

SERVICE BY PUBLICATION

South Carolina Code of Laws
§15-9-710, et. seq.



Hon. Debora A. Faulkner
Probate Judge for Greenville County
301 University Ridge, Suite 1200
Greenville, SC 29601
864/467-7170
www.greenvillecounty.org/probate

- ◆ File Motion for Service by Publication (FORM 122ES)

AND

Affidavit of Due Diligence (FORM 409ES) indicating efforts made in locating this person.

Probate Judge will then sign the Order on FORM 122ES directing publication. (See S. C. Code of Laws, §15-9-740.)

- ◆ Schedule a hearing allowing publication and response times; date and time to be included on Summons publication (see sample) in addition to requirements of §15-9-740.

- ◆ Publish Summons once a week for 3 weeks in a newspaper printed in the county most likely to give notice to the person to be served (see §15-9-740). Be sure the decedent's name is included in the publication.

AND

mail copy of pleadings to last known address of missing person unless such address is not known or cannot be ascertained.

- ◆ File newspaper Affidavit of Publication at the Probate Court.

- ◆ If no response after 30 days from last publication date, file Affidavit of Default.

[If minors or incapacitated adults are to be served, see SCRCPL, Rule 55(b)(2), as it pertains to Guardians ad Litem.]

SAMPLE:

STATE OF SOUTH CAROLINA)	IN THE PROBATE COURT
)	Case No.2013ES2302846
COUNTY OF GREENVILLE)	
IN RE:		
Estate of Gertrude Jefferson Green,)	
Deceased)	
)	
Alice Land,)	
Petitioner,)	
vs.)	SUMMONS
Ralph Green, Gary White,)	
And Ben Black,)	
Respondents.)	
TO: Ralph Green, Respondent above-named:		
<p>YOU ARE HEREBY SUMMONED and required to answer the Petition in this action, of which a copy is herewith served upon you, and to serve a copy of your Answer to the said Petition on the subscriber at his office located at 101 Main Street, Wonderville, SC 29106, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Petition within the time aforesaid, the Petitioner in this action will apply to the Court for a default judgment for the relief demanded in the Petition.</p> <p>This shall serve also as notice of hearing set for Wednesday, March 12, 2014, at 2:00 p.m.</p>		
		<p>_____ Charles H. Finney Charles H. Finney Attorney for Petitioner P. O. Box 1001 Wonderville, SC 29106 864/233-0987</p>
Date: January 3, 2014		