

Family Law: Service by Publication or Posting

Service by publication or posting are alternate methods of service permitted by the court when the other party's whereabouts are unknown. You must receive permission from the court in order to perform service by publication or posting. The court can only approve your request to serve documents by publication or posting if you show that the other party cannot be served in any other manner. You will need to prove to the court that you have made exhaustive attempts to locate the other party.

Templates and Forms

- [Service of Summons by Publication or Posting \(Sacramento Court Packet\)](https://www.saccourt.ca.gov/family/docs/fl-service-by-publication-or-posting-packet.pdf) (<https://www.saccourt.ca.gov/family/docs/fl-service-by-publication-or-posting-packet.pdf>)

CAUTION!

The information in this guide applies only to family law cases. For other types of civil cases, see:

- [Publication of Summons](https://www.saclaw.org/resource_library/publication-of-summons/) (https://www.saclaw.org/resource_library/publication-of-summons/)

Common Questions

How do I search for the respondent?

The [Sacramento County Superior Court's packet](https://www.saccourt.ca.gov/family/docs/fl-service-by-publication-or-posting-packet.pdf) (<https://www.saccourt.ca.gov/family/docs/fl-service-by-publication-or-posting-packet.pdf>) offers some suggestions for locating the other party. Additional tips and resources are described in the "[Finding People and Businesses](https://www.saclaw.org/resource_library/finding-people-and-businesses/)" (https://www.saclaw.org/resource_library/finding-people-and-businesses/). The Court requires you to make diligent attempts to locate the other party before permitting you to serve your documents by publication or posting. Be sure to keep detailed records of your search.

Should I apply to publish or post my documents?

Service by posting is only available to parties meeting the low income guideline used for fee waivers. This means you either need to have an approved fee waiver on file with the court, or you must apply for a fee waiver at the time you file your application for service by posting. If your income is above that level, you must apply for

service by publication.

Where do I publish my documents?

You must publish your documents in a newspaper of general circulation in the county where the respondent was last known to reside. A list of these newspapers in Sacramento County is available on the [court's website](http://www.saccourt.ca.gov/general/docs/newspapers-gen-circulation.pdf) (<http://www.saccourt.ca.gov/general/docs/newspapers-gen-circulation.pdf>). You may select any of the newspapers on this list. You may want to call several of the newspapers since fees vary greatly.

Does the court arrange for publication?

No. You, as the party serving documents via publication, are responsible for arranging for publication of your documents. You are also responsible for ensuring that proof of publication is filed with the court. Many newspapers will automatically file this for you; be sure to confirm if the newspaper you choose will do this for you. If not, be sure to pick up the proof of publication from the newspaper, and file it with the court.

Where do I post my documents?

If the respondent's last known address is in Sacramento County, your documents will be posted at the Family Relations Courthouse, 3341 Power Inn Road, Room 100 Bulletin Board, Sacramento, CA 95826. If the last known address is outside Sacramento County, contact the family law courthouse in that county to ask for the posting location.

Does the court arrange for posting?

Yes, if the respondent's last known address is in Sacramento County. After your Application for Publication or Posting is approved, the court will post your documents for you at the courthouse. Court staff will also mail a copy of the appropriate documents to absent party's last known address.

If posting will occur in another county, you will need to make those arrangements yourself. You will need someone over the age of 18 who is not a party to the case to post your documents and complete the [Proof of Service by Posting \(FL-985\)](http://www.courts.ca.gov/documents/fl985.pdf) (<http://www.courts.ca.gov/documents/fl985.pdf>) at the end of the posting period. You will also need to have someone over 18 who is not a party to the case mail a copy of your documents, along with a copy of the *Order for Publication or Posting*, to the opposing party's last known address. This person must then complete a [Proof of Service By Mail \(Form FL-335\)](http://www.courts.ca.gov/documents/fl335.pdf) (<http://www.courts.ca.gov/documents/fl335.pdf>) and file it with the court.

The [Sacramento County Superior Court's packet](http://www.saccourt.ca.gov/family/docs/fl-service-by-publication-or-posting-packet.pdf) (<http://www.saccourt.ca.gov/family/docs/fl-service-by-publication-or-posting-packet.pdf>) includes detailed instructions on this procedure in family court. Be sure to read those instructions carefully. Instructions for completing the forms commonly used in this procedure can be found below.

Samples

Application for Order for Publication or Posting

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FL-980
Paul Sample 1234 Main Street Sacramento, CA 95814 TELEPHONE NO.: 916-555-9876 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <i>In Pro Per</i>		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento STREET ADDRESS: 3341 Power Inn Road MAILING ADDRESS: 3341 Power Inn Road CITY AND ZIP CODE: Sacramento, CA 95826 BRANCH NAME: William R. Ridgeway Family Relations Courthouse		
PETITIONER: Paul Sample RESPONDENT: Patricia Sample OTHER PARTY/PARENT:		
APPLICATION FOR ORDER FOR <input checked="" type="checkbox"/> PUBLICATION OR <input type="checkbox"/> POSTING		34-2013-00012345 Case number.

1. **Publication Request:** The petitioner requests that the court issue an order directing service of the summons listed in item 3 based on Code of Civil Procedure section 413.30. **1**

circulation (name of proposed newspaper): **Daily Recorder**

If requesting publication, enter the name of the newspaper. You must select from the approved list of newspapers, available at <https://saccourt.ca.gov/general/docs/newspapers-gen-circulation.pdf>

2. **Posting Request:** The petitioner requests that the court issue an order directing service of the summons listed in item 3 by posting at the location listed below. The petitioner has submitted a Request to Waive Court Fees (form FW-001). This request is based on Code of Civil Procedure section 413.30. **2**

Posting location (name, city, and state of proposed location to post where respondent is most likely to receive actual notice):

If requesting posting, enter the location of posting. In Sacramento, posting is done at the courthouse:
3341 Power Inn Road, Room 100-Bulletin Board, Sacramento, CA 95826.

3. **The legal documents to be served are:**

a. Summons (Family Law) (form FL-110)

b. Summons (Uniform Parentage—Petition for Custody and Support) (form FL-210)

c. Other (specify):

If serving a Summons, check the appropriate box. If serving any other documents, check "other" and list the other documents to be served.

Application for Order for Publication or Posting (FL-980) (Page 1)

PETITIONER: Paul Sample RESPONDENT: Patricia Sample OTHER PARTY/PARENT:	FL-980 CASE NUMBER: 34-2013-00012345
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4 The respondent cannot with reasonable diligence be served in any manner specified in Code of Civil Procedure sections 415.10 through 415.40 based on the declaration below.

5. **Declaration:**
 Describe how you tried to find the respondent. This search may include checking with respondent's last known address, respondent's friends and family, respondent's current and past employers and any unions, Internet research, and the tax assessor records in the county of respondent's last known address or any county in which you think the respondent may live. List all steps, the date you took each step, and the results. (You may want to check with your local court's self-help center for additional ideas about how to locate someone).

a. I last saw or had contact with the respondent on (date): March 12, 2011
 at (location): 987 Belmont Ave. #17, Sacramento, CA 95814

b. The last address I have for respondent is:
 987 Belmont Ave. #17, Sacramento, CA 95814

c. The last work or business address I have for respondent is:
 9764 Oak Avenue, Carmichael, CA 95608

d. I have taken the following steps to try to find the respondent:
 On April 12, 2013, I searched the Sacramento County Recorder and County Tax Assessor indexes, as well as the telephone directory, for the names "Patricia Sample," "Patricia R. Sample," and "Patti Sample." The only listing for "Patricia R. Sample" found was in the telephone directory: 987 Belmont Ave. #17, Sacramento, CA 95814.

On April 14, 2013, registered process server Margaret Wilson attempted personal service at that address, but the Respondent no longer resides there, according to the current tenant. Ms. Wilson spoke with the resident of the apartment across the hall, Kayla Fitzpatrick, who stated that the Respondent had moved several weeks prior, and that she had no knowledge of the Respondent's whereabouts.

On April 16, 2013, I spoke with Jerry Keating, a friend of the Respondent, who reported that he had not seen the Respondent in several months, and had no knowledge of her current whereabouts. On April 16, 2013, I called the Respondent's last known employer, and spoke with the manager, Doug Lasiter, who stated that she had quit several weeks prior, and left no contact information. I also called the Respondent's brother, Chris, who reported that he has not spoken to the Respondent in over a year, and has no knowledge of her whereabouts. On April 17, I searched the internet using Google, but only found a listing for 987 Belmont Ave. #17, Sacramento, CA. I also looked at Facebook and MySpace, and found no information about the Respondent's current address or location.

Continued on the attached declaration. Number of pages attached: _____

Search results attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 20, 2013

Paul Sample _____
(TYPE OR PRINT NAME)

_____ (SIGNATURE OF PETITIONER)

Enter your name and date, and sign.

APPLICATION FOR ORDER FOR PUBLICATION OR POSTING (Family Law)

FL-980 [New January 1, 2013]

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Application for Order for Publication or Posting (FL-980) (Page 2)

Order for Publication

FL-982

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Paul Sample
 1234 Main Street
 Sacramento, CA 95814

TELEPHONE NO.: 916-555-9876 FAX NO. (Optional):
 E-MAIL ADDRESS (Optional):
 ATTORNEY FOR (Name): In Pro Per

Court name, address, and branch.
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento
 STREET ADDRESS: 3341 Power Inn Road
 MAILING ADDRESS: 3341 Power Inn Road
 CITY AND ZIP CODE: Sacramento, CA 95826
 BRANCH NAME: William R. Ridgeway Family Relations Courtroom

Enter the party names.
 PETITIONER: Paul Sample
 RESPONDENT: Patricia Sample
 OTHER PARTY/PARENT:

Check the boxes for the order you are requesting here, and in item ① or ②.

ORDER FOR PUBLICATION OR POSTING

CASE NUMBER:
34-2013-00012345

Case number.

1. **Publication Granted:** The court finds that the respondent cannot be served in any other manner under the Code of Civil Procedure. The court orders that the documents listed in item 6 be served by publication of at least once per week for four successive weeks in the Daily Recorder.
 If requesting publication, enter the name of the newspaper. You must select from the approved list of newspapers, available at <https://saccourt.ca.gov/general/docs/newspapers-gen-circulation.pdf>

2. **Posting Granted:** The court finds that the respondent cannot be served in any other manner under the Code of Civil Procedure and that the documents listed in item 6 be served by posting for 28 continuous days at the following location (address):
 And that the documents in item 6, along with this order, be mailed to respondent's last known address (specify):
 If requesting posting, enter the location of posting. In Sacramento, posting is done at the courthouse:
3341 Power Inn Road, Room 100-Bulletin Board, Sacramento, CA
 In addition, enter the respondent's last known address.

3. **Publication Denied:** The court finds that the respondent can be served in another manner under the Code of Civil Procedure.
 a. Other methods of service are possible.
 b. Insufficient attempts were made.

4. **Posting Denied:** The court denies the request to post.
 a. Other methods of service are possible.
 b. Petitioner is able to pay for service by first-class mail.
 c. Insufficient attempts were made.
 Leave questions 3-5 blank – the court will complete these if your request is denied.

5. **Hearing Required:** The court orders that a hearing be set to determine the petitioner's financial circumstances. If at this hearing the court decides that the petitioner, based on financial circumstances, does not qualify for posting, then the court may order that the documents listed in item 6 be served by publication.
 Hearing date: _____ Time: _____ Dept: _____

6. Documents to be served by publication or posting:
 a. Summons (Family Law) (form FL-110)
 b. Summons (Uniform Parentage—Petition for Custody and Support) (form FL-210)
 c. Other (specify): _____

7. If, during the 28 days of publication or posting, you locate the respondent's address, you must have someone 18 years of age or older mail the documents listed in item 6 to the respondent along with this order. The server must complete and file with the court a Proof of Service by Mail (form FL-335).

The Judge will sign this form.

Date: _____ JUDICIAL OFFICER _____

Form Approved for Optional Use
Judicial Council of California
FL-982 (New January 1, 2015)

ORDER FOR PUBLICATION OR POSTING
(Family Law)

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Code of Civil Procedure, § 415.50
www.courts.ca.gov

Order for Publication or Posting (FL-982)

Proof of Service by Posting

FL-335	
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Paul Sample 1234 Main Street Sacramento, CA 95814	FOR COURT USE ONLY
TELEPHONE NO.: 916-555-9876 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): In Pro Per	Court name, address, and branch.
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento STREET ADDRESS: 3341 Power Inn Road MAILING ADDRESS: 3341 Power Inn Road CITY AND ZIP CODE: Sacramento, CA 95826 BRANCH NAME: William R. Ridgeway Family Relations Courthouse	Enter the party names.
PETITIONER/PLAINTIFF: Paul Sample RESPONDENT/DEFENDANT: Patricia Sample OTHER PARENT/PARTY:	CASE NUMBER: 34-2013-00012345 HEARING DATE: HEARING TIME: DEPT.:
PROOF OF SERVICE BY MAIL	

NOTICE: To serve temporary restraining orders you must use personal service (see form FL-330).

- I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.
- My residence or business address is:
 625 Morningstar Way
 Sacramento, CA 95833
 Home or business address of person serving the documents.
- I served a copy of the following documents (specify):
 Summons (Family Law)
 List all documents that were mailed.

by enclosing them in an envelope AND

a. depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.
 b. placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
 Check the box that describes the mailing. If the envelope was placed in a mail box or given to the post office, check box a. If it was placed in your business's outgoing mail, check box b.
- The envelope was addressed and mailed as follows:
 - Name of person served: Patricia Sample
 The name and address of the person being served.
 - Address: 987 Belmont Ave. #17
 Sacramento, CA 95814
 Date documents were mailed.
 - Date mailed: May 14, 2013
 Date documents were mailed.
 - Place of mailing (city and state): Sacramento, CA
 City and State where documents were mailed.
- I served a request to modify a child custody, visitation, or child support judgment or permanent order which included an address verification declaration. (Declaration Regarding Address Verification—Postjudgment Request to Modify a Child Custody, Visitation, or Child Support Order (form FL-334) may be used for this purpose.)
- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 Server must sign and date this form.

Date: May 14, 2013

Sally Server
(TYPE OR PRINT NAME) (SIGNATURE OF PERSON COMPLETING THIS FORM)

PROOF OF SERVICE BY MAIL

Page 1 of 1
Form Approved for Optional Use
Judicial Council of California Code of Civil Procedure, §§ 1013, 1013a
www.court.ca.gov

This form is completed by the person who posts your documents once the posting period is over.
 If your documents are posted in Sacramento County, court staff will complete this step for you.

Proof of Service by Posting (FL-985)

Proof of Service by Mail

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Paul Sample 1234 Main Street Sacramento, CA 95814</p> <p>TELEPHONE NO.: 916-555-9876 FAX NO. (Optional):</p> <p>E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): In Pro Per</p> <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento STREET ADDRESS: 3341 Power Inn Road MAILING ADDRESS: 3341 Power Inn Road CITY AND ZIP CODE: Sacramento, CA 95826 BRANCH NAME: William R. Ridgeway Family Relations Courthouse</p> <p>PETITIONER: Paul Sample RESPONDENT: Patricia Sample OTHER PARTY/PARENT:</p>	<p>FL-985 FOR COURT USE ONLY</p>
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Your name, address and phone number. "In Pro Per" means you're representing yourself.

Court name, address, and branch.

Enter the party names.

Case number.

PROOF OF SERVICE BY POSTING	CASE NUMBER: 34-2013-00012345
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1. At the time of service I was at least 18 years of age and not a party to this action. I served the respondent by posting copies of:
 - a. Summons (Family Law) (form FL-110)
 - b. Summons (Uniform Parentage—Petition for Custody and Support) (form FL-210)
 - c. Other (specify):

If posting a Summons, check the appropriate box. If posting any other documents, check "other" and list the other documents to be served. This must match question 6 of your Application and Order.

2. Location where documents were posted: 3341 Power Inn Road, Rom 214-Bulletin Board, Sacramento, CA 95826
3. Date when documents were first posted: June 1, 2013
 Date when documents were removed (document must be posted at least 28 days): June 30, 2013
4. My Name: Sally Server
 My Address: 625 Morningstar Way Sacramento, CA 95833
 My Telephone No.: 916-555-4569
 I am (specify):
 - a. exempt from registration under Business and Professions Code section 2
 - b. not a registered California process server.
 - c. a registered California process server. an employee or an independent contractor

Enter the location of posting. This must match the location listed on question 2 of your Application and Order.

Dates during which the documents were posted.

Name, address, and telephone number of the person posting the documents

Check the box that describes the person who posted the documents.

Check this box

5. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or-
6. I am a California sheriff, marshal, or constable, and I certify that the foregoing is true and correct.

Date: June 30, 2013

Server must sign and date this

Sally Server	
(NAME OF PERSON WHO SERVED PAPERS)	(SIGNATURE OF PERSON WHO SERVED PAPERS)

If your request to serve your documents by posting is granted, a copy of the Order for Publication or Posting (FL-982) and all the documents to be posted must be mailed to the respondent's last known address by someone over 18 who is not a party to the case. That person must complete this form, and return it to you for filing.

Proof of Service by Mail (FL-335)