

Service of Process in the District Court

Service of process is the way the other person, called the defendant, receives court papers and notice about a court case. The defendant must be served before the court will hear your case. You may not serve the defendant yourself. Someone else, 18 or older, who is not involved in the case, must serve the defendant. There are three ways to serve someone: by **certified mail**, **sheriff**, and **private process**. Select how you wish to have the Defendant served by checking the box on your Complaint form.

Certified Mail

- The clerk creates a summons and mails it to the defendant. The clerk will collect a fee for this service.
- A postal worker will bring the summons to the defendant's address and ask the defendant to sign for the mail.
- If the defendant signs for the mail, a green return receipt will be returned to the courthouse as proof of service.

Sheriff Service

- The clerk will send the summons and your fee to the sheriff's office.
- The sheriff will go to the address for the defendant that you have given the court and try to hand deliver the summons to the defendant.
- The sheriff may leave the summons at the defendant's house with an adult who also lives there.
- The sheriff will send the court an affidavit of service – a sworn statement that the sheriff made proper service.

Private Process

- You can have an adult other than you, who is not involved in the case, serve the defendant by hand delivery. Often, people use a family member or friend. There are also private companies that you can hire to do the hand delivery.
- The court will mail a summons to you. The summons must then be hand delivered to the defendant. The process server may also hand deliver the summons to an adult at the defendant's home who also lives there.

Watch the Video



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TIP 05

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- The person who served the defendant must complete and file an affidavit of service with the court. The affidavit of service will be sent to you along with the summons.
- The summons has an expiration date. If the summons is not served on the defendant before it expires, return the summons to the court.

Summons Renewal

- If your attempt at service is not successful, you may try again. Return to the courthouse and file a “Request for Renewal of Writ of Summons.” This is form DC-CV 10.
- You must pay a fee for the renewal, plus any additional fees if you select certified mail or sheriff service. The court will then issue a new summons and set a new trial date.

Self-Help

- You can speak with a lawyer free of charge at the Maryland Courts Self-Help Center. Those lawyers cannot represent you in court, but they can provide brief advice and help with court forms. Call 410-260-1392 or go to mdcourts.com/selfhelp for chat. Lawyers are available most weekdays from 8:30 a.m. to 8 p.m.



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