

# How to Serve Documents to the Other Party in Your Court Case

Use these instructions to give the other party documents for:

- a new case;
- a motion for contempt;
- a motion for immediate restraining order; or
- a motion filed after a case has been finished.

For new cases, you do not need to serve the other party if the other party has signed the petition or an *Agreement to Join Petition* (FL All Family 119).

## Talk to a lawyer if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They provide *legal information* only and **are not intended** to be a substitute for legal advice.

**Facilitators cannot provide legal advice or complete your forms for you.** It's a good idea to talk to a lawyer before you file any forms.

- You can get information about their services and a list of low-cost and free legal resources at <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/family-law-facilitators>.

## **OPTION 1**

### **Step 1: Ask the other party to accept a copy of the documents**

If the other party agrees to receive the documents directly from you, then ask the other party to complete the [Service Accepted](#) form (provided that no order restrains you from having contact):

<b>Form Name</b>	<b>Form Number</b>
<a href="#">Service Accepted</a>	FL ALL Family 117

### **Step 2: Take the *Service Accepted* form to the Clerk's Office**

The *Service Accepted* form must be filed in the court file through the Clerk's Office (E-609 in Seattle, 2C in Kent).

E-filing instructions can be found on the Clerk's Office website:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing>

## **OPTION 2**

### **Step 1: Have a copy handed to the other party**

Any person, other than yourself, who is at least 18 years old, must hand the documents directly to the other party.

You can hire a company or the Sheriff's Office in the county in which the other party resides to serve the documents.

### **Step 2: Server needs to complete Proof of Service form**

The person who handed the documents to the other party must fill out the below form:

<b>Form Name</b>	<b>Form Number</b>
<a href="#">Proof of Personal Service</a>	FL ALL Family 101

**NOTE: Personal Service Made Outside of Washington State**

- (1) If the other person lives outside of Washington State or you cannot serve the other person in Washington State, you must also file a *Declaration: Personal Service Could Not Be Made in Washington* (FL ALL Family 102) form explaining why personal service cannot be made in Washington. File the original of this form with the Clerk's office and keep a copy for your records. Failure to file this form makes service invalid.
- (2) When service happens outside Washington State, the server must have their signature on the *Proof of Personal Service* form either notarized by a notary public or sworn to before a court clerk.

### **Step 3: Take the *Proof of Personal Service* to the Clerk's Office**

The *Proof of Personal Service* form must be filed in the court file through the Clerk's Office (E-609 in Seattle and 2C in Kent).

E-filing instructions can be found on the Clerk's Office website:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing>

### **Other Options for Service: Mail or Publication**

If you do your best to follow these instructions but the other party cannot be personally served, you can ask the court for permission to serve via mail or publication.

You must have a court order before you can serve by mail (to a last known address, for example) or publication (publishing a legal notice in the newspaper).

For instructions on how to get a court order to serve by mail or publication, ask the Facilitator.