

Service of Your Complaint: Domestic Relations Rule 4

You start a case by filing papers called a **complaint** at the **Family Court Central Intake Center**. When you file a **complaint**, the Family Court Central Intake Center will give you a **summons**. A **summons** is a paper that you must give to the person you are filing against. The person you file against is called an **opposing party** or other **party**. You must make sure that the **opposing party** gets a copy of the **summons** and your **complaint** and any orders. This is called **service of your complaint**. You cannot give the papers to the **opposing party** yourself; someone else must give them to the **opposing party**. **The chart below gives instructions on how to serve the complaint and summons.**

After you make sure that someone else gives the papers to the other party, you must prove to the Court that you did this. You can prove this to the Court by filing an **Affidavit of Service** form. **You must serve the papers and file an Affidavit of Service form within 60 days after you file your complaint.** If you have questions about serving these documents, go to the **Family Court Self Help Center** at DC Superior Court or visit www.LawHelp.org/DC.

Remember to always keep a copy of the papers for yourself. And, you may need to make more copies to serve the other party in a different way.

Below are the ways you can serve your complaint and summons and prove to the Court that you did it. All of the forms discussed below can be found at the **Family Court Self Help Center** at DC Superior Court or at www.LawHelp.org/DC.

Type of Service	Proof of Service
<p>Have someone who is over 18 years old and not a party to the case (NOT you):</p> <ul style="list-style-type: none"> • Hand a copy of the papers to the other party; or • Leave a copy of the papers at the other party’s home with a person of suitable age and discretion who lives there (someone who you think is old enough or responsible enough to give the papers to the other party). 	<ul style="list-style-type: none"> • The person who served the papers must fill out an Affidavit of Service by Individual. • The completed Affidavit must be filed at the Family Court Central Intake Center.
<p>Mail a copy of the papers to the other party by certified mail, return receipt requested.</p> <ul style="list-style-type: none"> • Send a copy of the papers to the other party’s home. • You can do this yourself at the post office. Someone else can do this for you too. 	<ul style="list-style-type: none"> • Keep the return receipt (“green card”) if it comes back to you; • Fill out an Affidavit of Service by Certified Mail; and • File the completed Affidavit with the return receipt attached at the Family Court Central Intake Center. • Note: If you do not receive a return receipt or it comes back saying your papers cannot be delivered, you will need to serve the papers a different way.

Mail the papers to the other party by first class mail (postage prepaid) and include:

- An envelope addressed to you with a stamp on it (so that the other party can mail the Court's **Notice and Acknowledgement form** back to you); and
- Two (2) copies of the Court's **Notice and Acknowledgment form** (one for the other party to keep and one for you).

- The signed **Notice and Acknowledgement form** is the proof of service.
- The other party has 21 days from the date the letter is mailed to sign and return the Notice and Acknowledgement form to you.
- If the other party returns the completed form, file the completed **Notice and Acknowledgement form** at the **Family Court Central Intake Center**.
- **Note:** If the other party does not return the form, you will need to serve the papers in a different way. If this happens, you can ask the Court to order the other party to pay you back any money you spend serving the papers in another way.

If you are asking for child support or to establish parentage of a child, the **Family Court Central Intake Center** will issue you a Notice of Hearing and Order Directing Appearance (also called a NOHODA). There are special instructions for serving a NOHODA, these can be found at the Family Court Self Help Center and online at www.ProBono.center/NOHODAIstructions

If you need more than 60 days to serve the papers, you can ask the judge to give you more time. You can ask for more time by filing a **Motion for Additional Time to Serve**. You must ask for more time to serve and a new summons before the first summons expires. If you do not do this, the **Family Court Central Intake Center** may dismiss your **complaint**. You can get a **Motion for Additional Time to Serve** at the **Family Court Self Help Center** at DC Superior Court or visit www.LawHelp.org/DC.

If you tried but were not able to serve the other party or parties using any of the methods above, you can ask the judge to let you serve the parties in a different way by filing a **Motion for Alternative Service**. You can get a **Motion for Alternative Service** at the **Family Court Self Help Center** at DC Superior Court or visit www.LawHelp.org/DC.