

SERVING PAPERS IN THE DOMESTIC VIOLENCE DIVISION

Before the judge can decide your case, you must show proof that the person you filed against (the respondent) received a copy of your **Petition**, the **Notice of Hearing** and any **Temporary Protection Order** you received. These papers are all in the envelope you received when you filed the Petition.

Who CAN serve the papers?

A person must be:

- ▶ At least 18 years old,

OR

- ▶ A police officer

- 1) You can make arrangements for an officer to assist with service when you file the petition

OR

- 2) You can ask an officer to serve the papers on your own.

Who CANNOT serve the papers?

These persons cannot serve the papers:

- ▶ You or anyone involved in the case

OR

- ▶ Anyone you plan to call as a witness at the hearing

How is service done?

The papers must be:

- ▶ **Delivered** to the person from whom you are seeking protection (the respondent).

OR

- ▶ **Left** with a person of suitable age and discretion who lives with the respondent.

Return of Service

The **Return of Service** Form must be filled out completely and include the following information: the papers, the person who received the papers, the place where they were delivered, and the date & time of service. The person who served should also place their initials next to the documents they served.

If someone served the papers for you:

- ▶ **The person who serves the papers must sign the Return of Service** affirming under penalty of perjury that the documents were served.

If a police officer served the papers:

- ▶ **The officer's name and badge number must be on the form.** The Return of Service Form does **not** have to be notarized.

WHAT TO BRING TO THE HEARING

The judge needs to hear what happened between the parties in the case to decide whether to grant a Civil Protection Order. Think about what information will help the judge decide the case, and bring that information with you on the day of your hearing. A few examples:

Were there witnesses to any of the incidents? If YES:

- ▶ Bring the people who saw what happened.
- ▶ Bring the people who heard what was said.

Were you injured? If YES:

- ▶ Bring pictures showing your injuries.
- ▶ Bring papers from a doctor or hospital.

Was your property damaged or destroyed? If YES:

- ▶ Bring pictures showing any damage to your property.
- ▶ Bring receipts showing how much you paid for the damaged or destroyed property and when it was purchased.
- ▶ Bring estimates of the cost to replace or repair the property.

Did you receive voicemails, text messages, or e-mails from the respondent? If YES:

- ▶ Bring copies of text messages and e-mails.
- ▶ Bring any voice mail messages.
- ▶ Bring copies of photographs and social media information (such as pictures and/or postings)