

## How to give the documents to the other person - 'service'

Once you have given your documents to the court you need to let the other person know the court case has started. You must prove to the court you have done this.

1

You must give the documents to the other person as soon as practicable and **at least twenty-eight days before the court date**. If you are asking for urgent orders, your application will include a request that the time limit be shortened.

2

The documents you must give them are **everything you filed with the court and the Marriage, Families and Separation brochure** of the court.

3

**You can not give the documents to the other person yourself.** To give them the documents another person who is over 18 years must identify them (e.g. by asking their name) and leave the documents in their presence (this is called 'personal service'). You can hire someone to do this, called a **'process server.'** Their fees vary but are often around \$200.

4

The person who gives the documents to the other person must prove they have done this by completing an **'Affidavit of Service.'**

5

You have to **efile the Affidavit of Service** on to the Commonwealth Courts Portal. To do this, log in and go to your *'Available files.'* Select the + and 'add document,' select *'Affidavit of Service'* and upload the PDF.

## Problems?

You need to make every effort to give the other person a copy of the documents personally. However, if this is not possible you should make sure they are aware of the proceedings by some other way (e.g. email, messenger, leaving it at their mum's house). You can ask the court for an order that you serve them in this different way.