



Family Court of St. Louis County

To any officer serving a petition and ex parte order in an Abuse case:

§455.040.3 of the Missouri Revised Statutes authorizes personal service of a copy of the petition and notice of the date set for the hearing on such petition and any ex parte order of protection upon the respondent, by **any police officer at least three days prior to such hearing.**

Missouri Supreme Court Rule 54.13(b)(1) provides that “personal service” may be made by delivering a copy of the petition and notice to the respondent personally, **or** by leaving a copy of those papers at the “dwelling house or usual place of abode” of the respondent with some person of the respondent’s family over the age of fifteen years.

The court cannot proceed with the scheduled hearing on the petition, unless the court file contains evidence that the petition and notice were served on the respondent **at least three days prior to such hearing.**

The necessary evidence is a *Return* to the court. A *Return* is a written statement by the officer who serves the petition, reciting the fact that the petition was served, and showing on whom and when it was served.

The *Return* must be sent back to the court that issued the papers, along with a copy of the document or documents that were served and must reach the court prior to the time scheduled for the hearing.

If you wish to serve the petition, you must make a *Return* as follows:

1. Make a photocopy of the petition and any court order received with the petition.
2. Deliver one copy of the documents to the respondent, wherever you find the respondent, or leave a copy of the documents for the respondent as permitted in Rule 54.13(b)(1), as set out above.
3. Complete and sign the *Return* below, or a copy of it.
4. Attach the completed return to a copy of the documents you delivered to the respondent.
5. Deliver or mail the *Return* and the attached documents to: *Adult Abuse Section
Office of the Circuit Clerk
105 South Central Avenue, Rm. S16
Clayton, MO 63105
(314) 615-4725*
6. Be sure the *Return* and the attached documents reach the court prior to the time of the scheduled hearing.

To ensure timely receipt, the *Return* and the attached documents, may be sent by facsimile transmission to 314-615-2536.

OFFICER'S RETURN

I hereby certify that I served a true copy of the petition and other documents, as attached to this Return, by [check one]:

- delivering a copy to the respondent, **or**
- by leaving a copy for the respondent at the dwelling house or usual place of abode of the respondent with a person of the family of the respondent over the age of fifteen years.

Service was completed at [address] _____

_____ on [date] _____ at [time] _____ m.

Signature

Case Description

Name [Printed] DSN

Case Number

Police Department