



Judicial Council of California

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January 19, 2024

Subject Text

Meeting materials
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File #: 15-369, **Version:** 1

Title **Judicial Council Forms—Proof of Service (Action Required)**

Summary

The Civil and Small Claims Advisory Committee recommends revising Judicial Council form POS-040, *Proof of Service—Civil* to correct two legal errors in the current form. The recommended revisions to the form would conform it to statute.

Recommendation

The Civil and Small Claims Advisory Committee recommends revising form POS-040, *Proof of Service—Civil*, to:

1. Remove electronic service as one of the manners of service for which the form may be used; and
2. Modify the language regarding personal service on an attorney to accurately reflect the circumstances in which statute requires that personal service on an attorney by leaving a copy at an attorney's office must be accomplished between the hours of 9:00 a.m. and 5:00 p.m.