

Instructions for Service of Summons (Paternity Action), South Dakota Parenting Guidelines and Complaint (Paternity Action)

WHICH DOCUMENTS NEED TO BE SERVED?

In order to start the action, the Defendant must be served with copies the following documents (the originals are filed with the Clerk of Court Office):

- Summons (Paternity Action);
- South Dakota Parenting Guidelines; and
- Complaint (Paternity Action).

HOW DO I SERVE SOMEONE?

The most common ways to serve the Defendant are:

- A. When the parties are agreeable to the terms, the Defendant will often agree to accept service, avoiding the need to have a Sheriff or private process server serve him/her. This means that as the Plaintiff, you may:
- Hand-deliver the above-itemized documents and the NOTICE AND ADMISSION OF SERVICE OF SUMMONS & COMPLANT (UJS-183) and attached ADMISSION OF SERVICE OF SUMMONS & COMPLAINT (UJS-183A) to the Defendant. **Do not include the attached Affidavit of Mailing on page 4);** or
 - Mail the above-itemized documents and 2 copes the NOTICE AND ADMISSION OF SERVICE OF SUMMONS & COMPLANT and attached AFFIDAVIT OF MAILING (UJS-183B) to the Defendant. You must include a return envelope, postage prepaid, addressed to you, the Plaintiff. **Do not include the attached Admission of Service of Summons & Complaint (page 3).**

The Defendant neither admits nor denies the contents of the documents; he/she merely admits that they received the documents on the specified date;

OR

- B. The Plaintiff can request that the Sheriff's Office or private process server serve the Defendant. Under this scenario, the Plaintiff delivers one full copy of the Summons, South Dakota Parenting Guidelines and Complaint to the Sheriff's Office along with the Defendant's current physical address, telephone number, place of employment and any other relevant information. Typically, the cost of service (the service fee and mileage reimbursement) is pre-paid. After service, the Sheriff

or process server has his own form that he/she uses to prove service and that form is usually mailed to you. Make sure you make a copy of this form for yourself and file the original with the Clerk of Court's office.

It is the act of “service” that actually starts the legal action. Therefore, it is very important that you file the proof of service!

IF YOU HAND-DELIVER OR MAIL THE DOCUMENTS TO THE DEFENDANT, HAVE THE DEFENDANT:

- Complete the Admission of Service of Summons (Paternity Action), South Dakota Parenting Guidelines and Complaint (Paternity Action) (Form UJS-183A):
- Complete the form in black or blue ink only!
- Complete the “caption.” This information will be the same as on the Summons (with Minor Children) and Complaint with Minor Children.
- The Defendant must fill in their full legal name in the body of the text.
- The Defendant must fill in the town, county and state of the place where he/she received the documents.
- The Defendant must fill in the date with the month, day and year he/she received the documents.
- The Defendant must complete the signature block with his/her signature, printed name, mailing address and telephone number.
- The Defendant should make a copy of the completed Admission for his/her own records and return the original document to the Plaintiff.

Note: You should also make a copy for your own records and then file the original Admission of Service (UJS-183A) or Affidavit of Mailing (UJS-183B) with the Clerk of Court.