

**SAN BERNARDINO COUNTY  
PROBATION DEPARTMENT PROCEDURE**

**SERVICE OF LEGAL DOCUMENTS**

**Authority:**

Tracy Reece, Chief Probation Officer

**Purpose:**

To establish guidelines for service of legal documents regarding juvenile matters.

**Definitions:**

Detention Hearing: A judicial hearing to determine whether the youth remains in custody or is released.

Electronic Service: Service of a document, on a party or other person, by either electronic transmission or electronic notification.

Mail Service: The system whereby documents are transmitted via the United States Post Office.

Notice of Hearing: A legal document that is served to youth and their parent/guardian advising of the date, time, and place of the court hearing.

Personal Service: The in-person delivery of the Notice of Hearing to the youth and their parent/guardian.

Petition: A document filed listing alleged offense(s) committed by the youth.

Proof of Service: A document submitted to the court as evidence of successful service to the youth and parent/guardian.

**Responsibilities:**

I. All Officers:

- A. Assigned officer shall serve the youth and their parent/guardian a Notice of Hearing as follows:
  - 1. At least twenty-four (24) hours before the court hearing if hearing is in less than five days and through personal service when possible. Electronic service is not permitted.
  - 2. At least five (5) days before the court hearing, either electronically, personally, or by certified mail with a request for returned receipt.
  - 3. At least ten (10) days before the court hearing, either by first-class mail or by electronic service if they reside outside the county.
- B. Submit proof of service as applicable.

Guidelines:

- A. If the youth is detained and the parent/guardian is present at the Detention Hearing, the Notice of Hearing can be personally served.
- B. Electronic service is not authorized if the youth is detained and the youth's parent/guardian was not present at the Detention Hearing.
- C. If the youth and their parent/guardian fail to appear at the court hearing following notice by first class mail or electronic service, personal service is required.

- D. A copy of the petition shall accompany the Notice of Hearing.
- E. If whereabouts of the youth are unknown, personal service is not required and a warrant for the arrest of youth may be issued.

**Inspections:**

Refer to the Policy and Procedure Inspection Matrix.

**Foundation:**

Welfare and Institution Code 212.5, 656, 658, 659, 660, 661, and 663.

Issued by:



Tracy Reece, Chief Probation Officer

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