

INSTRUCTIONS FOR REQUESTING TO SERVE NOTICE BY PUBLICATION

SERVICE BY PUBLICATION IS A LAST RESORT AND CAN ONLY BE USED IF PERSONAL SERVICE AND MAIL SERVICE DID NOT WORK.

1. You have a responsibility to make every effort to make personal service if possible, which shall consist of delivering to the party a copy of the papers being served by a law enforcement officer or other person, who is not a party to the action and who is at least 18 years of age. **You may not deliver the court papers yourself!**

Determining the other party's location may be done by gathering reasonably available information from the other party, family, friends, and the other party's coworkers; looking in the phonebook; and online searches.

2. If personal service is not possible, then you have a responsibility to attempt mail service if possible, by sending the papers being served by certified mail, with return receipt.

You may obtain the address from the other party, family, friends, and the other party's coworkers; look in the phonebook; or do an online search, including <https://wcca.wicourts.gov/>.

3. If personal service and mail service are attempted unsuccessfully or are not possible, then you may complete and sign the Request and Order to Serve Notice by Publication.
4. File the original request form with the Clerk.
5. If the request is approved by the Court, the Clerk of Family Court may assist parties with obtaining a quote regarding the notice by publication.
 - a. If the Clerk's assistance is used, parties shall submit payment to the Clerk of Family Court prior to the notice being submitted for publication.
 - b. The Court shall not be responsible for any fees associated with the notice by publication.
 - c. Fee waivers are not available from the Court for notice by publication.

Any questions, call the Clerk of Court at 920-496-7200.

ONEIDA FAMILY COURT

In re the matter of: _____, **d.o.b.** _____

_____,
Petitioner(s)

v.

Case No: _____

_____,
Respondent(s)

REQUEST AND ORDER TO SERVE NOTICE BY PUBLICATION

Pursuant to 8 O.C. 803.5-6(c), I am requesting that the court allow me to complete service by publication. The other party cannot with reasonable diligence be served in any other manner specified in 8 O.C. 803.5-6 based on the declarations below:

1. I last saw or had contact with the other party as follows:
 - Date: _____.
 - Location: _____.
2. The last address that I have for the other party (city, state, zip) is:
_____.
3. The last work or business address that I have for the other party (city, state, zip) is:
_____.
4. I attempted personal service as follows (if not possible, indicate why): _____

_____.
5. I attempted mail service as follows (if not possible, indicate why): _____

_____.
6. I have taken the following steps to try to find the other party (describe efforts including: contacting the other party; contacting family and friends; contacting the other party's coworkers; looking in the telephone book; and online searches, including social media):

_____.

See attached.

7. The whereabouts of the other party are unknown.

I ask this Court to enter an order permitting service by publication.

Dated this ____ day of _____, 20__

Signature of Party

Name Printed

Oneida Family Court
P O Box 19
Oneida, WI 54155
(920) 496-7200

The Court finds and orders:

1. The whereabouts of the other party are unknown and cannot be found after diligent effort.
2. Due diligence:
 - was made to make personal service and service by certified mail.
 - was not made to make personal service and service by certified mail.
3. The request to serve by publication in the Tribal newspaper or in a newspaper of general circulation in the area of the party's last known address is:
 - GRANTED.
 - a. The party publishing notice is responsible for service costs.
 - b. The "Legal Notice" shall be published at least two (2) times within a thirty (30) day period.
 - c. Pursuant to 8 O.C. 803.5-6(c)(1), the two (2) notices shall be published prior to the hearing.
 - d. Copies of the two (2) published notices and an affidavit of service shall be filed with the court as proof of service.
 - DENIED.

BY THE COURT:

Family Court Judge

Date