



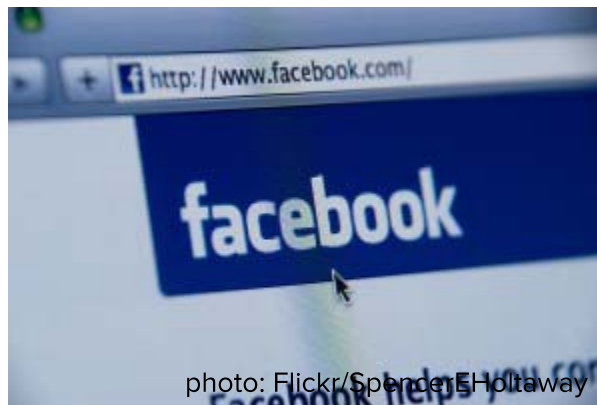
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# Dad can use Facebook to serve child support papers, judge rules

by Jeff John Roberts

SEP. 19, 2014 - 3:51 PM PDT

**SUMMARY:** *Times are changing. For the first time, a New York state judge ruled that Facebook is an acceptable way to serve legal papers.*



Maybe this is why some teens think Facebook is for old people: a New York father just got permission to use the social network to notify his ex-wife about changes to their child support arrangement.

According to family court judge Gregory Gliedman, Facebook [<https://search.gigaom.com/company/facebook/>] was an acceptable form of “alternate service” since Noel Biscocho couldn’t locate his ex-wife, Anna Maria Antigua. The legal dispute turned on a request by Antigua to stop paying child support because his son had reached the age of 21.

In a court order, the judge described how Biscocho had tried all sorts of other methods to locate Antigua, including texting his children for her address and doing a “search on the Google search engine.”

But, the judge noted, even though Antigua could not be found, she was active on Facebook — and had even “Liked” photos posted by Biscocho’s current wife. As a result, the judge concluded that Biscocho could take the unprecedented step of using Facebook to serve the order, provided that he also mailed a copy to Antigua’s last known address.

The judge added that Facebook had not been used as a means of service in New York state court, but that other courts have allowed it, including in Virginia.

Under the rules of service, people can use a variety of methods to deliver a document, including delivering it in person or to their lawyer or, in some cases, by email. If those don’t work, they can apply to the court to try

The use of Facebook by courts is not new, though it has been to slow to arrive in the U.S. Australia allowed it in 2009, and U.K. courts did the same in 2011 [<http://www.bloomberg.com/news/2011-06-06/facebook-becomes-tool-to-serve-legal-papers-on-those-who-exist-only-online.html>]. But in 2012, a court in Manhattan said a bank could not use Facebook [<https://gigaom.com/2012/06/12/judge-says-bank-cant-use-facebook-to-reach-defendant-try-local-paper-instead/>] to serve papers on an identity thief.

Here's copy of the judge's order via the New York Post [<http://nypost.com/2014/09/18/judge-oks-serving-legal-papers-via-facebook/>] and the Volokh Conspiracy [<http://www.washingtonpost.com/news/volokh-conspiracy/wp/2014/09/19/n-y-court-authorizes-service-of-legal-documents-via-facebook-when-the-physical-address-of-the-recipient-is-unknown/>]:

Facebook Service [<http://www.scribd.com/doc/240323669/Facebook-Service>]

F.C.A. §§ 413, 416, 439(e)

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF RICHMOND  
In the Matter of a **Support** Proceeding

Noel B.

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### 1 COMMENT



SamJackson

Tuesday, September 23, 2014

Thank you for the scribd link! Was digging around the internet this morning trying to find a docket number since I have to go to Child Support Enforcement today. My ex-wife lives in another state and owes me \$20,000 in back child support. She just got out of jail last week after being incarcerated for a year, and the State of Florida would not serve her in jail! Now that she is out she has dropped off the grid, but still has an active facebook account. She is one of those dead beat parents that gets a job until Child Support Enforcement calls to do an income verification. Then she quits, gets another job, and we have to start the process all over again. Postal verifications don't work because she has previously stayed with her Father and apparently doesn't get mail at his house.

Today I have to go fight with them to make them do their job. I have her court documents showing that she is on probation until July of next year. Now I have to get the case worker to try and find her probation officer to hopefully get an address.

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