

# Citation by Publication Research Guide

## Overview

This research guide includes information and resources on Citation by Publication. A request for Service of Citation by Publication can be used in a family case when the individual is unable to locate the other parent. It is also used in other types of civil cases, such as Probate. This process requires a judge's approval and may include the hiring of an Attorney Ad Litem to search for the other party at the litigant's expense. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

*Related guides: Citation by Posting, Serving Court Documents*

## Statutes and Codes

Texas Statutes Online [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

Texas Rules of Civil Procedure  
<https://www.txcourts.gov/rules-forms/rules-standards>

- Rules 109-117a, 244, 329

Texas Family Code

- § 102.010 Service of Citation by Publication  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.102.htm>

Texas Civil Practice and Remedies Code

- §17.032 Citation by Publication  
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.17.htm#17.032>

Texas Estates Code

- §51.054 Citation of Publication  
<https://statutes.capitol.texas.gov/Docs/ES/htm/ES.51.htm#51.054>

## Secondary Resources in Print

**West's Texas Forms REF KFT 1268 .W47**

- Vol. 9, §2.21 Citation by Publication (Civil)

**Texas Family Code Annotated REF KFT 1294. A3**

- § 6.409 Citation by Publication
- § 102.010 Service of Citation

**Texas Family Law Practice Manual REF KFT 1204 .T4S7**

- §3.3 Citation (Practice Notes)
- §40.4 Citation by Publication (Practice Notes)
- Vol. 3, Ch. 53 Ancillary Forms for Termination and Adoption
  - Form 53-11, Affidavit for Citation by Publication
  - Form 53-12, Affidavit in Support of Citation by Publication (Birth Mother)

**Texas Family Law Practice and Procedure REF KFT 1294 .F35**

- Vol. 1, §A3.103 Affidavit for Citation by Publication
- Vol. 1, §C3.132 Petitioner's Affidavit for Citation by Publication When Respondent's Whereabouts are Unknown
- Vol. 1, §C4 Filing and Serving the Petition (Divorce)
- Vol. 1, §C4. 105 Citation by Publication
- Vol. 3, §G1.02[3] Default After Service by Publication
- Vol. 3, §H2.03[2] Serving Citation – Manner of Service
- Vol. 3, §H8.01 Determining Whether Respondent Received Proper Notice

- Vol. 4, §R3.07[2] Parentage – Manner of Service
- Vol. 4, §S1.12[2] Termination – Manner of Service
- Vol. 4, §T3.06[2] Adoption -Manner of Service

**Texas Civil Procedure Pretrial Litigation REF KFT 1737 .D67**

- §4.04[B][5] Service of Process (Citation by Publication)

**O'Connor's Texas Family Law Forms REF KFT 1294 .A65 W55**

- Form 5D:20 Attorney Ad Litem for Service by Publication

**O'Connor's Texas Family Law Handbook REF KFT 1294 .A291 O26**

- 4-C §2.2.2(4) Parent Served by Publication

**Texas Pretrial Practice REF KFT 1737 .T4B7**

- Vol. 1, Ch. 10 Citation and Service of Process (Civil) (*forms available only on Lexis digital access*)

**Texas Litigation Guide REF KFT 1730 .T4**

- Vol. 2, Ch. 31 Service of Residents §31.110-31.117 (Civil)

[to-use-service-of-citation-by-publication-in-texas-sijs-cases/](https://guides.sll.texas.gov/divorce/serving-divorce-papers/)

Serving Divorce Papers (TSLL)  
<https://guides.sll.texas.gov/divorce/serving-divorce-papers>

## Legal Assistance

**Legal Lines – Ask Attorneys simple legal questions (free service)**

- Tarrant County LegalLine Sign-up  
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up  
<https://www.dallasbar.org/index.cfm?pg=legalline>

**Tarrant County Bar Association Lawyer Referral Service:** 817-336-4101 (\$20 for the first 30 minutes)

## Online Resources

Service by Publication (TexasLawHelp.org)  
<https://texaslawhelp.org/article/service-by-publication-when-you-cant-find-the-other-parent>

Public Information Website – Citation by Publication (Texas Judicial Branch)  
<https://www.txcourts.gov/judicial-data/citation-by-publication/clerk-information-instructions/>

Attorneys Ad Litem and Amicus Attorneys in Family Law Cases  
<https://texaslawhelp.org/article/attorneys-ad-litem-and-amicus-attorneys-in-family-law-cases>

When and How to Use Service of Citation by Publication in Texas SIJS Cases (ABA)  
<https://cilacademy.org/2019/05/17/when-and-how->