



City of Scottsdale Fact Sheet: Alternative Service Summons

The process:

- The city employs a private contractor (process server) to deliver a summons to someone who has not responded to the citation sent via U.S. mail.
- That process server makes multiple attempts (not less than three separate attempts) to deliver the summons – at different times of day, on different days of the week, usually over a period of at least two weeks.
- If still unsuccessful, the process server may request to use alternative service via the city prosecutor.
- They submit an affidavit and request to the city prosecutor, who then prepares a motion for alternative service and delivers it to the court.
- The affidavit to the court must demonstrate due diligence to deliver the summons via traditional means – that multiple attempts to hand deliver have been made (as described above) and why the address is believed to be correct (such as the vehicle photographed in the citation in the driveway) and occupied (such as people on the property or inside).
- Based on this affidavit, the judge then decides whether the use of alternative service delivery for the summons is valid.
- If the judge agrees, the photo citation is mailed one more time via first class mail and the process server makes a final attempt to deliver the summons in person. If that final attempt is not successful, the summons may be left at the address on record.

The data:

- Alternative Service for photo citations in Scottsdale was started in May of 2008. Use of alternative service is requested in those circumstances where the law allows the city to do so because it is the fairest, most effective way to complete the process at the least cost to the taxpayers.

	<u>2016*</u>	<u>2015</u>	<u>2014</u>
Total photo citations issued:	40,561*	55,154	45,164
Alternative service used:	1,783	2,425	1,668
Percentage:	4.4	4.4	3.7

**photo enforcement suspended March 16 – May 13, 2016, while an [attorney general's office opinion](#) was implemented.*

The state statute:

- [16 A.R.S. Rules of Civil Procedure, Rule 4.1 Service of Process Within Arizona](#)