

**Using This Revisable PDF Form**

Prepared by Plaintiff attorney or Plaintiff; acknowledged by notary public.

**AFFIDAVIT FOR ORDER OF PUBLICATION**  
COMMONWEALTH OF VIRGINIA VA. CODE §§ 8.01-316, 20-104

Case No. ..... **1** .....

In the ..... **2** ..... Circuit Court

..... **3** ..... v. ....  
PLAINTIFF DEFENDANT

Comes now ..... **4** ....., a party seeking service on the below-named party by Order of Publication, and states under oath:

- 5 [ ] That the requesting party proceeds pursuant to Virginia Code § 20-104 and has been determined to be indigent;

That the party to be served (mark one or more of the reasons below):

1. [ ] is a foreign corporation; or  
[ ] is a foreign unincorporated association; or  
[ ] is a foreign unincorporated common carrier; or  
[ ] is a non-resident individual, other than a non-resident individual fiduciary who has appointed a statutory agent;

**OR**

2. [ ] cannot be found, and that diligence has been used without effect to ascertain the location of the party to be served, with the following efforts being made:

.....  
.....

**OR**

3. [ ] cannot be served at the last known residence with court process, and that a return has been filed by the sheriff which shows that the process has been in his or her hands for twenty-one (21) days and that the sheriff has been unable to make service;

**OR**

4. [ ] is set out in the pleading as a person or persons, as defendants by the general description of "parties unknown;" are deemed interested in the subject to be divided or disposed of; and the nature of such interest is described as:

.....  
.....  
.....  
.....

**OR**

5. [ ] are parties appearing by pleading or exhibit filed, who are defendants who represent like interests with the parties not served with process, and the number of defendants upon whom process has been served exceeds ten (10).

**Data Elements, *page one***

1. Court case number.
2. Court name.
3. Style of case.
4. Full name of party seeking service by Order of Publication.
5. Check box if requesting party has been determined to be indigent.
6. Check appropriate box(es) to indicate reason(s) why service is requested by Order of Publication.

**NOTE:** Only the Judge may enter an ORDER OF PUBLICATION upon a claim based upon reason number 5.

..... **1** .....  
NAME OF PARTY AGAINST WHOM SERVICE BY ORDER OF PUBLICATION IS REQUESTED

..... **2** .....  
LAST KNOWN ADDRESS

**OR**

**3**  Not known.

..... **4** .....  
NAME OF REQUESTING PARTY

..... **5** .....  
COUNSEL FOR REQUESTING PARTY

State/Commonwealth of ..... **6** .....

City  County of ..... **7** .....

The foregoing instrument was subscribed and sworn to/affirmed before me this

..... **8** ..... day of ....., 20 .....

by ..... **9** .....  
PRINT NAME OF SIGNATORY

..... **10** .....  
NOTARY PUBLIC  
My commission expires: ..... **11** .....  
Registration No. .... **12** .....

**Data Elements, page two**

1. Check box and enter name of party against whom service by Order of Publication is requested.
2. If Data Element 1 is checked, enter last known address of party named in Data Element, if known.
3. Check box if party against whom service by Order of Publication is requested is not known.
4. Full name signature of requesting party.
5. Full name signature of counsel for requesting party, if applicable.

To be completed by notary public:

6. Enter name of state or commonwealth where acknowledgement of oath is taken.
7. Check appropriate box and enter name of city or county where acknowledgement of oath is taken.
8. Enter date Affidavit is acknowledged.
9. Print name of person taking acknowledgement.
10. Signature of notary public.
11. Enter expiration date of commission of notary public.
12. Enter registration number of notary public.