

How to Serve the Other Party in a Divorce or Legal Separation Case



If you and the other party are not filing together you must **SERVE** the other party

There are 3 ways to serve:

① Easiest Way



Use this way if the other spouse *agrees* to accept the court papers. Follow these steps:

1. Give the other spouse the:
 - ◆ *Case Information Sheet*,
 - ◆ *Petition for Divorce or Legal Separation*
 - ◆ *Summons for Dissolution of Marriage and Legal Separation*, and
 - ◆ a blank *Waiver and Acceptance of Service* (Form JDF 1102(a)).
2. Ask the other spouse to sign and date the *Waiver*



File the signed *Waiver* at the Court Clerk's office.

② Personal Service



If the other spouse does NOT want to accept the court papers and sign the form, you must have the Respondent personally "served." Follow these steps:

1. Ask the Sheriff, a professional process server, or an adult (over 18) who is *not* involved in this case and knows how to serve, to serve the Respondent.

2. Give the server an address where the Respondent can be found.
3. Give the server 2 copies of these papers:
 - ◆ *Petition for Divorce or Legal Separation*, and
 - ◆ *Summons for Dissolution of Marriage and Legal Separation*
4. The server gives one set of these papers to the Respondent.

③ Other Types of Service



You can only use these methods if:

- ◆ You do not know where the Respondent is.
- ◆ You have tried several ways to locate the Respondent without success.
- ◆ You have completed and filed Forms JDF 1301 and JDF 1302.

You must make every attempt to serve the other party before choosing this process. See Form JDF 1300 *Instructions to Request Service by Publication* for more information.

(Note: You handing the Summons to the other party is NOT service.)