

INSTRUCTIONS: HOW TO SERVE THE COURT PAPERS BY PUBLICATION

STEP 1: PUBLISH THE COURT PAPERS.

A. How to serve the court papers by publication if you do not know if the other party lives in the county in which your case is pending (Mohave County) and/or the other party's last known address was not in Arizona.

1. IF YOU ARE PAYING THE COSTS TO PUBLISH, USE ANY PAPER OF GENERAL CIRCULATION

OR,

2. IF YOU HAVE A COURT ORDER WAIVING/DEFERRING SERVICE COSTS: CONTACT THE SUPERIOR COURT CLERK TO find out which paper you will use to publish. You must give the paper a Certified Order Waiving Publication Fee.

Notice: There is a filing fee for all Petitions and there are Service Fees. You may request a Waiver or Deferral of the filing fees or publication fees at the time you file your papers with the Clerk of the Court. For a list of court fees go to www.mohavecourts.az.gov and click on Clerk's Office / Superior Court Fees.

B. How to publish service if the other party's last known address is in Arizona and that address is not in the county in which your case is pending:

1. You must publish in the county in which your case is pending and you must publish in a newspaper in the county of the last known residence of the person to be served.
2. To publish in Mohave County follow the instructions in "A" above how to publish service of process if the other party lives in the same county in which your case is pending.
3. To publish in another county (not Mohave County) you will need to contact a newspaper company in that county.

STEP 2: WAIT. Wait for the newspaper to send you the original of the document called "**AFFIDAVIT OF SERVICE**" in about five weeks. If your publication fees were waived/deferred, the newspaper will file the Proof of Publication with the Clerk with their billing.

STEP 3: COMPLETE YOUR PAPERWORK:

- A. Fill out the "**AFFIDAVIT SUPPORTING PUBLICATION**" which is attached. Examples of steps you MUST take before you can Serve by Publication: verify the Respondent is not at any last known address(es), talk to Respondent's friends, family members, employer, co-workers, former co-workers or employer(s), or anyone else you think may have a current address. Search telephone directories, the internet, voter registration records, and obituaries. You may also have to consider hiring a private detective or a company that charges a fee to do computer searches to help you track down the other party.
- B. **ATTACH** a copy of the published notice from the newspaper(s).
- C. **KEEP A COPY** for yourself of the "**AFFIDAVIT SUPPORTING PUBLICATION.**"

STEP 4: FILE THE COURT PAPERS:

- A. File the original of the "**AFFIDAVIT SUPPORTING PUBLICATION**," and a copy of the publication(s), and;
- B. File the original **AFFIDAVIT OF SERVICE** you received from the newspaper(s).

STEP 5: COUNT:

- A. Find out the date the other party was served with the court papers. You can find this date by looking at the date of the first newspaper publication. Then, count the days for the other party to file a Response of Answer. (When counting down the days, start counting with the day after the first day of publication.)
- B. If you published a notification in either two counties or two newspapers, the counting for the response begins after the first (1st) day of publication in the second county or the second newspaper.
- C. If the other party files a Response or Answer, see a lawyer for help.

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 OR
- Certified copy of Court Order of Waiver/Deferral of Publication Fees