

How to Serve by Publication

Superior Court Civil Rule 4(d)(3) and RCW 4.28.100-110

Use this packet if:

1. You have tried to find the other party;
2. You cannot locate the other party; and
3. You have no information about the other party's whereabouts.

Note: You cannot have the other party served by publication without first obtaining a court order allowing service by publication. You must use one of the court approved newspapers listed on the last page of this instruction.

Talk to a lawyer, if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They provide *legal information* only and **are not intended** to be a substitute for legal advice.

Facilitators cannot provide legal advice or complete your forms for you. It's a good idea to talk to a lawyer before you file any forms.

You can get information about their services and a list of low-cost and free legal resources at <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/family-law-facilitators>.

Step 1: Fill out these forms

All of these forms in Step 1 can be downloaded at: www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Motion to Service by Publication	FL All Family 108		☐
Order to Allow Service by Publication	FL All Family 109	Fill this out the way that you would like the Commissioner to decide	☐
Summons Served by Publication	FL All Family 110	This is given to the newspaper to be published.	☐
Proof of Publication (Cover Sheet)	FL All Family 111	This is used to prove that your publication was published.	☐
Ex Parte via the Clerk Coversheet		This goes on top of your Motion and Order	☐

Step 2: Submit your documents Ex Parte via the Clerk

Ex Parte via the Clerk is a service provided by the Clerk's Office. Submit your Motion and Order to the Clerk and pay the Ex Parte via the Clerk processing fee. The Clerk will present the Order to the Commissioner for you. After the Order has been signed the Clerk will automatically file the original documents and return a copy of the Order to you via the method you requested.
You cannot proceed with service by publication until this Order is signed by a Commissioner.

You can submit your documents to the Clerk's Office (room 2C in Kent and E-609 in Seattle),

OR

You may also provide your papers electronically to Ex Parte via the Clerk. Please see:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing/ex-parte-via-the-clerk>

There is a fee; if you cannot afford to pay the fee, apply to waive the fee. Forms and instructions are at: <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments/fee-waiver>.

Step 3: Arrange for publication of the Summons by Publication

After receiving the signed order to serve by publication, contact a newspaper from the list attached to the end of this instruction and arrange to have the Summons Served by Publication

published. Make sure the Summons is filled out completely and that the Court's address and Petitioner's address are written in the designate sections. Newspapers are free to charge what they wish for publication, so you may choose to "shop" for the best rate. The Summons Served by Publication must be published **once a week for six weeks in a row**.

The Summons Served by Publication must also be filed with the Clerk's Office.

Step 4: Obtain and file the Affidavit of Publication

After the Summons has been published for six weeks in a row, the newspaper should send you an Affidavit of Publication (showing the dates the Summons was published) along with a copy of the newspaper clipping. Make a copy of them for yourself, attach the originals to the Proof of Publication Cover Sheet and file in the Clerk's Office.

If 60 days pass following the first date of publication and the other party has not responded, you may be able to finalize your case by default (contact the Facilitator's Office for more information or download packet here: <https://cdn.kingcounty.gov/-/media/king-county/depts/superior-court/documents/family-law-instructions/11-10-order-of-default-respondent-not-appeared.pdf?rev=3004fb198a7e4cca9be46f8f1c2948ad&hash=81776E4E6A1722732D720001A16CBE58>).

KING COUNTY LEGAL PUBLICATIONS

(NEWSPAPERS IN WHICH A SUMMONS BY PUBLICATION MAY BE VALIDLY PUBLISHED FOR KING COUNTY CASES)

(List from King County Clerk's Website as of 03/08/2021)

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|--|--|
| 1. Auburn Reporter (253) 833-0218 | 13. Puget Sound Business Journal (206) 876-5500 |
| 2. Ballard News Tribune.....(206) 376-5952 | 14. Queen Anne & Magnolia News (206) 461-1304 |
| 3. Bellevue Reporter (425) 453-4270 | 15. Redmond Reporter.....(425) 867-0353 |
| 4. Bothell/Kenmore Reporter...(425) 483-3732 | 16. Renton Reporter.....(425) 255-3484 |
| 5. Burien Highline Times..... (206) 376-5952 | 17. Seattle Chinese Post.....(206) 223-0623 |
| 6. Covington/Maple Valley Reporter (425) 432-1209 | 18. Seattle P.I.....(206) 448-8000 |
| 7. Daily Journal of Commerce. (206) 622-8272 | 19. Seattle Times(206) 464-2111 |
| 8. Enumclaw Courier Herald ... (360) 825-2555 | 20. Snoqualmie Valley Record(425) 888-2311 |
| 9. Kent Reporter..... (253) 872-6600 | 21. Stranger, The(206) 323-7101 |
| 10. Masonic Tribune (800) 628-4732 | 22. Vashon-Maury Island Beachcomber (206) 463-9195 |
| 11. Medium, The (206) 323-3070 | 23. Voice of the Valley.....(425) 432-9696 |
| 12. North Seattle Herald-Outlook... (206) 461-1303 | 24. West Seattle Herald(206) 376-5952 |