

1 [Firm Name]
[Firm Address]
2 [Firm Phone Number]
[Firm Fax]
3 [Firm Email]
[Attorney Name and Bar Number]
4 Attorney for Plaintiff(s)

5 [State Trial Court System], [Location] County

6 **[Plaintiff Name(s)],**

7 Plaintiff(s),

8 v.

9 **[Defendant(s)],**

10 Defendant(s).

Case No.

**AFFIDAVIT OF PROPRIETY FOR,
AND SERVICE BY, PUBLICATION**

Assigned to the Hon. [Judge]

11
12 [Affiant], being duly sworn, upon oath, deposes and says as follows:
13

- 14 1. I am the attorney for the plaintiff in this action, and submit this Affidavit to
15 demonstrate the circumstances warranting the utilization of service of process
16 under [local civil rule] and to establish the completion of such service.
17 2. Defendant [Defendant] is an individual who, according to the investigation
18 conducted on behalf of plaintiff, maintains an address within the State of [State] at
19 [Defendant's address].
20 3. Notwithstanding the foregoing, as is evidenced by the Affidavit of Service of
21 Process by Private Person which is annexed hereto, diligent and repeated efforts to
22 effect service upon defendant [name of defendant] at that address have been
23 unsuccessful. [Detailed description of efforts made to locate and serve defendant].
24 4. Based on these repeated, diligent but unsuccessful efforts to serve defendant, it is
25 believed the defendant is a transient or absent from the State of [State], thereby
26 rendering it appropriate to accomplish service by publication.
27 5. In accordance with the provisions [local civil rule], on [date of mailing], I caused a
28 Summons and a copy of the Complaint in this action to be deposited in the United

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

States mails, first class postage prepaid, properly addressed to the defendant [Defendant] at the address specified above.

- 6. Thereafter, I caused a Summons and a statement as to the method by which a copy of the Complaint could be obtained, to be published in [name of publication]. This newspaper is regularly published and circulated in the County where this action is pending.
- 7. I caused the information described herein to be first published on [date of first publication] and published thereafter on the following dates [dates of additional publication], which is at least once a week for four successive weeks.
- 8. A true copy of the Summons, and of the statement as to the manner in which a copy of the Complaint could be obtained, as printed and published, is attached to this Affidavit as Exhibit 1.
- 9. Service was complete on [date of completed service], which is [number of days in accordance with the local civil rule] days after the first publication.

Dated this [Day] of [Month], [Year].

By _____
[Plaintiff's Attorney]
[Firm Name]
[Firm Address]
Attorney for Plaintiff