

Service by Publication Procedure

Step 1: Can I serve the Defendant by publication?

Do you know where the Defendant is?

Yes

No



You must have the Defendant personally served.

Go to Step 2

Step 2: Do I have all of the forms I need?

- Affidavit of Due Diligence
- Affidavit for Service by Publication
- Certificate of Mailing
- Order for Service by Publication

Go to Step 3

Step 3: Prepare your forms.

Do not leave any lines blank on the forms. If something does not apply to you write "N/A".

A. **Mail a file stamped copy of the Complaint, Summons, and Joint Preliminary Injunction (if using) to the Defendant's last known address.** If you do not know the Defendant's last known address you must do what is called a general mailing. Address the envelope like this:

Name of Defendant
C/O General Delivery
City, State, Zip Code

B. **Fill out your forms:** All Self-Help Center forms are in a fill-in-the-blank format.

- Affidavit of Due Diligence
- Affidavit for Service by Publication
- Certificate of Mailing:
- Order for Service by Publication

C. **Make three copies** of each document. **STOP!** Do not make copies of the Affidavits until they are notarized.

Go to Step 4

Step 4: File these forms:

- Affidavit of Due Diligence
- Affidavit for Service by Publication
- Certificate of Mailing

Go to Step 5

Step 5: Submit the following forms to the judge:

- One file-stamped copy of the Complaint
- One file-stamped copy of the Affidavit for Service by Publication
- One file-stamped copy of the Affidavit of Due Diligence
- One file-stamped copy of the Certificate of Mailing
- The original plus three copies of the Order for Service by Publication

Go to step 6

Step 6: Now what do I do?

- A. Take your forms to a newspaper of general circulation and have the Summons published once a week for at least four weeks.
- B. After publication is complete, the newspaper gives you an Affidavit of Publication. You must file the Affidavit with the Clerk's Office.
- C. Service is complete 20 days **after** the last date of publication. After 20 days, you may ask the Clerk to issue a Default against the Defendant.

Last date of publication = date of service on default

How do I know if the judge signed my Order for Service by Publication?

After the judge signs the Order, he/she sends it to be filed at the Clerk's Office. The Clerk mails the file stamped copies of the signed Order to you. You now have permission to serve the Defendant by publication.

1 AFFT
2 (Your name) _____
3 (Address) _____
4 _____
5 (Telephone) _____
6 In Proper Person

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9)
10 _____,)
11 Plaintiff)
12 vs) CASE NO.: _____
13 _____,) DEPT NO.: _____
14 Defendant.)
15 _____)

16 **AFFIDAVIT OF DUE DILIGENCE**

17
18 STATE OF NEVADA)
19) ss:
20 COUNTY OF CLARK)

21 I, (your name) _____, do solemnly swear to
22 testify herein to the truth, the whole truth and nothing but the truth.

23 That to the best of Affiant's knowledge the Defendant was last known to reside in the
24 State of _____ at the following address _____
25 and that the Defendant was last known to reside there on (date) _____.

27 \\
28 \\
29

Businesses Contacted

Did you contact this business? (Circle One)	Name of Business	Date Contacted?
Yes No	Dept. of Motor Vehicles	_____, 20__
Yes No	Voter's Registration	_____, 20__
Yes No	Utility Companies	_____, 20__
Yes No	Tax Assessor's Office	_____, 20__
Yes No	County Recorder's Office	_____, 20__
Yes No	Online Search Engines (i.e. Google or Yahoo)	_____, 20__
Yes No	Social Networking Websites (i.e. Facebook or Myspace)	_____, 20__
Yes No	Free Internet People Searches	_____, 20__
Yes No	Online and Reverse Directories	_____, 20__
Yes No	Social Security Death Index	_____, 20__
Yes No	U.S. Postal office by sending an envelope with the words "address correction requested/do not forward" printed on the front to the Defendant's last known address which was returned to me on (date) _____ with the following address for Defendant _____ _____	_____, 20__
Yes No	Defendant's current employer. The employer informed me that: _____ _____ _____	_____, 20__
Yes No	Defendant's last employer. The employer informed me that _____ _____ _____	_____, 20__
Yes No	Other: _____ _____	_____, 20__
Yes No	Other: _____ _____	_____, 20__

People Contacted

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Did you contact these people? (Circle One)	Name of Person(s)	Date contacted?
Yes No	Defendant's family and/or friends (names of family and/or friends contacted) _____ _____ They informed me that _____ _____ _____	_____, 20__
Yes No	Neighbors at Defendant's last known address (names of neighbors contacted) _____ They informed me that _____ _____ _____	_____, 20__
Yes No	The person currently living at the Defendant's last known address (name) _____ They informed me that _____ _____ _____	_____, 20__
Yes No	Other _____ _____	_____, 20__
Yes No	Other _____ _____	_____, 20__

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1 That after conducting the above search Affiant was unable to locate Defendant. Therefore,
2 Affiant believes that Defendant cannot be found at this time. FURTHER THE AFFIANT
3 SAYETH NAUGHT.

4 Dated this (day)____ day of (month)_____, (year)_____.

5
6 (Affiant's signature) _____

7
8 (Affiant's printed name) _____

9
10 SUBSCRIBED and SWORN to before
11 me this _____ day of
12 (month)_____, (year)_____.

13 _____
14 NOTARY PUBLIC

1 **ORDR**

2 (Your name) _____

3 (Address) _____

4 _____
5 (Telephone) _____

6 In Proper Person

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 _____)
10 **Plaintiff**)
11 vs)
12 _____)
13 **Defendant.**)
14 _____)

CASE NO.: _____

DEPT NO.: _____

15 **ORDER FOR SERVICE BY PUBLICATION**

16 Upon reading the Affidavit of the Plaintiff on file herein, it appearing that a verified
17 Complaint has been filed; that a Summons directed to the Defendant has been issued; that the
18 Defendant is a necessary party; that the Defendant is not a resident of the State of Nevada or has
19 departed from the state, or cannot, after due diligence, be found within the state, or by
20 concealment seeks to avoid the service of Summons, and that the Defendant cannot be personally
21 served in the State of Nevada, and good cause appearing therefore:
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1 CERT
2 (Your Name) _____
3 (Address) _____
4 _____
5 (Telephone) _____

In Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA

8)
9 _____,) Case No. _____
10 Plaintiff,)
11 vs.) Dept No. _____
12 _____,)
13 Defendant.)
14 _____)

CERTIFICATE OF MAILING

13 I HEREBY CERTIFY that service of the (name of document) _____
14 _____ was made on (date) _____ pursuant to
15 NRCF 5(b) by depositing a copy of same in the United States Mail in Las Vegas, Nevada,
16 postage prepaid, addressed as follows:

17 (Other party's name) _____
18 (Other party's address) _____
19 (Address) _____
20 (Address) _____

20 DATED this _____ day of _____, (year) _____.

21 (Signature of person who mailed document) _____
22 (Name of person who mailed document) _____

23 **If signed in Nevada: I declare under penalty of perjury that the foregoing is true and**
24 **correct.**

25 Signed on..... (date) (signature)

26 **If signed outside Nevada: I declare under penalty of perjury under the law of the State of**
27 **Nevada that the foregoing is true and correct.**

28 Signed on..... (date) (signature)