

Commonwealth of Massachusetts
Bristol County Probate & Family Court



Gina L. DeRossi
Register of Probate

HOW TO SERVE A CONTEMPT SUMMONS

Use these instructions ONLY if:

✓ You have filed a Complaint for Contempt.

STEP 1: Once you have filed your Complaint for Contempt, you will receive a **CONTEMPT SUMMONS** from the Court/Registry. Your hearing date, time and place of hearing will be indicated on the Summons.

STEP 2: SERVE THE SUMMONS: **If you represent yourself in a Complaint for Contempt, YOU are responsible for serving the Complaint on the other party. The Court DOES NOT do it for you.** You may hire a Sheriff or Constable to serve the papers. A list of local sheriffs and constables is available at the Bristol County Registry of the Probate & Family Court.

STEP 3: TIMING OF SERVICE: Service must be made on the Defendant **at least 7 days** prior to the hearing date. To ensure timely service, DO NOT include the date of the hearing or the date service is made.

STEP 4: AFTER SERVICE: When service is complete, return the *original Summons* to the Registry with the *proof of service* provided to you by the Sheriff or Constable. Make sure you discuss with the Sheriff or Constable whether they will give the *original Summons* to you or to the court. If they give it to you, you will have to file it with the court either in person (on the day of hearing) or by mail to the Registry at the address located below.

STEP 5: FAILURE TO SERVE DEFENDANT: If you cannot serve the Defendant, return the *original* “un-served” *Summons* to the Registry, signed and dated. Write on the back of the *Summons* one of the following:

1. You were unable to serve the *Summons* and are asking to have the *Summons* re-issued NOTE: If you are seeking to have the *Summons* re-issued, there is a **\$5.00 Summons Fee** for this new *Summons*; **OR**
2. You are NOT seeking to have the *Summons* re-issued.

Please be advised that the information in this pamphlet is provided as a service of the Bristol County Probate & Family Court Registry and does not constitute legal advice which can only be given to you by an attorney.

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