

## STATE OF VERMONT

## SUPERIOR COURT

## FAMILY DIVISION

Unit

Docket No.

Plaintiff

Defendant

Name	v.	Name
------	----	------

**NOTICE OF ACTION AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS**

The above referenced action has been commenced against you. Enclosed are copies of the Summons and Complaint, the Interim Domestic Order, a Scheduling Order and other important court documents. These documents have been sent to you because you are the Defendant in this case.

The court requests that you sign and return the enclosed waiver of service to save the cost of serving you by law enforcement personnel or certified mail.

**IF YOU WANT TO WAIVE SERVICE:** The waiver of service must be received by the court no later than 30 days from the mailing date indicated below. This means that the Court must receive the documents by \_\_\_\_\_, 20\_\_\_\_. A stamped envelope addressed to the court is enclosed along with an extra copy of the Waiver for your records.

If you sign and return the enclosed WAIVER OF SERVICE on time, then the case will go forward as if you had been served on the date the Waiver was received by the court. Your Answer to the complaint will be due 60 days from the mailing date indicated below. This means that the court must receive your answer by: \_\_\_\_\_, 20\_\_\_\_.

**IF YOU DO NOT RETURN THE SIGNED WAIVER BY THE DUE DATE:** If you do not return the waiver of service by the due date you will be personally served by a law enforcement officer, certified mail, or some other method authorized by law. **You may be required to PAY the expenses incurred in serving you with the documents.**

I declare that this NOTICE AND REQUEST were mailed to the Defendant by first class mail on the date shown below.

Date of Mailing	Signature of Clerk
	Clerk's Name

**SUPERIOR COURT****Unit****FAMILY DIVISION****Docket No.**

Plaintiff

Defendant

Name	v.	Name
------	----	------

**Your Duty to Avoid Unnecessary Costs of Service of Summons**

You are required to cooperate in saving unnecessary costs of service under Vermont law. If you and the Plaintiff are both located in the United States and you do not sign and return this form, you will be required to pay the cost of serving you unless you can show good cause for your failure to waive service.

Your belief that the complaint is unfounded or that the action has been filed in the wrong court is not good cause for a failure to waive service. If you do waive service, you retain all defenses and objections (except those relating to the summons or its service), and you may later object to the jurisdiction of the court or to the place where the action has been brought.

You will not receive copies of hearing notices in this case unless you also file a notice of appearance and answer with the court. A form for this purpose is included in the materials sent to you in this packet. You can also obtain these forms by going to the judiciary website, [www.vermontjudiciary.org](http://www.vermontjudiciary.org), or by contacting the Family Division of the Superior Court at the address on the first page.

**WAIVER OF SERVICE**

I, \_\_\_\_\_, have received a copy of the summons

Defendant's Name

and complaint for divorce and the court's request that I waive service.

I agree to save the cost of service of these documents upon me by signing this waiver and returning it to the court. I understand that I still retain all the defenses and objections I may have to this action, except for any objections based on a defect in the summons or the service of these documents on me.

Date
------

Signature
Please Print Name

**PLEASE SIGN AND RETURN THIS PAGE TO THE COURT IN THE ENCLOSED ENVELOPE.**

**STATE OF VERMONT**

**SUPERIOR COURT** **FAMILY DIVISION**

**Unit** **Docket No.**

<b>Plaintiff</b>	<b>v.</b>	<b>Defendant</b>
Name		Name

**Your Duty to Avoid Unnecessary Costs of Service of Summons**

You are required to cooperate in saving unnecessary costs of service under Vermont law. If you and the Plaintiff are both located in the United States and you do not sign and return this form, you will be required to pay the cost of serving you unless you can show good cause for your failure to waive service.

Your belief that the complaint is unfounded or that the action has been filed in the wrong court is not good cause for a failure to waive service. If you do waive service, you retain all defenses and objections (except those relating to the summons or its service), and you may later object to the jurisdiction of the court or to the place where the action has been brought.

You will not receive copies of hearing notices in this case unless you also file a notice of appearance and answer with the court. A form for this purpose is included in the materials sent to you in this packet. You can also obtain these forms by going to the judiciary website, [www.vermontjudiciary.org](http://www.vermontjudiciary.org), or by contacting the Family Division of the Superior Court at the address on the first page.

**WAIVER OF SERVICE**

I, \_\_\_\_\_, have received a copy of the summons

Defendant's Name

and complaint for divorce and the court's request that I waive service.

I agree to save the cost of service of these documents upon me by signing this waiver and returning it to the court. I understand that I still retain all the defenses and objections I may have to this action, except for any objections based on a defect in the summons or the service of these documents on me.

Date	Signature
	Please Print Name

**PLEASE KEEP THIS COPY FOR YOUR RECORDS.**