

**SC-104:** Prueba de Notificación (Proof of Service): Esta forma se usa para notificar a una persona, un negocio, o entidad pública. Cada vez que demande una persona o negocio esta forma NECESITA ser completada y entregada a la corte por lo menos 5 días antes de la fecha del juicio. Debe atender de notificar al acusado cuando obtenga una fecha de juicio del secretario. Las reglas varen sobre cuanto tiempo antes del juicio tiene el acusado para recibir la notificación de aparecer en corte pero generalmente si el acusado vive en el condado en cual la reclamación es presentada entonces 15 días es suficiente. Si el demandado vive fuera del condado en cual estas demandando entonces tienen derecho a 20 días.

## SC-104 Proof of Service

Use this form to serve a **person**, a **business**, or a **public entity**. To learn more about proof of service, read *What Is "Proof of Service"?*, Form SC-104B. To learn more about how to serve a business or entity, read *How to Serve a Business or Public Entity*, Form SC-104C.

To serve a **business**, you must serve **one** of the following people:

- Owner (for a sole proprietorship)
- Partner (for a partnership) or general partner (for a limited partnership)
- Any officer or general manager (corporation or association)
- Any person authorized for service by the business (corporation, association, general partnership, limited partnership)
- Any person authorized for service with the Secretary of State (corporation, association, limited liability company [LLC], limited liability partnership [LLP], limited partnership)

To serve a **public entity**, you must first file a claim with that entity, then serve **one** of the following people:

- Clerk (of a city or county)
- Chief officer or director (of a public agency)
- Any person authorized for service by the entity

① a. If you are serving a **person**, write the person's name below:

b. If you are serving a **business or entity**, write the name of the business or entity, the person authorized for service, and that person's job title:

**1a)** Si esta demandando a una persona (NO un negocio), escriba el nombre de la persona en esta seccion

**1b)** Si esta demandado a un negocio, corporation, o otra entidad, escribe el nombre correspondiente aqui, tambien incluya el nombre del agente de diligencias de emplazamiento o el nombre de la persona que es legalmente permitido/a para aceptar el servicio de documentos legales para ese negocio.

### ② Instructions to Server:

**2)** Lea esta sección para asegurar la notificación apropiada pero no hay nada que hacer en esta sección.

You must be at least 18 years old and **not be named in this case**. Follow these steps:

- Give a copy of all the documents checked in ③ to the person in ①, *or*
  - Give a copy of all the documents checked in ③ to one of the following people:
    - a. A competent adult (at least 18) living with, and at the home of the person in ①, *or*
    - b. An adult (at least 18) who seems to be in charge at the usual workplace of the person in ①, *or*
    - c. An adult (at least 18) who seems to be in charge where the person in ① usually receives mail (but not a U.S. Post Office box), if there is no known physical address for the person in ①.
- and mail a copy of the documents left with one of the adults in a, b, or c above to the person in ①.*

THEN

- Complete and sign this form, and
- Give or mail your completed form to the person who asked you to serve these court papers, *in time for the form to be filed with the court at least 5 days before the hearing.*

### ③ I served the person in ① a copy of the documents checked below:

**3)** Seleccione el documento de notificación que fue entregado al otro partido.

**3a)** Seleccione la seccion "a" si el otro partido recibio el reclamo del demandante y la orden de ir a la corte de demandas menores

**3b)** Seleccione la sección "b" si el otro partido recibió el reclamo del demandado y la orden de ir a la corte de demandas menores.

**3c)** Seleccione la sección "c" si ya has demandado al otro partido y se hizo una sentencia contra ello y no quieres ordenarles que aparezcan en corte para un juicio de examinacion (SOLAMENTE selecciona esta opción si ya has demandado al otro partido y ganaste el caso)

**Note:** *The court can issue a civil arrest warrant if the served party does not come to court only if the order for examination was personally served by a registered process server, sheriff, marshal, or someone appointed by the court.*

- (1)  SC-134, *Application and Order to Produce Statement of Assets and to Appear for Examination*
- (2)  AT-138/EJ-125, *Application and Order for Appearance and Examination*
- d.  Other (specify): \_\_\_\_\_

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of \_\_\_\_\_

Fill in case number, case name, hearing date, day, time, and department below:

Case Number: \_\_\_\_\_

Case name: \_\_\_\_\_

**4** Fill out "a" or "b" below:

a.  **Personal Service:** I personally gave copies of the documents checked in **3** to the person in **1**:

**4a)** Seleccione "a" si el otro partido fue personalmente notificado con los documentos de orden para aparecer en corte. Esto quiere decir que al otro partido se le entregaron los documentos de corte.

On (date): \_\_\_\_\_ At (time): \_\_\_\_\_  a.m.  p.m.

At this address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

b.  **Substituted Service:** I personally gave copies of the documents checked in **3** (a, b, or d) to (check one):

**4b)** Seleccione "b" y marque el espacio correspondiente en la sección que sigue si los documentos fueron entregados a otro adulto que vive en la misma residencia del otro partido o si entrego los documentos a una persona encargada donde trabaja el otro partido o un si fueron entregados a un trabajador del lugar donde el otro partido recibe correo.

A competent adult (at least 18) at the home of, and living with the person in **1**, or

An adult who seems to be in charge where the person in **1** usually works, or

An adult who seems to be in charge where the person in **1** usually receives mail, or has a private post office box (not a U.S. Post Office box), if there is no known physical address for the person in **1**.

I told that adult, "Please give these court papers to (name of person in **1**)."

I did this on (date): \_\_\_\_\_ At (time): \_\_\_\_\_  a.m.  p.m.

At this address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Name or description of the person I gave the papers to: \_\_\_\_\_

After serving the court papers, I put copies of the documents listed in **3** in an envelope, sealed the envelope, and put first-class prepaid postage on it. I addressed the envelope to the person in **1** at the address where I left the copies.

I mailed the envelope on (date): \_\_\_\_\_ from (city, state): \_\_\_\_\_ by leaving it (check one):

a.  At a U.S. Postal Service mail drop, or

b.  At an office or business mail drop where I know the mail is picked up every day and deposited with the U.S. Postal Service, or

c.  With someone else I asked to mail the documents to the person in **1**, and I have attached that person's completed Form SC-104A.

**5** Server's Information

**5)** La persona que entrego los documentos al otro partido, escriba su nombre, dirección, y número de teléfono en esta sección. Si un notificador privado entrego los documentos en su favor, el notificador privado tiene que incluir la cantidad que se le pago para el servicio, el condado en cual esta registrado su negocio, y su numero de registración.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Fee for service: \$ \_\_\_\_\_

If you are a registered process server:

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

**6** I declare under penalty of perjury under California state law that I am at least 18 years old and not named in this case and that the information above is true and correct.

**6)** Esta sección esta designada para la firma de la persona que entrego los documentos al otro partido bajo pena de perjurio. El demandante ni el acusado deben de firmar esta sección, debe de ser firmada por una persona que no sea parte de los partidos en el juicio.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print server's name

\_\_\_\_\_  
Server signs here after serving