

**SERVICE OF PROCESS**  
***(GIVING THE OTHER PARTY LEGAL NOTICE)***

**ASSEMBLING A SUMMONS PACKET**

Means putting together the following:

- a. copy of the original Summons
- b. copy of the Petition for Dissolution of Marriage
- c. copy of the Temporary Domestic Order and a blank copy of the Domestic Relations Information Sheet

**ARRANGING FOR SERVICE**

Means method of service that you will use to notify the other party:

**PERSONAL SERVICE BY USING ONE OF THESE:**

- a. SHERIFF/LAW ENFORCEMENT (must be from the County where Respondent lives in)
- b. PROCESS SERVER (may see yellow pages, internet and/or Self Help Center for a list of these)
- c. PERSON OVER 18 YRS. OF AGE WHO IS NOT A PARTY TO THE CASE

OR

**MAIL**

It must be mailed to a good address by using a mailing method where Respondent will sign for receiving the Summons Packet and you having proof to present to the court. Example: Certified Mail with Return Receipt.

OR

**NEWSPAPER**

Publishing a Legal Notice in a Newspaper: This method of service is used when you have made all of the attempts possible to locate the Respondent and whereabouts are unknown. Before publishing you must ask the Court for permission to do this (you may return to the Center for Self Help and Dispute Resolution for proper forms and procedural information).

**FILING PROOF OF SERVICE**

***Means proving to the court that the other party was given notice of the legal proceeding properly!***

To do this you must file either the original Summons and completed Return of Service that was issued by the Clerk (second page of the Summons), Affidavit of Service (mail) and/or Affidavit of Publication. What you submit will depend on the method of service that you used to serve the other party. You must file in the Domestic Relations Clerks Office, Room 240, 2<sup>nd</sup> floor of the Second Judicial District

Court. **NOTE: IF PERSONAL SERVICE WAS PERFORMED BY A PRIVATE PERSON, A SHERIFF, OR A PROCESS SERVER, THE PERSON WHO SERVED THE RESPONDENT MUST SIGN THE RETURN OF SERVICE. YOU MUST RETURN THE SIGNED RETURN OF SERVICE TO THE COURT AND FILE IT.**

**NOTE: You must always follow the Rules of Civil Procedure. Service of Process is a requirement that must be completed in order to move forward with finalizing your case. For additional information governing Service of Process you can refer back to NMRA, Rule 1-004 and/or visit the Second Judicial District Court, Center for Self Help and Dispute Resolution, in room 119, 1<sup>st</sup> floor, for proper forms and further instruction.**