SUPREME COURT OF ARKANSAS

No.

IN RE ARKANSAS RULES OF CIVIL
PROCEDURE – SUMMONS FORM

Opinion Delivered 8-14-12

PER CURIAM

We adopted a revised civil summons form and proof of service effective July 1, 2012.

See In re Arkansas Rules of Civil Procedure, 2012 Ark. 236 (per curiam). It was necessary to

make several corrections to those documents. The forms have been corrected on the Arkansas

Judiciary website, and the corrected forms are published below.

FORM OF SUMMONS

The Supreme Court of Arkansas has adopted the following form of summons for use
in all cases in which personal service is to be had pursuant to Rule 4(c), (d), and (e) of the
Arkansas Rules of Civil Procedure. The form incorporates a proof of service to be made by
a sheriff, deputy sheriff, or other person, as appropriate, in accordance with Rule 4(g). The
form may be modified as needed in special circumstances. Additional notices, if required,
should be inserted in the appropriate space. This form is not for use in cases of constructive
service pursuant to Rule 4(f). The adoption of this form is in compliance with Rule 4(b) and
does not modify or amend any part of that rule.

Effective July 1, 2012

Corrected as of August 14, 2012

THE CIRCUIT COURT OF _____ COUNTY, ARKANSAS

_____ DIVISION [Civil, Probate, etc.]

_____

Plaintiff

v.   No. _____

_____

Defendant

SUMMONS

THE STATE OF ARKANSAS TO DEFENDANT:

_____ [defendant's name and address]

_____

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it)—or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas—you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are: _____.

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

CLERK OF COURT

Address of Clerk's Office

_____

_____

_____
[Signature of Clerk or Deputy Clerk]

_____
Date

[SEAL]

No. _____ This summons is for _____ (name of Defendant).

PROOF OF SERVICE

❑   I personally delivered the summons and complaint to the individual at _____ [place] on _____ [date]; or

❑   I left the summons and complaint in the proximity of the individual by _____ after he/she refused to receive it when I offered it to him/her; or

❑   I left the summons and complaint at the individual's dwelling house or usual place of abode at _____ [address] with _____ [name], a person at least 14 years of age who resides there, on _____ [date]; or

❑   I delivered the summons and complaint to _____ [name of individual], an agent authorized by appoint or by law to receive service of summons on behalf of _____ [name of defendant] on _____ [date]; or

❑   I am the plaintiff or an attorney of record for the plaintiff in a lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

❑   I am the plaintiff or attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

❑   Other [specify]: _____

❑   I was unable to execute service because: _____

_____

My fee is $_____.

To be completed if service is by a sheriff or deputy sheriff:

Date: _____   SHERIFF OF _____ COUNTY, ARKANSAS

By: _____
[signature of server]

_____
[printed name, title, and badge number]

To be completed if service is by a person other than a sheriff or deputy sheriff:

Date: _____   By: _____
[signature of server]

_____
[printed name]

Address: _____

_____

Phone: _____

Subscribed and sworn to before me this date: _____

_____
Notary Public

My Commission Expires:

_____

Additional information regarding service or attempted service:

_____

_____