

# WHAT IS SERVICE?

When you begin a case against another party, such as a person or business, you must notify them. Similarly, when you are involved in a case and file papers with the court, you must provide copies of that paperwork to the other party.

The process of letting the other party know that you have begun a legal action or filed papers with the court is called “service.” This lets the other party know what you filed.

**Service is very important. If it is not done right, you will not be able to move forward with your case.**

# WHO CAN SERVE?

The “server,” or “process server” **CANNOT** be a party to the case. Anyone over the age of 18—not you—can serve the papers. This can be:

## A friend, relative, or coworker

Someone who has no interest or involvement in the case.

## A professional process server

You have to hire and pay this person.



## A county sheriff or marshal

Usually requires a fee unless you have a fee waiver in the case.

# HOW CAN SERVICE BE DONE?

There are several ways to serve someone. Not all ways are allowed for all case types, or stages of a case. **Check with the court to see which ways are allowed for your case type.**



The preferred way to serve someone is by personal service. This means the server gives the papers to the other party in person.



Sometimes, when a case is already open, the papers can be served through the mail. For service by mail, the server mails the papers to the other party.

Some case types have other options or rules for service. See <http://www.courts.ca.gov/self-help-serving.htm> or go to the self-help center for more information.

# WHAT HAPPENS AFTER SERVICE?

The server must fill out and sign a **Proof of Service**. The Proof of Service tells the court who was served, as well as when, where, and how service was done. The server must then give you the Proof of Service. You must bring the original Proof of Service and a copy of it to the court, and file it with the clerk.



Depending on your case, there may be different deadlines for these steps. Be sure to check with the court to see when you must complete them.

**Failure to follow these steps could result in your case being delayed or dismissed.**

I've started my case...

# NOW WHAT?

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*You may have heard that you will need to "serve" the other party. But what is service and how is it done?*

