

E-5

EX PARTE MOTION FOR ALTERNATIVE SERVICE OF SUMMONS

Purpose of this packet:

To request the court's permission to serve documents on the other party by a different method other than personal service.

This packet is used if:

- Despite making a diligent effort, you are unable to locate the other party's home or work address, but you have other ways to contact the party, or
- The other party is refusing service.

Contents:

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6. Order for Alternative Service
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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 Alternative Service of Summons and Declaration of Due Diligence in Support of Alternative Service
- Request for Submission
- Index of Exhibits and Exhibit Cover Page
- Order for Alternative Service

Include the case number of the family case you are filing into.

The Request for Submission form is used to inform the court of your Ex Parte Motion filing. You will be attaching the Order you wish the judge to sign as an exhibit to your Request for Submission.

On the Order for Alternative Service, complete the top portion of the form (parties' names, case number and department) and check the boxes for all the options you listed in your Ex Parte Motion that will be the best method of giving notice to the other party. Leave the judge's signature and date lines blank and sign your name on page (2) of the form.

☐ **Step 3: File your Ex Parte Motion with the court**

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://wcefex.washoecourts.com/>.
2. Click "Home," click "Existing Cases."
3. Locate the case you are filing into and 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 Alternative Service of Summons and Declaration of Due Diligence in Support of Alternative Service, as one PDF.
(Document Type: Ex Parte Mtn)

- Request for Submission with the Index of Exhibits as the last page, all together as one PDF.
(Document Type: Request for Submission)
- Exhibit Cover Page and Order for Alternative Service all together as one PDF.
(Document Type: **Continuation)
- When prompted to select which document you are attaching your Exhibit Cover Page and Order for Alternative Service 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=6JRMlXxa8Pg>

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 for this Ex Parte 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 Ex Parte Motion is granted, the judge will issue an Order for Alternative Service that will detail how you need to complete service (Continue to Step 5).

If your Ex Parte Motion is denied, the judge will provide details of why it was denied.

☐ **Step 5: Service**

If your Ex Parte Motion is granted, you must serve the other party at their last-known address, even if you did not select mailing as an alternative method. Serve the other party with the following documents:

- Complaint or Petition
- Summons
- Order for Alternative Service

You can print file-stamped copies of these documents from your eFlex account or visit the Resource Center to obtain copies for a fee.

After all methods of alternative service are completed, you must file proof of service with the court.

□ Step 6: Fill out and file Proof of Alternative Service

Complete the Proof of Alternative Service form with the date the other party was served.

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

Electronically file the Proof of Alternative Service yourself or bring your document to the Resource Center to get help filing it.

🔗 How to file your Proof of Alternative Service 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 Alternative Service
(Document Type: Proof of Service)

Note: If you are including mailing receipts, your Proof of Alternative Service 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 7: Response to your Complaint or Petition

The other party has 21 days to respond to your complaint or petition, starting the day after service is completed.

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>