

## INSTRUCTIONS FOR SERVING SUMMONSES PERSONALLY

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**PLEASE READ THESE CAREFULLY. IF YOU DO NOT FOLLOW THESE INSTRUCTIONS, YOU MAY HAVE TO SERVE THE SUMMONS AGAIN OR YOUR CASE MAY NOT BE HEARD IN COURT**

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You will need a Summons form. You can get a form on the MS Access to Justice Commission's website at [www.msatic.org](http://www.msatic.org). Follow these instructions to complete service in your case.

1. Fill out the Summons form completely. You will need the name and address of each person you are serving. You will serve **all** of the defendants (or parties) in the case separately. Each person will receive their own Summons.
2. Once your Summons is filled out with the names and addresses of the defendants, you will take two copies of each Summons form to the Clerk's office. Ask the Clerk to issue the Summonses for you. The Clerk will take care of this for you.
3. Once the Clerk has issued the Summonses, you will attach copies of the lawsuit documents (usually called the Complaint or Petition) that you filed to begin your case to the back of the Summonses. The defendants must receive a Summons **and** a copy of the lawsuit documents you filed to begin the case.
4. You will now need to serve the defendants in the case. You may choose one of the following three options to serve them. There are other ways to complete service, but these are the easiest options for you.
  - a. If you can afford it, the Sheriff's Department will serve the Summonses for you for a small fee. Contact the Sheriff's Department in the county where the defendant lives. The Sheriff's Department will provide you with the mailing or physical address to deliver the Summons and lawsuit documents to them. You will need to make sure that the Sheriff's Department mails the Return to the Clerk for filing. Otherwise, you will need to get the Return after it has been served and take it to the Clerk for filing yourself. The Return is page 2 of the Summons and is filled out by the person who served the defendant. The Return lets the Court know the defendants have been properly served so your case can move forward.
  - b. You can also use a company that serves legal documents to serve the Summons for you if you can afford it. You can search online for process servers to contact a business to do this for you. You will need to make sure they file the Return with the Clerk.
  - c. If you cannot afford to pay the Sheriff's Department or a process server, then any person who is over 18 years old and is not a party to the lawsuit may serve the Summons and legal documents for you. You cannot serve it yourself since you are a party to the lawsuit. Whoever serves it for you will need to personally hand the Summons with the copies attached to the other party. This can be done at the other party's house, at their work if their employer will allow it or where ever the other party can be found. The person who serves the Summons and documents will need to complete page 2 of the Summons, which is known as the Return. They can easily complete it at the Clerk's office when it is being filed. The Clerk can notarize their signature for them.
5. Be sure to keep copies of the filed Returns for your records. After all defendants are served and the Returns are filed with the Clerk, your case may move forward.