

Notice of Lawsuit and Request for Waiver of Service of Summons (MAG 10-15)

Purpose of form:

To lessen the cost of litigation and to permit the defendant to have an additional time period to file an answer. This is only an appropriate alternative if the plaintiff reasonably believes that the defendant will actually acknowledge and waive service of process. This applies to civil cases only, and would not be appropriate for dispossessory actions, foreclosures of motor vehicles or other criminal proceedings.

Helps Plaintiff

Expedite service in appropriate cases.

Saves the additional court costs of paying the sheriff's department to serve process.

Helps Defendant

Saves the additional court costs of paying the sheriff's department to serve process. These costs would be assessed against defendant if defendant loses the case.

Grants the defendant an additional 30 days to file an answer.

Avoids the possible embarrassment of being publicly served with process by a deputy in uniform in a marked patrol car