

Law Library Resource Center

HOW TO SERVE THE OTHER PARTY USING “ACCEPTANCE OF SERVICE” METHOD AFTER YOU HAVE FILED YOUR COURT PAPERS

STEP 1: ASK THE OTHER PARTY TO ACCEPT SERVICE OF THE COURT PAPERS AFTER YOU HAVE FILED THE COURT PAPERS.

- You can ask the other party to accept service by talking to him/her, calling him/her, or sending him/her the letter which is in this packet.
- **WARNING:** Do **not** do this 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 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 3 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 now sign the original “*Acceptance of Service*” in front of the Clerk 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/her for the Notary Public to sign the “*Acceptance of Service*.”

OR

B. MEET: Arrange with the other party, a place and time to meet 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 want to see the court papers. The other party must have a valid picture I.D. with him/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*” 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

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D: SIGN: The other party must sign the Original ***“Acceptance of Service”*** and write in the date he/ she signed 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/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/her again to send it back. If 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 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 ORIGINALS:
 1. ***“SUMMONS,”*** if you had one
 2. ***“ACCEPTANCE OF SERVICE”*** signed by the other party in front of a notary public

STEP 4: COUNT: Count the days from the date the other party signed the ***“Acceptance of Service.”*** If the other party received the ***“Acceptance of Service”*** in the State of Arizona and does not file a Response or Answer within **20** days from the date he or she signed the ***“Acceptance of Service,”*** or if the other party received the ***“Acceptance of Service”*** *outside* the State of Arizona and does not file a Response or Answer within 30 days from the date he or she signed the ***“Acceptance of Service,”*** see Packet #3 regarding Default.

DO NOT BRING CHILDREN TO COURT.

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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 court papers for (state title of petition or complaint here)_____.

Enclosed is a copy of the following court papers for you: (list the names of all of the court papers here)

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

I have also enclosed an **"Acceptance of Service"** form. Sign this form in front of a Notary Public and return it to me in the self-addressed stamped envelope. This does *not* affect your right to object to or to disagree with the request that has been filed. If you choose to not sign the **"Acceptance,"** you may be charged for any extra costs required to serve the papers by other means (Arizona Rules of Civil Procedure 4.1(c)). Signing the **"Acceptance"** will save you the cost of hiring a process server or the sheriff to serve the papers.

If you choose to sign the **"Acceptance of Service,"** you still have the right to disagree with the request I have filed. If you sign the **"Acceptance of Service,"** and you want to file a written Response or Answer with the court, you must file your Response or Answer within **20** days of signing the **"Acceptance of Service"** if you sign in the State of Arizona, or within **30** days of signing if you sign outside the State of Arizona, (If you received a Paternity Complaint, you can give a verbal response in front of the judge.)

Sincerely,

(YOUR SIGNATURE)
Enclosures