

## **FORM OF SUMMONS**

The Supreme Court of Arkansas has adopted the following form of summons for use in all cases in which personal service is to be had pursuant to Rule 4(c), (d) and (e) of the Arkansas Rules of Civil Procedure. The form incorporates a proof of service to be made by a sheriff, deputy sheriff, or other person, as appropriate, in accordance with Rule 4(g). The form may be modified as needed in special circumstances. Additional notices, if required, should be inserted in the appropriate space. This form is not for use in cases of constructive service pursuant to Rule 4(f). The adoption of this form is in compliance with Rule 4(b) and does not modify or amend any part of that rule.

**Effective July 1, 2012**

**Corrected as of August 14, 2012**

THE CIRCUIT COURT OF \_\_\_\_\_ COUNTY, ARKANSAS

\_\_\_\_\_ DIVISION [Civil, Probate, etc.]

\_\_\_\_\_  
Plaintiff

v.

No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

SUMMONS

**THE STATE OF ARKANSAS TO DEFENDANT:**

\_\_\_\_\_ [Defendant's name and address.]  
\_\_\_\_\_

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) — or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas — you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are: \_\_\_\_\_

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

CLERK OF COURT

Address of Clerk's Office

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
[Signature of Clerk or Deputy Clerk]

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

[SEAL]

No. \_\_\_\_\_ This summons is for \_\_\_\_\_ (*name of Defendant*).

**PROOF OF SERVICE**

I personally delivered the summons and complaint to the individual at \_\_\_\_\_ [place] on \_\_\_\_\_ [date]; or

I left the summons and complaint in the proximity of the individual by \_\_\_\_\_ after he/she refused to receive it when I offered it to him/her; or

I left the summons and complaint at the individual's dwelling house or usual place of abode at \_\_\_\_\_ [address] with \_\_\_\_\_ [name], a person at least 14 years of age who resides there, on \_\_\_\_\_ [date]; or

I delivered the summons and complaint to \_\_\_\_\_ [name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of \_\_\_\_\_ [name of defendant] on \_\_\_\_\_ [date]; or

I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

Other [specify]: \_\_\_\_\_

I was unable to execute service because: \_\_\_\_\_

My fee is \$ \_\_\_\_.

**To be completed if service is by a sheriff or deputy sheriff:**

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

SHERIFF OF \_\_\_\_\_ COUNTY, ARKANSAS

By: \_\_\_\_\_

[Signature of server]

\_\_\_\_\_  
[Printed name, title, and badge number]

**To be completed if service is by a person other than a sheriff or deputy sheriff:**

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

By: \_\_\_\_\_

[Signature of server]

\_\_\_\_\_  
[Printed name]

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

\_\_\_\_\_

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

Subscribed and sworn to before me this date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Additional information regarding service or attempted service:

\_\_\_\_\_  
\_\_\_\_\_