6-03/260.10 Due Diligence

At least three attempts at service shall be made at times when the party to be served could reasonably have been expected to be present at the location for service. If the service is to be effected at a home address, unless it is determined that the party would not be present at such time, at least one of the attempts at service shall be during evening hours and/or on a weekend. For this purpose, evening hours begins at 1700 hours.

A “Not Found” return should be processed when the Sheriff has been unable to effect service for any of the following reasons:

- Defendant does not live or work at the address specified in the instructions and cannot be found in the service area in which the address is situated.
- There is no such address in the serving area.
- Defendant lives at the address but is presently confined for an indefinite period in a hospital located outside the service area specified.
- Defendant works for the firm indicated at the address specified but only occasionally reports there in-person.
- Defendant works at the address but cannot be served because of company policy. (To be used where the type of process does not allow for substitute service.)

A “No Service” return should be processed when the Sheriff has been unable to effect at least three attempts at service of the process in sufficient time before the hearing. When disposition is no service, refund the fee deposit for each defendant so designated.