

Instructions for Service of a Summons and Complaint

Who can serve?

A person over the age of 18, who is not a party to the action, may serve the summons.

1. Personal delivery: A copy of the summons and complaint may be served by giving it to the defendant in his or her hand. The server must fill out an affidavit of service and return it to the court within 14 days of the service of the summons and complaint.
2. Substituted delivery: A copy of the summons and complaint may be left with a person other than the defendant at the defendant's residence or place of business.

A copy of the summons and complaint must be mailed to the defendant in an envelope marked "Personal and Confidential within 20 days of the service on the substituted person." The envelope may not indicate that it is from an attorney or that it concerns an action against the defendant

An affidavit of service must be filled out by the server indicating the date of service and the date of mailing. The affidavit must be filed with the court within 14 days of the date of the mailing of the summons and complaint.

- 3, Conspicuous delivery: If no one can be found to receive the summons and complaint after a diligent effort to serve the papers (at least three attempts), on the third attempt the summons and complaint may be served by conspicuous delivery. This is also known as "Nail and Mail." This delivery requires that a copy of the summons and complaint be affixed to the door of the actual residence or place of business of the defendant, normally with adhesive tape.

A copy of the summons and complaint must be mailed to the defendant in an envelope marked "Personal and Confidential within 20 days of the affixing of the Summons and Complaint. " The envelope may not indicate that it is from an attorney or that it concerns an action against the defendant

PARTIES

Plaintiff: (YOUR name and complete address, including your apartment number and telephone number.)
[NOTE: If the claim is based on an auto accident, the claim must be *Owner* against *Owner*].

Defendant(s): (The full legal name and street address (no box number) of the party(ies) you are suing. Indicate whether you are suing this party as a person or a business.) [NOTE: If you are suing a business, indicate whether it is a partnership, a corporation or an individual with a business certificate. This information can be obtained in the County Clerk's Office in the county in which the business is located. Failure to check this information may result in a Judgment which cannot be executed.]

CLAIM

REASON FOR CLAIM:

- Damage caused to: automobile person property other than automobile
- Failure to provide: repairs proper services goods ordered
- Failure to return: security property deposit money
- Failure to pay for: wages services rendered insurance claim money loaned
 rent commissions goods sold and delivered
- Breach of-: contract lease
- Loss of-: luggage property time from work use of property
- Returned: check merchandise
(bounced) (not reimbursed)

Other: (Be Brief)

DETAILS OF CLAIM:

Amount of Claim: (Limit \$25,000 for each Cause of Action) _____

Date of Occurrence: _____

Place of Occurrence: _____

If Car Accident: YOUR license plate # _____ DEFENDANT'S license plate # _____

Identifying Number(s): _____
(Receipt #, Claim #, Account #, Policy #, Ticket #, etc.)

Today's Date X Signature of Plaintiff