

INSTRUCTIONS ABOUT SERVICE FOR SMALL CLAIMS ACTIONS

1. Attached you will find a Statement of Claim and two (2) copies of the Notice of Service of Statement of Claim and Acknowledgment forms. You will need to fill out the forms completely. Mail a copy of the Statement of Claim (with any attachments) and both of the Notice of Service of Statement of Claim to the defendant. You must also include in the materials that go to the defendant an envelope that is stamped and addressed to you, the plaintiff. This is for the defendant to mail back one of the acknowledgment forms to you. When you receive the signed form from the defendant you should file it along with the **original** of the Statement of Claim with the clerk along with a check made out to Maine District Court in the amount of \$70.00. **You must file these papers within 20 days of the date that the acknowledgement was signed by the defendant.**

If you do not receive the acknowledgment form within 20 days of the day you mailed the Statement of Claim to the defendant, it means that service has failed and you must try another type of service.

2. You may send the copy of the Statement of Claim (with any attachments) to the defendant first class, postage prepaid, registered or certified, **restricted delivery**, return receipt requested. You will have to get the necessary forms for this type of mail at the post office. You should advise the Post Office that when it delivers the Statement of Claim it should have the defendant sign the green card and mail it back to you. You then must file the original of the Statement of Claim, the filing fee and green card with the signature of the defendant on it with the clerk **within 20 days of the date on which the post office delivered the Statement of Claim.**

Failure to complete service by **either** of these two means would allow you to continue on to sheriff's service. If you do not attempt service by #1 or #2 prior to sheriff's service, the judge may consider reducing the costs recoverable by the plaintiff, if the service costs are high.

3. If either one of the two methods above does not work, you then must arrange with the sheriff's office to have service made by a deputy. For deputy service you should give the sheriff's office the original and the copy of the Statement of Claim. The deputy will give the defendant the copy and make a return of service on the original and return that to you. You must file the original with the return of service **with the clerk within 20 days of the service and pay the filing fee.**

INSTRUCTIONS ABOUT SERVICE FOR DISCLOSURES

These same instructions apply to disclosure hearings with one exception. Before you serve the Notice of Disclosure Hearing on the debtor, you must ask the clerk of the court for a date a time for the hearing and enter that date and time on the Notice. You then serve the Notice of Disclosure Hearing on the debtor as stated above. Service must be made at least seven days before the disclosure hearing. **Once service has been completed, you must file it with the court with the filing fee.**