

Checklist for Alternative Service of Notice

- You must complete a form before you file it. These instructions will help you complete the forms.
- The judicial services representative cannot complete a form for you.
 - Attach a copy of any document referred to in the form.
 - Keep a copy of all documents for your records.
 - Attend all court hearings.
 - Some forms may not apply in your case.
 - Check with your court about local requirements.

(1) Also see Utah Rule of Civil Procedure 4(d) and Utah Code Section 78B-6-110 governing alternative service.

(2) Motion for Alternative Service

- You have to serve someone with Notice of Petition to Adopt and Notice of Rights only if they are not willing to waive their rights and consent to the adoption. If a person who has the right to consent and/or the right to notice of the adoption is willing to waive those rights, see our checklist and forms for Consent to Adoption and Waiver of Rights.
 - If someone is not willing to consent or waive their rights, they must be served with Notice of Petition to Adopt and Notice of Rights. If the person can be found and served, see our checklist and forms for serving notice.
 - If a person who has to be served cannot be found you will have to ask permission to serve by an alternative method. This checklist will help you do that. You have to make at least two attempts at service before the court will consider alternative service.
- Print your name and contact information at the top of the first page. Check whether you are the Petitioner or the attorney for the Petitioner.
 - Complete the heading exactly as it appears in the Petition.
 - Paragraph (1): Print the name of the person to be served and check whether they are the mother or father of the adoptee.
 - Paragraph (2): Print the name of the person making the supporting statement and attach the statement to the motion.
 - Paragraph (3): Check the box next to the methods by which the person to be served is most likely to receive actual notice of the document you are trying to serve.

- Include specific information appropriate for each method selected.
- You can use more than one method. For example, you might publish the Complaint and Summons on the court's website and send the defendant a text message with the URL.
- Paragraph (4): Check the box that designates the person you want to serve the document.
- Paragraph (5): In addition to serving the document, you can ask the court to allow you to communicate to the person that the document has been served and how it has been served. Check the boxes and print the names and numbers that describe how best to contact the person to be served.
- Date and sign the form.
- Attach the Statement Supporting Motion for Alternative Service.
- Attach the Order on Motion for Alternative Service.
- If the notice will be served by publication, attach the notice to be published. The Notice of Petition to Adopt and Notice of Rights form for publication is different for the regular notice form. It says "for publication" in the caption. Be sure you submit the correct form to the court for approval.
- File the original form with the judicial services representative.

(3) Statement Supporting Motion for Alternative Service

- Print your name and contact information at the top of the first page. Check whether you are the Petitioner or the attorney for the Petitioner.
- Complete the heading exactly as it appears in the Petition.
- Paragraph (1): Print the name of the person to be served.
- Paragraph (2): Describe the date and circumstances of your last contact with the person to be served.
- Paragraph (3): Describe what you have done to try to find and serve the person in the usual ways. For more information about locating someone see our webpage at: http://www.utcourts.gov/howto/service/finding_people.html.
- Paragraph (4): Describe why those steps have failed.
- Paragraph (5): Check the box if it applies and describe why you think the person is avoiding service.
- Paragraph (6): Check the box next to the methods by which the person is most likely to receive actual notice of the document you are trying to serve.
 - Include specific information appropriate for each method selected.
- Paragraph (7): Check the box if it applies and check the boxes and print the names and numbers that describe how best to communicate to the person that the document has been served and how it has been served.

- Paragraph (8): Describe why you think the methods you have chosen are likely to give the other party actual notice of the document you are trying to serve.
- Date and sign the form.
- File the form with the motion.

(4) Request to Submit for Decision

- Print your name and contact information at the top of the first page. Check whether you are the Petitioner or the attorney for the Petitioner
- Complete the heading exactly as it appears in the Petition.
- Review the statements in the form to make sure they are all true.
- Date and sign the form.
- File the form with the motion.

(5) Findings of Fact, Conclusions of Law and Order on Motion for Alternative Service

- Print your name and contact information at the top of the first page. Check whether you are the Petitioner or the attorney for the Petitioner.
- Complete the heading exactly as it appears in the Petition.
- Do not complete the rest of the form. Do not date or sign the form. The judge or commissioner will do this.
- File the form with the motion.

(6) Notice of Adoption and Notice of Rights (for publication)

- Complete the heading exactly as it appears in the Petition.
- Print the name of the person to be served.
- Print the adoptee's name.
- If known, print the last date on which the document will be published. Or the publisher will add this information to the publication.
- Print your name and address or, if you are represented, that of your attorney.
- Date and sign the form.
- File the form with the motion.
- If the motion to serve this summons by publication is granted, present it to the publisher and advise them to include the last date on which it will be published.

(7) Proof of Alternative Service

- Print your name and contact information at the top of the first page.
- Complete the heading exactly as it appears in the Petition.

- Print the date on which you completed service. If service was by publication, this is the last date on which the document was published. If service was by publication, attach the Proof of Publication form issued by the publishing newspaper. Print the name of the person you served.
- Check the box next to the methods by which you served the person to be served
 - Include specific information appropriate for each method selected.
 - The methods selected must match the methods ordered by the court.
- Date and sign the form.
- File the original form with the judicial services representative.