

IMPORTANT!!!!!!!

USE THIS FORM ONLY IF YOU DO NOT KNOW WHERE THE RESPONDENT IS.

INSTRUCTIONS FOR SERVICE BY PUBLICATION

If you do not know where the Respondent resides, you must serve the Respondent by publishing a notice in the Fulton County legal organ. The legal organ is the newspaper that publishes legal notice for Fulton County. The legal organ for Fulton County is the Daily Report. To do this you must complete the following steps:

1. Prepare your petition. Make sure that you state in your petition that it is being served by publication.
2. Make a diligent effort to locate Respondent.
3. Complete the Affidavit of diligent search form indicating you have made a diligent effort to locate Respondent.
4. Complete the Notice of Publication form.
5. Complete the top portion of the Order for Service by Publication. The Judge will sign the bottom portion if the Order is granted.

In addition to the normal filing fee, you must also pay a publication fee. Please check with the Clerk of the Superior court to get the fee amount.

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

Petitioner: _____

Respondent: _____

Civil Action File No. _____

AFFIDAVIT OF DILIGENT SEARCH

I am the Petitioner in this case. I am filing this *Affidavit of Diligent Search* under O.C.G.A. §9-11-4(f)(1)(A). I hereby swear and affirm, before a notary public, that the following information is true:

1.

A diligent search has been made, and the Respondent cannot be found within the State. I do not know where the Respondent lives or where the Respondent can be found.

2.

The last known address and telephone number I have for the Respondent is:

To the best of my knowledge, the Respondent still lived at that address as of: _____
(date), but no longer lives there.

3.

I have made the following efforts to find the Respondent:

Checked with Respondent's friends, relatives, employers, landlords or others

I have listed below:

(1) Name of Person Contacted: _____

Contact's Relationship with Respondent _____

Address & phone number _____

Date I contacted this person: _____

Results of Contact/What they told me: _____

(2) Name of Person Contacted: _____

Contact's Relationship with Respondent _____

Address & phone number _____

Date I contacted this person: _____

Results of Contact/What they told me: _____

(3) Name of Person Contacted: _____

Contact's Relationship with Respondent _____

Address & phone number _____

Date I contacted this person: _____

Results of Contact/What they told me: _____

(4) Name of Person Contacted: _____

Contact's Relationship with Respondent _____

Address & phone number _____

Date I contacted this person: _____

Results of Contact/What they told me: _____

Checked telephone information and directories, with the following results:

Service attempted at the Respondent's last known residence OR the Respondent's last known place of employment, which was at the following address: _____
_____.

The following other efforts, with the following results: _____
_____.

Petitioner (Sign in front of the Notary)

Sworn to and subscribed before me,
this ____ day of _____, 20____.

NOTARY PUBLIC

My Commission expires:

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

Petitioner: _____

and

Respondent: _____

Civil Action File No. _____

NOTICE OF PUBLICATION

To: _____

By Order for Service by Publication dated _____ day of _____, _____.
You are hereby notified that on the _____ day of _____, _____, the
Petitioner filed suit against you for _____ (name of petition).

You are required to file with the Clerk of the Superior Court of Fulton County, and to serve
upon the Petitioner (name) _____ at this address
_____ an answer to the complaint
within sixty (60) days of the date of the first publication of notice.

Witness the Honorable _____ Judge of this Court.

This _____ day of _____, _____.

Clerk, Superior Court of Fulton County

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

Petitioner: _____

and

Respondent: _____

Civil Action No. _____

Service by Publication Dates:

ORDER FOR SERVICE BY PUBLICATION

It appearing by affidavit that the above named Respondent on whom service is to be made in this case resides out of the State, or has departed from the State, or after due diligence cannot be found within the State of Georgia, or conceals (him)(her)self to avoid service of the Summons, and it further appearing, either by affidavit or by verified complaint on file, that a claim exists against the Respondent in respect to whom service is made, and that (he) (she) is a necessary or proper party to the action.

IT IS HEREBY CONSIDERED, ORDERED AND DECREED that service is made by publication as provided by law.

Signed this _____ day of _____, 20 ____.

Judge/ Clerk of Superior Court of Fulton County

RETURN OF SERVICE

I hereby certify that a Notice in the manner and from prescribed in the foregoing Order was published, and that I have enclosed, directed, stamped and mailed a copy of said Notice together with a copy of the Order for Service by Publication and Complaint (if any), to the above named defendant.

This the _____ day of _____, 20 ____.

Deputy Clerk of Superior Court

ORDER PERFECTING SERVICE

It appearing to the Court that Service upon the above named party has been perfected by publication of notice on the above stated dates in the legal organ of this County, and by enclosing, directing, stamping, and mailing a copy of the notice together with a copy of the order for Publication and the Complaint (if any) to said defendant at (his)(her) last known address.

It is ORDERED that service by publication is approved.

Judge, Fulton Superior Court

Signed this _____ day of _____, 20 ____.

Publication dates OK: This the ____ day of _____, 20 ____.

Deputy Clerk