

Serve papers after a case starts

Author

Northwest Justice Project

Last Review Date

October 23, 2024

As a court case goes on, you must continue to give the other party copies of most documents you file with the court. Use the [Proof of Mailing or Hand Delivery form](#) to show how you served the other party. Choose the form below for your type of case.

If you're starting a new case or serving an order to go to court (show cause), subpoena, or any kind of restraining or protection order, use the [Proof of Personal Service form](#) instead.

Form attached:

Proof of Mailing or Hand Delivery (general civil) (NJP General 002)

Form attached:

Proof of Mailing or Hand Delivery (family law) (FL All Family 112)

You must arrange to give copies of any papers you file to the other parties to your case. The court doesn't serve the other parties for you.

How do I have the other party served?

[Follow our instructions for personal service](#) to serve any of these forms:

- Summons and complaint (or petition)
- Order to go to court (show cause)
- Subpoena
- Restraining or protection order

For most other court papers, you can serve by **hand delivery** or **first class mail**. Sometimes you can serve by **email** or **fax**, but only if the other party has put in writing that they agree to accept legal papers for this case in that way.

Can I serve the papers myself?

If the papers must be personally served, you **can't** serve them yourself.

For papers that **don't** need personal service, you **can** serve them yourself. But it's still better to have someone else do it. Ask an adult friend or relative to do it for you.

Is there a deadline for service?

If you're filing a motion, you must serve the other party by your local court's deadline. Usually, this is at least **5 court days** before the hearing, but it could be **14 calendar days** or more. Check local rules (<https://www.courts.wa.gov/courtrules/SuperiorCourtRules.cfm>) or ask the court clerk or facilitator (https://www.courts.wa.gov/court_dir/?fa=court_dir.facils) what the service deadline is for your motion.

If you're responding, you must serve the other party by the same deadline that you must file your papers in court.

Can I serve by email?

You can serve by email only if the other party has put in writing that they agree to accept legal papers for this case in that way.

Look at the summons, response (answer), or any motion papers the other party filed. They may have put there that they'll accept email. If not, you can email them to ask if they'll accept service by email.

If you email, keep a copy of the email you sent and any reply from the other party that shows they received it.

What are the rules for hand delivery?

Hand Delivery means one of these:

- Handing it to the other party (or their lawyer)
- Leaving it at their office with their clerk or other person in charge of the office
- If no one is in charge, leaving it in a place in the office where someone can easily find it (example: on top of the front desk)
- If the office is closed or the person has no office, leaving it at their home with an adult who lives there

What are the rules for mailing?

If you're mailing, you must mail your papers more than **3 days before** your deadline.

- When counting, don't count the day of mailing, weekends, or court holidays (example: if you mail something on a Monday, it counts as served on Thursday)
- If the third day is on a weekend or holiday, it is not "served" until the next court day

If you send your papers by regular first-class mail, you can have an extra copy sent by certified mail, return receipt requested, for extra proof of mailing. Staple the green return receipt card to the Proof of Mailing or Hand Delivery.

Step-by-step

Don't use this form to prove you mailed or delivered a summons, complaint (petition), order to go to court (show cause), subpoena, or any kind of restraining or protection order. Serve papers to start a new civil case has the right form for that situation.

Otherwise, follow these steps.

1. **Have your server mail or deliver the papers to the other party.**
2. **Have your server fill out and sign the Proof of Mailing or Hand Delivery form.** Choose the form for your type of case (family law or civil). Check to be sure your server filled out the date of service, who the papers were delivered to, and how they were delivered. Also be sure the form **lists all documents** that were served. If your server leaves out a form, you won't have proof it was served.
3. **Make one copy** of the completed Proof of Mailing or Hand Delivery. Don't give copies of this form to the other parties.

4. **File** your completed form with the court clerk. Keep the copy for your records.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.

_____ **Court of Washington, County of** _____

Petitioner or Plaintiff:

And Respondent or Defendant:

No. _____

Proof of Mailing or Hand Delivery
(No mandatory form)

Proof of Mailing or Hand Delivery

Server declares:

1. I am (check one):

- ☐ the Petitioner or Plaintiff
☐ the Respondent or Defendant
☐ (name): _____

and I am competent to be a witness in this case.

2. Service. On (date): _____, I served copies of court documents
to (name of party or lawyer served): _____ by:

☐ **mail (check all that apply):** ☐ first class ☐ certified ☐ other

Mailing address city state zip

☐ **email to (address):** _____
(only if allowed by agreement, order, or your county's Local Court Rule)

☐ **fax to (number):** _____
(only if allowed by agreement, order, or your county's Local Court Rule)

☐ **hand delivery at (time):** _____ (check one) ☐ a.m. ☐ p.m. to this address:

Street address city state zip

For hand delivery: I left the documents (*check one*):

- ☐ with the party or lawyer named above.
- ☐ at the lawyer's office with the clerk or other person in charge.
- ☐ at the lawyer's office in a conspicuous place because no one was in charge.
- ☐ with (*name*): _____, at the address listed in court documents where the party agreed to receive legal papers for this case.

3. List all documents you served (*check all that apply*)

(The most common documents are listed below. Check only those documents that were served. Use the "Other" box to write in the title of each document you served that is not already listed.)

- ☐ Notice of Hearing (*for date*) _____
- ☐ Motion for _____
- ☐ Declaration of _____
- ☐ Order on/for: _____
- ☐ Other:

4. Other information (if any)

I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.

Signed at (*city and state*): _____ Date: _____



Server signs here

Print name

Superior Court of Washington, County of _____

In re:

Petitioner/s (*person/s who started this case*):

And Respondent/s (*other party/parties*):

No. _____

Proof of Mailing or Hand Delivery
(for documents after Summons and
Petition)
(AFSR)

Proof of Mailing or Hand Delivery
(for documents after Summons and Petition)

Warning! Do **not** use this form to prove you mailed or delivered a Summons, Petition, Order to Go to Court, or any kind of Restraining Order. For those documents, use Proof of Personal Service (FL All Family 101), or if you have court permission to serve by mail, use Proof of Service by Mail (FL All Family 107).

I declare:

1. I am (*check one*): ☐ the Petitioner ☐ the Respondent ☐ (*name*): _____
_____ and I am competent to be a witness in this case.

2. On (*date*): _____, I served copies of the documents listed in **3** below to
(*name of party or lawyer served*): _____ by:

☐ mail (*check all that apply*): ☐ first class ☐ certified ☐ other _____

Mailing Address *City* *State* *Zip*

☐ email to (*address*): _____
(*only if allowed by agreement, order, or your county's Local Court Rule*)

☐ fax to (*number*): _____
(*only if allowed by agreement, order, or your county's Local Court Rule*)

☐ Hand delivery at (*time*): _____ ☐ a.m. ☐ p.m. to this address:

Street Address *City* *State* *Zip*

I left the documents (*check one*):

- ☐ with the party or lawyer named above.
- ☐ at the attorney's office with the clerk or other person in charge.
- ☐ at the attorney's office in a conspicuous place because no one was in charge.
- ☐ with (*name*): _____,
at the address listed in court documents where the party agreed to receive legal papers for this case.
- ☐ (*For a party or lawyer who has no office or whose office is closed*) at their home with (*name*): _____,
a person of suitable age and discretion who lives in the same home.

3. List all documents you served (*check all that apply*):

(The most common documents are listed below. Check only those documents that were served. Use the "Other" boxes to write in the title of each document you served that is not already listed.)

☐ Notice of Hearing (<i>hearing date</i>): _____	☐ Notice Re: Military Dependent
☐ Motion for Temporary Family Law Order ☐ and Restraining Order	☐ Sealed Financial Documents
☐ Proposed Temporary Family Law Order	☐ Financial Declaration
☐ Proposed Parenting Plan	☐ Declaration of: _____
☐ Proposed Child Support Order	☐ Declaration of: _____
☐ Proposed Child Support Worksheets	☐ Declaration of: _____
☐ Other: _____	☐ Other: _____
☐ Other: _____	☐ Other: _____
☐ Other: _____	☐ Other: _____

4. Other: _____

I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.

Signed at (*City and State*): _____ Date: _____

► _____
Signature of server

Print or type name of server