

INSTRUCTIONS TO REQUEST SERVICE BY PUBLICATION

GENERAL INFORMATION

- Before the Court can authorize service by publication, you must make diligent efforts to locate the other party.
- If the last known address was in Colorado, an attempt of personal service per Rule 4 of the Colorado Rules of Civil Procedure is required. Note: Mailing documents to the last known address is not considered personal service.
- Diligent efforts include contacting friends, family, business associates; completing an internet search; and attempting personal service by a process server, police department or sheriff's office. You will need to identify your efforts to locate the other party on the Motion and attach documentation to show your efforts, e.g. completed Affidavit of Service/Return of Service identifying that service was not successful.
- Service by publication of summons is the responsibility of the Petitioner. The notice must be published in a local newspaper and you are required to pay for publishing for five consecutive weeks. Please check with a local newspaper to determine the average cost for publication.
- Service by certified mail is completed by the Clerk of Court. You are responsible for the costs.
- Service by publication by consolidated notice is completed by the Clerk of Court, pursuant to §14-10-107(4), C.R.S. Most courts complete a consolidated notice only once a month and the notice is posted on the judicial website and/or court bulletin boards and in the local newspaper. You are responsible for all publication costs.
Note: By selecting service by consolidated notice, the Court will not have jurisdiction to address issues regarding the division of property, payment of maintenance, payment of attorney fees, and payment of child support. If you have specific questions regarding service by publication by consolidated notice and issues that you need the court to address in your case, please consult with an attorney.
- For additional information regarding service of process, review Rule 4 of the Colorado Rules of Civil Procedure.

FORMS TO COMPLETE

1. Motion (JDF 1301):

- Complete all sections on this form and attach supporting documentation to support your efforts to locate the other party.
- It is important that you identify the method of service that you are requesting.
- The form must be signed in the presence of a Court Clerk or Notary Public.

2. Order (JDF 1302):

- Complete the caption only on the Order.
- The Court will complete the Order upon review of the Motion and supporting documentation.
- If you selected Service by Publication by Consolidated Notice, you will be required to pay the Court prior to the publication. Please check with the local court for price and specific procedures.

Once publication of the Notice has been completed, the newspaper agency will provide you with a clipping of the publication along with an Affidavit of Publication. It is your responsibility to provide this information to the Court. This proof is necessary for the matter to be set for any future hearings.