



## **SERVING SOMEONE WHO DOES NOT LIVE IN CALIFORNIA**

To serve someone who does not live in California, but does live within the United States of America, you have two choices for service:

1. Personal Service: You may have the documents hand-delivered to the other party by another adult over 18, as long as that person is not a party in your case. If you do not know anyone to do this for you, you might be able to hire the local Sheriff or a professional process server (look in the yellow pages). If the Sheriff does the service for you, they will provide, complete and mail you the Proof of Service. Be sure to file the original and copy with the court. If you arrange another person to serve, you must complete the Proof of Service process below.

If you are serving a **Summons, Petition and attachments**, you must have the server complete the “Proof of Service of Summons”, form FL-115, once service has been completed. File the original and one copy of this form with the court.

If you are serving **other court documents**, you must have the server complete the “Proof of Personal Service”, form FL-330, once service has been completed. File the original and one copy of this form with the court.

2. Service by Mail: You may have the documents mailed to the other party by another adult over 18, as long as that person is not a party in your case.
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If you are serving a **Summons, Petition and attachments**, the documents must be mailed by CERTIFIED MAIL, RETURN RECEIPT, RESTRICTED DELIVERY. The green postal card (Return Receipt) must be *addressed to* and *returned to* your server, NOT TO YOU. You must have the server complete the "Proof of Service of Summons", form FL-115, after the green postcard has been received. The server must complete the section under "Substituted Service" which continues on p. 2 of the form. File the original and one copy of this form with the court, along with the original and copy of the green postcard.

NOTE: If the party being served refuses to sign the receipt (green postcard), it will not be considered proper service.

If you are serving **other court documents**, "Proof of Service by Mail", form FL-335 is required. File the original and one copy with the court.

To serve someone that does not live in the United States of America:

The service requirements of other countries vary from country to country. However, many countries are Member States of the Hague Convention, which has set up service of process guidelines for its members. You can find the guidelines at the following web site:

<https://travel.state.gov/content/travel/en/legal-considerations/judicial.html>

CAUTION: These are very broad guidelines and the service requirement in each signatory country may still vary. It is best to confirm the requirements for each country by calling the State Department in Washington D.C. Just ask for the "desk" for the region in which you are trying to serve a party. In most cases they should be able to answer any questions you might have regarding service in that region.