

INSTRUCTIONS: WAIVER OF SERVICE

This packet includes the following documents:

- Appearance
 - Verified Waiver of Service of Process and Acknowledgement of Receipt of Petition for Dissolution (Divorce) and Summons
- The person who files for a divorce is known as the Petitioner. The other spouse is the Respondent.
 - Every time a spouse files a document with the court in their divorce case, the other spouse must be given a copy of the filed form.
 - The Petition for Dissolution and the Summons are two documents that are usually delivered (served) to the Respondent by certified mail, process server or sheriff.
 - Some Respondents do not want to be served by process server, certified mail, or sheriff.
 - If a Respondent does not want to be served by process server, certified mail, or sheriff then the Respondent can *waive service*. A Respondent can waive service by filing a *Verified Waiver of Service of Process and Acknowledgement of Receipt of Petition and Summons*. The waiver should be filed with the court *after* the Petitioner has given the Respondent a copy of the *Petition For Dissolution and Summons* that have **already been filed with the court**.

STEP 1: FINISH, READ AND SIGN THE FORMS

1. The Respondent should complete the documents according to the instructions in this packet.
2. Check local county rules here: <https://www.in.gov/judiciary/2694.htm> to see if there are additional requirements.
3. Read the forms and make sure the information is correct.
4. The Respondent will need to sign the *Verified Waiver of Service of Process and Acknowledgement of Receipt of Petition for Dissolution (Divorce) and Summons* **in front of a Notary Public**. Many libraries and banks have a notary available. There is a small fee.

STEP 2: FILE THE FORMS WITH THE COURT

People who are self-represented (do not have a lawyer) can choose to e-file forms, or to file them at the courthouse. Read the information below and then choose how to file the forms with the court.

OPTION ONE: E-FILING DOCUMENTS WITH THE COURT

1. Review and follow the instructions in the e-file user guide at:
<https://www.in.gov/judiciary/4313.htm>.
2. **Make sure you get the forms to the other parent using the method selected in the Certificate of Service (usually hand delivery or mail) after you e-file them with the court. The e-filing system will not send them to your spouse unless they (or their attorney) have registered with the e-filing system—this is not common if the other spouse does not have an attorney.**

OPTION TWO: FILING DOCUMENTS WITH THE COURT IN PERSON

1. Take the original, signed forms to the court in which your divorce was filed.
2. Give your completed forms to the court clerk and ask them to file your forms with the court.
3. **Make sure you get the file stamped forms to the other parent using the method you selected (usually hand delivery or mail).**

STATE OF INDIANA IN THE _____ COURT
COUNTY OF _____ CASE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE, LOOK AT THE DIVORCE FORMS FILED WITH THE COURT IN THIS CASE AND COPY THE INFORMATION HERE.

APPEARANCE BY UNREPRESENTED PERSON

1. My name is **RESPONDENT'S NAME. THE SPOUSE** and in this case I am not represented by a lawyer. **THAT DID NOT FILE THE DIVORCE PETITION.**
2. My contact information for receiving legal service of documents and case information as required by Court Rules is:

Address: **RESPONDENT'S ADDRESS**

Email address: **RESPONDENT'S EMAIL**

I will accept service at the above email address.

Phone: **RESPONDENT'S PHONE**

Fax: **RESPONDENT'S FAX**

OR, if in a related case, you have used the Attorney General confidential address, you may check the box below:

Attorney General confidential address

IF YOU AND YOUR SPOUSE HAVE MINOR CHILDREN TOGETHER, CHOOSE 'DC', IF NOT THEN CHOOSE 'DN'

THIS BOX SHOULD BE CHECKED ONLY IF THE RESPONDENT WANTS TO BE CONTACTED ONLY THROUGH EMAIL

CHECK THIS BOX ONLY IF THE RESPONDENT IS USING THE ATTORNEY GENERAL'S CONFIDENTIAL ADDRESS

3. This is a _____ case type as defined in Administrative Rule 8(B)(3).

4. There are other cases related to this case: *(If yes, please indicate below)*

Yes **SELECT WHETHER THERE ARE RELATED CASES. IF YES, FILL IN THE RELATED CASE INFORMATION BELOW**
 No

Caption and case number of related cases:

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Additional information as required by local rule:

CHECK LOCAL RULES AND INCLUDE ANY REQUIRED INFORMATION HERE

RESPONDENT SIGN HERE

Signature

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of this document on DATE SENT TO PETITIONER by

**HOW RESPONDENT WILL
GET THIS DOCUMENT
TO THE PETITIONER
AFTER IT IS FILED**

- e-service using the e-filing system
- first-class U.S. mail, postage prepaid
- hand delivery

to PETITIONER'S NAME at the following address:

ADDRESS WHERE THIS DOCUMENT
WILL BE SENT

RESPONDENT SIGN HERE

Signature

STATE OF INDIANA
COUNTY OF _____

IN THE _____ COURT
CASE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE, LOOK AT THE DIVORCE FORMS FILED WITH THE COURT IN THIS CASE AND COPY THE INFORMATION HERE.

VERIFIED WAIVER OF SERVICE OF PROCESS and ACKNOWLEDGEMENT OF RECEIPT OF PETITION FOR DISSOLUTION (DIVORCE) AND SUMMONS

Comes now Respondent RESPONDENT'S NAME, self-represented, and states the following:

- 1. I have received a copy of the *Verified Petition for Dissolution of Marriage and Summons* which were both filed on DATE THE PETITION AND SUMMONS WERE FILED WITH THE COURT
- 2. I waive formal service of the *Verified Petition for Dissolution of Marriage and Summons* and do not want another copy of either to be delivered to me by certified mail, a hired process server, or sheriff.

I affirm under penalties for perjury that the foregoing representations and statements are true.

RESPONDENT SIGN ONLY WHEN
STANDING IN FRONT OF A NOTARY
PUBLIC

Respondent Signature

RESPONDENT'S NAME

Respondent Printed Name

STATE OF INDIANA
COUNTY OF COUNTY

Before me, LEAVE BLANK, a notary public in and for COUNTY County, State of Indiana, personally appeared RESPONDENT'S NAME and having been duly sworn upon their oath says that the facts all alleged in the foregoing instrument are true.

Date: LEAVE BLANK

LEAVE BLANK
Notary Public

My Commission Expires LEAVE BLANK