

Alternate Service Guide for Divorce (Service by Publication)

If you are unable to locate and have your spouse served the Notice of Divorce, after at least 2 attempts or if you do not know where to find your spouse, another option is available to inform your spouse about the Notice of Divorce.

1. Service by Publication:

- Best option when you are unable to find your spouse and do not know anywhere where they could be reached.
- You must have permission from the court.
- Required Forms:
 - Motion for Service by Publication ([DC 6:6.1](#))
 - Affidavit in Support of Motion for Service by Publication ([DC 6:6.2](#))
 - Order for Service by Publication ([DC 6:6.3](#)).
 - Notice of Divorce Proceeding - No Children ([DC 6:6.4](#)).
 - Affidavit of Mailing Published Notice ([DC 6:6.8](#)).
- Getting Permission
 - Fill out the following forms:
 - Motion for Service by Publication.
 - Affidavit in Support of Service by Publication.
 - Order for Service by Publication.
 - **Write down** all attempts made to find and serve your spouse on your Affidavit. If you have not made attempts to find your spouse, your request will not be approved.
 - **Include** copies of the returns filed by the sheriff showing personal service was not successful (Unless you didn't have an address to attempt to serve to).
 - Take or mail the forms and copies of returns filed by the sheriff to the district court clerk's office for filing.
- Having the Notice of Divorce Published in a Local Newspaper
 - After the Order for Service by Publication is signed by the court, complete the Notice of Divorce Proceeding Form ([6:6.4](#)) and arrange to have the Notice of Divorce published in a newspaper in the county where you filed the complaint. If there isn't a newspaper published in that county, it can be in a newspaper printed in this state and generally circulated in that county.
 - The Notice of Divorce **must** be published **1 time per week for 3 weeks in a row**.

- **Mailing Published Notice**
 - **Within 5 days** of the first time the Notice of Divorce appears in the local newspaper, you must mail a copy of the Notice of Divorce to your spouse's last known address by first class mail.
 - **Within 10 days** of mailing, you must complete and turn in the Affidavit of Mailing. ([DC 6:6.8](#)).
- Be aware that this method does not allow the judge to order your spouse to pay child support or alimony. The judge can still grant your divorce and award custody and property.
- **You will need to use a special Decree (Final Order from a Judge) with this type of service:**
 - Decree For Dissolution of Marriage/Divorce - No Children - Service by Publication. ([DC 6:6.6](#)).