

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.1955 Substituted service; proof.

Sec. 1955. Service of process made pursuant to sections 1940 to 1960 shall be proved as follows:

- (1) If made by publication, by an affidavit of the publisher or his agent
 - (a) stating facts establishing the qualification of the newspaper in which the order was published,
 - (b) setting out a copy of the published order,
 - (c) stating the dates on which it was published.
- (2) If made by mailing, by an affidavit of 1 or more persons who are not parties to the litigation
 - (a) setting out a copy of the order mailed,
 - (b) stating facts to establish that such order was sealed in an envelope addressed to the defendant, setting out the name of the defendant and the address to which it was sent,
 - (c) stating facts to establish where and when the envelope was deposited in the United States government mail,
 - (d) stating the amount of postage placed on the envelope and that this was sufficient as required by postal regulations to permit first class passage of the envelope,
 - (e) stating the facts to establish the return address on the envelope.
- (3) Whenever mailing is not required under section 1947, an affidavit by the plaintiff or his attorney or the agent of either having knowledge of the facts shall be filed within 10 days after the date of the second publication of a copy of the order. The affidavit shall set forth facts justifying the failure to mail and shall include a showing of diligent inquiry. The person to whom an envelope, mailed under section 1947, is returned shall report to the court by affidavit the fact of the return together with the returned envelope.

History: 1961, Act 236, Eff. Jan. 1, 1963.