



Pro Se Litigant's Guide

to Service of Process

A Step-by-Step Handbook for Self-Represented Parties in Oklahoma

This guide explains how to serve court papers in Oklahoma.

It covers deadlines, methods, costs, and common mistakes.

No legal advice. Procedural information only.

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What Is Service of Process?

Service of process is the legal way to deliver court papers to the other person in a lawsuit. You must do this correctly, or your case may not move forward.

This guide helps you understand how service works in Oklahoma. It explains your options, the costs, and the deadlines. Read this before you file any papers.

Remember: court staff can explain procedures, but they cannot give legal advice. If you need legal advice, contact Legal Aid Services of Oklahoma (see page 7).

Glossary: Legal Words Made Simple

These words appear often in court papers. Here is what they mean in plain English:

Term	Plain English Meaning
Summons	A paper from the court telling someone they are being sued and must respond.
Petition	The document that starts a lawsuit. It explains what you want and why.
Service	The legal way to deliver court papers to the other person.
Process Server	A person licensed to deliver court papers.
Plaintiff	The person who starts the lawsuit (the one who files the case).
Defendant	The person being sued (the one who must respond).
Affidavit	A written statement sworn to be true, usually signed in front of a notary.
Default Judgment	A decision against someone because they did not respond in time.

Before You File: Your Checklist

Complete each item before you go to the courthouse. This saves time and money.

Before You File Checklist	
<input type="checkbox"/>	I know the full legal name of the person or business I am suing.
<input type="checkbox"/>	I have a current address where the other person can be found.
<input type="checkbox"/>	I know which court should hear my case (small claims, district, or other).
<input type="checkbox"/>	I have the filing fee ready (about \$45 for small claims; other cases vary).



Before You File Checklist

- I have a plan to pay for service of process (\$10 to \$100+ depending on method).
- I have written down the facts of my case in clear, simple language.
- I have copies of any contracts, receipts, photos, or other evidence.

How to Serve Papers: Compare Your Options

Oklahoma law allows several ways to serve papers. Pick the one that works best for your case and your budget.

Method	Cost	Best For	Notes
Sheriff (in-county)	~\$50	Known home address	Reliable. County sheriff delivers papers.
Sheriff (out-of-county)	~\$60	Address in another county	Takes longer than in-county service.
Certified mail (clerk)	~\$10	Cooperative defendant	Must get signed receipt. If refused, try another method.
Private process server	\$50-\$100+	Hard-to-find defendant	Licensed pros. Faster, can do stakeouts. 12 O.S. Section 158.1.
Publication	\$100-\$200+	Cannot find defendant	Must get court approval first. Last resort.

Step-by-Step: Serving Your Own Papers

Follow these steps in order. Skipping a step can delay your case or get it dismissed.

Step 1: File Your Case with the Court

Take your petition and summons to the court clerk. The clerk will stamp your papers and give you a case number. Keep this number. You will need it for all future filings.

For small claims (\$5,000 or less), the filing fee is about \$45. For other cases, fees vary. Call the clerk's office to confirm. You can also file online at www.oscn.net in many Oklahoma counties.



Step 2: Get the Summons Issued

Ask the clerk to issue a summons for each person you are suing. The summons tells the other person they must respond. The clerk may prepare the summons, or you may need to fill out a form.

Step 3: Choose a Service Method

Look at the comparison table above. Pick the method that fits your budget and timeline. Consider whether you know where the other person lives or works.

The most reliable method is personal service by a sheriff or licensed process server. Certified mail works only if the other person signs for it.

Step 4: Deliver the Papers to the Server

Give the server: the original summons, a copy of your petition, and any other court papers. The server will fill out a return of service form after delivery.

Step 5: File the Proof of Service

The server must complete an affidavit or return of service. This is proof that the papers were delivered. File this proof with the court clerk. Do this as soon as possible.

Under 12 O.S. Section 2004, you have 180 days to complete service after filing. If you miss this deadline, your case may be dismissed.

If YOU Are Being Served: What to Do

Someone may come to your home or workplace to deliver court papers. Here is what you need to know.

If You Are Being Served: Do These Things

- Stay calm. The server is just doing their job.
- Accept the papers. Refusing them will not stop the lawsuit.
- Read the papers carefully. Look for the court name, case number, and deadline.
- Count 20 days from the date you were served. Mark it on your calendar.
- Decide how you want to respond (see options below).
- Consider contacting Legal Aid Services of Oklahoma for help.
- File your response before the deadline. Late responses risk a default judgment.



Your Response Options

After you are served, you typically have 20 days to file a written response. This rule comes from Oklahoma Rule 2. Count calendar days, not business days.

If you do not respond within 20 days, the other side may ask for a default judgment. This means they could win without a trial. Do not let this happen.

Ways to Respond to a Lawsuit

Response	What It Means	When to Use
Answer	You respond to each claim in the petition.	You disagree with some or all claims.
Motion to Dismiss	You ask the court to throw out the case.	The case was filed in the wrong court or has other legal defects.
Default (no response)	You do nothing. The other side may win.	NOT recommended. Always respond if possible.

Common Mistakes and How to Avoid Them

Many pro se litigants make the same errors. Learn from these so you do not repeat them.

Mistake	How to Avoid It
Missing the 180-day service deadline	Start service right after filing. Set reminders at 30, 90, and 150 days.
Serving the wrong person	Double-check the full legal name. Verify the address before paying for service.
Using an unlicensed process server	Ask for license number. Licensed servers follow 12 O.S. Section 158.1 rules.
Not filing the proof of service	File the affidavit or return with the clerk as soon as the server gives it to you.
Ignoring papers if YOU are served	Respond within 20 days. Mark your calendar the day you receive the papers.
Not keeping copies	Make two copies of every paper: one for the court, one for your records.
Guessing at deadlines	Call the court clerk. They can confirm exact dates. Do not guess.
Forgetting service costs in budget	Add \$50 to \$100+ for service to your budget on top of the filing fee.



Time-Saving Tips

Keep copies of everything. Bring a folder to court with all your papers organized by date.

Write down every phone call. Note the date, time, who you spoke with, and what they said.

Check the OSCN website (www.oscn.net) to look up your case number, deadlines, and court dates.

If you are unsure about a deadline, call the court clerk. They can tell you the exact date.

Where to Get Help

You do not have to do this alone. These organizations offer free or low-cost help.

Resource	Contact	What They Do
Legal Aid Services of Oklahoma	1-888-534-5243 legalaidok.org	Free legal help for low-income Oklahomans.
Oklahoma Bar Association	(405) 524-2365 okbar.com	Lawyer referral service and free legal info.
OSCN (e-filing)	www.oscn.net	File papers online and look up case info.
Court Clerk's Office	Call your local courthouse	Filing, fees, deadlines, and case status.
Law Library (county)	At your county courthouse	Free access to legal forms and research tools.

Finding a Licensed Process Server

Oklahoma requires process servers to be licensed under 12 O.S. Section 158.1. A licensed server has passed a background check and met training rules.

To find a licensed server in your county, search online for "Oklahoma process server" plus your county name. Ask for their license number. Expect to pay about \$50 to \$100 or more, depending on location and urgency.

Important Disclaimer

IMPORTANT NOTICE

Not a law firm. This document provides procedural information only.



This guide is not legal advice. It does not create an attorney-client relationship. Laws and court rules change. Verify all deadlines, fees, and procedures with the court clerk before taking action.

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