

## Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[courts.ca.gov/policy-administration/invitations-comment](https://courts.ca.gov/policy-administration/invitations-comment)

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# INVITATION TO COMMENT

## SPR26-34

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**Title**

Probate Law and Procedure: Forms to Implement Assembly Bill 747

**Action Requested**

Review and submit comments by May 18, 2026, to [invitations@jud.ca.gov](mailto:invitations@jud.ca.gov)

**Proposed Rules, Forms, Standards, or Statutes**

Approve forms DE-123 and DE-126/GC-326; revise forms DE-122/GC-322, DE-125, and GC-320; revise and renumber forms DE-120(P) and GC-510; revoke forms DE-120(PA)/GC-020(PA) and GC-020(P)

**Proposed Effective Date**

January 1, 2027

**Contact**

Julia Kaufman, 916-263-5814  
[julia.kaufman@jud.ca.gov](mailto:julia.kaufman@jud.ca.gov)

**Proposed by**

Probate and Mental Health Advisory  
Committee  
Hon. Jayne Chong-Soon Lee, Chair

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### Executive Summary and Origin

Assembly Bill 747 (Stats. 2025, ch. 563) made numerous changes to the laws regarding service under the Code of Civil Procedure, which apply to service required by the Probate Code. To bring the forms used for service in probate proceedings into compliance with the new service requirements, the Probate and Mental Health Advisory Committee proposes approving two optional forms, revising five forms, and revoking two forms.

### Background

[Assembly Bill 747](#) (see Link A) will, on January 1, 2027, change the requirements for service in a civil case and the requirements for requesting and ordering alternative service

Implementation of AB 747 requires conforming changes to rules and forms related service for general civil actions, small claims cases, family and juvenile proceedings, and probate and mental health proceedings. As a result, the Civil and Small Claims Advisory Committee and the

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*

Family and Juvenile Law Advisory Committee are also proposing form revisions to implement these changes in the law.<sup>1</sup>

### **Assembly Bill 747**

Most significantly for this proposal, AB 747 changes the laws governing for substituted service and the proof of service of summons for personal or substituted service.

#### ***Substituted service***

Code of Civil Procedure section 415.20 governs substituted service, which is performed by giving a copy of the summons and complaint to a person other than the party at the party's residence or place of business and then mailing a copy of the summons and complaint to the party.<sup>2</sup> For individuals, substituted service is allowed under section 415.20(b) if personal service cannot be effected "with reasonable diligence."

AB 747 adds language to section 415.20(b) to state that a party has shown reasonable diligence by "attempting personal delivery of the summons and complaint, in good faith, on at least three occasions on three different days at three different times." Additionally, AB 747 adds language to expand options for mailing a copy of the summons and complaint to the party from "by first-class mail, postage prepaid" to "by United States Postal Service first-class mail, Priority Mail with tracking, or Certified Mail with return receipt requested, with postage prepaid."

#### ***Proof of service of summons for personal and substituted service***

AB 747 updates Code of Civil Procedure section 417.10(a) to add several requirements for proofs of service under sections 415.10 (personal service) and 415.20 (substituted service). Under AB 747, a proof of service under these sections must include "one or more photographs of the site of each effected or attempted service of the summons and complaint."<sup>3</sup> Each photograph must contain "a readable stamp that establishes and automatically records the date, time, and global positioning system (GPS) or equivalent coordinates of the effected or attempted service."<sup>4</sup> If a GPS, mobile, or equivalent signal is not available when service is effected or attempted, the process server must provide "a detailed statement on or with the proof of service explaining the reason for the lack of a readable GPS or equivalent stamp on the photograph."<sup>5</sup> The photographs must be taken "as close as reasonably practicable to the time of effecting or attempting service."<sup>6</sup>

<sup>1</sup> See Civil Practice and Procedure: Rules and Forms to Implement Changes in Law Regarding Civil Summons and Family Law: Civil and Alternative Service of Summons at [courts.ca.gov/policy-administration/invitations-comment](https://courts.ca.gov/policy-administration/invitations-comment).

<sup>2</sup> Code of Civil Procedure section 415.20(a) relates to substituted service on a business entity and is not relevant to this proposal.

<sup>3</sup> Code Civ. Proc., § 417.10(a)(1), as added by section 9 of Stats. 2025, ch. 563.

<sup>4</sup> *Id.*, § 417.10(a)(1)(A).

<sup>5</sup> *Id.*, § 417.10(a)(1)(B).

<sup>6</sup> *Id.*, § 417.10(a)(5).

For service at residential locations, at least one of the photographs must show the door of the residence, or, the entrance to the building, if the door is not reasonably accessible.<sup>7</sup> For service at a business, at least one of the photographs must show the door of the business, or, if the door is not reasonably accessible, the entrance of the specific office or other place of business of the person being served.<sup>8</sup>

A photograph is not required if “in the reasonable judgment of the process server, taking a photograph would compromise the process server’s safety.”<sup>9</sup> The server must document the effected or attempted service on the proof of service and “provide a detailed statement explaining why taking a photograph would have compromised their safety.”<sup>10</sup>

## **The Proposal**

To implement AB 747, the Probate and Mental Health Advisory Committee proposes approving two forms, revising three forms, revising and renumbering two forms, and revoking two forms to respond to recent changes in the law.

### **Forms DE-120(P) and GC-020(P)**

Forms DE-120(P) and GC-020(P) are optional forms that may be used to prove service of a notice of hearing. These forms may be used when the Probate Code requires service in compliance with the Code of Civil Procedure.<sup>11</sup> Form DE-120(P) (*Proof of Personal Service of Notice of Hearing—Decedent’s Estate or Trust*) and Form GC-020(P) (*Proof of Personal Service of Notice of Hearing—Guardianship or Conservatorship*) may be attached to a *Notice of Hearing* in decedent’s estate or trust proceedings or a *Notice of Hearing* in guardianship/conservatorship proceedings, respectively. Given the similarities of the content of these separate proof of service forms and that they are both intended to prove service in probate proceedings, the committee proposes combining the forms into one attachment that can be used in either a decedent’s estate or a guardianship/conservatorship proceeding and retitling the form to indicate its use for these proceedings. The content of the new form would be updated to reflect the requirements of AB 747.<sup>12</sup>

Specifically, the committee proposes:

- Renumbering form DE-120(P) to DE-120(P)/GC-020(P);

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<sup>7</sup> *Id.*, § 417.10(a)(2)(A).

<sup>8</sup> *Id.*, § 417.10(a)(2)(B).

<sup>9</sup> *Id.*, § 417.10(a)(4).

<sup>10</sup> *Id.*

<sup>11</sup> See Prob. Code, §§ 851 (requires service “in the manner provided in Chapter 4 (commencing with Section 413.10) of Title 5 of Part 2 of the Code of Civil Procedure”) and 1511 (requires service “in the manner provided in Section 415.10 or 415.30 of the Code of Civil Procedure”).

<sup>12</sup> The changes to these forms were so extensive that they are not highlighted in the attached form.

- Revoking form GC-020(P) since the proposed renumbered form, DE-120(P)/GC-020(P), would be used in its place;
- Retitling form DE-120(P)/GC-020(P) to *Proof of Service (Personal or Substituted)—Notice of Hearing*;
- Revising the content of the form to replace the references to the Notice of Hearing for a specific case type with a generalized reference to the Notice of Hearing in the title and updating the caption to reflect all probate case types;
- Revising the declarations regarding personal and substituted service to include the location of service photograph, required by AB 747; and
- Removing the option to document service on multiple persons on a single form since the additional requirements of AB 747, including the photographic requirements, are more easily proven on separate forms.

#### **Form DE-120(PA)/GC-020(PA)**

Form DE-120(PA)/GC-020(PA) is an optional form that can be attached to current form DE-120(P) or GC-020(P) and is used to prove personal service on multiple people. The committee proposes revoking this form as the proposed form DE-120(P)/GC-020(P) could be completed for each person served. Revising this form to comply with AB 747 would be impractical as it would require all the new photograph requirements of AB 747 to be listed multiple times.

#### **Form DE-126/GC-326**

The committee proposes new optional form DE-126/GC-326 (*Proof of Service of Citation/Summons—Probate*) to document service of probate citations and summons forms, which is required to be in compliance with the requirements of the Code of Civil Procedure.<sup>13</sup> The proposed form would reflect the changes required by AB 747 as it includes subsections in the personal and substituted service items for a server to indicate how they met the photograph requirements. This form would also contain the new language regarding mailing in substituted service cases to indicate that the papers were mailed by either first class mail, priority mail with tracking, or certified mail with return receipt requested. And, the form would refer to the newly created declaration of diligence (form DE-123) discussed below.

#### **Form DE-123**

The committee proposes new optional form DE-123 (*Declaration of Diligence for Substituted Service Attachment*). This form would provide a template for servers to document the personal service attempts made prior to substituted service. It would prompt the server to provide

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<sup>13</sup> See Prob. Code §§ 1824 (requires service in the manner provided in Code of Civil Procedure sections 415.10 or 415.30), 1242 (requires service in the manner provided in the Code of Civil Procedure starting with section 413.10), and 8250 (requires service as provided in chapters 3 and 4 of title 5 of part 2 of the Code of Civil Procedure).

information (including photographs) that demonstrate reasonable diligence, as specified by AB 747.

### **Form GC-510**

Form GC-510 (*What Is “Proof of Service” in a Guardianship*) is an information sheet that explains how to serve documents in a guardianship case. The committee proposes revising the form to incorporate the new photograph requirements set forth in AB 747 that apply to personal service. Additional proposed revisions include renumbering the form as GC-209-INFO as other INFO forms in the guardianship series are included in the GC-200 series. The form is reorganized for greater ease of use and the language is updated for additional clarity.<sup>14</sup>

### **Technical changes**

The committee also proposes revising the caption at the top of each form in this proposal. To improve readability, the proposed caption is in title case instead of all caps, which allows the font size to be increased for almost all caption elements. Additionally, the first line of text reads “Party Without Attorney or Attorney” instead of “Attorney or Party Without Attorney” to emphasize that parties without attorneys must fill in the caption.

### **Forms DE-122/GC-322, DE-125, and GC-320**

Forms DE-122/GC-322, DE-125, and GC-320 are citations and summons forms for probate matters that include a proof of service on each form. Instead of proposing revisions to reflect the new service requirements set forth in AB 747, the committee proposes revising these forms to remove the proof of service section from each form. As discussed above, proposed form DE-126/GC-326 would be used to document service for all citations and summons forms in probate matters. Separating the proof of service will reduce confusion and improve usability, as the citations and summons are required to be issued by the clerk of the court before service on the parties and the proof of service is filed after the issuance of the citation or summons. The citations have also been reorganized to provide more space and to update the advisement on requests for accommodations. The summons has been updated to remove outdated language referring to telephone directories and typewriters. Additionally, the revised citations and summons have been restructured to create more space and increase readability.

### **Alternatives Considered**

The committee did not consider the alternative of taking no action because changes to the forms are needed to reflect the statutory service requirements, as updated by AB 747.

The committee considered several options for updating the proofs of service on the citations and summons forms. The options included keeping the proof of service pages integrated into the citations and summons forms and updating the content to comply with the new law or creating a proof of service attachment. Ultimately the committee decided to propose a standalone proof of service form as the court clerk must issue the original citation or summons, before the citation or

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<sup>14</sup> These changes were so extensive that they are not highlighted in the attached form.

summons may be served. Additionally, having a separate proof of service form will allow courts to more effectively track the status of these cases, as the proof of service would appear as a separate item from the citation and summons in case management systems.

Likewise, the committee considered retaining separate proof of personal service forms for guardianship and conservatorship cases and decedent's estate and trust cases, and updating the content of the forms to comply with AB747, but determined that a joint form would provide increased clarity and reduce confusion for the public.

The committee also considered whether any action was needed to implement Senate Bill 85 (Stats. 2025, ch. 403). That legislation would allow a court to direct service of a summons by electronic mail or other electronic technology in certain circumstances. The committee determined that the existing proof of service forms for probate could be used to prove email or electronic service in the appropriate circumstances, without any changes and that the proposed proof of service attachment allows for additional methods of service, under "Other."<sup>15</sup> Therefore, no action was taken as a result of this bill.

### **Fiscal and Operational Impacts**

The statutory changes will require training of court staff and judicial officers. The new and revised forms are intended to assist courts and parties with ensuring that service is made consistent with statutory requirements. These forms could also require changes to computerized case management systems.

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<sup>15</sup> Item 7 on proposed form DE-126/GC-326.

### **Request for Specific Comments**

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

### **Attachments and Links**

1. Forms DE-120(P)/GC-020(P), GC-020(P), DE-120(PA)/GC-020(PA), DE-126/GC-326, DE-123, GC-209-INFO, DE-122/GC-322, DE-125, and GC-320, at pages 8–25
2. Link A: Assem. Bill 747,  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB747](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB747)

<input type="checkbox"/> Estate <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Matter   of (Name):	Case Number:
<input type="checkbox"/> Decedent <input type="checkbox"/> Conservatee <input type="checkbox"/> Minor <input type="checkbox"/> Other	

**Proof of Service (Personal or Substituted)—Notice of Hearing**

*(Use this form for each person you had served.)*

**1. Server's information**

- a. I am at least 18 years old and not a party in this case.
- b. Name:
- c. Address:

**2. Papers served**

I served a copy of the following papers:

- a. The attached Notice of Hearing.
- b.  The petition or other document referred to in the attached Notice.
- c.  Additional documents *(list)*:

**3. a. Name of person served:**

- b. Address where the person was served:

*(Complete item 4 or 5)*

**4.  Personal service.**

- a. I personally delivered the papers to the person in item 3 on *(date)*: \_\_\_\_\_ at *(time)*: \_\_\_\_\_

**b. Picture requirements** (Code Civ. Proc., § 417.10(a)) *(check (1), (2), or (3))*:

- (1)  I am attaching a picture I took of where I served the papers. This picture was taken as close as was practical to the time I served the papers.

**(a) Stamp requirements for the pictures** *(check one)*:

- The picture includes a stamp that shows and automatically recorded the (1) date, (2) time, (3) GPS or equivalent coordinates of when and where the picture was taken.
- The picture does **not** have a stamp with GPS or equivalent coordinates because I did not have a signal *(explain why you did not have a signal)*:

**(b) Door requirements for pictures. Was the person served at a home or a business?** *(check one)*:

- No
- Yes and the picture includes the door of the home or business.
- Yes and the picture includes the entrance of the home or business because the door was not accessible *(explain why the door was not accessible)*:

- (2)  I did not include a picture because taking a picture would have risked my (the person serving papers) safety *(explain)*:

- (3)  I did not include a picture because this person was not required to be served under Code Civ. Proc., § 417.10.



<input type="checkbox"/> Estate <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Matter of (Name):	Case Number:
<input type="checkbox"/> Decedent <input type="checkbox"/> Conservatee <input type="checkbox"/> Minor <input type="checkbox"/> Other	

5.  **Substituted service.** *(To qualify for substituted service, personal delivery must have been attempted on at least three different days at three different times. For service to be complete, mailing must take place. For guardianship cases you must have the court's permission.)* I left the papers with or in the presence of (name and title or relationship to person named in item 3): \_\_\_\_\_ on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ and I told them who the papers were for and that they were legal papers.
- a. This person (or the person listed above) is:
- (1)  **(business)** a person at least 18 years of age apparently in charge.
- (2)  **(home)** a competent member of the household (at least 18 years of age).
- b.  **Required mailing:** I thereafter mailed a copy of the papers by prepaid (1) first class mail, (2) priority mail with tracking, or (3) certified mail with return receipt requested, to the person named in item 3 on (date): \_\_\_\_\_.
- c. Picture requirements for personal service (Code Civ. Proc., § 417.10(a) (check (1) or (2)):
- (1)  I am attaching a picture I took of where I served the papers. This picture was taken as close as was practical to the time I served the papers.
- (a) Stamp requirements for the pictures (check one):
- The picture includes a stamp that shows and automatically recorded the (1) date, (2) time, (3) GPS or equivalent coordinates of when and where the picture was taken.
- The picture does **not** have a stamp with GPS or equivalent coordinates because I did not have a signal (explain why you did not have a signal): \_\_\_\_\_
- (b) Door requirements for pictures (check one):
- The picture includes the door of the home or business.
- The picture includes the entrance of the home or business because the door was not accessible (explain why the door was not accessible): \_\_\_\_\_
- (2)  I did not include a picture because taking a picture would have risked my (the person serving papers) safety (explain): \_\_\_\_\_
- d.  **A declaration of diligence** is attached. *(You may use form DE-123 (Declaration of Diligence for Substituted Service Attachment).)*

6. **Server verification and signature**

I am (check one):

- a.  Exempt from registration under Business and Professions Code section 22350(b).
- b.  Not a registered California process server.
- c.  A registered California process server
- (1)  Owner    Employee    Independent Contractor
- (2) Registration number: \_\_\_\_\_
- (3) County: \_\_\_\_\_
- (4) Fee for service was (give amount): \$ \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

Name of Person Who Served Papers	Signature of Person Who Served Papers
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<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP    OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name):	CASE NUMBER:
<input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE	

**PROOF OF PERSONAL SERVICE OF NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP**

*(Attach a separate completed and signed copy of this form or other proof of personal service to Notice of Hearing-Guardianship or Conservatorship for each person who personally served a copy of the Notice.)*

1. I am over the age of 18 and not a party to this cause.
2. I served the attached *Notice of Hearing—Guardianship or Conservatorship* by personally delivering a copy to each person listed below at the address and on the date and time indicated below.
3.  I served with the attached *Notice of Hearing—Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.
4.  I served with the attached Notice of Hearing—Guardianship or Conservatorship copies of the following documents (*specify*):  
  
 Continued on Attachment 4.
5. I am (*check all that apply*):
  - a.  not a registered California process server.
  - b.  a California sheriff or marshal.
  - c.  a registered California process server.
  - d.  an employee or independent contractor of a registered California process server.
  - e.  exempt from registration (Bus. & Prof. Code, § 22350(b)).
6. My name, address, telephone number, and, if applicable, county of registration and number, are (*specify*):

REVOKED

**NAME OF EACH PERSON PERSONALLY SERVED, ADDRESS WHERE SERVED, AND DATE AND TIME SERVICE WAS MADE**

	Name	Address where served ( <i>number, street, city, and state</i> )	Date and time service made
1.			Date: _____ Time: _____
2.			Date: _____ Time: _____
3.			Date: _____ Time: _____
4.			Date: _____ Time: _____

January 1, 2027

List of names and addresses of persons personally served by the undersigned continued on an attachment. (*You may use Attachment to Notice of Hearing Proof of Personal Service, form DE-120(PA)/GC-020(PA), for this purpose.*)

**I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

**(For California sheriff or marshal use only)**  
**I certify** that the foregoing is true and correct.

Date: \_\_\_\_\_  
 \_\_\_\_\_  
Signature

Date: \_\_\_\_\_  
 \_\_\_\_\_  
Signature

<input type="checkbox"/> ESTATE	<input type="checkbox"/> GUARDIANSHIP	<input type="checkbox"/> CONSERVATORSHIP	<input type="checkbox"/> MATTER OF	CASE NUMBER:
<i>(Name):</i>				

**ATTACHMENT TO NOTICE OF HEARING PROOF OF PERSONAL SERVICE**

*(This Attachment is for use with forms DE-120(P) and GC-020(P).)*

**NAME OF EACH PERSON PERSONALLY SERVED, ADDRESS WHERE SERVED, AND DATE AND TIME SERVICE WAS MADE**

No.	Name	Address where served <i>(number, street, city and state)</i>	Date and time service made
_____			Date: _____ Time: _____
_____			Date: _____ Time: _____
_____			Date: _____ Time: _____
_____			Date: _____ Time: _____
_____			Date: _____ Time: _____
_____			Date: _____ Time: _____
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_____			Date: _____ Time: _____
_____			Date: _____ Time: _____
_____			Date: _____ Time: _____
_____			Date: _____ Time: _____
_____			Date: _____ Time: _____

REVOKED

January 1, 2027

Party Without Attorney or Attorney Name: Firm Name: Street Address: City: State: Zip Code: Telephone No.: Fax No.: Email Address: Attorney for (name):	<i>For Court Use Only</i>  <p style="text-align: center;"><b>DRAFT</b>  <b>Not approved by</b>  <b>the Judicial Council</b>  <b>DE-126/GC-326 2026-03-25</b></p>
<b>Superior Court of California, County of</b> Street Address: Mailing Address: City and Zip Code: Branch Name:	
<input type="checkbox"/> Estate <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Matter of (Name): <input type="checkbox"/> Decedent <input type="checkbox"/> Conservatee <input type="checkbox"/> Minor <input type="checkbox"/> Other	
<b>Proof of Service of Citation/Summons—Probate</b>	Case Number:

### 1. Server's information

- a. I am at least 18 years old and not a party in this case.
- b. Name:
- c. Address:

### 2. Papers served

I served (delivered) a copy of the following papers (check a, b, or c):

- a.  Form GC-320 (*Citation for Conservatorship*), a copy of which is attached, and the following papers (check all that apply):
  - (1)  Form GC-309 (*Request for Appointment of Probate Limited Conservator Over Adult With Developmental Disability (Petition for Appointment)*)
  - (2)  Form GC-310 (*Request for Appointment of Probate Conservator (Petition for Appointment)*)
  - (3)  Other papers (specify):
- b.  Form DE-122/GC-122 (*Citation—Probate*), a copy of which is attached and the following papers (specify):
- c.  Form DE-125 (*Summons (Probate)*), a copy of which is attached and the following papers (specify):

### 3. a. Party served (specify name of party as shown on the papers served):

- b. Address (specify):



<input type="checkbox"/> Estate <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Matter of (Name):	Case Number:
<input type="checkbox"/> Decedent <input type="checkbox"/> Conservatee <input type="checkbox"/> Minor <input type="checkbox"/> Other	

(Complete item 4, 5, 6, or 7)

4.  **Personal service**

- a. I personally delivered the copies of the papers to the person in item 3 on (date): \_\_\_\_\_ at (time): \_\_\_\_\_
- b. Picture requirements for personal service (Code Civ. Proc., § 417.10(a)) (check (1) or (2)):
- (1)  I am attaching a picture I took of where I served the papers. This picture was taken as close as was practical to the time I served the papers.
- (a) Stamp requirements for the pictures (check one):
- The picture has a readable stamp that shows the (1) date, (2) time, and (3) global positioning system (GPS) or equivalent coordinates of when and where the picture was taken. The information in the stamp was automatically recorded when the picture was taken.
- The picture does **not** have a stamp with GPS or equivalent coordinates because I did not have a signal (explain why you did not have a signal): \_\_\_\_\_
- (b) Door requirements for pictures. Was the person served at a home or a business? (check one):
- No
- Yes and the picture includes the door of the home or business.
- Yes and the picture includes the entrance of the home or business because the door was not accessible (explain why the door was not accessible): \_\_\_\_\_
- (2)  I did not include a picture because taking a picture would have risked my (the person serving the papers) safety (explain): \_\_\_\_\_

5.  **Substituted service** (To qualify for substituted service, personal delivery must have been attempted on at least three different days at three different times. For service to be complete, mailing must take place.)

I left the papers with or in the presence of (name and title or relationship to person named in item 3): \_\_\_\_\_ on (date): \_\_\_\_\_  
 at (time): \_\_\_\_\_ and I told them who the papers were for and that they were legal papers.

- a. This person (or the person listed above) is:
- (1)  **(business)** a person at least 18 years of age apparently in charge.
- (2)  **(home)** a competent member of the household (at least 18 years of age).
- b.  **Required mailing:** I thereafter mailed a copy of the papers by prepaid (1) first class mail, (2) priority mail with tracking, or (3) certified mail with return receipt requested, to the person named in item 3 on (date): \_\_\_\_\_
- c. Picture requirements for substituted service (Code Civ. Proc., § 417.10(a)) (check (1) or (2)):
- (1)  I am attaching a picture I took of where I served the papers. This picture was taken as close as was practical to the time I served the papers.
- (a) Stamp requirements for the pictures (check one):
- The picture has a readable stamp that shows the (1) date, (2) time, and (3) global positioning system (GPS) or equivalent coordinates of when and where the picture was taken. The information in the stamp was automatically recorded when the picture was taken.
- The picture does **not** have a stamp with GPS or equivalent coordinates because I did not have a signal (explain why you did not have a signal): \_\_\_\_\_



<input type="checkbox"/> Estate <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Matter of _____ (Name):	Case Number:
<input type="checkbox"/> Decedent <input type="checkbox"/> Conservatee <input type="checkbox"/> Minor <input type="checkbox"/> Other	

5. c. (1) (b) Door requirements for pictures (*check one*):
- The picture includes the door of the home or business.
  - The picture includes the entrance of the home or business because the door was not accessible (*explain why the door was not accessible*):

(2)  I did not include a picture because taking a picture would have risked my (the person serving the papers) safety (*explain*):

d.  **A declaration of diligence** is attached. (*You may use form DE-123 (Declaration of Diligence for Substituted Service Attachment) for substituted service on a natural person, minor, conservatee, or political candidate.*)

6.  **Mail and acknowledgment service**

I mailed the papers to the person served, addressed as shown in item 3b, by first class mail, postage prepaid, on (*date*): \_\_\_\_\_ from (*city*): \_\_\_\_\_

- a.  with two copies of the *Notice and Acknowledgment of Receipt—Civil* and a postage-paid return envelope addressed to me. (*Attach the completed form POS-015 (Notice and Acknowledgment of Receipt—Civil) signed by the person being served.*)
- b.  to an address outside California by registered or certified mail with return receipt requested. (*Attach completed return receipt.*)

7.  **Other** (*specify other manner of service and authorizing code section*):

8. **Server verification and signature**

I am (*check one*):

- a.  Exempt from registration under Business and Professions Code section 22350(b).
- b.  Not a registered California process server.
- c.  A registered California process server
  - (1)  Owner    Employee    Independent Contractor
  - (2) Registration number: \_\_\_\_\_
  - (3) County: \_\_\_\_\_
  - (4) Fee for service was (*give amount*): \$ \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

_____ Name of Person Who Served Papers		_____ Signature of Person Who Served Papers
---	--	--



<input type="checkbox"/> Estate (Name):	<input type="checkbox"/> Conservatorship	<input type="checkbox"/> Guardianship	<input type="checkbox"/> Matter of	<input type="checkbox"/> Decedent	<input type="checkbox"/> Conservatee	<input type="checkbox"/> Minor	<input type="checkbox"/> Other	Case Number:
--	--	---------------------------------------	------------------------------------	-----------------------------------	--------------------------------------	--------------------------------	--------------------------------	--------------

3. a. (1) (b) Door requirements for picture. Did you try to serve at a home or business? (*check one*):

- No.  
 Yes and the picture shows the door of the home or business.  
 Yes and the picture shows the entrance of the home or business because the door was not accessible (*explain why the door was not accessible*):

(2)  I am **not** attaching a picture because taking a picture would have risked my (the person serving the papers) safety (*explain*):

b. Second attempt. For the attempt I listed in item 2b above (*check (1) or (2)*):

(1)  I am attaching a picture of where I tried to serve the papers, which I took as close as was practical to the time I tried to serve the papers.

(a) Stamp requirements for picture (*check one*):

- The picture has a readable stamp that shows the (1) date, (2) time, and (3) global positioning system (GPS) or equivalent coordinates of when and where the picture was taken. The information in the stamp was automatically recorded when the picture was taken.  
 The picture does **not** have a stamp with GPS or equivalent coordinates because I did not have a signal (*explain why you did not have a signal*):

(b) Door requirements for picture. Did you try to serve at a home or business? (*check one*):

- No.  
 Yes and the picture shows the door of the home or business.  
 Yes and the picture shows the entrance of the home or business because the door was not accessible (*explain why the door was not accessible*):

(2)  I am **not** attaching a picture because taking a picture would have risked my (the person serving the papers) safety (*explain*):

c. Third attempt. For the attempt I listed in item 2c above (*check (1) or (2)*):

(1)  I am attaching a picture of where I tried to serve the papers, which I took as close as was practical to the time I tried to serve the papers.

(a) Stamp requirements for picture (*check one*):

- The picture has a readable stamp that shows the (1) date, (2) time, and (3) global positioning system (GPS) or equivalent coordinates of when and where the picture was taken. The information in the stamp was automatically recorded when the picture was taken.  
 The picture does **not** have a stamp with GPS or equivalent coordinates because I did not have a signal (*explain why you did not have a signal*):



<input type="checkbox"/> Estate <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Matter of _____ (Name):	Case Number: _____
<input type="checkbox"/> Decedent <input type="checkbox"/> Conservatee <input type="checkbox"/> Minor <input type="checkbox"/> Other	


3. c. (1) (b) Door requirements for picture. Did you try to serve at a home or business? *(check one)*:
- No.
  - Yes and the picture shows the door of the home or business.
  - Yes and the picture shows the entrance of the home or business because the door was not accessible *(explain why the door was not accessible)*:
- (2)  I am **not** attaching a picture because taking a picture would have risked my (the person serving the papers) safety *(explain)*:
- d.  Additional attempts. *(Check here if you made more than three attempts. Attach a piece of paper and write "Attachment 3d, Picture requirements—additional attempts" at the top. For each attempt you listed in item 2d, provide the same information about the picture requirements for items 3a, 3b, and 3c. You may use form MC-025.)*

4. **Verification**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
Name of Person Who Tried to Serve Papers



\_\_\_\_\_  
Signature of Person Who Tried to Serve Papers

## What is Service?

Service is the act of giving copies of your court papers to the people involved in your case. As the person asking for guardianship, you are responsible for having the people listed below served. Service must be in person or by mail unless the court orders differently. You can find out more about the papers you must file and serve in form GC-208-INFO (*Forms to Use to Ask the Court to Appoint a Guardian of the Person*).

- Personal service means the server personally hands the papers to someone.
- Service by mail means the server mails the papers to someone.

## When is the deadline to have my court papers served?

- In most cases, **personal service and service by mail must be completed at least 15 days before the date of the hearing.** Other exceptions are if the court orders differently or as stated below.
- If service must be made on the director of the Regional Center for the Developmentally Disabled for the child’s county, **service must be completed at least 30 days before the hearing.** If the child in your case is developmentally disabled and you think you may have to serve a Regional Center director, when you file your Petition you can ask the clerk for a later hearing date because you will need more time than usual to serve the *Notice of Hearing* and the *Petition*.
- **If the child is or may be a Native American, or has Native American ancestors,** there are additional mailing and other requirements that may apply to your case. For more information about the special requirements for a guardianship involving a Native American child, see form ICWA-005-INFO (*Information Sheet on Indian Child Inquiry Attachment and Notice of Child Custody Proceeding For Indian Child*).

## What happens if the papers aren't served in time?

If the papers are not served by the deadline, the court will have to continue (reschedule) the hearing date on your petition. This will delay appointment of a guardian for the children involved in your case. If you cannot serve a person, you must ask the court to either change how service is done or to waive service.

## Who can serve my papers?

- Any adult who is not involved in the case (not someone who signed the petition or is entitled to notice). **You cannot serve your own court papers.**
- A registered process server (a business you pay to deliver papers).
- A sheriff or marshal in the county where you need the papers served. There may be a fee for service, which is waived if the court has granted you a fee waiver. Give a copy of your form FW-003-GC (*Order on Court Fee Waiver*), form SER-001 (*Request for Sheriff to Serve Court Papers*), and a copy of all the court papers you want served to the sheriff or marshal.



### People who must be personally served

- The child in the case, if they are at least 12 years old.
- The child’s parents.
- Any person who has legal custody of the child.
- Any court-appointed guardian of the child’s property (the child’s “estate”).
- Any person nominated as guardian of the child by one or both of the child’s parents (if your petition does not ask the court to appoint that person as guardian).
- Any person nominated as guardian of the *estate*, if the person who made the nomination gave property to the child.

For step-by-step instructions for personal service, see page 3.

**Can my server mail the papers instead of personally delivering them?** Yes, but it often doesn’t work. You may use a process where the server mails the person the papers along with form POS-015 (*Notice and Acknowledgment of Receipt*). Then the person who received the papers must sign form POS-015 and mail it back to the server so the server can file it with the completed proof of service. Because the receiving person must sign and mail a form back, this type of service often doesn’t work. So, most people do personal service.

### People who can be served by mail

- The child’s relatives listed in the child’s form GC-210(CA) (*Child Information Attachment to Probate Guardianship Petition*), attached to the *Petition*.
- Paternal grandfather (parent of father).
- Paternal grandmother (parent of father).
- Maternal grandfather (parent of mother).
- Maternal grandmother (parent of mother).
- Siblings (including half-siblings) (if younger than 12 years of age, notice must be mailed to their parent, guardian, or person with legal custody instead of mailing directly to the child).
- Department of Social Services, Director of Social Services (if the person who wants to be guardian of the person is not related to the child).
- Director of State Hospitals or Developmental Disabilities (if the child is a patient in or on leave from a state hospital).
- Director of the Regional Center for the Developmentally Disabled for the child’s location (if the child is developmentally disabled and the person you want the court to appoint is (1) not the child’s natural parent; (2) is a provider of services to persons with developmental disabilities or the spouse or an employee of a provider; and (3) not a public agency).

For step-by-step instructions for service by mail, see page 4.

### Steps for personal service

- ① Choose a server.
- ② Give your server a copy of all the forms you’ve filed for the case. You will need one set for each person who needs to be served:
  - **A completed copy of the petition for appointment of a guardian (the “*Petition*”).** In a guardianship of the person, this may be either form GC-210(P) (*Petition for Appointment of Guardian of the Person*) or form GC-210 (*Petition for Appointment of Guardian of Minor*). Copies of all papers attached to the *Petition* must also be served with it.
  - **A completed copy of form GC-020 (*Notice of Hearing—Guardianship or Conservatorship*),** (the “*Notice of Hearing*”) showing the date, time, and place of the hearing on the *Petition*, including (unsigned) copies of all attachments showing proof of service.
- ③ Give your server the address or location of each person you need to serve.
- ④ Give your server these instructions:
  - Walk up to each person to be served and make sure they are the right person.
  - Hand each person copies of the completed *Notice of Hearing* and *Petition*.
  - Take a picture of where the service took place, and make sure the photo has a stamp that automatically records the date, time, and GPS coordinates. If at a house or business, take a picture of the door. Do not take a picture if it is not safe.
- ⑤ Have your server complete and sign a form DE-120(P)/GC-020(P) (*Proof of Service (Personal or Substituted)—Notice of Hearing*) for each person served. Attach a copy of the picture, if one was taken. If more than one person personally serves the papers, each person must fill out and sign their own separate form DE-120(P)/GC-020(P) showing the names of the person they served.
- ⑥ Make a copy of the completed form GC-020 (*Notice of Hearing*) and attached forms DE-120(P)/GC-020(P) (*Proof of Service (Personal or Substituted)—Notice of Hearing*) and file them with the court as soon as you can, but no later than 5 court days before the hearing. The court should give you back a file-stamped copy of the forms.
- ⑦ Bring the file-stamped copy of your notice and proofs of service to the hearing.



### Steps for service by mail

- ① Choose a server.
- ② Give your server a copy of all the forms you’ve filed for the case. You will need one set for each person who needs to be served:
  - **A completed copy of the petition for appointment of a guardian (the “*Petition*”).** In a guardianship of the person, this may be either form GC-210(P) (*Petition for Appointment of Guardian of the Person*) or form GC-210 (*Petition for Appointment of Guardian of Minor*); form GC-210 can be used for both person and estate. Copies of all papers attached to the *Petition* must also be served with it.
  - **A completed copy of form GC-020 (*Notice of Hearing—Guardianship or Conservatorship*),** (the “*Notice of Hearing*”) showing the date, time, and place of the hearing on the *Petition*, including (unsigned) copies of all attachments showing proof of service.
- ③ Give your server the address or location of each person or group you need to serve.
- ④ Give your server these instructions:
  - Put copies of the filled-in form GC-020 and the *Petition*, including all the attached pages, in sealed envelopes (9" x 12" or 10" x 13" manila envelopes are recommended) addressed to the persons or organizations listed above that apply to your case.
  - Make sure the addresses shown on the envelopes for the relatives of each child match the addresses shown for these relatives in each child's form GC-210(CA) (*Child Information Attachment to Probate Guardianship Petition*).
  - Mail the addressed envelopes via the U.S. Postal Service, with first-class postage prepaid.
  - Fill out, date, and sign the *Proof of Service* on the second page of the original form GC-020.
  - If there are more than four persons being served by mail, continue the list of persons served by mail on one or more copies of form DE-120(MA)/GC-020(MA) (*Attachment to Notice of Hearing Proof of Service by Mail*).
  - Give the completed and signed original *Proof of Service* and all completed attached pages back to you.
- ⑤ Make a copy of the completed form GC-020 and any attached forms DE-120(M)/GC-020(M) and file them with the court as soon as you can, but no later than 5 court days before the hearing. The court should give you back a file-stamped copy of the forms.
- ⑥ Bring the file-stamped copy of your notice and proofs of service to the hearing.



Summons
(Citacion Judicial)

Probate (Juicio Testamentario)

For Court Use Only
(Solo Para Uso De La Corte)

Notice To: (Aviso a)

From: (De)

Estate of: (Herencia de)

DRAFT
Not approved by
the Judicial Council
DE-125 2026-03-20

Case Number (Número del caso):

A court proceeding has been started which may affect your interests in the estate. Read the document delivered with this Summons.
You have 30 CALENDAR DAYS after this summons is served on you to file at this court a written response if you want to be heard by the court.
A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to consider it.
If you do not file your response on time, you may lose your right to participate in the proceeding or present your evidence. You will not receive another warning from the court.
There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office.
La corte ha comenzado a tramitar una acción judicial testamentaria que puede afectar sus intereses sucesorios. Lea el documento enviado con esta citación judicial.
Después de que le entreguen esta citación usted tiene un plazo de 30 DIAS CALENDARIOS para presentar en esta corte una respuesta escrita, si desea una audiencia ante la corte.
Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte considere su caso.
Si usted no presenta su respuesta a tiempo, puede perder su derecho a participar en el proceso judicial o a presentar sus pruebas. Usted no recibirá notificación adicional por parte de la corte.
Existen otros requisitos legales. Es posible que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal.

NOTICE TO THE PERSON SERVED: You are served

- a. [ ] as an individual.
b. [ ] on behalf of (specify):
under: [ ] Code Civ. Proc., § 416.10 (corporation) [ ] Code Civ. Proc., § 416.70 (conservatee)
[ ] Code Civ. Proc., § 416.20 (defunct corporation) [ ] Code Civ. Proc., § 416.90 (individual)
[ ] Code Civ. Proc., § 416.40 (association or partnership) [ ] other (specify):
[ ] Code Civ. Proc., § 416.60 (minor)
c. [ ] by personal delivery on (date):

(SEAL)

The name and address of the COURT is: (El nombre y dirección de la CORTE es)

The name, address, and telephone number of the filing party's attorney, or the party without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del accionante, o del accionante que no tiene abogado, es)

DATE:
(Fecha)

Clerk, by \_\_\_\_\_, Deputy
(Actuario) (Delegado)

<b>Party Without Attorney or Attorney</b> State Bar Number: Name: Firm Name: Street Address: City: State: Zip Code: Telephone No.: Fax No.: Email Address: Attorney for (name):	<i>For Court Use Only</i>  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b> <b>GC-320 2026-03-20</b>
<b>Superior Court of California, County of</b> Street Address: Mailing Address: City and Zip Code: Branch Name:	
Conservatorship of the <input type="checkbox"/> Person <input type="checkbox"/> Estate of (name): Proposed Conservatee	
<b>Citation for Conservatorship</b> <input type="checkbox"/> Limited Conservatorship	Case Number:

THE PEOPLE OF THE STATE OF CALIFORNIA,

To (name):

1. You are hereby cited and required to appear at a hearing in this court on

Name and address of court if different from above:

Date: Time:  
 Dept.: Room:

and to give any legal reason why, according to the verified petition filed with this court, you should not be found to be  
 unable to provide for your personal needs  unable to manage your financial resources and by reason thereof,  
 why (name): should not be appointed  conservator  limited conservator  
 of your  person  estate.

2. A conservatorship of the person may be created for a person who is unable properly to provide for his or her personal needs for physical health, food, clothing, or shelter. A conservatorship of the property (estate) may be created for a person who is unable to resist fraud or undue influence, or who is substantially unable to manage his or her own financial resources. "Substantial inability" may not be proved solely by isolated incidents of negligence or improvidence.

3. At the hearing a conservator may be appointed for your  person  estate.  
 The appointment may affect or transfer to the conservator your right to contract, to manage and control your property, to give informed consent for medical treatment, to fix your place of residence, and to marry.

4. You may be disqualified from voting if you are found to be incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process. You will not be disqualified from voting on the basis that you do, or would need to do, any of the following to complete an affidavit of voter registration:

- a. Sign the affidavit of voter registration with a mark or a cross, pursuant to section 2150(b) of the Elections Code;
- b. Sign the affidavit of voter registration by means of a signature stamp pursuant to section 354.5 of the Elections Code;
- c. Complete the affidavit of voter registration with the assistance of another person pursuant to section 2150(d) of the Elections Code; or
- d. Complete the affidavit of voter registration with reasonable accommodations.

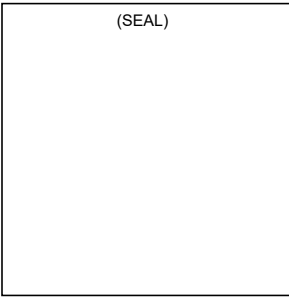
CONTINUED ON PAGE 2. THE CLERK'S SEAL IS ALSO ON THAT PAGE.



Conservatorship of the <input type="checkbox"/> Person <input type="checkbox"/> Estate of <i>(name)</i> : _____ <div style="text-align: right; margin-top: 5px;">Proposed Conservatee</div>	Case Number: _____
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5. The judge or the court investigator will explain to you the nature, purpose, and effect of the proceedings and answer questions concerning the explanation.
  
6. You have the right to appear at the hearing and oppose the petition. You have the right to hire an attorney of your choice to represent you. The court will appoint an attorney to represent you if you are unable to retain one. You must pay the cost of that attorney if you are able. You have the right to a jury trial if you wish.
  
7. *(For limited conservatorship only)* In addition to the rights stated in item 6 above, you have the right to oppose the petition in part by objecting to any or all of the requested duties or powers of the limited conservator.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [courts.ca.gov/forms](https://courts.ca.gov/forms) for form [MC-410](#) (*Disability Accommodation Request*). (Civ. Code, § 54.8.)