

Notice of Action – Service by Publication (constructive service)

Please Note: The rules of procedure and the requirements for service by publication vary depending on the type of case you are filing (civil, family, probate, etc.). To confirm whether you can serve by publication and to obtain the appropriate form, you should research the applicable rules or contact an attorney for guidance and advice.

According to section 49.08, Florida Statutes, service by publication (also known as constructive service) in a civil case (which includes, but is not limited to, actions where property is involved) requires the following information for a Notice of Action (Form 1.920) to be issued and **MUST be filed in person or by mail to the Clerk of Court with the following:**

- Must have a notarized sworn statement, which can be in the form of an Affidavit of Diligent Search (Form 1.924), containing the last known address or unknown address of the defendant(s), and complies with the requirements of section 49.031, Florida Statutes.
- The names of the known defendants; the names, status and description of the corporate defendants; a description of the unknown defendants who claim by, through, under or against a known party which may be described as “all parties claiming interests by, through, under or against (name of known party)” and a description of all unknown defendants which may be described as “all parties having or claiming to have any right, title or interest in the property herein described”;
- The nature of the action or proceeding in short and simple terms;
- The name of the court in which the action or proceeding was instituted;
- The description of real property, if any, proceeded against;
- Three (3) copies are required (1 for the docket, 1 for Community Newspaper, and 1 to be mailed back to your attention) of the Notice of Action;
- A self-addressed stamped envelope for each defendant;
- If there is a last known address on the Affidavit of Diligent Search, an additional copy of the Notice of Action, Complaint (Per defendant), and an additional pre-paid envelope with the last known address for the mail-out are also required.

The Notice of Action can be processed at any District Court location or Central Civil (please click on the link below for the addresses to the various Clerk of the Court and Comptroller locations throughout Miami-Dade County).

- [Oswaldo N. Soto Miami-Dade Justice Center](#)
- [District Court Locations](#)