

REQUEST FOR ALTERNATIVE SERVICE

Alternative Form of Service Instructions

The law requires that you try to locate respondent through all possible methods before an alternative method of service is allowed. This may include contacting respondent's employer, friends and relatives, public utilities, the post office, Department of Motor Vehicles or any other entity or person that might know of respondent's whereabouts.

This packet is for a person who has filed a Petition for Dissolution or a Petition for Custody, Parenting Time and Support and cannot complete service by personal service (having the papers delivered directly to respondent.)

These forms allow you to request permission from the Court to use one of the following methods of service: publication, posting, or mailing to a specified post office address

STEP 1

1. Fill out the Affidavit in Support of Motion for Alternative Form of Service (AFFIDAVIT) and Motion for Order to Allow an Alternative Form of Service (MOTION).
- Fill out the case heading on the Order Regarding Request for Alternative Form of Service (ORDER).
- Make two copies of the MOTION, ORDER AND AFFIDAVIT. One is for your records and the other is to send to the respondent.

STEP 2

- File the original AFFIDAVIT, MOTION and ORDER with the court clerk.
- Send true copies (copies that you have signed where it says, "I certify this is a true copy") of the originals to the respondent if you have a mailing address for that person.

STEP 3

Check back in a week to see if the ORDER was signed by a judge, and if so, what method of service the judge has allowed you to use (if any).

STEP 4

- If an alternative method was allowed in the ORDER, follow the instructions in the ORDER to complete service.
- To serve by publication, you must fill out the Summons in this packet completely and have it published in the newspaper specified in the ORDER. You must also mail a copy of the

summons and petition to the respondent if you know his or her post office box number or can find out what the post office box number is with reasonable diligence. If you can't find out the post office box number by exercising reasonable diligence, you may mail the documents to the respondent's last known address.

- To serve by mail, send the documents by first class mail and by any of the following: certified or registered mail, return receipt requested, or express mail as specified in the judge's order.

STEP 5

Once service is complete, file a proof of service with the court. You may do this by filing the Affidavit of Service if service was completed by posting or mailing. If service was completed by publication, submit the Affidavit of Publication.

STEP 6

Wait until the period for the respondent to file a response has passed. If you don't receive a copy of a response in the mail, check with the court clerk to see if one was filed. If no response was filed, you may file your request for a default according to the instructions in the packet you used to file your petition.

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

In the Matter of the Marriage of)
)
_____))
Petitioner,)
and)
_____))
Respondent.)

Case No.
MOTION TO ALLOW AN
ALTERNATIVE FORM
OF SERVICE

Motion

I, _____, request that the court issue an Order allowing service by publication, mailing or posting based on unsuccessful attempts to locate and serve the other party detailed in the attached affidavit. If the court orders service by publication, I request that I be allowed to publish notice in _____, a newspaper of general circulation in _____ County.

Points and Authorities

ORCP 7D(6)(a) allows the court to order service by any method or combination of methods which under the circumstances is most reasonably calculated to apprise the party of the existence and

1 pendency of the action, upon a showing that service cannot be made by any method otherwise specified by
2 law.

3 Dated: _____, 20____.

4

5

Signature, Petitioner

6

Print Name

7

Address or Contact Address

8

City, State, Zip

9

Telephone or Contact Telephone

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13 **Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding
the document you are filing with the court. Check all boxes and complete all blanks that apply:

14

I selected this document for myself and I completed it without paid assistance.

15

I paid or will pay money to _____ for assistance in preparing this form.

16

DATED: _____, 20____.

17

Signature

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23 I certify that this is a true copy: _____

Signature

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

In the Matter of the Marriage of: _____)
_____)
Petitioner,)
vs.)
_____)
Respondent.)

No. _____)
AFFIDAVIT IN SUPPORT OF)
MOTION FOR ALTERNATIVE)
FORM OF SERVICE)

STATE OF _____)
County of _____) ss.

I, _____, being first duly sworn, say that the following
is true:

- 1. I am the petitioner in this case.
- 2. I have had no contact with the respondent since (date)_____. His/Her last known
address is _____
_____, and I am not
presently aware of his/her whereabouts, mailing address or how to get in contact with him/her.

1 3. I attempted to have the respondent personally served at his or her dwelling house or usual
2 place of abode located at

3 _____.

4 Service at this address has not been successful

5 because: _____

6 _____

7 _____.

8 4. I have have not found a post office address for the respondent. I have made the
9 following efforts to locate a post office address:

10 _____

11 _____

12 5. In addition to the methods described above, I have tried to locate the other party using the
13 following methods:

14 (Describe methods, list dates they were used, and explain why efforts to locate through utility company records,
15 driving

16 records, postal records, family members, friends and any other reasonable means has not been successful.

17 Attach additional pages if necessary).

18 _____

19 _____

20 6. **Check one:**

21 7. I know of a specific location where publication might reasonably result in actual
22 notice to the respondent:

23 _____
(List county and state)

24 Because: _____

25 _____

26 I do not know of a specific location where publication might result in actual notice to

1 the respondent.

2 8. I am without funds to pay for publication by newspaper. A copy of the order deferring or
3 waiving my filing fee is attached. The cost of service by publication in the newspaper would be
4 \$_____.

5 Dated: _____, 20_____.

6 _____
7 Signature, Petitioner

8 _____
9 Print Name

10 _____
11 Address or Contact Address

12 _____
13 City, State, Zip

14 _____
15 Telephone or Contact Telephone

16 SIGNED AND SWORN to before me this _____ day of _____, 20 ____,
17 by _____.

18 _____
19 Notary Public for _____/Court Clerk
20 My Commission Expires: _____

21 **Certificate of Document Preparation.** You are required to truthfully complete this certificate
22 regarding the document you are filing with the court. Check all boxes and complete all blanks that
23 apply:

- 24 I selected this document for myself and I completed it without paid assistance.
- 25 I paid or will pay money to _____ for assistance in preparing this
26 form.

27 DATED: _____, 20_____.

28 _____
29 Signature

30 I certify that this is a true copy: _____.
31 Signature

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

In the Matter of the Marriage of:

Petitioner,

vs.

Respondent.

)
)
) No.
)
) ORDER REGARDING REQUEST
) FOR ALTERNATIVE FORM
) OF SERVICE
)
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)

Based upon the motion and affidavit of the petitioner on file herein, the request for the use of an alternative service method is hereby:

IT IS HEREBY ORDERED that service shall be made upon respondent as follows:

By publication. The summons shall be published once a week for four consecutive weeks in _____, which is hereby found to be a newspaper of general circulation in _____ County, _____ (state).

By mailing. The summons and petition shall be mailed to respondent at the following address: _____ by first class mail and by certified or registered mail, return receipt requested or express mail. Respondent shall have _____ days to

1 respond from the following date: the signing of the receipt of mailing (if applicable), three days after the
2 mailing if mailed to an Oregon address, or seven days after the mailing if mailed to an out of state address,
3 whichever comes first.

4 **By posting.** The summons and petition shall be posted at the following location(s):

5 _____

6 for a period of four (4) weeks. Respondent shall have _____ days to respond from the date of first
7 posting (insert date): _____.

8

9 DATED this ____ day of _____, 20____.

10

11

Circuit Judge

12

13

Submitted by:

14

15 _____
Petitioner, Signature

16

Print Name

17

18 _____
Address or Contact Address

19

City, State, Zip

20

21 _____
Telephone or Contact Telephone

22

23

24 I certify that this is a true copy: _____

Signature

25

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1 IN THE CIRCUIT COURT OF THE STATE OF OREGON

2 FOR THE COUNTY OF DESCHUTES

3 In the Matter of the Marriage of)
 4 _____,) No
 Petitioner,)
 5 and) SUMMONS
)
 6 _____,) DOMESTIC RELATIONS SUIT
 Respondent.)

7 TO: _____, Respondent.

8 The petitioner has filed a Petition asking for: _____

9
10 -----
11 If you do not file the appropriate legal paper with the court in the time required (see below), the petitioner may
12 ask the court for a judgment against you that orders the relief requested.

13 **NOTICE TO RESPONDENT: READ THESE PAPERS CAREFULLY!**

14
15 **You must “appear” in this case or the other side will win automatically. To “appear”, you must file**
16 **with the Court a legal paper called a “Response” or “Motion.” This paper must be given to the**
17 **Court within thirty (30) days of the date of first publication specified herein along with the required**
18 **filing fee. It must be in proper form and you must show that the petitioner’s attorney (or the**
petitioner if he or she does not have an attorney) was served with a copy of the “Response” or
“Motion.” Response forms may be available through your local court located at: 1100 NW Bond
St., Bend OR 97701. The first date of publication was: _____.

19 If you have questions, you should see an attorney immediately. If you need help finding an
20 attorney, you may call the Oregon State Bar’s Lawyer Referral Service at (503) 684-3763 or toll free in
Oregon at (800) 452-7636.

21 _____
Petitioner, Signature

22 _____
Print Name

23 _____
Address or Contact Address

24 _____
City, State, Zip

25 _____
Telephone or Contact Telephone

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON

2 FOR THE COUNTY OF DESCHUTES

3 In the Matter of the Marriage of:)

) No.

4 _____)

Petitioner,

) AFFIDAVIT REGARDING
) PUBLICATION OF SUMMONS

5 vs.)

6 _____)

Respondent.)

7 STATE OF _____)

) ss.

8 County of _____)

9 I, _____, being first duly sworn, say that I am the

10 _____ of _____, a newspaper of general circulation

11 published in _____ located in _____ County; State of

12 _____, that I know from my personal knowledge that the summons and summary of the petition,

13 a printed copy of which is attached, were published in the entire issue of said newspaper four times in the

14 following issues: _____.

15 Dated: _____, 20____.

16 _____
Signature, Petitioner

17 _____
Print Name

18 _____
Address or Contact Address

19 _____
City, State, Zip

20 _____
Telephone or Contact Telephone

21 SIGNED AND SWORN to before me this ____ day of _____, 20 ____,

22 by _____.

23
24 _____
Notary Public for _____/Court Clerk
My Commission Expires: _____

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

In the Matter of the Marriage of:

Petitioner,

vs.

Respondent.

)
)
) No.
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) AFFIDAVIT OF SERVICE
) BY POSTING AND/OR
) CERTIFIED OR REGISTERED
) MAIL
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STATE OF _____)
)ss.
County of _____)

I, _____, being first duly sworn, say: I am a resident
of the County of _____, State of _____.

I am a competent person 18 years of age or older.

Service by Posting. I am not a party to or attorney in this proceeding. I personally posted
the summons and petition at (location): _____
_____ for a period of four (4) weeks,
beginning _____ and ending _____.

Service by Mailing. I personally deposited a true copy of the summons, petition, and

in the United States first class mail and by: certified mail, return receipt requested, delivered to
addressee only, or registered mail, return receipt requested, or express mail on

_____ addressed to _____

_____. The return receipt is attached to this affidavit.

Signature

Print Name

Address or Contact Address

City, State, Zip

Telephone or Contact Telephone

SIGNED AND SWORN to before me this _____ day of _____, 20____,

by _____.

Notary Public for _____/Court Clerk
My Commission Expires: _____

Certificate of Document Preparation. You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to _____ for assistance in preparing this form.

DATED: _____, 20 _____.

Signature

I certify that this is a true copy: _____.