4.1 and 4.2, service by publication is the best way to notify the other party of this court case because the other party is:**

☐ **Avoiding service of process, I have mailed, postage prepaid, a copy of the following legal documents**:

_____

_____

to the last known address of the other party on or before the first date of Publication,

OR

☐ **The other party's residence is unknown. I have not mailed copies of the proceedings to the other party.**

3. **The residence and whereabouts of the other party's is unknown to me, even though I have made a diligent search to find out. My search failed to reveal any information that might lead to knowledge about the other party's residence or whereabouts. A search was made of the following records:** (Be specific.)

☐ **Telephone Directory/Directory Assistance. State the cities you called and the numbers you called.**

_____

_____

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☐ **Last Known Employer. State who you talked with and when:**

_____

_____

_____

☐ **Relative or Friend of Other Party (State who you contacted, his or her relationship to the other party, how you contacted him or her** (in person, by telephone, by letter):

_____

_____

☐ **Other things you did:**

_____

_____

_____

4. To the best of my knowledge, information, and belief, the other party is not in the military service of the United States.

5. The following document(s)

_____

_____

_____

was/were published in a newspaper in the county, where my case is pending on the following dates:

A. ___/___/___, **B**. ___/___/___,

C. ___/___/___, **D.** ___/___/___,

6. A copy of the Affidavit of Publication and notice as published are attached.

DECLARATION

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

_____ _____

Signature Date

INSTRUCTIONS

ATTACH a copy of the *Affidavit of Publication* from the newspaper(s) to this page.
FILE the original of the *Affidavit of Publication* from the newspaper(s) with the Court.

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