



SERVING DOCUMENTS BY MAIL: Step by Step

Sacramento County Public Law Library

813 Sixth Street, 1st Floor, Sacramento, CA 95814

(916) 874-6012

www.saclaw.org

Disclaimer: This guide is intended as general information only. Your case may have factors requiring different procedures or forms. If you need further assistance, consult a lawyer.

NOTE: If you are serving a Summons, Complaint, Order to Show Cause, Ex Parte Notice of Motion, Subpoena, Restraining Order, or Order for Examination, your documents cannot be served by mail.

All documents filed at the court in your case must be served on all other parties. Some documents, such as discovery requests and responses, are not filed with the court but must still be served.

You cannot serve your own documents.

Documents must be served by someone over 18 who is not a party to the case.

After completing your documents, make three copies. If there is more than one other party in the case, make an additional set of copies for each party. The original and two copies will be filed with the court. Give the remaining copies to the person mailing the documents. For each party to be served, the person mailing the documents must:

- Put one copy of your documents in an envelope, along with a filled-out Proof of Service.
- Address the envelope to the person being served at the address listed on the Summons. If the party is represented by an attorney, the attorney, rather than the party, should be served. Adequate postage must be on the envelope. Make a copy of the envelope for the party's records.
- Deposit the envelope with the US Postal Service, either at the post office, or in a regular post office mail box. If the server's place of business has regular mail pick-up, and mail deposited in the business's outgoing mail is delivered to the post office the same day, the envelope may be placed in the outgoing mail drop.
- Complete a Proof of Service by Mail (POS-030). A sample completed Proof of Service by Mail is on the back of this guide.
 - If more than one party is being served, attach form POS-030(P) and list all persons to whom copies were mailed.
 - If there is not enough room on POS-030 to list all the documents being served, attach form POS-030(D) and list each document served.

The Proof of Service must be filed with the court, along with the documents served. If the documents served do not need to be filed with the court, do not file the proof of service. Retain the signed Proof of Service for your records. Documents can be filed with the court by the person performing service, a party to the action, or anyone else.

IF YOU HAVE QUESTIONS ABOUT THIS GUIDE, OR IF YOU NEED HELP FINDING OR USING THE MATERIALS LISTED, DON'T HESITATE TO ASK A REFERENCE LIBRARIAN.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): YOUR NAME ADDRESS CITY, STATE, ZIP CODE TELEPHONE NO.: 916.999.9999 E-MAIL ADDRESS (Optional): _____ FAX NO. (Optional): _____ ATTORNEY FOR (Name): IN PRO PER	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO STREET ADDRESS: 720 NINTH STREET MAILING ADDRESS: 720 NINTH STREET CITY AND ZIP CODE: SACRAMENTO, CA 95814 BRANCH NAME: CIVIL	
PETITIONER/PLAINTIFF: NAME OF PLAINTIFF ON COMPLAINT RESPONDENT/DEFENDANT: NAME OF DEFENDANT ON COMPLAINT	
PROOF OF SERVICE BY FIRST-CLASS MAIL— CIVIL	CASE NUMBER: _____

(Do not use this Proof of Service to show service of a Summons and Complaint.)

1. I am over 18 years of age and **not a party to this action**. I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:
BUSINESS OR HOME ADDRESS OF PERSON DOING THE MAILING
3. On (date): **ENTER DATE OF MAILING** I mailed from (city and state): **SACRAMENTO, CA**
 the following **documents** (specify):
NAME OF DOCUMENT/FORM BEING MAILED
 The documents are listed in the *Attachment to Proof of Service by First-Class Mail—Civil (Documents Served)* (form POS-030(D)).
4. I served the documents by enclosing them in an envelope and (check one):
 - a. **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
 - b. **placing** the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
5. The envelope was addressed and mailed as follows:
 - a. **Name** of person served: **JOHN DOE (NAME OF OPPOSING PARTY OR IF REPRESENTED NAME OF OPPOSING PARTY'S ATTORNEY)**
 - b. **Address** of person served:
123 ANY STREET
CITY, STATE, ZIP CODE The name and address of each person to whom I mailed the documents is listed in the *Attachment to Proof of Service by First-Class Mail—Civil (Persons Served)* (POS-030(P)).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **DATE OF MAILING**

NAME OF PERSON DOING THE SERVICE

 (TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

▶

 (SIGNATURE OF PERSON COMPLETING THIS FORM)

INFORMATION SHEET FOR PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL

(This information sheet is not part of the Proof of Service and does not need to be copied, served, or filed.)

NOTE: This form should **not** be used for proof of service of a summons and complaint. For that purpose, use *Proof of Service of Summons* (form POS-010).

Use these instructions to complete the *Proof of Service by First-Class Mail—Civil* (form POS-030).

A person over 18 years of age must serve the documents. There are two main ways to serve documents: (1) by personal delivery and (2) by mail. Certain documents must be personally served. You must determine whether personal service is required for a document. Use the *Proof of Personal Service-Civil* (form POS-020) if the documents were personally served.

The person who served the documents by mail must complete a proof of service form for the documents served. **You cannot serve documents if you are a party to the action.**

INSTRUCTIONS FOR THE PERSON WHO SERVED THE DOCUMENTS

The proof of service should be printed or typed. If you have Internet access, a fillable version of the Proof of Service form is available at www.courtinfo.ca.gov/forms.

Complete the top section of the proof of service form as follows:

First box, left side: In this box print the name, address, and telephone number of the person for whom you served the Documents.

Second box, left side: Print the name of the county in which the legal action is filed and the court's address in this box. The address for the court should be the same as on the documents that you served.

Third box, left side: Print the names of the Petitioner/Plaintiff and Respondent/Defendant in this box. Use the same names as are on the documents that you served.

First box, top of form, right side: Leave this box blank for the court's use.

Second box, right side: Print the case number in this box. The case number should be the same as the case number on the documents that you served.

Complete items 1-5 as follows:

1. You are stating that you are over the age of 18 and that you are not a party to this action. You are also stating that you either live in or are employed in the county where the mailing took place.
2. Print your home or business address.
3. Provide the date and place of the mailing and list the name of each document that you mailed. If you need more space to list the documents, check the box in item 3, complete the *Attachment to Proof of Service by First-Class Mail—Civil (Documents Served)* (form POS-030(D)), and attach it to form POS-030.
4. For item 4:
Check box a if you personally put the documents in the regular U.S. mail.
Check box b if you put the documents in the mail at your place of business.
5. Provide the name and address of each person to whom you mailed the documents. If you mailed the documents to more than one person, check the box in item 5, complete the *Attachment to Proof of Service by First-Class Mail—Civil (Persons Served)* (form POS-030(P)), and attach it to form POS-030.

At the bottom, fill in the date on which you signed the form, print your name, and sign the form. By signing, you are stating under penalty of perjury that all the information you have provided on form POS-030 is true and correct.