

Small Claims

Small claims cases have special rules for service. Please see the pamphlet on small claims for those rules.

Service on Minors, Corporations, Partnerships, Cities, Towns, and Counties

There are special rules for service on these types of parties. Rule 4 of the Maine Rules of Civil Procedure outlines those rules.

Sheriff's Offices

ANDROSCOGGIN COUNTY

2 Turner Street, Auburn, ME 04210
(207) 753-2500

AROOSTOOK COUNTY

25 School Street, Suite 216, Houlton, ME 04730
(207) 532-3471

CUMBERLAND COUNTY

36 County Way, Portland, ME 04102
(207) 774-1444

FRANKLIN COUNTY

123 County Way, Farmington, ME 04938
(207) 778-2680

HANCOCK COUNTY

50 State Street, Suite 10, Ellsworth, ME 04605
(207) 667-7575

KENNEBEC COUNTY

73 Winthrop Street, Augusta, ME 04330
(207) 623-3614

KNOX COUNTY

301 Park Street, Rockland, ME 04841-5302
(207) 594-0429

Sheriff's Offices (Cont.)

LINCOLN COUNTY

42 Bath Road, P.O. Box 611, Wiscasset, ME
04578 | (207) 882-7332

OXFORD COUNTY

26 Western Avenue, P.O. Box 179, South Paris,
ME 04281 | (207) 743-9554

PENOBSCOT COUNTY

85 Hammond Street, P.O. Box 943, Bangor, ME
04402 | (207) 947-4585

PISCATAQUIS COUNTY

52 Court Street, Dover-Foxcroft, ME 04426
(207) 564-3304

SAGADAHOC COUNTY

752 High Street, P.O. Box 246, Bath, ME 04530
(207) 443-8528

SOMERSET COUNTY

131 E. Madison Road, Madison, ME 04950
(207) 474-9591

WALDO COUNTY

6 Public Safety Way, Belfast, ME 04915
(207) 338-6786

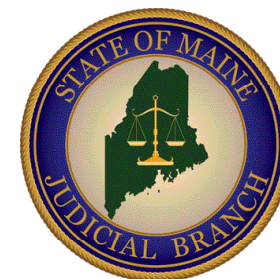
WASHINGTON COUNTY

83 Court Street, Machias, ME 04654
(207) 255-4422

YORK COUNTY

1 Layman Way, Alfred, ME 04002
(207) 324-1113

Notifying the Other Party: How to Serve Court Papers



For more information about service, visit
www.courts.maine.gov.

www.courts.maine.gov

What is “Service?”

When you begin a lawsuit or a family case in court, you must notify the other side that you are bringing the matter to court. There are a few ways to do this, depending on who or what the other side is. Getting the paperwork to the other side to make sure they know about the case is called “Service.” How to do this is explained below.

After serving a party you must file the “proof of service” (the paper showing the other side received the paperwork) with the court. The court will not schedule your case until you file proof of service.

1. Service in Hand or by Mail

Service can usually happen in one of three ways:

1. Service in hand or by mail,
2. Service by certified mail with restricted delivery in family cases, small claims, and some civil cases involving property as explained below, or
3. Service by Sheriff.

- Hand-deliver the court papers, with an “Acknowledgment of Receipt of Summons and Complaint” (CV-FM-036), that you have already signed, to the other party. Ask the party to sign and return the acknowledgment form to you.

-OR-

- Get two copies of the “Acknowledgment and

Receipt” form (CV-FM-036) and sign both. Keep one copy for yourself. Mail the other copy with the copy of the court papers, to the other party. Write a letter to send with the papers asking the party to sign the “Acknowledgment” form and return it to you. It’s a good idea to include a self-addressed stamped envelope with the papers to make it easy for the other side to return it to you.

If you get the signed “Acknowledgment” form back within 20 days after the date you gave it to the other party or mailed it, you must file that form with the court as “proof of service.” Keep a copy for yourself. If the signed “Acknowledgment” is not received within 20 days, you must serve the court papers using another type of service allowed in your case.

2. Service by Certified Mail with Restricted Delivery

You can serve court papers on the other party by certified mail with restricted delivery in family cases (for example, divorce and parental rights and responsibilities cases), small claims, and in certain civil cases involving property when the person is outside the state. If you are not sure if service by certified mail with restricted delivery is allowed in your case, please speak with a lawyer.

Mail the court papers by certified mail with restricted delivery to the other party. Take the papers you need to serve to the post office and tell the postal clerk that you want to send them by certified mail with restricted delivery. Make sure to ask for a “return receipt” and “restricted delivery.” This costs more and adds a few extra steps.

After you mail the papers using certified mail with restricted delivery, you will get a green

postcard back from the post office with the other party’s signature showing that the party got the papers.

File the green card you get back from the post office with the court as “proof of service.” Keep a copy for yourself.

3. Service by the Sheriff

To do service by the sheriff you first need to get a “summons” from the clerk. There is a small fee for this form. Fill it in and put it with your paperwork.

Mail or take 2 copies of the court papers you need to serve to the sheriff’s office for the county where the other party will be served. Ask the sheriff to serve the papers on the other party. One copy will be given to the other side. The other copy will be returned to you, signed by the sheriff. You will need to pay the sheriff to serve the papers. This option is often the most reliable way to make sure the other party is served.

Give the sheriff the other party’s home address. If you think the other party will be hard to find at home, give the sheriff the other party’s work address or another address where you think the sheriff can find the other party.

The deputy who serves the court papers on the other party will fill in the “summons” that was part of the set of court papers you gave the sheriff and will return it to you by mail.

File the summons that was signed by the sheriff with the court as “proof of service.” Make a copy for yourself.