

JUDGE KELLEY'S PROCEDURES FOR SERVICE OF ADVERSARY COMPLAINT

1. Upon filing an Adversary Complaint, the Court will electronically issue a Summons on the docket. Attached to the Summons is the form Certificate of Service Regarding Summons in an Adversary Proceeding.
2. The official form Certificate of Service attached to the Summons mirrors the service requirements set forth in Rule 7004. Accordingly, please either complete and file the official form Certificate of Service or **use the language in that form** to describe the method of service. A fillable version of the form is available at www.wieb.uscourts.gov/local-forms.
3. Rule 7004 governs how service must be effected. Pay special attention to the following provisions:
 - (b)(1) – Service on an individual is accomplished by mailing a copy of the summons and complaint to the individual via first class mail postage prepaid.
 - (b)(3) – Service on a corporation, partnership or unincorporated association is accomplished by mailing a copy of the summons and complaint via first class mail postage prepaid **to the attention of an officer, a managing or general agent, or to any agent authorized by appointment or by law to receive service of process**. If the agent is authorized by statute to receive service and the statute so requires, a copy must also be mailed to the defendant via first class mail postage prepaid.
 - (h) – Service on an insured depository institution (as defined in section 3 of the Federal Deposit Insurance Act) is accomplished by mailing a copy of the summons and complaint **via certified mail addressed to an officer of the institution**. To determine whether an institution is an insured depository institution, run a search at www.fdic.gov. If the bank has appeared by counsel, service may be made on the counsel by first class mail.
 - (b)(9) and (g)– Service on the debtor is made by mailing a copy of the summons and complaint by first class mail to the address on the petition (or, if the debtor has filed a change of address, at that address), with a copy to the debtor's attorney.
4. If more than one Defendant is listed on the Certificate of Service as being served, specify on the Certificate of Service how each Defendant was served. Example:

John Smith
1234 S. Main Street
Milwaukee, WI 53211
(First Class Mail)

Liam Dowd, President
One World Bank
444 E. 99th Street
Milwaukee, WI 53202
(Certified Mail)

5. “Overcompliance” with Rule 7004 is improper – e.g., it is not proper to serve an individual by certified mail.
6. The Summons must be served within 7 days of being issued or it is deemed stale. *See* Rule 7004(e). If service is not accomplished within 7 days, contact us to obtain an Amended Summons.