

INSTRUCTIONS FOR SERVING SUMMONSES BY PUBLICATION

PLEASE READ THESE CAREFULLY. IF YOU DO NOT FOLLOW THESE INSTRUCTIONS, YOU MAY HAVE TO SERVE THE SUMMONS AGAIN OR YOUR CASE MAY NOT BE HEARD IN COURT

You will need a Summons form. You can get a form on the MS Access to Justice Commission's website at www.msatjc.org. Choose the form for Summons by Publication, unless you are instructed to use a different form. Follow these instructions to complete service by publication in your case.

1. You will need to diligently search for the Defendant's physical address or his/her post office address. The judge in your case may ask you about your efforts to locate the defendant in your case. If you cannot find the physical address, you may continue with summons by publication.
2. Fill out the Summons form completely. You will not have the date of first publication until you talk to the newspaper (Step 6), so leave that section blank.
3. Once your Summons is filled out with the names of the Defendants and other information, you will take two (2) copies of each Summons form to the Clerk's office. Ask the Clerk to issue the Summonses for you. The Clerk will take care of this for you.
4. Once the Clerk has issued the Summonses, take them to the local public newspaper of the County where the lawsuit is pending (where you filed the lawsuit) and ask the newspaper to publish the Summons for you. The newspaper will publish the Summons once per week for three successive weeks.
5. You are required to pay the newspaper to publish the Summons, even if you got your court filing fee waived.
6. The newspaper will be able to tell you the dates of publication for your Summonses and also fill in the "date of first publication" blank on your Summons form (from Step 2, above).
7. Ask the newspaper if they will send the Return to the Court Clerk on your behalf. The Return lets the Court know the defendants have been properly served so your case can move forward.
8. After all defendants are served and the Returns are filed with the Clerk, your case may move forward.