6-06/400.00 Service of Plaintiffâ€™s Claim and Order to go to Small Claims Court

A Plaintiff's Claim and Order to go to Small Claims Court may be served by: personal service (CCP 415.10), substitute service without due diligence or service on the defendant's agent in the sheriff's office and mailing to the defendant (CCP 415.20), or service by the Clerk by certified mail. Service must be completed at least 15 days before the hearing if made within the county in which the hearing is scheduled. Otherwise, service must be completed at least 20 days before the hearing if made outside the county. The time for service is extended by 10 days for mailing if service is by substitution. Service on the agent of an individual defendant is not authorized by CCP 416.90. For purposes of service of small claims process, service on an agent of a defendant is considered substitute service. (CCP 116.340) Service of a Plaintiff's Claim and Order to go to Small Claims Court on an artificial person is served in the same manner as a summons, see 5-07/500.00 Service of Summons. However, there is no method of ascertaining capacity as with a summons. Only the party listed as a defendant in the Plaintiff's Claim and Order to go to Small Claims Court can be served. No alteration of the claim is allowed.