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## Can you serve legal documents by Facebook?

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Yes, it is possible to serve documents via Facebook. In an earlier blog "[Serving debtors that don't want to be found](#)", we discussed how legal documents can be served by substituted service. Service via Facebook, LinkedIn and Instagram are some of the many methods legal documents can be served by substituted service.

In possibly a world first in 2008, the ACT Supreme Court granted orders for substituted service for the police to serve legal documents via a private message on Facebook. Since then, there have been many occasions in which the courts have allowed legal documents to be served via Facebook. You might even remember that in 2012, the District Court of NSW allowed for legal documents to be served on the rapper Flo Rida via his official Facebook page. Those orders for service via Facebook were ultimately overturned on appeal because, among other reasons, the evidence did not show that Facebook page through which the documents were served was actually the Facebook page of Flo Rida.

These cases demonstrate that it is possible to serve legal documents via Facebook. However the courts will only make orders for substituted service via Facebook in certain circumstances and before making such orders, will require sufficient information about the Facebook page as well as evidence that it is in fact the debtor's Facebook page.

If you would like more information or advice in relation to insolvency, restructuring or debt recovery practice and procedure, contact Andrew Behman on (02) 9806 7490 or [abehman@matthewsfolbigg.com.au](mailto:abehman@matthewsfolbigg.com.au), or a Principal of the Matthews Folbigg Insolvency, Restructuring & Debt Recovery Group:

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