

## INSTRUCTIONS: HOW TO SERVE THE COURT PAPERS BY PUBLICATION

### STEP 1: FILL OUT AND FILE THE Declaration of Due Diligence and Request for Alternate Means of Service (Publication):

- A. Wait to see if the court gives you permission to do service by publishing. The court will send you their decision in the mail.
- B. Once you obtain permission from the court to do service by publishing, proceed to Step 2.

**NOTE:** If you know the last known address of the person you need to serve, you must, on or before the first date of publication of the legal notice, mail the person the **Summons** and copy of the court paperwork you filed. Standard mail, postage prepaid is acceptable.

### STEP 2: PUBLISH THE LEGAL NOTICE:

Service by publishing is accomplished by publishing the **Summons**, and a statement describing how a copy of the pleading being served may be obtained, at least once a week for four (4) consecutive weeks.

- A. You will need to have the legal notice published in a newspaper in Mohave County.

**AND**

- B. If the last known address of the other party is in a different county/state, you will also need to have the legal notice published in a newspaper in that county. (If there is no newspaper published in the county where publication is required, you will have the legal notice published in an adjoining county that does have a newspaper.)
- C. Service is complete **30** days after the summons and statement are first published in all newspapers where publication is required.

### STEP 3: FILE PROOF OF PUBLISHING:

- A. The newspaper will send you a document which provides a copy of your legal notice and the dates it was published in the newspaper. You should receive this approximately 4-5 weeks after your legal notice is published.
- B. Once you receive the document from the newspaper, file it and the completed **Affidavit of Publishing** with the court. Make sure to make a copy of both to keep for your records.

### STEP 4: COUNT:

- A. Find the date the other party was served by publication by locating the first date the legal notice was published in the newspaper. Then, count the days for the other party to file a Response or Answer. When counting the days, start counting with the day after the first day of publication.
- B. If the other party fails to file a Response or Answer **30** calendar days after the first day of publication, you may wish to look into filing for DEFAULT. Information on DEFAULT can be obtained online at [www.mohavecourts.az.com](http://www.mohavecourts.az.com) or by contacting the Law Library

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Address

\_\_\_\_\_, 20  
Date

\_\_\_\_\_  
Name of Newspaper

\_\_\_\_\_  
Address

\_\_\_\_\_  
To Whom It May Concern:

I need to publish notice in the newspaper about the following matter: Court Case No. \_\_\_\_\_  
Enclosed is a copy of the following documents stamped by the Clerk of Court (list all the documents here:)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Please publish a Notice in your newspaper about this court case once a week for four successive weeks. Also enclosed is (check one box):

- A check or money order in the amount of \$ \_\_\_\_\_ for the cost of the publication as requested.
- A certified copy of the Order from the court waiving the publication costs.

When you receive this letter, please call me at \_\_\_\_\_ to tell me when the first publication will occur. When all four weeks of publication have been completed, please send to me the original and one copy of an Affidavit of Publication.

Thank you for your help in this matter.

Yours truly,

\_\_\_\_\_  
Sign your name

Enclosures:

- Court documents                      AND
- Check or Money Order