

SERVING COURT PAPERS ON THE OTHER PARTY AT THE START OF YOUR CASE

YOU CAN USE THIS PACKET IF ALL THIS IS TRUE:

- You started a family law case.
- You need to serve the papers on the other party.
- The other party lives in the United States.

Before signing a court document or getting involved with a court case, it's important to see an attorney to make sure you understand your legal rights and responsibilities. The Self-Help Center has information on finding an attorney.

INSTRUCTIONS: SERVING FORMS ON THE OTHER PARTY

Where does the other party live?	Serve the forms in one of these ways
In the U.S. and not on an Indian Reservation	① ② ③ or ④
On an Indian Reservation in the U.S.*	① ⑤ or ⑥
I don't know	⑦
Not in the U.S.	see an attorney

*If the other party lives on an Indian Reservation, there might be more options for service. An attorney can advise you.

- ① **Acceptance of Service:** You ask the other party to accept your delivery of the forms voluntarily so you don't have to pay to serve. See the form "Acceptance of Service" in this packet. Don't use Acceptance of Service if there's domestic violence or you think the other party will be violent or uncooperative.

- ② **Process Server:** You pay a process server to serve the forms. See the forms and instructions for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.

- ③ **Sheriff:** You pay the sheriff to serve the forms. See the forms and instructions for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.

- ④ **Certified Mail:** You send the forms to the other party through certified mail. See the instructions and forms for "Service by Certified Mail" in this packet.

- ⑤ **Tribally Licensed Process Server:** You pay a tribally licensed process server to serve the forms. See the forms and instructions for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.

- ⑥ **Service by Tribal Law Enforcement:** You pay tribal law enforcement to serve the forms. See the forms and instructions for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.

- ⑦ **Service by Publication:** You pay a newspaper to publish a notice about the case. See the forms and instructions for "Service by Publication" in this packet.

Person Filing: _____
 Mailing Address: _____
 City, State, Zip: _____
 Phone Number: _____
 Representing Self _____

COCONINO COUNTY SUPERIOR COURT

Petitioner: _____ Case Number: DO _____

ACCEPTANCE OF SERVICE

Respondent: _____

***To the Respondent:** Please sign this form in front of a notary and return it to me in the enclosed self-addressed, stamped envelope to save the cost of hiring someone to serve you with the court papers. Signing does not mean you agree with what I'm asking for.*

Court Papers: I acknowledge I have voluntarily accepted the Summons and a copy of the following legal papers in this case.

<input type="checkbox"/> Divorce with Children Petition Preliminary Injunction Joint Legal Decision-Making Agreement, if applicable Parent's Worksheet for Child Support Amount Child Support Order Income Withholding Order Notice Regarding Community Debts Notice of Right to Convert Health Insurance	<input type="checkbox"/> Legal Separation with Children Petition Preliminary Injunction Joint Legal Decision-Making Agreement, if applicable Parent's Worksheet for Child Support Amount Child Support Order Income Withholding Order Notice Regarding Community Debts
<input type="checkbox"/> Divorce without Children Petition Preliminary Injunction Notice Regarding Community Debts Notice of Right to Convert Health Insurance	<input type="checkbox"/> Legal Separation without Children Petition Preliminary Injunction Notice Regarding Community Debts
<input type="checkbox"/> Parenting Time, Legal Decision-Making, and Child Support Petition Preliminary Injunction Joint Legal Decision-Making Agreement, if applicable Parent's Worksheet for Child Support Amount Child Support Order Income Withholding Order	

Accept and Waive Formal Service: I waive formal service of process (service by a process server or sheriff) and understand that by accepting these papers it is the same as if I were personally served under Arizona Law (Rules 40, 41, and 42, Arizona Rules of Family Law Procedure).

Response Deadline: I am aware that my right or obligation to file a written Response to this action is not affected by accepting service of these court papers and signing this paper. I understand that if I do not agree with any request in the Petition, I must respond within 20 days from the day I signed the original Acceptance of Service if I accepted service in Arizona or 30 days from that date if I received the papers outside of Arizona.

Default Judgment, Order, or Decree: I understand that if I do not appear and defend in this action in Court within the time allowed by law I may lose my right to be heard in this case. I understand that failure to respond could result in the Court giving the other party any and all things requested in his or her legal papers through a default judgment, order, or decree.

Divorce Cases Only: Restore Name: *(Fill out this part only if you are the Respondent and you want to restore your maiden name.)* I took the name of my spouse at the time of marriage, and I want to restore my maiden name. That name is: _____

Respondent's Signature

Respondent's Address:

Phone #: _____

State of Arizona)
)
County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal: Notary Public: _____
Notary Expiration Date: _____

**INSTRUCTIONS:
SERVICE BY PROCESS SERVER, SHERIFF, OR
TRIBAL LAW ENFORCEMENT**

1.	Find a process server, sheriff, or tribal law enforcement officer Find a process server or the sheriff in the county where the other party lives. Process servers are in the Yellow Pages. The sheriff is in the government pages of the phonebook. The Coconino County Sheriff's Office is at 911 E. Sawmill Rd., Flagstaff, AZ 86004, 928-774-4523 or (toll-free) 800-338-7888. If the other party lives on an Indian reservation, find a tribally licensed process server in the tribe's phonebook or go through tribal law enforcement.
2.	Call the process server, sheriff, or tribal law enforcement officer Have your Petition in front of you. Ask these questions. <ul style="list-style-type: none">• How much do you charge for service of process?• Do I pay up front, or will you bill me?• Do you file the Affidavit of Service with the court and mail me a copy, or do I need to file it myself? (This is the document showing that the other party was served.) If you have a fee waiver or deferral and are using tribal law enforcement or a sheriff's office in a county other than Coconino, also ask: <ul style="list-style-type: none">• Do you accept fee waivers or deferrals from Coconino County? (They're not required to.) You cannot waive or defer the fee for service by process server.

<p>3.</p>	<p>Fill out the Letter: Service By Process Server, Sheriff, Or Tribal Law Enforcement</p>
<p>4.</p>	<p>Mail or hand-deliver the following to the process server, sheriff, or tribal law enforcement officer</p> <ul style="list-style-type: none"> • Letter: Service by Process Server, Sheriff, or Tribal Law Enforcement • One of the following: <ul style="list-style-type: none"> ○ the fee ○ a certified copy of the court order waiving or deferring fees • The original Summons • One copy of each document listed under your case type on the Letter <p>Keep copies of everything for your records.</p>
<p>5.</p>	<p>Make sure the Affidavit of Service is filed with the court</p>

LETTER: SERVICE BY PROCESS SERVER, SHERIFF, OR TRIBAL LAW ENFORCEMENT

My Name: _____
 Mailing Address: _____
 City, State, Zip Code: _____
 Phone Number: _____

Date: _____

Sheriff of the County of *(if serving by sheriff)*: _____
 Process Server's Name *(if serving by process server)*: _____
 Tribal Law Enforcement of *(if serving by tribal law enforcement)*: _____
 Mailing Address: _____
 City, State, Zip Code: _____

Re: Name of Person to Be Served: _____
 Court Case Number: DO _____

To whom it may concern:

Please find enclosed the Summons and a copy of the following documents to be served on the other party in this court case *(check the box next to your case type)*:

<input type="checkbox"/> Divorce with Children Petition Preliminary Injunction Joint Legal Decision-Making Agreement, if applicable Parent's Worksheet for Child Support Amount Child Support Order Income Withholding Order Notice Regarding Community Debts Notice of Right to Convert Health Insurance	<input type="checkbox"/> Legal Separation with Children Petition Preliminary Injunction Joint Legal Decision-Making Agreement, if applicable Parent's Worksheet for Child Support Amount Child Support Order Income Withholding Order Notice Regarding Community Debts				
<input type="checkbox"/> Divorce without Children Petition Preliminary Injunction Notice Regarding Community Debts Notice of Right to Convert Health Insurance	<input type="checkbox"/> Legal Separation without Children Petition Preliminary Injunction Notice Regarding Community Debts				
<input type="checkbox"/> Parenting Time, Legal Decision-Making, and Child Support Petition Preliminary Injunction Joint Legal Decision-Making Agreement, if applicable <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Parent's Worksheet for Child Support Amount</td> <td style="width: 50%; border: none;">Child Support Order</td> </tr> <tr> <td style="border: none;">Income Withholding Order</td> <td style="border: none;"></td> </tr> </table>		Parent's Worksheet for Child Support Amount	Child Support Order	Income Withholding Order	
Parent's Worksheet for Child Support Amount	Child Support Order				
Income Withholding Order					

Details about the Other Party:

During the workday, the other party can usually be found at: Home Work Other

Home Address: _____
City, State, Zip Code: _____

Work Address: _____
City, State, Zip Code: _____

Other Address: _____
City, State, Zip Code: _____
Or other description of location: _____

Physical Description:

Sex	Race	Birth	Height	Weight	Eyes	Hair	SSN
Additional Description:							

Description of the Other Party's Vehicle:

Make	Model	Year	Color
Additional Description:			

- I enclose \$_____ in payment for service of process.
- I understand I will be billed for service of process.
- I enclose a certified copy of a court order waiving or deferring the fee.

Please note that each document served must be named in the Affidavit of Service.

Thank you for your assistance.

My Signature: _____

INSTRUCTIONS: SERVICE BY CERTIFIED MAIL

1.	<p>Get your copies together</p> <p>Divorce with Children:</p> <ul style="list-style-type: none">• Petition• a copy of the Summons• Preliminary Injunction• Joint Legal Decision-Making Agreement, if applicable• Parent’s Worksheet for Child Support Amount• Child Support Order• Income Withholding Order• Notice Regarding Community Debts (blank)• Notice of Right to Convert Health Insurance <p>Divorce without Children:</p> <ul style="list-style-type: none">• Petition• a copy of the Summons• Preliminary Injunction• Notice Regarding Community Debts (blank)• Notice of Right to Convert Health Insurance <p>Custody for Unmarried Parents:</p> <ul style="list-style-type: none">• Petition• a copy of the Summons• Preliminary Injunction• Joint Legal Decision-Making Agreement, if applicable• Parent’s Worksheet for Child Support Amount• Child Support Order• Income Withholding Order <p>Legal Separation with Children:</p> <ul style="list-style-type: none">• Petition• a copy of the Summons• Preliminary Injunction• Joint Legal Decision-Making Agreement, if applicable• Parent’s Worksheet for Child Support Amount• Child Support Order• Income Withholding Order• Notice Regarding Community Debts (blank) <p>Legal Separation without Children:</p> <ul style="list-style-type: none">• Petition• a copy of the Summons• Preliminary Injunction• Notice Regarding Community Debts (blank)
2.	<p>Take them to the post office</p> <p>Ask the post office to mail them “certified mail, restricted delivery to the addressee, with a return receipt”.</p> <p>The post office will send you a “green card” showing they were delivered.</p>

3.	If the other party is incarcerated, also mail a set of copies to them through first-class mail
4.	Fill out and file the Affidavit of Service by Certified Mail with the court Attach the green card and the original Summons to it.

Person Filing: _____
 Mailing Address: _____
 City, State, Zip Code: _____
 Phone Number: _____
 Representing Self _____

COCONINO COUNTY SUPERIOR

Petitioner: _____ Case Number: DO _____

**AFFIDAVIT OF SERVICE BY
 CERTIFIED MAIL**

Respondent: _____

On this date: _____, I mailed a copy of the Summons (original attached) and the following legal papers in this case through certified mail, with delivery restricted to the Respondent, at this address:

(check the box next to your case type)

<input type="checkbox"/> Divorce with Children Petition Preliminary Injunction Joint Legal Decision-Making Agreement, if applicable Parent's Worksheet for Child Support Amount Child Support Order Income Withholding Order Notice Regarding Community Debts Notice of Right to Convert Health Insurance	<input type="checkbox"/> Legal Separation with Children Petition Preliminary Injunction Joint Legal Decision-Making Agreement, if applicable Parent's Worksheet for Child Support Amount Child Support Order Income Withholding Order Notice Regarding Community Debts
<input type="checkbox"/> Divorce without Children Petition Preliminary Injunction Notice Regarding Community Debts Notice of Right to Convert Health Insurance	<input type="checkbox"/> Legal Separation without Children Petition Preliminary Injunction Notice Regarding Community Debts
<input type="checkbox"/> Parenting Time, Legal Decision-Making, and Child Support Petition Preliminary Injunction Joint Legal Decision-Making Agreement, if applicable Parent's Worksheet for Child Support Amount Child Support Order Income Withholding Order	

On this date: _____, I received the receipt signed by the Respondent (attached), showing that the Respondent received the forms on this date: _____

If the other party is incarcerated, I also mailed a set of copies to them through first-class mail.

Petitioner's Signature: _____

State of Arizona)

)

County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal:

Notary Public: _____

Notary Expiration Date: _____

(Attach green card here.)

INSTRUCTIONS: SERVICE BY PUBLICATION

1.	<p>Try to find the other party</p> <p>You must make a diligent effort to find the other party, including such means as:</p> <ul style="list-style-type: none">• Asking for the other party's whereabouts from his/her co-workers, friends, and relatives• Examining phone company records• Examining utility company records• Examining records kept by the county treasurer• Examining records kept by the county recorder or similar agency• Employing companies that do computer searches to help you locate the other party if you know the other party's date of birth and/or social security number <p>If you find the party, you must use one of the other service methods.</p>
2.	<p>Fill out these forms:</p> <ul style="list-style-type: none">• Motion to Serve by Publication• Order Allowing Service by Publication
3.	<p>File the forms with the court</p>
4.	<p>Wait to hear back from the court</p> <p>The court will mail you a signed Order. The Order will say if the judge approved your request to serve by publication. If the judge approved your request, continue through these Instructions to serve by publication.</p>

<p>5.</p>	<p>Find a newspaper</p> <p>If the other party’s last known address is in Coconino County: Publish in a newspaper in Coconino County.</p> <p>If it’s in Arizona but not in Coconino County: Publish in 1) a newspaper in Coconino County and 2) a newspaper in the county of the other party’s last known address.</p> <p>If it’s outside of Arizona: Publish in a newspaper in Coconino County.</p> <p>If there is no newspaper in the county where you need to publish, publish in a newspaper in a neighboring county. Newspapers are listed in the Yellow Pages. The phone number for the <i>Arizona Daily Sun</i> in Coconino County is 928-556-2280.</p>
<p>6.</p>	<p>Call the newspaper(s)</p> <ul style="list-style-type: none"> • Tell them you need to publish a Summons once a week for four weeks in a row. • Ask how much it will cost. • Ask them to mail you a publisher’s affidavit. (This shows that the publication happened.) • Ask them to mail you a copy of the legal notice that gets published. (If they don’t provide this service, cut it out of the newspaper yourself.)
<p>7.</p>	<p>Fill out the Letter: Service by Publication and mail or hand-deliver it to the newspaper(s)</p> <p>Also include:</p> <ul style="list-style-type: none"> • A copy of the Summons • One of the following: <ul style="list-style-type: none"> ○ a check or money order for the cost of publication ○ a certified copy of the Order from the court waiving the publication costs <p>Keep a copy of everything for your records.</p>

**8. Before the first date of publication:
Mail the following to the other party's last known address**

Use first-class mail.

Mail a copy of the documents under your case type:

Divorce with Children:

- Petition
- Summons
- Preliminary Injunction
- Joint Legal Decision-Making Agreement, if applicable
- Parent's Worksheet for Child Support Amount
- Child Support Order
- Income Withholding Order
- Notice Regarding Community Debts (blank)
- Notice of Right to Convert Health Insurance

Legal Separation with Children:

- Petition
- a copy of the Summons
- Preliminary Injunction
- Joint Legal Decision-Making Agreement, if applicable
- Parent's Worksheet for Child Support Amount
- Child Support Order
- Income Withholding Order
- Notice Regarding Community Debts (blank)

Divorce without Children:

- Petition
- Summons
- Preliminary Injunction
- Notice Regarding Community Debts (blank)
- Notice of Right to Convert Health Insurance

Legal Separation without Children:

- Petition
- a copy of the Summons
- Preliminary Injunction
- Notice Regarding Community Debts (blank)

Custody for Unmarried Parents:

- Petition
- Summons
- Preliminary Injunction
- Joint Legal Decision-Making Agreement, if applicable
- Parent's Worksheet for Child Support Amount
- Child Support Order
- Income Withholding Order

**9. After the last date of publication:
Fill out the Affidavit of Service by Publication and file it
with the court**

Attach the original publisher's affidavit from each newspaper and one copy of each newspaper's notice.

Person Filing: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self

COCONINO COUNTY SUPERIOR COURT

Petitioner's Name on the Petition that started this Case Number: DO _____
case: _____

MOTION TO SERVE BY
PUBLICATION

Respondent's Name:

It's not practicable to serve the other party using the methods in Rules 41(c-1) because I can't find the other party. As far as I know, the other party is not in U.S. military service. Service by publication is the best means available to notify the other party about this case.

Here's what I did to try to find the other party:

I ask the court to allow me to serve the other party by publication.

Date: _____ Signature: _____

Person Filing: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____
Representing Self

COCONINO COUNTY SUPERIOR COURT

Petitioner's Name on the Petition that started this Case Number: DO _____
case: _____

**ORDER ALLOWING SERVICE BY
PUBLICATION**

Respondent's Name:

The court finds that it is not practicable to serve the other party using the methods in Rules 41(c-1) and that service by publication is the best means available to notify the other party about this case.

The court orders that service may be made by publication.

Date: _____ Judge's Signature: _____

LETTER: SERVICE BY PUBLICATION

My Name: _____
Mailing Address: _____
City, State, Zip Code: _____
Phone Number: _____

Date: _____

Name of Newspaper: _____
Mailing Address: _____
City, State, Zip Code: _____

Re: Case Number: DO _____

To Whom It May Concern:

I am enclosing a copy of the Summons in this court case. Please publish a notice about this case once a week for four weeks in a row. I also enclose the following.

- A check or money order for \$_____ for the cost of the publication
- A certified copy of the Order from the court waiving the publication costs

Please call me at the number above to tell me when the first publication will happen. When all four weeks of publication have been completed, please send me the original publisher's affidavit.

Thank you,

My Signature: _____

Person Filing: _____
 Mailing Address: _____
 City, State, Zip: _____
 Phone Number: _____
 Representing Self

COCONINO COUNTY SUPERIOR COURT

Petitioner: _____ Case Number: DO _____

**AFFIDAVIT OF SERVICE BY
 PUBLICATION**

Respondent: _____

Service by publication is the best way to notify the other party of this case because I do not know where the other party lives. As far as I know, the other party is not in U.S. military service. Here's what I did to try to find the other party:

I published the Summons or the order scheduling a court date in the following newspaper(s):

Name of Newspaper	Name of County in Arizona

once a week for four weeks in a row, on the following dates:

1. _____ 2. _____ 3. _____ 4. _____

Each publisher's affidavit and a copy of the notice as published are attached.

I mailed copies of the court forms to the other party's last known address before the first date of publication.

Petitioner's Signature: _____

State of Arizona)
)
 County of _____)

Subscribed and sworn before me this date: _____ by: _____

Seal: Notary Public: _____
 Notary Expiration Date: _____