SER-001 Request for Sheriff to Serve Court Papers

Instructions: Each county in California has a sheriff (and sometimes a marshal's office) that can serve different types of court papers, including restraining orders. Note that the sheriff cannot guarantee that they will be successful in finding the person you need served, but they will try to serve based on the information you put on this form.

- Complete this form for each set of papers you need served. You must complete a separate form for each person you need served.
- Find out where the person you need served is located. Give your papers to the sheriff or marshal's office in that county.
- You may have to pay for service of some court papers. For more information, see page 5 of this form, or go to selfhelp.courts.ca.gov/sheriff-serves.
- Do not use this form if you are asking the sheriff to enforce a wage garnishment order on an employer. Instead, use forms WG-001, *Application for Earnings Withholding Order*, and WG-035, *Confidential Statement of Judgment Debtor's Social Security Number*.
- If you want the sheriff to enforce a writ or levy, complete this form and form SER-001A, *Special Instructions for Writs and Levies—Attachment*.

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To Court Clerk: Do not file this form.

Sheriff File Number *(for sheriff to complete, if needed):*

Fill in case number:

Court Case Number:

All information is required unless it is listed as optional or does not apply to your case.

1 To the Sheriff or Marshal of *(name of county):* _____

2 Your Information

a. Your name *(party requesting service):* _____

b. Your lawyer's information *(if you have one)*
Name: _____
Firm name: _____

c. Court case name: _____
(example: Garcia v. Smith)

d. Contact information for the sheriff or marshal to reach you
(Give an address where you can receive mail regularly, like a post office box, a Safe at Home address, or another safe address. If you have a lawyer, give the lawyer's information.)
Address to receive mail: _____
City: _____ State: _____ Zip: _____
Telephone number *(optional):* _____ Email address *(optional):* _____

3 Information About Person or Entity You Want Served

(Check a or b)

a. ☐ I ask the sheriff to serve a person *(complete section below)*

(1) Name of person: _____
Nicknames or aliases *(optional):* _____

(2) Telephone number *(optional):* _____

(3) Can you describe the person?
☐ No, I do *not* have any information about the person's description.
☐ Yes *(complete the section below with any information you have):*
Gender: ☐ Male ☐ Female ☐ Nonbinary
Height: _____ Weight: _____ Hair color: _____ Eye color: _____
Date of birth or age *(give estimate, if unknown):* _____
Race/Ethnicity: _____
Special marks or features *(tattoos, scars, etc.):* _____
Vehicle *(type, model, year, color, plate number):* _____
☐ *Check here if you are including a picture of the person.*

(4) Do you know of any safety or accessibility issues?
☐ No
☐ Yes *(complete the section below with any information you have):*
The person *(check all that apply):*
☐ Has a gun or other weapon.
☐ Has a history of violence or abuse.
☐ Has special training *(examples: military, first responder).*
☐ Is deaf or hard of hearing.
☐ Does not speak English *(list language):* _____
☐ Add any other information about safety or accessibility that you know about:
☐ Is on probation or parole.
☐ Has an aggressive animal.
☐ Has mental health issues.
_____
_____

b. ☐ I ask the sheriff to serve an entity *(examples: business or government agency)*

(1) Name and type of entity: _____
Telephone number *(optional):* _____

(2) If there is a specific person who should be served, give name: _____

(3) If there is an agent for service of process, give name: _____

(4) List any safety or accessibility issues *(examples: weapons, aggressive animals, language barrier):*
_____

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4 Address Where Person or Entity Should Be Served

(The sheriff typically serves during normal business hours. Check with the sheriff's office for the exact times.)

Address: _____ ☐ Home ☐ Business

City: _____ State: _____ Zip: _____

Gate code or special instructions: _____

Best time to serve at this address *(example: 8 a.m.–noon):* _____

☐ *Check here if the person is in jail or prison (give name of facility):* _____

Alternate address *(optional)*

(If the person cannot be found at the address listed above, some sheriffs may try a second address if it's in the same county. If you have a second address for the person you want served, complete the section below.)

Address: _____ ☐ Home ☐ Business

City: _____ State: _____ Zip: _____

Gate code or special instructions: _____

Best time to serve at this address *(example: 8 a.m.–noon):* _____

5 Information About Your Request

a. What type of court papers are you giving the sheriff to serve *(examples: summons, restraining order, eviction, small claims, bank levy, or writ of attachment)?*

_____

b. List all forms or court papers you want served on the person in 3 a. *(optional).*
(Note: You can list each form by its form number (example: FL-100, SC-100). If there is no form number, give the title of the document. The court may have ordered you to serve certain papers. Look at the court's order and list all forms required. If you do not know which papers you need to serve, ask a lawyer, or contact your local self-help center for free information.)

_____
_____
_____
_____
_____
_____

c. Is there a court hearing (court date)?

☐ I don't know
☐ No
☐ Yes *(if yes, give date of hearing):* _____

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5 d. Is there a deadline for service?

- ☐ I don't know
- ☐ No
- ☐ Yes *(if yes, give deadline):* _____

e. Has the court allowed you to serve your court papers in another way besides personal service *(example: substituted service)?*

- ☐ I don't know
- ☐ No
- ☐ Yes *(if yes, include a copy of the order allowing another type of service)*

f. Is there any other information you want or need to give to the sheriff to serve your court papers?

- ☐ No
- ☐ Yes *(if yes, give information below):*

_____
_____
_____
_____
_____
_____
_____
_____

6 Enforcement of Writ or Levy

If you want the sheriff to enforce a writ or levy, you must complete form SER-001A, *Special Instructions for Writs and Levies—Attachment,* and turn it in with this form.

(Only complete this section if you want the sheriff to enforce a writ or levy.)

Do you want the sheriff to both serve your court papers and act as levying officer?

- ☐ Yes
- ☐ No. I only want the sheriff to act as levying officer. A registered process server has or will serve my papers.

Your Signature *(party asking for service, or their lawyer)*

Date: _____

_____ ▶ _____

Type or print your name | *Sign your name (may be electronic)*

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This is not a court form. Do not file with the court.

Courtesy of FastDivorce.com | No legal advice.

Your Next Steps

- Find out if you need to pay a fee for service by asking the court's self-help center, a lawyer, or the sheriff's office. Here are some situations where you **do not** need to pay for service:
  - If you have a fee waiver in your case (fee waiver granted by a judge on form FW-003 or FW-005).
  - If you are serving a domestic violence, elder abuse, or gun violence restraining order.
  - If you have a civil harassment, workplace violence, or school violence restraining order based on a credible threat of violence or stalking.

- Give this form and a copy of all the court papers you need served to the sheriff or marshal, including a copy of a fee waiver (if you have one). You can turn in your papers in person or send them electronically.

- You should get a form back from the sheriff.
  - If the sheriff was able to serve your court papers, you should receive a form (called a proof of service). **Make sure you get a copy from the sheriff and file it with the court**. Note that if there is a court stamp at the top right corner of the first page, it has already been filed and you do not need to file it with the court.
  - If the sheriff was unable to serve your court papers, you should receive a form (sometimes called declaration of due diligence) that tells you that service was unsuccessful and will give details about when the sheriff tried to serve the person. If the sheriff was unable to serve your papers, you can ask a lawyer or court's self-help center about your next steps.

- To find your local court self-help center, go to selfhelp.courts.ca.gov/. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case. Services are free.

To Sheriff or Marshal

- This form is confidential and must not be made public.
- Any papers submitted with this form should be served and listed on the applicable proof of service form.
- Note that (5) b is optional and may help to identify documents that should have been submitted but were not received by your office.
- Under Government Code section 26666.2, once you've received a completed copy of this form and forms for service, you must attempt service unless:
  - Any order submitted does not have a judge's signature or other representation of a judge's signature; clerk's endorsement; or court stamp, seal, or other court endorsement; or
  - A court case number is not listed on the order, summons, or other notice.

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SER-001

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