

## Service of Foreign Judicial Documents in Thailand

The service of judicial documents of a foreign court on a person residing in Thailand can be made pursuant to the agreements or treaties on judicial assistance in civil and commercial matters and co-operation in arbitration between Thailand and the home countries of the foreign courts. As of 2022, Thailand has signed such agreements and treaties with Indonesia, Laos, China, Australia, Spain, Vietnam, and South Korea. In practice, the service of the foreign court's judicial documents in Thailand is executed in four steps as follows:

1. The central authority of the home country of the foreign court issues a request for service of judicial documents to the central authority of Thailand, i.e. the Office of Judiciary (“**OJ**”), through the Ministry of Foreign Affairs (“**MFA**”) with the judicial documents attached to the request. The request must specify the name and address of the recipient and other particulars required under the treaty/agreement. The request must specify a requested service method (a manner of service), otherwise the service will be executed by the Thailand court service officer.
2. Once the OJ receives the request from the MFA, the OJ will forward the request to the court having jurisdiction over the domicile of the recipient. The court will then order the court service officer to serve the judicial documents on the recipient.
3. After the court service officer serves the judicial documents on the recipient, the court will send a report on the results of the service to the OJ. The OJ will then forward the report to the embassy of the home country of the foreign court in Thailand for further forwarding to the central authority of the home country of the foreign court.
4. If the Thai court disburses any expenses for execution of the service, the OJ will also ask the embassy or the Thai attorney (if any) of the party requesting the service to pay the expenses to the court. Upon receiving the reimbursement of the expenses from the embassy or the attorney, the court will issue a receipt and give it to the OJ for forwarding to the embassy or the attorney of the requesting party.

The service of judicial documents pursuant to the agreements or treaties on judicial assistance and co-operation as discussed above does not prevent the service of judicial documents by post or by diplomatic or consular agencies or by appointed agents, particularly on the nationals of the home country of the foreign court who reside in Thailand, subject to some exceptions.



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