

# Serving Legal Papers on an Indian Reservation Resident

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COCONINO COUNTY, ARIZONA, UNITED STATES, July 31, 2015 /EINPresswire.com/ -- Serving legal papers on one of the 300 Indian Reservations throughout the US can be very complicated. There are many federal laws that protect Indian Reservations and those who reside within them." [Stephanie Irvine writing for Serve Now](#).

The very first and most important step to take first if you have an assignment to serve someone who resides on a reservation is to check with the tribe that inhabits the reservation. What may be permissible for one Indian Tribe may not be permissible in another. Indian tribes "possess a nationhood status and retain inherent powers of self-government."

In 1990 the [Native American Graves Protection](#) and Repatriation Act, was enacted. With that ruling, each tribe creates and enforces its own tribal law. All process servers need to obtain permission from

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Service of process involves detailed knowledge of the laws of process service, which can be nuanced and complicated. We can help you with this important service.  
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the governing tribe to enter and attempt service on the intended recipient.. Inform yourself as to the requirements and/or check with the tribe before attempting service. The tribe's website may have the information. If the tribe does not have a website, a database of consultation contacts for each tribe within the U.S. is available online. US Bureau of Indian Affairs is often informative as well.

Under no circumstances should service be attempted before making contact with the tribe, the tribal police and/or courts in order to arrange for service.

Each tribe has its own requirements and procedures and they vary considerably. For example, the Mojave Indian Tribe has its own process servers who effectuate service according tribal laws. For example, the Arizona Courts website provides a list of tribes and how each one handles civil process service, which highlights what different tribes require.



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## ***Tips & Tricks***

1. Understand how tribal law works.
2. Consult the tribal court and local law enforcement.
3. File appropriate documents.
4. Consider certified mail or serving the individual when they are not on the reservation.

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'Process server and veteran Private Investigator Ralph Jones advises, "If you don't check-in with the local law enforcement and/or tribal police before attempting service you are making it doubly hard on yourself. Acquaint yourself with the tribal court and tribal police at the very beginning and then you can usually count on their help in successfully serving the individual."

"You are asking to enter their land so you need to treat them with respect. We always introduce ourselves to the reservation police and ask for their cooperation in serving the papers. They typically then escort us to the location of the individual." Jones continued.

Another critical procedure when serving a reservation resident is the requirement that all documents must be filed in the tribal court. It is often required that the summons and complaint, as well as any other pertinent documents be filed with the tribal court. Residents of reservations are under the jurisdiction of the tribal court therefore all documents must also be filed with them. This is the case even if they have already been filed in the state in which the case originated, and even if the Indian Reservation is located within that state because the tribal court is in its own jurisdiction.

Since many state governments (and Tribal governing bodies as well) have gone online, you may be able to download and complete the necessary documents prior to approaching the respective courts. For Coconino County, Arizona, we were able to download an informational packet online that details the filing and attempting service on Indian Reservations, along with the required paperwork. You must check the local rules of the county in which the documents originated and the county in which they are to be served to assure compliance with all laws and rules.

If you are unable to have the individual served or serve the individual yourself on the reservation, you might be able to effectuate service when they are off the reservation. If your state permits, perhaps you can serve the individual by certified mail (restricted delivery).

Once you have exhausted all legal and respectful attempts to complete service and can meet the requirements of due diligence to effect service the services of the Federal Marshal may be required.

[Service of process](#) involves detailed knowledge of the laws of process service, which can be nuanced and complicated. Service of process in a case being litigated the expertise of an experienced process serving professional and the unique resources they can access for the parties and attorneys on each side.

PremierLegalSupportService.com can help you with this important service.

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