

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.

AND

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.

Do not copy
or file this page

(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: _____

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