

**EX PARTE MOTION FOR
PUBLICATION OF
SUMMONS**

E-4

Resource Center
1 South Sierra St., Third Floor
Reno, NV 89501
775-325-6731
www.washoecourts.com

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**EX PARTE MOTION FOR
PUBLICATION OF SUMMONS**

PACKET E-4

Use this packet only if all of the following statements are true:

- You have filed a complaint/petition in the Second Judicial District Court.
- You have been unable to serve the documents on the other party.
- You have been unable to find the other party.

INSTRUCTIONS FOR COMPLETING FORMS

Carefully read all instructions before starting to fill out any of the forms.

Use **black or blue ink only**. Neatly print the information requested.

Do not use correction fluid/tape on the forms.

This packet contains the following forms:

1. Ex Parte Motion for Publication of Summons and Declaration of Due Diligence in Support of Publication
2. Request for Submission
3. Order for Publication
4. Proof of Mailing
5. Proof of Publication
6. Request for Submission

The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00.

N.R.S. §199.145

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INSTRUCTIONS: STEP 1

Complete the Ex Parte Motion for Publication of Summons and Declaration of Due Diligence in Support of Publication as Shown:

1) Print your name, address, telephone number, and email.

2) Print your names, Case No., and Department No. just as they appear on all other documents in this case.

3) Complete pages 1-8, following the instructions on each page.

1	Code: 1027
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	
8	IN THE FAMILY DIVISION
9	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
10	IN AND FOR THE COUNTY OF WASHOE
11	_____,
12	Plaintiff / Petitioner, Case No. _____
13	vs. Dept. No. _____
14	_____,
15	Defendant / Respondent.
16	
17	<u>EX PARTE MOTION FOR PUBLICATION OF SUMMONS</u>
18	<u>AND DECLARATION OF DUE DILIGENCE IN SUPPORT OF PUBLICATION</u>
19	1.
20	I filed a verified Complaint or Petition for which good cause exists. The other party is a
21	necessary and proper party to this action.
22	2.
23	The last-known address that I know for the other party is _____
24	(Other party's last-known street address, City, State, and Zip Code)
25	The other party <input type="checkbox"/> DOES –OR– <input type="checkbox"/> DOES NOT live there. To my knowledge, the other party
26	lived there from _____ to _____.
27	// (Date other party moved to address) (Date other party last lived there or current)
28	//
	REV 4/9/19 JCB 1 E-4 MOTION

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INSTRUCTIONS: STEP 2

Complete the Request for Submission as Shown:

You will attach the Order to the Request for Submission using the Index of Exhibits and Exhibit Cover Page. When you upload your documents to eFlex you will upload the Request for Submission and Index of Exhibits as one PDF.

1) Print your name, address, telephone number, and email.

2) Print your names, Case No., and Department No. just as they appear on all other documents in this case.

4) Print the date you filed the documents.

5) Date, sign, and print your name.

1	Code: 3860
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	IN THE FAMILY DIVISION
8	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9	IN AND FOR THE COUNTY OF WASHOE
10	_____
11	Plaintiff / Petitioner, Case No. _____
12	vs. Dept. No. _____
13	_____
14	Defendant / Respondent.
15	
16	<u>REQUEST FOR SUBMISSION</u>
17	
18	I request that the Ex Parte Motion for Publication of Summons and Declaration of Due
19	Diligence in Support of Publication that was filed on _____ (Date the ex parte motion was filed)
20	be submitted to Court for decision.
21	This document does not contain the personal information of any person as defined by NRS
22	603A.040.
23	I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true
24	and correct.
25	
26	Date: _____ Your Signature: _____
27	
28	Print Your Name: _____
	REV 3/2019 JCB 1 E-4 REQUEST FOR SUBMISSION

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INSTRUCTIONS: STEP 3

Complete the Order for Publication as Shown:

You will attach the Order to the Request for Submission using the Index of Exhibits and Exhibit Cover Page. When you upload your documents to eFlex you will upload the Exhibit Cover Page and Order for Publication as one PDF.

1) Print your names, Case No., and Department No. just as they appear on all other documents in this case.

2) Do not fill out any other information.

1	Code: 2965
2	
3	
4	IN THE FAMILY DIVISION
5	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6	IN AND FOR THE COUNTY OF WASHOE
7	
8	_____
9	Plaintiff / Petitioner, Case No. _____
10	vs. Dept. No. _____
11	_____
12	Defendant / Respondent, /
13	
14	<u>ORDER FOR PUBLICATION</u>
15	
16	Good cause appearing therefore:
17	
18	IT IS HEREBY ORDERED that the Summons in this action be served upon Defendant /
19	Respondent by publication at least once a week for a period of 4 consecutive weeks in
20	(Name of newspaper/periodical) _____
21	a newspaper / periodical of general circulation published in
22	(Place of publication) _____
23	
24	<input type="checkbox"/> IT IS FURTHER ORDERED that a copy of the Summons and Complaint or Petition mailed
25	to the Defendant / Respondent's last-known address.
26	
27	Date: _____
28	DISTRICT JUDGE
	REV 4/22/19 JCB 1 E-4 ORDER

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INSTRUCTIONS: STEP 4

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wcefex.washoecourts.com/>, in the Law Library and the Resource Center.

Sign into your eFlex account using the username and password you created and electronically file the:

- Ex Parte Motion;
- Request for Submission and Exhibit Index; and
- Exhibit Cover Page and Order for Publication (as an exhibit **continuation to the Request for Submission).

Make sure to keep the original documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available at the Law Library and the Resource Center.

There is no filing fee charged when you file these documents.

INSTRUCTIONS: STEP 5

Wait

After you file the Ex Parte Motion and Request for Submission, the documents will be sent to the judge to determine whether you have shown that a serious attempt to locate the other party has been made. If you have, the judge will issue an Order for Publication that will detail where you will need to publish. If you have not, the judge will issue an order denying the request for publication and detailing why it was denied.

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INSTRUCTIONS: STEP 6

*Skip this step, if the Order from the judge **does not** direct you to send a copy to the other party.*

Complete the Proof of Mailing as Shown:

If the judge issues an Order directing you to mail a copy of the Summons and complaint or petition; you must mail a copy to the last-known address of the other party.

If you send the documents by certified mail, return receipt requested, you must attach to the Proof of Mailing the return receipt given to you by the post office. You will attach the return receipt to this document using the Index of Exhibits and Exhibit Cover Page. When you upload your documents to eFlex you will upload the Proof of Mailing and Index of Exhibits as one PDF.

1) Print your name, address, telephone number, and email.

2) Print your names, Case No., and Department No. just as they appear on all other documents in this case.

3) Select if you sent the copies by postage prepaid or certified mail.

4) Date, sign, and print your name.

1	Code: 3725
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	
8	IN THE FAMILY DIVISION
9	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
10	IN AND FOR THE COUNTY OF WASHOE
11	_____ Plaintiff / Petitioner, Case No. _____
12	vs. Dept. No. _____
13	_____ Defendant / Respondent.
14	
15	<u>PROOF OF MAILING</u>
16	
17	
18	I mailed a copy of the Summons and Complaint or Petition in this matter to the last-known
19	address of the Defendant / Respondent by <input type="checkbox"/> U.S. Mail, postage prepaid -OR- <input type="checkbox"/> certified mail,
20	return receipt attached.
21	This document does not contain the personal information of any person as defined by NRS
22	603A.040.
23	I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true
24	and correct.
25	
26	Date: _____ Your Signature: _____
27	
28	Print Your Name: _____
	REV 3/2019 JCB 1 E-4 PROOF OF MAILING

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INSTRUCTIONS: STEP 7

Publishing the Summons

After you receive the Order for Publication, you will need to bring to the newspaper/periodical of general circulation ordered by the court a copy of 1) the file-stamped Summons and 2) the Order for Publication. The publication must be done once a week for a period of four weeks.

The Affidavit of Publication

The newspaper/periodical will send you a document that you will file with the court to prove that you completed the publication. This document is the Affidavit of Publication; it should include an image of the publication. Contact the newspaper/periodical if it does not.

INSTRUCTIONS: STEP 8

Complete the Proof of Publication as Shown:

- 1) Print your name, address, telephone number, and email.
- 2) Print your names, Case No., and Department No. just as they appear on all other documents in this case.
- 3) Date, sign, and print your name.
- 4) You will attach the Affidavit of Publication to this document using the Index of Exhibits and Exhibit Cover Page. When you upload your documents to eFlex you will upload the Proof of Publication and Index of Exhibits as one PDF.

1	Code: 3715
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	
8	IN THE FAMILY DIVISION
9	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
10	IN AND FOR THE COUNTY OF WASHOE
11	Plaintiff / Petitioner, Case No. _____
12	vs. Dept. No. _____
13	
14	Defendant / Respondent, /
15	
16	<u>PROOF OF PUBLICATION</u>
17	
18	Attached as Exhibit 1 is the Affidavit of Publication received from the newspaper / periodical as
19	proof of publication of the Summons.
20	This document does not contain the personal information of any person as defined by NRS
21	603A.040.
22	I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true
23	and correct.
24	
25	Date: _____ Your Signature: _____
26	
27	Print Your Name: _____
28	
	REV 3/2019 JCB
	1
	E-4 PROOF OF PUB.

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INSTRUCTIONS: STEP 9

Complete the Request for Submission as Shown:

1) Print your name, address, telephone number, and email.

1 Code: 3860
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Email: _____
6 Self-Represented Litigant

7 IN THE FAMILY DIVISION
8 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9 IN AND FOR THE COUNTY OF WASHOE

2) Print your names, Case No., and Department No. just as they appear on all other documents in this case.

10 _____
11 Plaintiff / Petitioner, Case No. _____
12 vs. Dept. No. _____
13 _____
14 Defendant / Respondent.

3) Print the date you filed the documents.

15
16 REQUEST FOR SUBMISSION
17
18 I request that the Proof of Mailing and Proof of Publication that was filed on
19 _____ be submitted to Court for decision.
20 (Date the document was filed)

21 This document does not contain the personal information of any person as defined by NRS
22 603A.040.

23 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true
24 and correct.

4) Date, sign, and print your name.

25 Date: _____ Your Signature: _____
26
27 Print Your Name: _____
28

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INSTRUCTIONS: STEP 10

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wcefex.washoecourts.com/>, in the Law Library and the Resource Center.

Sign into your eFlex account using the username and password you created and electronically file the:

- Proof of Mailing;
- Proof of Publication and Index of Exhibits;
- Exhibit Cover Page and Affidavit of Publication (as an Exhibit **continuation of Proof of Publication); and
- Request for Submission.

Make sure to keep the original documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available at the Law Library and the Resource Center.

INSTRUCTIONS: STEP 11

Wait

The other party has 21 days to file a response with the court. Start counting the 21 days four weeks after the first day of publication. If you mailed a copy of the documents to the last-known address of the other party *after* publication; the 21 days begins the day after mailing.

- If they do not file a response in that time period, you can request a default decree be entered. To do that you will need to fill out a default packet. The packet is available at the Resource Center, the Law Library, or online at www.washoecourts.com.
- If they do respond, the case is put on a “trial track”. You can seek help and guidance from a private attorney or procedural information from the Resource Center or the Law Library for the next step in your case.

ATTENTION

A decree is not automatically granted at the end of the time for the answer to be filed. You must follow-up on your case and file the default packet if the other party does not file an answer or your case may be dismissed.

Legal Assistance Information

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

LAWYER IN THE LIBRARY

Sign up on our website:

<https://www.washoecourts.com/LawLibrary/LawyerInLibrary>

For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

NEVADA LEGAL SERVICES

449 S. Virginia St.
Reno, NV 89501

775-284-3491 – leave a message, if
necessary

<https://nevadalegalservices.org>

NORTHERN NEVADA LEGAL AID

1 S. Sierra St., 1st Floor
Reno, NV 89501

775-321-2062 – leave a message, if
necessary

<https://nnlegalaid.org>