

AFFIDAVIT AND ORDER FOR PUBLICATION OF SUMMONS

AFFIDAVIT/ORDER FOR PUBLICATION OF SUMMONS
INFORMATION SHEET

****IMPORTANT DISCLOSURE****
***THIS PACKET IS IN NO WAY INTENDED TO SUBSTITUTE FOR
THE ADVICE OF A PRIVATE ATTORNEY***

Private Counsel Is Always Recommended For Legal Matters

The law allows any person to represent themselves in a legal action. However, filing an action with the court and representing yourself in the courtroom can be a complicated legal procedure and this packet does not attempt to address all the legal issues involved in bringing your matter before the court. This packet is created to help you access the legal system without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The laws and rules are set out in the Nevada Revised Statutes, the Rules of Civil Procedure for the Nevada District Courts, and the local rules governing the jurisdiction in which you are filing your documents. (ie. First Judicial District Court Rules)

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet.

THIS INFORMATION IS PROVIDED AS A COURTESY ONLY. THE FIRST JUDICIAL DISTRICT COURT, AND THEIR EMPLOYEES SHALL NOT BE LIABLE FOR ERRORS CONTAINED HEREIN OR FOR DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH THE FURNISHING OF THIS MATERIAL.

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I. PREPARING YOUR PAPERWORK

AFFIDAVIT FOR PUBLICATION OF SUMMONS

TO BE USED WHEN THE ADDRESS OF A PERSON IS UNKNOWN

- ✓ Complete the information requested on the lines in the upper left-hand corner of the first page. Please include area codes.
- ✓ Fill in the name of the Plaintiff and Defendant.
- ✓ Leave the Case No. and Dept. No. blank. The Clerk's Office will fill-in that information when you file the case.
- ✓ The *Affidavit for Publication of Summons* uses a fill-in-the-blank format. The form will tell you what information you need to put into the blanks.
- ✓ The *Affidavit for Publication of Summons* needs to be signed in front of a Notary Public.

Do not make any copies until the document has been notarized.

ORDER FOR PUBLICATION OF SUMMONS

This is the document that the judge signs to allow for publication.

- ✓ Complete the information requested on the lines in the upper left-hand corner of the first page. Please include area codes.
- ✓ Fill in the name of the Plaintiff and Defendant.
- ✓ Leave the Case No. and Dept. No. blank. The Clerk's Office will fill-in that information when you file the case.
- ✓ Leave the body of the document blank. The judge will fill-in that information when he signs the Order.

II. FILE THE PETITION FOR PUBLICATION OF SUMMONS AND SUBMIT THE ORDER FOR PUBLICATION

- Make one copy of the *Petition for Publication of Summons* and *Order for Publication*.
- Take the original and copy of the *Petition for Publication of Summons* and *Order for Publication* to the Clerk's Office (located on the third floor of the Carson City Courthouse).
- The Clerk will file the original *Petition for Publication of Summons* and will return the file-stamped copy to you for your records. The Clerk will keep the original and copy of the *Order for Publication* (to be signed by the judge).
- When the *Order for Publication of Summons* is signed by the judge, the original and copy will be file-stamped. You will need to call the Clerk's office to check on the status of the order.

III. PICK-UP COPY OF ORDER FOR PUBLICATION AND PUBLISH THE COMPLAINT/PETITION AND ISSUED SUMMONS

- Pick-up your copy of the *Order for Publication of Summons*. If you did not provide a copy, there will be a charge of \$1.00 for a copy.
- Take a copy of the *Complaint/Petition, issued Summons* and *Order for Publication of Summons* to the Nevada Appeal (or newspaper as indicated in order)(there will be a fee required, please contact the paper for procedures and costs.)
- The *Complaint/Petition* and *issued Summons* must be published one time per week, for four weeks in a row.
- At the end of the published time, the newspaper will send you a *Proof of Publication*.

IV. MAIL THE COMPLAINT/PETITION AND SUMMONS

- Even if you publish the *Petition/Complaint* and *issued Summons*, you must mail a **copy** of the *Petition/Complaint* and a **copy** of the *issued Summons* to the party's last known address via **certified mail, return-receipt requested**, (the return-receipt is the green card that is mailed back to you after the person picks up the envelope). ***This step must be done even if you know the Defendant has not lived at that address for a long time.*** You may do the mailing before or after the order allowing publication is filed.
- Complete the **Affidavit of Mailing (For use when service is by publication and mailing)** portion on the back of the original *issued Summons*.
- When the return-receipt (green card) or envelope is returned back to you, attach it to the back of the original *issued Summons*.

V. FILE THE PROOF OF PUBLICATION AND SUMMONS

- Make one copy of the *Proof of Publication* and *Summons*.
- Take the original and copy of the *Proof of Publication* you received from the newspaper and *Summons* to the Clerk's Office to be file-stamped.
- The Clerk will file the original *Proof of Publication* and *Summons* and will return the file-stamped copies to you for your records.

If you need guidance in filling out the forms or in the procedure of the case, seek the advice of a private attorney.

NOTE: YOU MAY NOT USE THESE FORMS IF YOU ARE PRESENTLY REPRESENTED BY AN ATTORNEY IN THIS MATTER.