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 *https://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)*: _____

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Court Case Number:

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)*: _____

☐ Is on probation or parole.

☐ Has an aggressive animal.

☐ Has mental health issues.

☐ Add any other information about safety or accessibility that you know about:

_____

_____

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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Court Case Number:

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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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). If you do not have to pay a fee to the sheriff, you can send your papers electronically. If you have to pay a fee, contact the sheriff to find out your options for turning in your request. Note that you can always turn in your request in person.
- 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 *https://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-001A Special Instructions for Writs and Levies—Attachment

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

Fill in case number:

Court Case Number:

Instructions

Generally, you **will not** need to complete this form if you are asking the sheriff to serve a complaint (unless with a writ of attachment) or a restraining order.

- Complete this form if you want the sheriff or marshal to enforce a writ. You must complete this form and form SER-001, *Request for Sheriff to Serve Court Paper*, and turn both forms in to the sheriff or marshal.
- You must include any writ and related order you want the sheriff to enforce.

This form is attached to form SER-001, *Request for Sheriff to Serve Court Papers.*

All information is required unless it is listed as optional or does not apply to your case.
For more information about what may be required in your case, go to *https://selfhelp.courts.ca.gov/sheriff-serves*.

1 Additional Information About You (Person Requesting Service)

Are you a judgment creditor (person awarded money or property by the court)?

☐ Yes
☐ No *(complete the section below):*

(a) What is your role in the case?: _____

(b) Is there a judgment creditor in your case?
☐ No
☐ Yes *(list the names of all judgment creditors):*

_____
_____
_____

2 Additional Information About Person or Entity You Want Served

The person or entity you want served (listed in item 3 of form SER-001):
(check one)

☐ Owes you money in this case (judgment debtor).
☐ Is not a party in this case but has the property.
☐ Is a person who lives on the property.
☐ Other *(explain):*

_____
_____
_____

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Court Case Number:

3 Information About the Writ and Judgment

a. Date writ was issued: _____

b. The writ included with this request is *(check one)*:

☐ An original writ.

☐ A copy of the original writ issued by the court as an electronic record and has not already been given to the levying officer (sheriff or marshal).

☐ A copy of the original writ that has already been given to the levying officer (sheriff or marshal).

c. Has a judgment been issued by the court?

☐ No

☐ Yes *(complete section below)*:

(1) Date judgment was issued: _____

(2) If it is a money judgment, give amount: _____

(3) List all judgment debtors *(people who owe money)* if there are any in this case:
If the judgment debtor is not a person, also include the type of organization *(example: corporation)*.

_____

_____

_____

_____

_____

4 Information About the Property to Levy

a. Describe the property in as much detail as possible. For example:

- For bank accounts, give account number (if known).
- For personal property, describe property and give the address where property is located.
- For vehicles, give license plate number and address where vehicle is located.
- For evictions, give address, and any information needed to access the property.
- For real property (other than evictions), give legal description, address, and assessor's parcel number.
- If requester is not the person receiving the property, give clear instructions on who will receive the property and how.

_____

_____

_____

_____

_____

_____

☐ Check here if you are including a map or other document to describe property.

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(4) b. Is the property in the judgment debtor's name?

☐ Yes

☐ No *(list the names of owners and explain their interest in the property, including any leasehold interest):*

_____

_____

_____

(Note: You may also need to have the people listed above served with your court papers. Check the Code of Civil Procedure for service requirements or talk with a lawyer. Your local court self-help center provides help for free and may be able to help you. To find your local self-help center, go to *www.selfhelp.courts.ca.gov/find*.)

c. Are you asking the sheriff to levy on property that is a dwelling *(a place someone can live in)*?

☐ No

☐ Yes *(complete the section below):*

The dwelling is *(check one):*

☐ Real property *(examples: house, condo, other building attached to land)*

☐ Personal property *(examples: house boat, RV)*

(5) Special Instructions for Sheriff

In some situations, you will have to give detailed instructions on how you want the sheriff to enforce the order. Use the space below to list any instructions. Some examples of when instructions may be needed include:

- Instructions to serve the summons and complaint with a writ of attachment, if not previously served (see Code of Civil Procedure section 488.020(c)).
- Instructions that the levying officer must place a keeper in charge of the property (see Code of Civil Procedure sections 700.070 and 700.080).
- Instructions to seize personal property from a private place (see Code of Civil Procedure section 699.030).

_____

_____

_____

_____

_____

_____

_____

☐ Check here if you need more space to list instructions. Use a separate piece of paper and write "SER-001A, Special Instructions for Sheriff" at the top. Turn it in with this form.

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