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

- Application for Order for Publication or Posting (Family Law), FL-980 (https://courts.ca.gov/sites/default/files/courts/default/2024-11/fl980.pdf)
- Order for Publication or Posting (Family Law), FL-982 (https://courts.ca.gov/sites/default/files/courts/default/2024-11/fl982.pdf)
- Proof of Service by Posting (Family Law), FL-985 (https://courts.ca.gov/sites/default/files/courts/default/2024-11/fl985.pdf)
- Proof of Service by Mail (Family Law) (https://courts.ca.gov/sites/default/files/courts/default/2024-11/fl335.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/)

There is a $20 fee to file these forms. The current fee schedule may be found on the Court's website at
Superior Court of California, County of Sacramento Statewide Civil Fee Schedule
(https://www.saccourt.ca.gov/home/showpublisheddocument/219/639084032985130000) .

Common Questions

How do I search for the respondent?

Some tips and resources for finding people are described in our "Finding People and Businesses (https://www.saclaw.org/resource_library/finding-people-and-businesses/)" and "Declaration of Diligent Search (Guardianship) (https://saclaw.org/resource_library/declaration-of-diligent-search-guardianship-dispensing-with-notice-to-missing-relative/#paragraph_specific_tips)" guide. 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.

If the Respondent is located during the Publication or Posting process, a copy of the Summons, Petition and a blank Response must be served on Respondent by first class mail.

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 Probate Authorized Newspapers for General Publication (https://www.saccourt.ca.gov/divisions/probate/probate-authorized-newspapers-for-general-publication) page. 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?

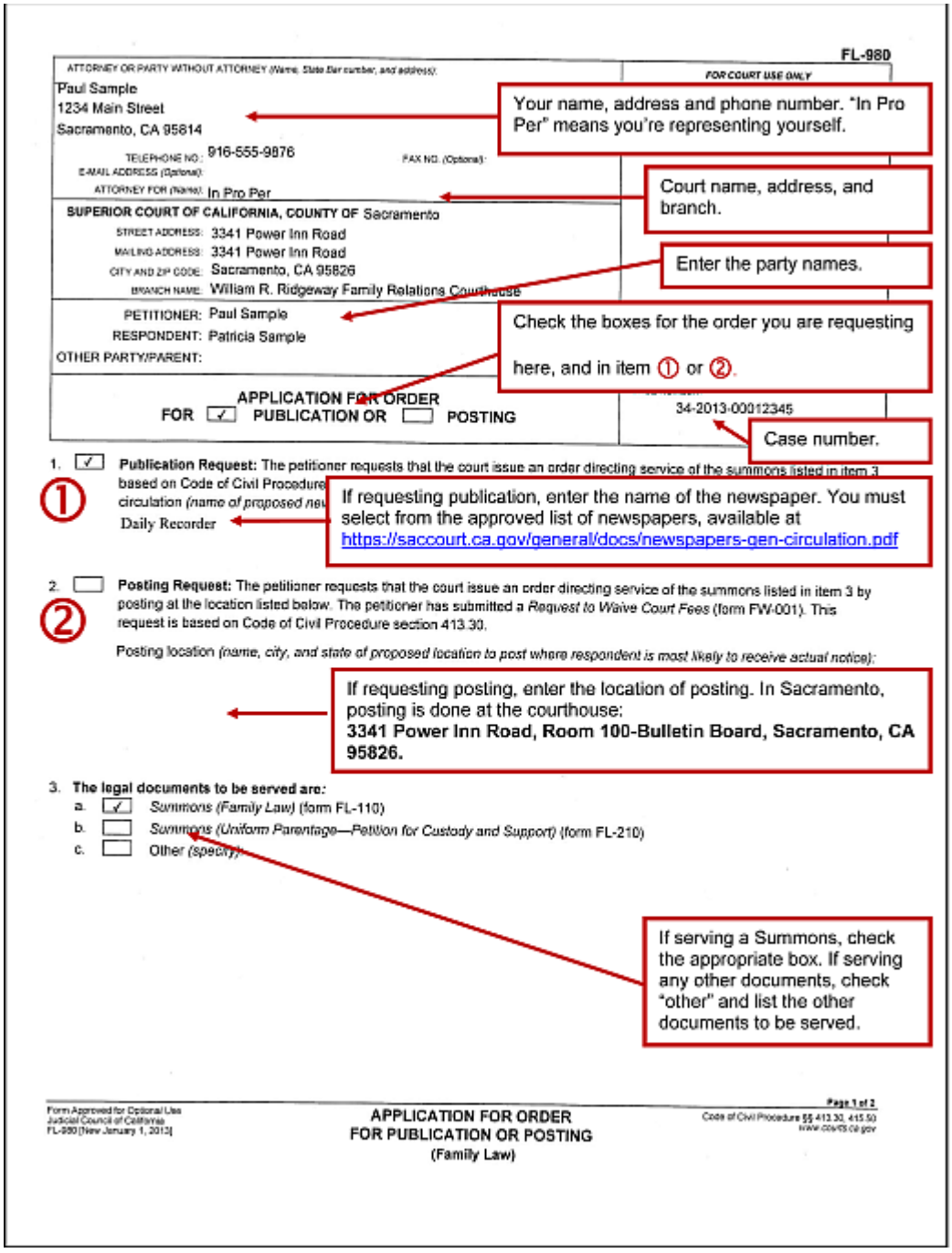
Yes, if the respondent's last known address is in Sacramento County. After your Application for Publication or Posting is approved, the court will post your documents for you at the courthouse. Court staff will also mail a copy of the appropriate documents to absent party's last known address.

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) 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) and file it with the court.

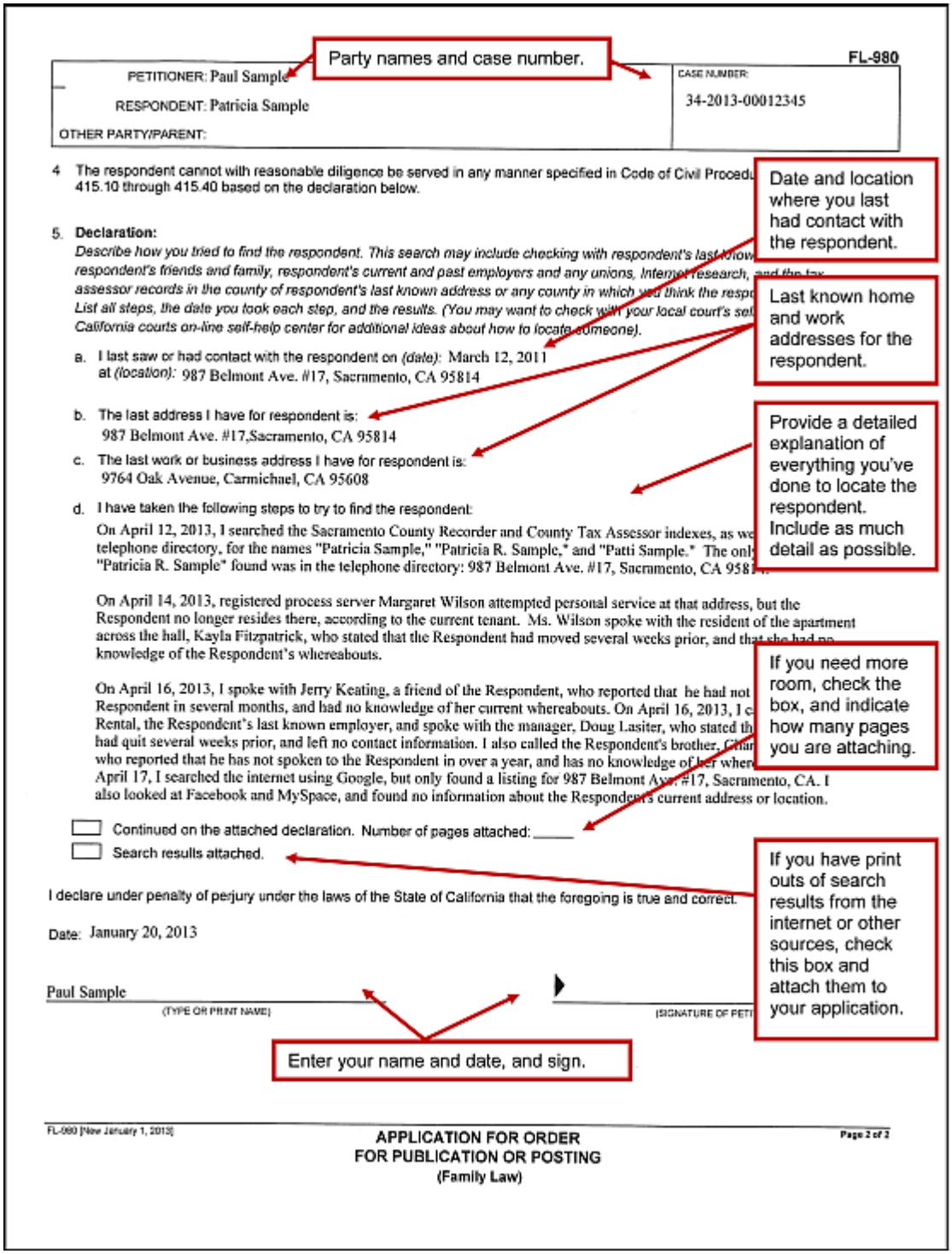
Instructions for completing the forms commonly used in this procedure can be found below.

Samples

Application for Order for Publication or Posting

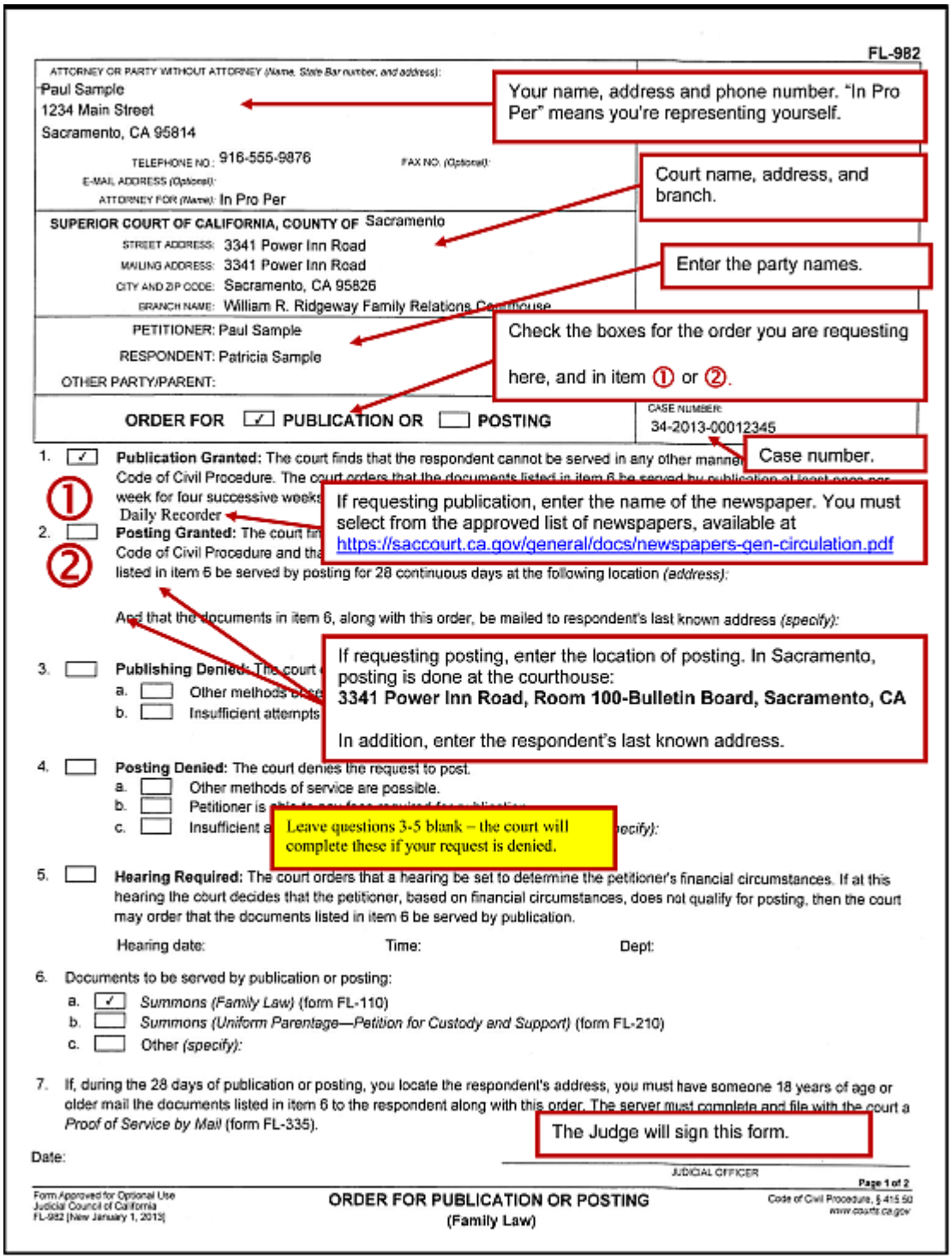


Application for Order for Publication or Posting (FL-980) (Page 1)



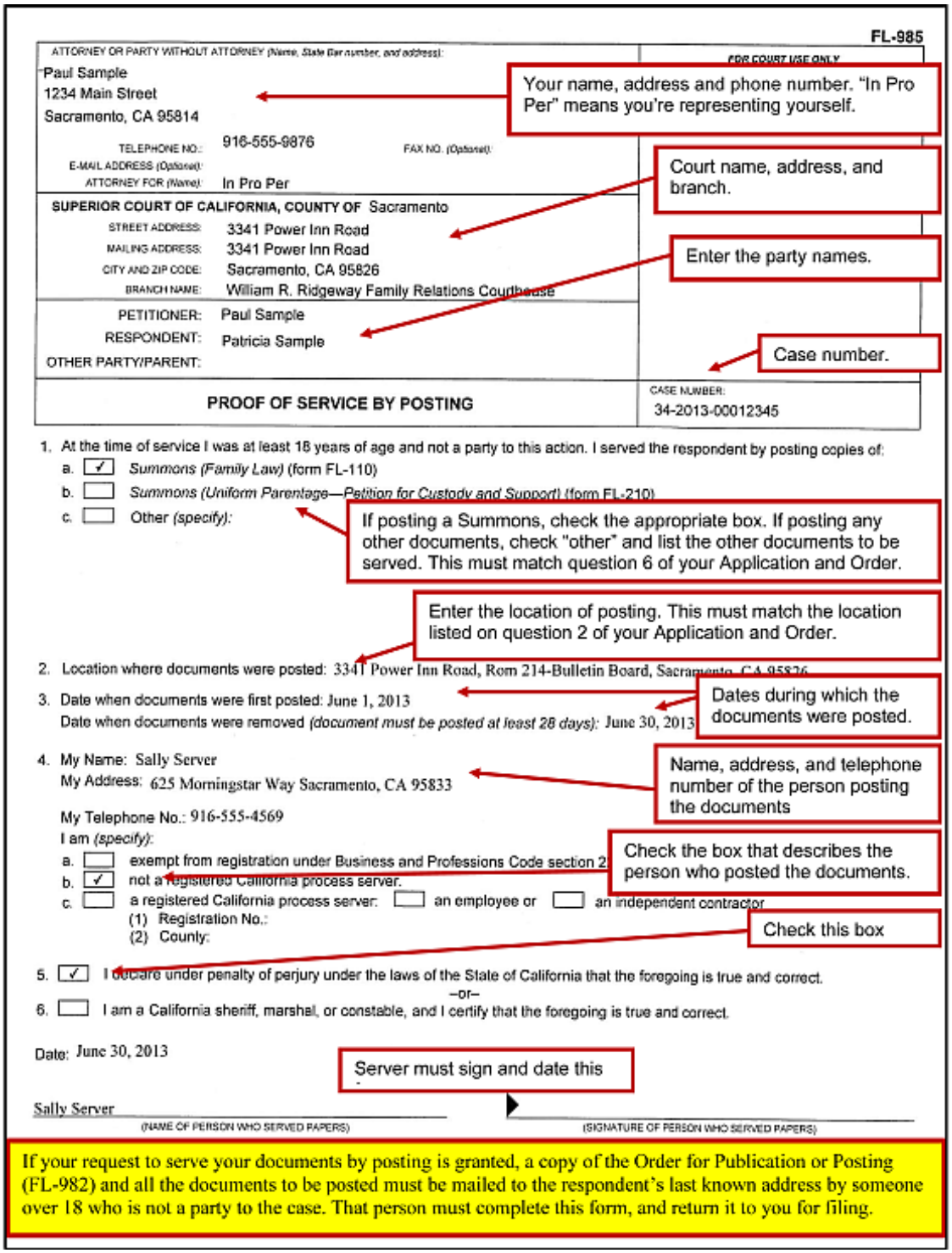
Application for Order for Publication or Posting (FL-980) (Page 2)

Order for Publication



Order for Publication or Posting (FL-982)

Proof of Service by Posting



FL-985

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

FOR COURT USE ONLY

Your name, address and phone number. "In Pro Per" means you're representing yourself.

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

Court name, address, and branch.

PETITIONER: Paul Sample
RESPONDENT: Patricia Sample
OTHER PARTY/PARENT:

Enter the party names.

Case number.

PROOF OF SERVICE BY POSTING

CASE NUMBER: 34-2013-00012345

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.

Enter the location of posting. This must match the location listed on question 2 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

Dates during which the documents were posted.

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
      (1) Registration No.:
      (2) County:

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

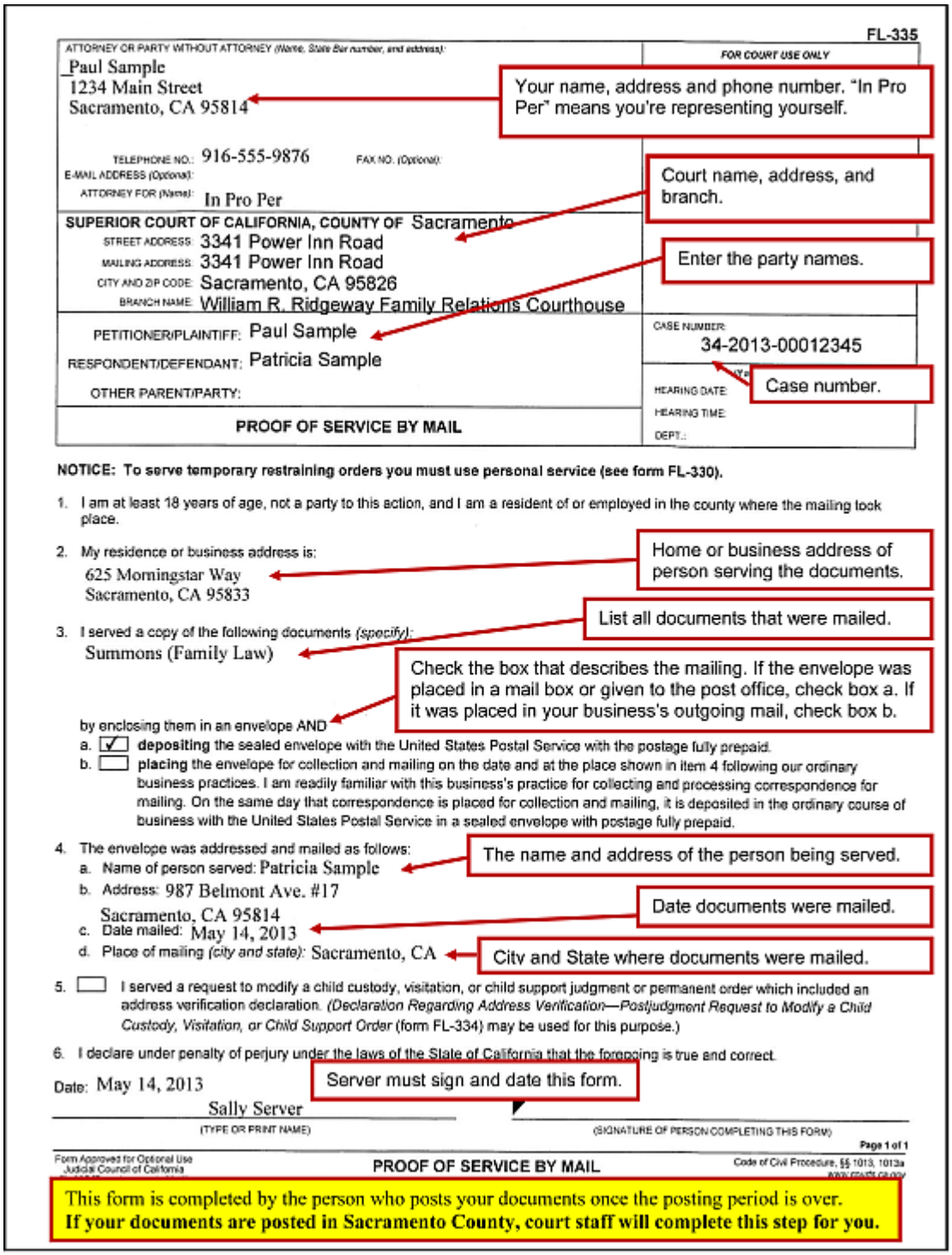
Server must sign and date this

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 Posting (FL-285)

Proof of Service by Mail



FL-335

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): FOR COURT USE ONLY

Paul Sample
1234 Main Street
Sacramento, CA 95814

Your name, address and phone number. "In Pro Per" means you're representing yourself.

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

Case number.

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).

1. 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.
2. My residence or business address is:
   625 Morningstar Way
   Sacramento, CA 95833

   Home or business address of person serving the documents.
3. I served a copy of the following documents *(specify)*:
   Summons (Family Law)

   List all documents that were mailed.

   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.

   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.
4. The envelope was addressed and mailed as follows:
   a. Name of person served: Patricia Sample

   The name and address of the person being served.

   b. Address: 987 Belmont Ave. #17
      Sacramento, CA 95814
   c. Date mailed: May 14, 2013

   Date documents were mailed.

   d. Place of mailing *(city and state)*: Sacramento, CA

   City and State where documents were mailed.
5. ☐ 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.)
6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 14, 2013

Server must sign and date this form.

Sally Server
(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON COMPLETING THIS FORM)

Page 1 of 1

Form Approved for Optional Use Judicial Council of California — PROOF OF SERVICE BY MAIL — Code of Civil Procedure, §§ 1013, 1013a

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 Mail (FL-335)

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