



IN THE CIRCUIT COURT OF SAINT LOUIS COUNTY  
STATE OF MISSOURI  
PROBATE DIVISION



SERVICE INFORMATION

Below is a listing of common causes of action filed in the Probate Division with basic service requirements which may require a hearing. If your cause of action is not listed or if your matter necessitates alternative service considerations, please contact the Court. **These are simply general guidelines for the matters referenced below. Any court order issued in a particular matter regarding service is always controlling and overrides any general information below.**

Service may be effectuated with the use of a special process server, but the petitioner first must file a motion for appointment of special process server and receive an order from the court approving the use of the special process server before Respondent/Defendant is served. See Local Court Rule 28.

TYPE OF ACTION	SERVICE REQUIRED UPON	WHAT IS SERVED
Adult Guardianships and/or Conservatorships and/or Cross-Petitions for Guardianship and/or Conservatorship	<p><u>Respondent:</u> Personal Service required for each petition and cross-petition. Service cannot be waived and must be on the Respondent.</p> <p><u>Respondent's Spouse</u> Personal Service</p> <p><u>Respondent's Attorney-in-Fact (if applicable)</u> Personal Service, if seeking the termination of any existing power of attorney</p> <p><u>All Other Interested Parties:</u> Ordinary Mail</p>	<p><u>Respondent</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Notice of Hearing/Notice of Rights</li> <li><input type="checkbox"/> Order Appointing Attorney for Respondent and Setting for Hearing</li> <li><input type="checkbox"/> Petition for Appointment of Guardian/Conservator (including ALL Exhibits) and any emergency petition.</li> <li><input type="checkbox"/> Order Appointing Special Process Server, if applicable</li> </ul> <p><u>All Other Interested Parties (including Respondent's Spouse, Attorney-in-Fact, and others defined as interested parties)</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Notice of Hearing/Notice of Rights</li> <li><input type="checkbox"/> Order Appointing Attorney for Respondent and Setting for Hearing</li> <li><input type="checkbox"/> Order Appointing Special Process Server, if applicable</li> </ul>
Minor Guardianships and/or Conservatorships	<p><u>Natural Parents:</u> Personal Service *if continued and parents have already been served, they should be notified by ordinary mail of the continuance date</p> <p>Minor: If over 14 years old and no consent filed</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Summons</li> <li><input type="checkbox"/> Order Appointing Attorney for Minor and Setting for Hearing</li> <li><input type="checkbox"/> Petition for Appointment of Guardian/Conservator (including all Exhibits)</li> <li><input type="checkbox"/> Order Appointing Special Process Server, if applicable</li> </ul>

<i>Once set for hearing:</i>	<u>Any other Person(s) claiming custody of minor:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing
Application for Letters Of Administration	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Application for Letters Admin, including all required Exhibits
Petition to Require Administration	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Petition to Require Admin, including all required Exhibits and the Claim, if filed with Petition
Petition to Determine Heirship (§ 473.663 RSMo, filed one year after date of death, not as part of an existing estate)	<u>All Interested Parties:</u> Certified and Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Petition to Determine Heirship <input type="checkbox"/> Note: Notice of Hearing by Publication is sent <b><i>by you</i></b> to your publisher of choice
Petition to Determine Heirship (filed within an existing estate, but these matters may be broken out into a separate adversarial file at the discretion of the judicial officer)	<u>All Interested Parties:</u> Personal Service	<input type="checkbox"/> Summons <input type="checkbox"/> Petition to Determine Heirship <input type="checkbox"/> Order Appointing Special Process Server, if applicable
<i>Once set for hearing:</i>	<u>All Interested Parties:</u> Ordinary Mail (Unless an attorney has entered an appearance on behalf of interested party, then service may be by casenet)	<input type="checkbox"/> Notice of Hearing
Claims (filed within an existing estate, but complex claims may be broken out into a separate adversarial file at the discretion of the judicial officer)	<u>Opposing Party (Personal Representative or the Claimant):</u> Ordinary Mail, by party noticing Claim for hearing.	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Claim
Petition to Sell Real Property (decendent's estate)	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Petition to Sell Real Property
Petition for Discovery of Assets (filed within an existing estate, but these matters may be broken out into a separate adversarial file at the discretion of the judicial officer)	<u>Opposing Party:</u> Personal Service	<input type="checkbox"/> Summons <input type="checkbox"/> Petition for Discovery of Assets <input type="checkbox"/> Order Appointing Special Process Server, if applicable
<i>Once set for hearing:</i>	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing
Petition for Compensation	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Application for Compensation (with Exhibits attached)
Petition for Exempt Property, Family or Homestead Allowance	<u>All interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Petition for Exempt Property/Allowance
Petition to Admit Lost Will	<u>All Interested Parties (Includes all heirs and legatees under Will to be admitted and any prior Wills):</u> Ordinary Mail	<input type="checkbox"/> Petition to Admit Lost Will and any Exhibits attached. <input type="checkbox"/> Notice of Hearing

Petition to Determine Liability  <i>Once set for hearing:</i>	<u>Opposing Party:</u> Personal Service  <u>Bond Company/Surety:</u> Personal Service	<input type="checkbox"/> Summons <input type="checkbox"/> Adversary Order <input type="checkbox"/> Petition to Determine Liability <input type="checkbox"/> Order Appointing Special Process Server, if applicable
	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Certificate of Mailing
Petition to Invade Joint Accounts in Conservatorship	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Petition to Invade
Petition to Remove Fiduciary (Personal Representative/Guardian/Conservator)  <i>Once set for hearing:</i>	<u>Personal Representative:</u> As ordered by the Court  <u>Guardian/Conservator:</u> As ordered by the Court	<input type="checkbox"/> Summons <input type="checkbox"/> Petition to Remove Fiduciary and any attached Exhibits <input type="checkbox"/> Order Appointing Special Process Server, if applicable  <input type="checkbox"/> Adversary Order <input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Petition to Remove Fiduciary and any attached Exhibits
	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing
Petition to Terminate Minor Guardianship (without consent of Guardian and non-petitioning parent)  <i>Once set for hearing:</i>	<u>Guardian:</u> Personal service  Non-Petitioning Parent: Personal Service  <u>Minor:</u> Personal service if over 14 and no consent	<input type="checkbox"/> Summons <input type="checkbox"/> Order Appointing Attorney for Minor and Setting for Hearing <input type="checkbox"/> Petition to Terminate Minor Guardianship <input type="checkbox"/> Order Appointing Special Process Server, if applicable
	<u>For anyone having physical custody of the child if not the Guardian or Parent:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing
Petition to Set Aside Refusal / Certificate of Clerk (without consent)	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Petition to Set Aside Refusal/Certificate of Clerk
Petition for Instructions Regarding Insolvent Estate and Pro Rata Payment of Claims	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Petition for Instructions
Petition for Authority to Continue Decedent's Business	<u>All Interested Parties:</u> Ordinary Mail	<input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Petition for Authority to Continue Business

<p>Petition to Bar Statutory Allowance of Spouse (filed within an existing estate, but these matters may be broken out into a separate adversarial file at the discretion of the judicial officer)</p> <p><i>Once set for hearing:</i></p>	<p><u>Spouse:</u> Personal Service</p>	<p><input type="checkbox"/> Summons <input type="checkbox"/> Petition to Bar Statutory Allowance of Spouse <input type="checkbox"/> Order Appointing Special Process Server, if applicable</p>
	<p><u>All Interested Parties:</u> Ordinary Mail</p>	<p><input type="checkbox"/> Notice of Hearing</p>
<p>Motion of Attorney to Withdraw</p>	<p><u>Fiduciary:</u> Certified Mail</p> <p><u>Atty for Fiduciary:</u> Ordinary Mail</p>	<p><input type="checkbox"/> Notice of Hearing <input type="checkbox"/> Motion to Withdraw</p>
<p>Garnishment</p>	<p><u>Garnishee:</u> Personal Service</p>	<p><input type="checkbox"/> Writ <input type="checkbox"/> [COUNTY] Return Sheet <input type="checkbox"/> Notice to Garnishee <input type="checkbox"/> Interrogatories to Garnishee</p> <p>Note: Garnishments served upon federal agencies must be served by certified mail. Court is required to send Notice to Debtor of Exemptions with 3 days of service of the Garnishment. The Court will send the Notice at the time the service documents are sent to the attorney to ensure compliance with statute.</p>
<p>Trust Actions</p>	<p><u>All interested parties:</u> Personal Service</p>	<p><input type="checkbox"/> Summons <input type="checkbox"/> Trust Action <input type="checkbox"/> Order Appointing Special Process Server, if applicable</p>