



*Floyd County Superior Court*

**IMPORTANT! PLEASE READ!**

**USE THIS FORM ONLY AS A METHOD OF LAST RESORT IF YOU DO NOT KNOW WHERE THE DEFENDANT IS.**

**INSTRUCTIONS FOR SERVICE BY PUBLICATION**

If you cannot locate the Defendant, your method of last resort is to serve the Defendant by publishing a legal notice in the Rome News Tribune, the legal organ for Floyd County. Service by Publication may place certain limitations upon your case and may possibly restrict your ability to obtain certain kinds of relief such as child support and/or alimony. If you are able to locate the Defendant, you **MUST** either have the Defendant sign an Acknowledgment of Service form **OR** have the Sheriff complete service.

To accomplish service by publication, you must complete the following steps:

1. Make a diligent effort to locate the Defendant.
2. Complete the Affidavit of Diligent Search below indicating that you have made such an effort.
3. Complete the Notice of Publication form.
4. Complete the very top portion of the Order of Publication form. The Judge/Clerk will then sign the bottom portion if the order is granted.

**In addition to the normal filing fee, you must also pay a publication fee. Please check with the Clerk of the Superior Court to get the current fee amount.**

IN THE SUPERIOR COURT OF FLOYD COUNTY,  
STATE OF GEORGIA

_____	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION FILE
	)	
_____	)	No. _____
	)	
Defendant.	)	

**AFFIDAVIT OF DILIGENT SEARCH**

I am the Plaintiff in this action and I am filing this Affidavit of Diligent Search under O.C.G.A. § 9-11-4(f)(1). I hereby swear and affirm, before a notary public, that the following information is true:

1.

A diligent search has been made and the Defendant cannot be located. I do not know where the Defendant currently lives or where the Defendant can be found.

2.

The last known address I have for the Defendant is: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

The last known telephone number and/or email address I have for the Defendant is: \_\_\_\_\_.

3.

To the best of my knowledge, the Defendant still lived at the above address as of: \_\_\_\_\_ (date) but they no longer live there.

\_\_\_\_\_.

4.

The last known place of employment I have for the Defendant is: \_\_\_\_\_

\_\_\_\_\_.

5.

I have made the following efforts to find the Defendant:

- Checked with the Defendant's relatives, friends, employers, or others I have listed below:

1. Name of Person Contacted: \_\_\_\_\_  
 Contact's Relationship with Defendant: \_\_\_\_\_  
 Contact's Address & Phone Number: \_\_\_\_\_  
 \_\_\_\_\_  
 Date Contacted: \_\_\_\_\_  
 Results/What Contact Told Me: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. Name of Person Contacted: \_\_\_\_\_  
 Contact's Relationship with Defendant: \_\_\_\_\_  
 Contact's Address & Phone Number: \_\_\_\_\_  
 \_\_\_\_\_  
 Date Contacted: \_\_\_\_\_  
 Results/What Contact Told Me: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- Checked telephone and/or web information directories with the following results: \_\_\_\_\_  
 \_\_\_\_\_

- The following other efforts, with the following results: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
Plaintiff's Signature [*Sign in front of a Notary*]

Name [*Print*]: \_\_\_\_\_

Sworn to and signed before me, this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

IN THE SUPERIOR COURT OF FLOYD COUNTY,  
STATE OF GEORGIA

	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION FILE
	)	No. _____
	)	
	)	
Defendant	)	

NOTICE OF PUBLICATION

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By Order of Service by Publication dated \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
you are hereby notified that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above  
named Plaintiff filed suit against for \_\_\_\_\_ (name of petition).

You are required to file with the Clerk of the Superior Court of Floyd County, and  
to serve upon the Plaintiff (name) \_\_\_\_\_ at this address  
\_\_\_\_\_ an Answer to the  
Complaint in writing within sixty (60) days of the date of the Order for Publication.

Witness, the Honorable \_\_\_\_\_, Judge of this Court.

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk, Superior Court of Floyd County

IN THE SUPERIOR COURT OF FLOYD COUNTY,  
STATE OF GEORGIA

	)	CIVIL ACTION NO. _____
	)	
Plaintiff,	)	SERVICE BY PUBLICATION DATES:
v.	)	_____
	)	_____
	)	_____
Defendant.	)	_____

Name of Party to Be Served: \_\_\_\_\_

**ORDER OF PUBLICATION**

It appearing by Affidavit, that the above named defendant on whom service is to be made in this case resides out of the State, or has departed from the State, or cannot after due diligence, be found within the State, or conceals (*him*)(*her*) self to avoid service of the Summons, and it further appearing either by Affidavit or by verified Complaint on file, that a claim exists against the Defendant in respect to whom service is to be made, and that (*he*)(*she*) is a necessary or proper party to the action.

IT IS HEREBY CONSIDERED, ORDERED, AND DECREED that service be made by publication as provided by law.

SO ORDERED THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge/Clerk, Superior Court of Floyd County

**RETURN OF SERVICE**

I hereby certify that a Notice in the manner and form prescribed in the foregoing Order was published, as that I have enclosed, directed, stamped, and mailed a copy of the said Notice together with a copy of the Order for Service by Publication and Complaint (*if any*), to the above named defendant.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk

**ORDER PERFECTING SERVICE**

It appearing to the Court that service upon the above named party has been perfected by publication of notice on the above stated dates in the legal organ of this County, and by enclosing, directing, stamping, and mailing a copy of the Notice together with a copy of the Order for Publication and the Complaint (*if any*) to said Defendant at (*his*)(*her*) last known address.

It is hereby ORDERED that service by publication is approved.

\_\_\_\_\_  
Judge, Superior Court of Floyd County

PUBLICATION DATES OK: This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk