

EX PARTE MOTION FOR ALTERNATIVE SERVICE OF SUMMONS

E-5

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
ALTERNATIVE SERVICE OF
SUMMONS**

PACKET E-5

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 have the other party personally served.
- You are able to give the other party notice of the case in a way other than personal service.

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 Alternative Service of Summons and Declaration of Due Diligence in Support of Alternative Service
2. Request for Submission
3. Order for Alternative Service
4. Proof of Alternative Service

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 Alternative Service of Summons and Declaration of Due Diligence in Support of Alternative Service 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 the document, following the instructions on each page.

1	Code: 1670
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>EX PARTE MOTION FOR ALTERNATIVE SERVICE OF SUMMONS</u>
17	<u>AND DECLARATION OF DUE DILIGENCE IN SUPPORT OF ALTERNATIVE SERVICE</u>
18	1.
19	I filed a verified Complaint or Petition for which good cause exists. The other party is a
20	necessary and proper party to this action.
21	
22	2.
23	The last-known address that I know for the other party is
24	_____
25	(Other party's last-known Street Address, City, State, and Zip Code)
26	The other party <input type="checkbox"/> DOES –OR– <input type="checkbox"/> DOES NOT live there.
27	To my knowledge, the other party lived there from _____ to _____
28	(Date other party moved to address)
	(Date other party last lived there or current)
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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 file 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 Alternative Service of Summons and Declaration of Due
19	Diligence in Support of Alternative Service that was filed on _____
20	be submitted to Court for decision. (Date the ex parte motion 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.
25	
26	Date: _____ Your Signature: _____
27	
28	Print Your Name: _____
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INSTRUCTIONS: STEP 3

Complete the Order for Alternative Service 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 Alternative Service as one PDF.

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

2) Check all the ways that you selected in your ex parte motion that will best give notice to the other party.

3) At the bottom of page two, date, sign, and print your name.

1	Code:
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	Plaintiff / Petitioner,
9	vs.
10	_____
11	Defendant / Respondent.
12	
13	<u>ORDER FOR ALTERNATIVE SERVICE</u>
14	
15	Upon reading the Ex Parte Motion for Alternative Service of Summons and Declaration of Due
16	Diligence in Support of Alternative Service on file, the Court finds that service of the Summons and
17	Complaint / Petition upon the other party under NRCP 4.2, 4.3, and 4.4(a) are impracticable.
18	
19	IT IS HEREBY ORDERED that the other party shall be served with the Summons and
20	Complaint / Petition through the following alternative methods: (☑ Check all that apply)
21	<input type="checkbox"/> Mail a copy to the other party's last-known address.
22	<input type="checkbox"/> Post a copy on the other party's door. I know where the other party lives but they have
23	refused to accept the papers.
24	<input type="checkbox"/> Email a copy to the other party.
25	<input type="checkbox"/> Text a copy to the other party's phone number.
26	<input type="checkbox"/> Send a copy to the other party's social media account. Social media account:
27	<input type="checkbox"/> Facebook Messenger; <input type="checkbox"/> Instagram; <input type="checkbox"/> Twitter; <input type="checkbox"/> Other _____
28	<input type="checkbox"/> Other: _____
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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 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 Alternative Service
(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 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 if you will be able to service by an alternative method. If you are, the judge will issue an Order for Alternative Service that will detail how you need to complete service. If you are not, the judge will issue an order denying the request for alternative service.

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INSTRUCTIONS: STEP 6

If the judge issues the Order for Alternative Service, complete the service detailed in the order. *You must mail a copy of the Summons, Complaint / Petition, and Order for Alternative Service to the other party's last-known address, even if you did not select mailing as an alternative method.* After all methods of alternative service are complete, continue to the next step.

INSTRUCTIONS: STEP 7

Complete the Proof of Alternative Service 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) Select all the ways you served the other party and the additional information requested.

4) On page two, date, sign, and print your name.

1	Code: 3720
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,
12	Case No. _____
13	vs. _____ Dept. No. _____
14	_____, Defendant / Respondent.
15	
16	
17	<u>PROOF OF ALTERNATIVE SERVICE</u>
18	
19	I certify that the other party was served by all of the following methods authorized by the Court:
20	<input checked="" type="checkbox"/> Check all that apply
21	<input type="checkbox"/> Mail: I mailed a copy of the Complaint / Petition, Summons, and Order for Alternative
22	Service on (date) _____ to the other party's last-known address below:
23	Street address: _____
24	City, State, Zip Code: _____
25	<input type="checkbox"/> Posting on Door: I posted a copy of the Complaint / Petition and Summons on the other
26	party's door on (date) _____.
27	<input type="checkbox"/> Email: I emailed a copy of the Complaint / Petition and Summons on (date) _____
28	to (email address(es) you sent it to) _____.
	REV 2/2019 JCB 1 E-5 PROOF OF SERVICE

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INSTRUCTIONS: STEP 8

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 Resource Center.

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

- Proof of Alternative Service.

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 Resource Center.

INSTRUCTIONS: STEP 9

Wait

The other party has 21 days from the last service date to file a response with the court.

- 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, 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 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>