

UNITED STATES BANKRUPTCY COURT
Northern District of Ohio
Office of the Clerk

KENNETH J. HIRZ
Clerk of Court

WESTERN DIVISION
411 U.S. Courthouse
Toledo, Ohio 43624
(419) 259-6440

TO: Attorneys/Parties filing Adversary Complaints

RE: Instructions for Service of Complaint and Summons

Pursuant to Bankruptcy Rule 7004(a) and F.R.C.P. 4(c), it is the responsibility of the plaintiff or plaintiff's attorney to promptly serve the summons and a copy of the complaint on the defendant(s). The summons and complaint must be served within ten (10) days of issuance of the summons. Bankruptcy Rule 7004 (f).

A summons form with certain required information must accompany the adversary complaint at the time it is filed with the Clerk. Counsel is responsible for completing everything except answer dates, pre-trial dates and times. That information will be added by the Clerk, and the original summons will then be returned to the attorney for the plaintiff for service.

The summons and complaint may be served in a number of ways as prescribed by Bankruptcy Rule 7004 and F.R.C.P. 4 (c) and (d). If a summons is not timely delivered or mailed, another summons must be issued.

Counsel should not mail the original summons form to any party. Certification/proof of service by plaintiff or plaintiff's counsel is made by completing the reverse side of the original summons. The original summons must then be filed with the Clerk's office.