

General Instructions for Proof of Service

- A. Once you have filed all of your documents, the Judge will sign an Order letting you know when you are scheduled to come to court. The Prothonotary's Office will return copies of your paperwork to you with the Judge's Order attached to the top.

THE OTHER PARTY WILL NOT KNOW WHEN TO COME TO COURT UNLESS YOU SERVE THEM WITH COPIES OF THE PAPERWORK. THE COURT DOES NOT SEND COPIES OF YOUR PAPERWORK TO THE OTHER PARTY. If you do not serve the other party with copies of the paperwork you filed and a copy of the Judge's Order scheduling the case for court, you will NOT get an order when you come to court. The court will not issue a custody order behind the back of the other party.

- B. Service of legal papers on the other party has to be done according to very strict rules. If you do not follow the rules, your service of the legal papers on the other party will not be valid. When you come to court, your case will be rescheduled and you will have to wait until the new date and time to get your custody order.
- C. You will need to choose ONE of the following methods to serve your paperwork on the other party:
1. Certified Mail and Regular Mail
 2. Personal Service
 3. Acceptance of Service

CERTIFIED MAIL AND REGULAR MAIL

(This is ONE of the options for serving documents.)

- You will need to send copies of all of the paperwork, including the Judge's order setting the date and time for your case, to the other party by BOTH CERTIFIED MAIL and REGULAR MAIL.
- When you go to the post office to send your documents to the other party, the person at the window can give you the special forms that the Postal Service will need you to fill out.
- Save your receipt from the post office. It will have a postmark proving the date that you sent the paperwork to the other party.
- Once the post office delivers the paperwork to the other party, you will get a GREEN CARD back in the mail that has the other party's signature on it, proving that he or she got the paperwork and showing the date that they received it. **SAVE THE GREEN CARD.**
- When you get the green card, you will need to fill out an Affidavit of Service by Certified Mail and Regular Mail.
 - Fill in your own name as the Plaintiff
 - Fill in the other party's name as the Defendant
 - Your case number will be on your copy of the forms that you filed. Put your case number on the line marked "No."
 - In the first paragraph of the form, put your own name on the first line and then put the date that you mailed the paperwork to the other party. In the middle of the first paragraph, put the name and address of the person you mailed it to. At the end of the paragraph put the date that you mailed a second copy by regular mail.
 - In the next paragraph, write the date that the other party RECEIVED the paperwork (not the date you mailed it) OR if the other party REFUSED the paperwork (and it is marked "Refused" by the postal service), mark the box for refusal.
 - Mark the third box if the paperwork you sent by regular mail has NOT been returned.
 - Finally, date and sign the affidavit.

| | | |
|-----------|---|---------------------------------|
| _____ , | : | IN THE COURT OF COMMON PLEAS OF |
| Plaintiff | : | LYCOMING COUNTY, PENNSYLVANIA |
| | : | |
| vs. | : | CIVIL ACTION – LAW |
| | : | CUSTODY |
| | : | |
| _____ , | : | NO: |
| Defendant | : | |

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL AND REGULAR MAIL

I, _____, certify that on _____ I mailed
(your name) (date mailed)

a true and correct copy of the Motion Cover Sheet, Order and Notice, Complaint for Custody, and a blank Criminal Record/Abuse History Verification by certified mail, restricted delivery, return receipt requested, to:

(Other parent/party's name and address)

I also mailed a true and correct copy of the Motion Cover Sheet, Order and Notice, Complaint for Custody, and a blank Criminal Record/Abuse History Verification by regular mail to the Defendant at the same address on _____ **(date mailed)**.

Defendant received the Complaint on _____.
(date received)

Sender's receipt and return receipt are attached.

Defendant refused the certified mail, and the sender's receipt and refusal are attached.

The regular mail has not been returned as undeliverable.

I verify that the foregoing is true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Date: _____ Petitioner's Signature: _____

PERSONAL SERVICE

(This is ONE of the options for serving documents.)

- You will need to have someone give copies of all of the paperwork to the other party, including a copy of the Judge's order setting the date and time of the conference. Usually, this is a friend. You can also hire the Sheriff's Office or a constable to serve the paperwork on the other party. Whoever you choose to give the paperwork to the other party must be at least eighteen years old (18).
- The paperwork **MUST** be given directly to the other party. It is NOT OK if the paperwork is given to someone else to give to the other party later, or left in the mailbox for the other party to pick up later.
- **YOU CANNOT BE THE PERSON WHO GIVES THE PAPERWORK TO THE OTHER PARTY.**
- **None of your relatives or the other party's relatives can be the person who gives the paperwork to the other party.**
- **If you have employees, none of your employees can be the person who gives the paperwork to the other party.**
- After the other party has been given all of the paperwork, you will need to fill out an Affidavit of Personal Service.
 - Fill in your own name as the Plaintiff
 - Fill in the other party's name as the Defendant
 - Your case number will be on your copy of the forms that you filed. Put your case number on the line marked "No."
 - Have the person who gave the paperwork to the other party fill in the blanks on the affidavit.
 - They will need to fill in
 1. Their own name
 2. The date that they gave the paperwork to the other party.
 3. The name of the other party
 4. The address where they gave the other party the paperwork.
 5. The time of day that they gave the other party the paperwork.
- At the bottom of the form, the person who gave the paperwork to the other party will need to sign and date the form and then print their name, address and telephone number below their signature.

| | | |
|-----------|---|---------------------------------|
| _____ | : | IN THE COURT OF COMMON PLEAS OF |
| Plaintiff | : | LYCOMING COUNTY, PENNSYLVANIA |
| | : | |
| vs. | : | CIVIL ACTION – LAW |
| | : | CUSTODY |
| | : | |
| _____ | : | NO: |
| Defendant | : | |

AFFIDAVIT OF PERSONAL SERVICE

I, _____, certify that I am a competent adult who is 18
 (person serving the other parent or party)
 years of age or older, and I am not a party to this action or an employee or relative of a
 party to this action. On _____, I served a true and correct copy of
 (date)
 the Motion Cover Sheet, Notice and Order, Complaint for Custody, and a blank Criminal
 Record/Abuse History Verification upon _____ by handing a copy of
 these documents directly to him or her at

 (address)

at approximately _____
 (time of day)

I verify that the foregoing is true and correct. I understand that false statements
 herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn
 falsification to authorities.

Date: _____ (server's signature)

Name: _____

Address: _____

Phone: _____

ACCEPTANCE OF SERVICE

(This is ONE of the options for serving documents.)

- You can use this form if the other side is willing to sign a document showing that they got the paperwork. If you use this form, you are allowed to be the person who gives the paperwork to the other party.
- Put the caption of the case at the top of the form.
 - Fill in your own name as the Plaintiff.
 - Fill in the other party's name as the Defendant.
 - Your case number will be on your copy of the documents that you are giving to the other party. Put the case number on the line marked "No."
 - On the first blank line under the caption, write the name of the other party.
 - On the other blank line, write down your own name on the line marked "Plaintiff".
 - When the other party is given their copy of all of the paperwork that is listed, have the **other party** sign at the bottom of the form and then print their name, address and telephone number below their signature.
 - Make sure that the date that the other party got the paperwork is written on the proper line at the bottom of the form.
 - SAVE THIS FORM. You will need to bring it to court with you.

| | | |
|-----------|---|---------------------------------|
| _____ , | : | IN THE COURT OF COMMON PLEAS OF |
| Plaintiff | : | LYCOMING COUNTY, PENNSYLVANIA |
| | : | |
| vs. | : | CIVIL ACTION – LAW |
| | : | CUSTODY |
| | : | |
| _____ , | : | NO: |
| Defendant | : | |

ACCEPTANCE OF SERVICE

I, _____ hereby acknowledge that I have received this date a copy of the

1. Motion Cover Sheet;
2. Order and Notice;
3. Entry of Appearance of a Self-Represented Party;
4. Complaint for Custody;
5. Criminal History/Abuse Verification filled out by the Plaintiff; and
6. Blank Criminal History/Abuse Verification

that were filed in this case by _____ .
Plaintiff

 Today's date

 Signature of Defendant

Address:

Telephone: _____