

CAUSE NO. _____

VS

§ IN THE COUNTY COURT
§
§ AT LAW NO. 2 OF
§
§ HUNT COUNTY, TEXAS

**CERTIFICATE FOR DEFAULT JUDGMENT
CHECKLIST FOR PUBLICATION, POSTING, ALTERNATIVE SERVICE,
AND SUBSTITUTED SERVICE**

Before the court will set your default judgment, you must complete, sign, and file this form showing that you have satisfied all the prerequisites for a default judgment.

Requesting Service by Publication, Posting, Alternative Service, or Substituted Service

- On _____, a detailed affidavit was filed that contains specific facts showing the diligent attempts to locate the respondent and obtain personal service.
- Citation was issued AFTER the date the affidavit was filed and any order authorizing service was signed by the court.
- The respondent was served by:
 - Alternative service under TRCP 106(b).
 - Publication under TRCP 109 and 244.
 - Substituted service under TRCP 109a and 244.

Service and Return

- The respondent was served by publication, and there is a return of service on file that includes a copy of the publication. (*See, .e.g.,* TRCP 117)
- The respondent was served by alternative service or substituted service, and there is a return of service on file by an authorized person (not an attorney/party in the case) that shows strict compliance with every part of the order. (TRCP 106, 107(f), 109a)
- The answer date has passed and no answer or other appearance has been made.
- The return will have been on file at least 11 days before the default trial. (TRCP 107(h))

Attorney Ad Litem After Service by Publication or Substituted Service

- After the answer date passed, the court signed an order appointing an attorney ad litem for the respondent. (TRCP 244)
- The attorney ad litem has used due diligence to attempt to locate the respondent for personal service.
- The attorney ad litem representing the respondent received notice of the default trial setting.
- The attorney ad litem was unsuccessful in locating the respondent and will appear at the default trial to defend the respondent. (TRCP 244)
- The attorney ad litem was successful in locating the respondent, and the respondent answered or personal service was completed. The attorney ad litem filed a proper motion to withdraw and a withdrawal order was signed by the court.

Paperwork that Must be Filed Before the Court can Enter Judgment

- A Nonmilitary Affidavit was filed on _____. ([50 U.S.C. § 521](#))
- A written certificate of the respondent’s last-known address was filed on _____. (TRCP 239a)

Preparing for the Default Trial

- The attorney ad litem will appear and defend the respondent.
- All relief contained in the proposed default order is supported by the pleadings.
- All relief contained in the proposed default order will be supported by evidence admitted at the default trial.
- I understand that conclusory prove-up testimony is not sufficient to support a default judgment.

SIGNED by Attorney for Petitioner: _____

SIGNED by Attorney ad Litem: _____