

A one-page guide to serving divorce or custody papers

After you file your case, you must have the other party personally served with a copy of your court papers. The court will not serve your paperwork for you. It is your responsibility to have the other party served. There are three main ways to serve the other party:

1. Have a third-party serve respondent;
2. Have the sheriff serve respondent, or
3. Have respondent waive personal service and sign an acceptance of service form.

Service by a third party

You can have any adult, who is a resident of Oregon and not a party to your case, serve the other party by handing them a copy of your court papers. The person serving the other party needs to complete a Certificate of Service after they serve the other party. This form must contain information about when, where, and how the other party was served. Then you will need to file that form with the court. The Certificate of Service form is available online: <https://www.courts.oregon.gov/forms/Documents/Certificate%20of%20Service.pdf>

Service by sheriff

If it is unsafe to have a third party, such as a friend or family member, serve the respondent, you can request assistance from the Sheriff with serving your paperwork.

There is a fee for having the sheriff serve the other party, but you can request that the fee be waived by submitting a fee waiver application at the courthouse. The fee waiver application is available

online here: <https://www.courts.oregon.gov/forms/Documents/EntirePacket10.pdf>.

Acceptance of service

If you and the other party are still getting along and are in agreement with filing for divorce or custody, you can also serve the other party by providing them with a copy of your divorce or custody paperwork and having them sign an Acceptance of Service form. This form is available online at: <https://www.courts.oregon.gov/forms/Documents/Acceptance%20of%20Service.pdf>

Signing this form does not mean the respondent agrees with what you are seeking in the case, it just means they are agreeing to waive personal service of your court papers. After the other party signs this form, you must file it with the court.

What if you cannot serve the other party using these methods?

If you are unable to serve the other party using the methods above, you may request permission from the court to use alternate methods of service. The important thing is to make sure the other methods of service are reasonably calculated to ensure that the respondent will be given notice of the pending court case.

To make this request, you may use the packet of forms available here: <https://www.courts.oregon.gov/forms/Documents/EntirePacket6A.pdf>.

Please note that you must make serious attempts to personally serve the other party using the previously outlined methods before requesting permission to use an alternative form of service.