

## REQUEST FOR ALTERNATE SERVICE

If you are not able to serve another party using any of the methods listed in [Oregon Rules of Civil Procedure \(ORCP\) Rule 7D\(2\)](#) in person, by residential or office service, or by certified mail return receipt requested, you can ask the court to allow you to serve by another method. You will have to explain why you cannot use any of the ORCP 7D(2) service options and why your request is reasonably likely to let the other party know about the case.

Other service methods include publication in a newspaper of general circulation, email or social media posting, text message or fax. Any alternative service method must be the most reasonably likely way to inform the other party of the action.

### FILE THE FORM

Fill out the [Ex Parte Motion for Alternative Service & Declaration in Support](#) and file it with the court clerk. There is no court fee to file the Motion. The plaintiff and defendant names and the case number are the same as they are on your original Small Claim paperwork.

In the Declaration section, state what you have done to try to find the other party. Some common efforts include contacting the party's employer, friends and family, searching public utility and court records, the DMV, post office or the internet.

Specify how you intend to serve the other party and why you believe your request is likely to advise the party of the case.

### SERVE THE MOTION

If the court grants your motion, read the Order carefully. The judge may have made changes to your request or ordered additional actions. If you fail to follow the judge's orders, you risk the court dismissing your case. If your case is dismissed for failure to serve and you want to refile, you may need to pay your case filing fees again.

**Service by Publication:** You can take or send the [Summons for Service by Publication](#) to the approved newspaper. You do not need to publish the other documents you filed. Your Summons must include a summary of the case and the relief you are asking the court to order. If the court orders mailing in addition to publication, you must mail the Summons and other filed documents both by first class mail and by certified mail, return receipt requested.

For any other method of service, you must be able to show the court that you successfully completed the requirements. For electronic service methods, this can mean a screenshot of the email, share, or text message, especially if it shows that the other party actually opened or viewed the message. For faxes, keep the confirmation page.

## **FILE A PROOF OF SERVICE**

An original proof of service must be filed with the court in all cases.

**For publication** you must file the [Declaration of Publication](#) completed by a representative of the newspaper that published your Summons. You only need to file a [Certificate of Alternative Service](#) if the court also ordered you to mail copies. If so, you must file both a [Declaration of Publication](#) and a [Certificate of Alternative Service](#).

**For electronic methods** such as email, text message, social media, or fax, complete and file a [Certificate of Alternative Service](#). You can include screenshots or images. The receiver must be able to open and read true copies of the documents. If you later learn that the other party did not personally receive the message, you must file an amended [Certificate of Alternative Service](#) to let the court know.

For any other method of service, complete and file a [Certificate of Alternative Service](#).

IN THE JUSTICE COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS  
**Small Claims Department**

Case No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

v.

\_\_\_\_\_  
Defendant

**EX PARTE MOTION FOR  
ALTERNATIVE SERVICE and  
DECLARATION IN SUPPORT**

**Motion**

I am the  Plaintiff or  Defendant in this case.

Based on the Declaration below, I ask that this court grant an Order allowing an alternative method of service as follows:

Service on the other party (name): \_\_\_\_\_ to be made by:

publication once per week for 4 consecutive weeks in (publication name)  
\_\_\_\_\_ which is a newspaper of  
general circulation in this county.

mail or private courier or delivery service of the Summons and all non-confidential filed documents to (address) \_\_\_\_\_  
\_\_\_\_\_

email or social media as follows: \_\_\_\_\_  
\_\_\_\_\_

text message or fax as follows: \_\_\_\_\_  
\_\_\_\_\_

posting for a period of 30 days in the courthouse for this county and at the following locations where it is reasonably likely to advise the recipient of the case:  
\_\_\_\_\_  
\_\_\_\_\_

other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Documents will also be mailed by first class mail and by certified mail, return receipt requested, to the party's current address (or the last known address if current address is not known)

No address is available for mailing and no address can reasonably be discovered. I ask the court to waive the mailing requirement.

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**Statement of Points and Authorities**

Oregon Rules of Civil Procedure (ORCP) Rule 7D(6) allows a court to order alternative methods of service if service cannot be made by any other method specified by rule or statute. Service may be made by any method or combination of methods most reasonably calculated to advise the recipient of the action.

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**Declaration**

I have made the following efforts to locate the other party (explain who you contacted or steps taken to locate the other party or find a valid contact address): \_\_\_\_\_

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Service cannot be made in person, at the other party's residence or office, or by mail<sup>1</sup>, because: (Explain why you cannot serve by these methods and the efforts you have made): \_\_\_\_\_

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I believe the requested method of alternative service is the most reasonably likely to advise the recipient of the action because: \_\_\_\_\_

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For electronic service: I believe the other party has recently sent and received messages from this email address, text message or fax line, or social media account because: \_\_\_\_\_

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<sup>1</sup> Under [Oregon Rules of Civil Procedure \(ORCP\) Rule 7D\(2\)](#)

The documents to be served are (list all document titles):

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**I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Contact Address

\_\_\_\_\_  
City, State, ZIP

\_\_\_\_\_  
Contact Phone

IN THE JUSTICE COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS  
**Small Claims Department**

Case No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

v.

\_\_\_\_\_  
Defendant

**ORDER ON MOTION  
FOR ALTERNATIVE SERVICE**

The court reviewed the Motion and Declaration for Alternative Service filed in this case by the  
 Plaintiff or  Defendant.

The Ex Parte Motion for Alternative Service is:

**DENIED**

**GRANTED.** The court finds that the method of service ordered is the most reasonably likely to advise the recipient of the pendency and nature of this case. Service may be made  as listed in the Motion or  as follows: \_\_\_\_\_

**For electronic service:** The following information must appear in the subject line for email, in the first line or top line for text message or social media post, or on the first page for fax:  
Case name, case number, and the name of the court where the action is filed

A link to all filed documents must be attached to or included in the transmission in a format capable of showing a true copy of the document.

The party being served must file a responsive document or enter an appearance in this court by:

**Publication:** (time for response) \_\_\_\_\_ days from the first day of posting or publication.

**Electronic:** (time for response) \_\_\_\_\_ days from date of the first attempted email, social media post, text message, or fax.

**Mail:** (time for response) \_\_\_\_\_ days plus 3 days after mailing to an Oregon address or plus 7 days after mailing to a non-Oregon address.

**Other:** \_\_\_\_\_

Submitted by:  Plaintiff  Defendant  Other: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Justice Court Judge

IN THE JUSTICE COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS  
**Small Claims Department**

Case No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

vs

**CERTIFICATE OF  
ALTERNATIVE SERVICE**

(ORCP 7D(6))

\_\_\_\_\_  
Defendant

I, (name) \_\_\_\_\_ certify that I served true copies of the original documents listed below on (name of party being served): \_\_\_\_\_

(check all that apply):

Summons

Claim or Complaint

Other (name all forms or documents served) \_\_\_\_\_

**by** (check all that apply and complete all information):

**Certified or Registered Mail, Return Receipt Requested** on (date) \_\_\_\_\_  
I personally deposited true copies with  the U.S. Postal Service by certified or registered mail, Return Receipt Requested, or by express mail, postage paid or  by delivery service or courier (name of service or courier) \_\_\_\_\_ addressed to the party to be served: (name) \_\_\_\_\_ at (address) \_\_\_\_\_

**Electronic service** by  email  social media  text message  fax

at (address, site, or number): \_\_\_\_\_

The service transmission/message/posting was made in such a way that the case name, case number, and court name were most likely to be read first. For email, this information was in the subject line. For fax, text message, or social media post, this information was in the first/top line.

The served documents were linked or attached in a file format that is capable of showing a true copy of the original document

**Other method authorized by court order** on (date) \_\_\_\_\_  
(describe) \_\_\_\_\_

AND

**First Class Mail** on (date) \_\_\_\_\_ I personally deposited true copies with the U.S. Postal Service by first class mail addressed to the party to be served: (name) \_\_\_\_\_ at (address) \_\_\_\_\_

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**Amended Certificate**

I previously filed a *Certificate of Alternative Service* for service by electronic means. I now believe that the recipient did not personally receive the electronic transmission.

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**I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Print Name

If person serving is NOT a sheriff or sheriff's deputy, address and phone number of server:

\_\_\_\_\_

\_\_\_\_\_



IN THE JUSTICE COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS  
**Small Claims Department**

Case No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

v.

**DECLARATION OF  
PUBLICATION**  
(ORCP 7D(6))

\_\_\_\_\_  
Defendant

I, (name) \_\_\_\_\_, am the (job title) \_\_\_\_\_  
of the (name of publication) \_\_\_\_\_, a newspaper of  
general circulation in (county and state) \_\_\_\_\_.

I declare to the court that I have personal knowledge that copies of the documents attached were  
published by this publication on the following dates:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

**I hereby declare that the above statements are true to the best of my knowledge  
and belief. I understand they are made for use as evidence in court and I am  
subject to penalty for perjury.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Contact Address

\_\_\_\_\_  
City, State, ZIP

\_\_\_\_\_  
Contact Phone

IN THE JUSTICE COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS  
**Small Claims Department**

Case No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

vs

**SUMMONS FOR SERVICE  
BY PUBLICATION**

\_\_\_\_\_  
Defendant

**Date of First Publication:** \_\_\_\_\_ (response must be filed within 30 days of this date)

(Filer's name): \_\_\_\_\_ has filed a (type of case) \_\_\_\_\_ case asking the court to order (explain what you want the court to order) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**NOTICE TO DEFENDANT: READ CAREFULLY!**

**You must “appear” in this case or the other side will win automatically.** To “appear,” you must file a legal Response, Answer, or Motion. Forms may be available through the court above or online at <https://www.clackamas.us/justice>. Talk to a lawyer for information about appearing by motion.

Your response must be filed with the court named above **within 30 days of the date of first publication** noted above, along with the required filing fee (go to <https://www.clackamas.us/justice/feeschedule.html> for fee information). It must be in proper form. You must show that the other party was formally served with a copy of your response according to the service rules. Service rules are in the [Oregon Rules of Civil Procedure \(ORCP\) Rule 9](#).

If you have questions, see a lawyer immediately. If you need help finding a lawyer, you can call the Oregon State Bar’s Lawyer Referral Service at 503.684.3763 or toll free in Oregon at 800.452.7636, or go to [www.oregonstatebar.org](http://www.oregonstatebar.org).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Contact Address

\_\_\_\_\_  
City, State, ZIP

\_\_\_\_\_  
Contact Phone