

E-4

EX PARTE MOTION FOR PUBLICATION OF SUMMONS

Purpose of this packet:

You have made a diligent effort to locate the other party, but still cannot find them and you would like to request the court's permission to serve documents on the other party by publishing them in the newspaper.

Contents:

1. Instructions
2. Legal Assistance Information
3. Ex Parte Motion for Publication of Summons and Declaration of Due Diligence in Support of Publication
4. Request for Submission
5. Index of Exhibits and Exhibit Cover Page
6. Order for Publication
7. Proof of Mailing (if applicable)
8. Proof of Publication
9. Request for Submission

Note: The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00.

N.R.S. §199.145

Instructions:

□ Step 1: Sign up for an electronic filing account (if you don't already have one)

The Second Judicial District Court requires all documents to be electronically filed using the eFlex system. Sign up for a free eFlex account in person at the Resource Center, or online at: <https://www.washoecourts.com/EFiling/SignUp>.

□ Step 2: Fill out the following forms:

- Ex Parte Motion for Publication of Summons and Declaration of Due Diligence in Support of Publication
- Request for Submission
- Index of Exhibits and Exhibit Cover Page
- Order for Publication

On the Order for Publication, only complete the top portion of the form (parties' names, case number and department). If your motion is granted, the judge will complete the rest of the form.

□ Step 3: File your forms

Electronically file the documents yourself or bring your completed documents to the Resource Center to get help filing them.

↳ How to file your documents using eFlex:

1. Sign in to your eFlex account: <https://wceflex.washoecourts.com/>.
2. Click "Home," click "Existing Cases."
3. Locate the case you are filing into, click on the blue "eFile" link next to the case number.
4. To file each document, you will select the applicable Document Type, click "Choose File" or "Browse," then locate your document file on your computer, and click "Add."

Follow the prompts to upload the documents below.

Note: Leave the eFlex Document Category field blank.

- Ex Parte Motion for Publication of Summons and Declaration of Due Diligence in Support of Publication
(Document Type: Ex Parte Mtn)
- Request for Submission and Index of Exhibits as a 2-page PDF.
(Document Type: Request for Submission)
- Exhibit Cover Page and Order for Publication all together as one PDF.
(Document Type: **Continuation)
 - When prompted to select which document you are attaching your Exhibit Cover Page and Order for Publication to, confirm "Request for Submission" is selected and click "Next."

A helpful video for attaching exhibits can be found here:
<https://www.youtube.com/watch?v=6JRMIXxa8Pg>

5. When all documents have been uploaded, review each one by clicking on the hyperlinked file name in the “View Document” column. When you have confirmed everything is correct, click “Next.”
6. Estimated Fees: there is no filing fee required for this motion; select “No Fee Required.”
7. When you are ready to submit your documents to the court, click “Submit the Filing.”

Step 4: Wait

If your motion is granted, the judge will issue an order for publication with details of where you need to publish.

If your motion is denied, the judge will provide details of why it was denied.

Step 5: Fill out and file the Proof of Mailing (if applicable)

If the judge’s order directs you to mail a copy of the Summons and Complaint or Petition, you must mail a copy to the last-known address of the other party. You can print copies from your eFlex account or visit the Resource Center to obtain copies for a fee. (Discard the Proof of Mailing form if your order does not require you to mail copies.)

If you send the documents by certified mail, return receipt requested, attach to the Proof of Mailing form the return receipt given to you by the post office.

Electronically file your Proof of Mailing (if applicable) yourself or bring it to the Resource Center to get help filing it.

👉 How to file your documents using eFlex:

1. Sign in to your eFlex account: <https://wcefex.washoecourts.com/> and upload the following document:

Note: Leave the eFlex Document Category field blank.

- Proof of Mailing (if applicable)
(Document Type: Proof)

Note: If you are including mailing receipts, your Proof of Mailing form and receipts need to be all together as one PDF document.

2. Review the document by clicking on the hyperlinked file name in the “View Document” column. When you are ready to submit your document to the court, click “Next” and the “Submit the Filing.”

□ Step 6: Publishing the Summons

A copy of the Summons must be provided to the newspaper specified in the order. Most newspapers now do this process via email or their website, not in person.

Download a copy of the Summons from your eFlex account to send to the newspaper.

The Summons must be published once a week for a period of four weeks.

If you were ordered to publish in the Reno Gazette Journal or the Sparks Tribune, the contact information is below:

- Reno Gazette Journal
Must be submitted through their website.
<https://www.rgj.com/public-notice>
- Sparks Tribune
Contact (775) 236-2088
or email:
sparkstribunelegals@gmail.com

If your order specifies another newspaper (than those listed above), contact the newspaper for their preferred method for submitting legal notices.

After publication, the newspaper will email you a receipt and a copy of the Summons as it appeared in the newspaper. This is known as an Affidavit of Publication and will need to be attached to the Proof of Publication form.

□ Step 7: File proof of publication

After publication is completed, you must show proof of publication by filing your Affidavit of Publication with the court.

Fill out the following forms:

- Proof of Publication
- Second Request for Submission

Complete the Proof of Publication form and include a copy of the Affidavit of Publication you received from the newspaper to go with the Proof of Publication form.

If you do not file proof of publication at least 21 days prior to the hearing, your hearing may be vacated (canceled).

Electronically file your Proof of Publication and Request for Submission yourself or bring your completed documents to the Resource Center to get help filing them.

🔗 How to file your documents using eFlex:

1. Sign in to your eFlex account: <https://wcefex.washoecourts.com/> and upload the following documents:

Note: Leave the eFlex Document Category field blank.

- Proof of Publication and Affidavit of Publication all together as one PDF document.
(Document Type: Proof of Publication)
 - Request for Submission
(Document Type: Request for Submission)
2. Review the documents by clicking on the hyperlinked file name in the “View Document” column. When you are ready to submit your documents to the court, click “Next” and then “Submit the Filing.”

□ Step 8: Response to the published Summons

Starting the day after the **last** date of publication, the other party has 21 days to file a response with the court.

If you mail a copy of the Summons and Complaint or Petition to the last-known address of the other party **after** the four weeks of publication is completed, the 21 days the other party has to file a response begins the day after mailing.

If the other party does not file an Answer, you may request a default on the Complaint or Petition. A P-1 Default packet is available online at <https://www.washoecourts.com/> or at the Resource Center or Law Library.

You must follow up on your case and attend all hearings or your case may be dismissed.

For procedural questions, or help with electronically filing your documents, visit or contact:

**Resource Center
1 South Sierra St., 3rd Floor
Reno, NV 89501
775-325-6731**

**Law Library
75 Court St., Room 101
Reno, NV 89501
775-328-3250**

Legal Assistance Information

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

LAWYER IN THE LIBRARY

Sign up on our website:

<https://www.washoecourts.com/LawLibrary/LawyerInLibrary>

For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

NEVADA LEGAL SERVICES

449 S. Virginia St.
Reno, NV 89501

775-284-3491 – leave a message,
if necessary

<https://nevadalegalservices.org>

NORTHERN NEVADA LEGAL AID

1 S. Sierra St., 1st Floor
Reno, NV 89501

775-321-2062 – leave a message,
if necessary

<https://nnlegalaid.org>