

How to Serve Paperwork

Service of paperwork is a critical part of the legal action. Service is required to give the other party notice that you have filed a legal action and to give the other party a chance to respond. FAILURE to provide valid proof of service or joinder will prevent you from finalizing your court action.

Refer to the instructions below for the type of service you are completing. ANY service other than personal service requires the approval of the court (except Child Support modifications where service by certified mail is allowed by statute)

Forms may be downloaded for free at www.courts.wa.gov/forms or you may purchase them at the Clerk's Office

Service in Person

When the paperwork can be served in person

Step 1: Fill out this form

Completed	Form Name	Form #	Notes
	Proof of Personal Service	FL All Family 101	Fill in the case caption (names of the petitioner and other party/respondent), upper left of the form and case number (next to "NO." upper right of the form)

Step 2: Have the other party served

You must give the other party a copy of the **ALL** paperwork you have filed (except the Confidential Information Form and the Law Enforcement Information form). **YOU CANNOT SERVE THE OTHER PARTY.**

It must be served by someone over 18 years of age.

The Clark County Sheriff's Office will serve the other party for a fee. They can also serve the other party if they are in jail. If the other party lives outside Clark County, you can call the sheriff's office in the county in which the other party resides.

You can also look in the yellow pages under "Process Servers." These process servers will also charge a fee.

Another option is to have a friend or family member over the age of 18 serve the other party. They cannot serve if they are a party to action.

Step 3: After the other party has been served

To prove that proper service was made, the server must sign the Proof of Personal Service.

The server must list the titles of all the documents that were served by checking the appropriate boxes and writing in any that are not listed.

The server must indicate the date served, the time of service and the actual address where the documents were served.

The server must fill in the name of the person who the actual papers were given to, if they served someone other than the other party (this can be done **only** if this person lives with the other party and service occurs at the place of residence).

The server must indicate the place and date where they are signing the Proof of Personal Service.

Make a copy for your records

File the ORIGINAL Proof of Personal Service form with the Clerk.

If the Sheriff's Office serves the papers they will typically complete and sign their own Return of Service or Affidavit of Service form and either file the original, or provide it to you for filing.

Service by Mail

To serve by mail, you have to have court approval unless action is Support Modification

When the paperwork can't be served to the other party in person
If you do not know where the other party is BUT you have a last known address, you may obtain an order from the court allowing you to serve the other party by certified mail after showing efforts to personally serve.

Step 1: Fill out these forms

Completed	Form Name	Form #	Notes
	Summons Served by Mail	FL All Family 106	
	Motion to Serve by Mail	FL All Family 104	You need to give detail in the attempts that were made to located the other party
	Order to Allow Service by Mail	FL All Family 105	

Step 2: Turn paperwork into the Clerk's Office BEFORE 11:00 a.m.

This is so your case can be heard by the Ex Parte judge/commissioner

Step 3: Go to ex-parte

The ex-parte docket begins at 1:00 pm. The commissioner/judge will determine to sign the order or not sign the order. You MUST be at the docket in case they have questions

Step 4: Have a friend or relative over the age of 18 mail copies of the paperwork

1 copy by regular 1st class mail

1 copy by Certified mail, Return receipt requested.

Step 5: File the Proof of Personal Service with the Clerk's Office

Make sure you attached the receipt and green card to the Return of Service, signed by the person who mailed them.

Service by Publication

To serve by publication, you have to have court approval

When the paperwork cannot be served to the other party in person and you don't have a last known address.

Step 1: Fill out these forms

Completed	Form Name	Form #	Notes
	Motion to Serve by Publication	FL All Family 108	You need to give detail in the attempts that were made to located the other party
	Order to Allow Service by Publication	FL All Family 109	
	Summons Served by Publication	FL All Family 110	

Step 2: Turn paperwork into the Clerk's Office BEFORE 11:00 a.m.

This is so your case can be heard by the Ex Parte judge/commissioner; ask where ex-parte will be held

Step 3: Go to ex-parte

The ex-parte docket begins at 1:00 pm. The commissioner/judge will determine to sign the order or not sign the order. You MUST be at the docket in case they have questions

Step 4: Go to the local newspaper

After the Order is signed, you must take the Summons by Publication form to an approved local newspaper and ask them to publish it for 6 weeks. A list of court approved newspapers can be found here: <https://www.clark.wa.gov/clerk/frequently-asked-questions>

Pay the publication fees.

Put the date of the first publication in the Summons form.

The newspaper will send you an affidavit with a copy of the newspaper summons after it has been printed for 6 weeks.

Step 5: File the affidavit you receive from the newspaper with the Clerk's Office

This form must be filed to show that notice to the opposing party was published for 6 weeks.

If you have any doubt as to the method of serve required, you should consult with an attorney, or carefully review the applicable court rules and statutes. Civil Rule 5 (CR) is the primary Washington State court rule governing service of pleading and papers.

These instructions are legal information, not legal advice.

All of the above mentioned forms can be found on the Washington State Court website: www.courts.wa.gov/forms.