



# Superior Court of California

## County of San Francisco

### ON THE ISSUE OF DUE DILIGENCE AS PER CCP 415.20

This jurisdiction holds that reasonable diligence requires that **there be attempts at personal service on at least three separate calendar days**. At least one of these attempts must be made at the residence address, if known. If the residence address is "UNKNOWN", declarant must so state. The attempts on those calendar days should be made **at times when a person might be home regardless of his or her work schedule**, which might be day shift, or night shift. These attempts might also take into consideration that commute time may be involved before and after work. Thus, if a person works the day shift between **8:00 A.M. and 5:00 P.M.** service might be attempted before **7:30 A.M. or after 6:00 P. M.** If a person works the swing between **3:00 P. M. and 12:00 midnight**, service might be attempted in the early afternoon. If a person works night shift **between 11:00 P. M. and 8:00 A. M.** service might be attempted in the early afternoon. If plaintiff is ignorant of both the residence address and the work schedule of defendant, reasonable attempts should be made to serve the defendant in the early morning, mid-morning, early afternoon and/or after dinner, at his place of business. There must be a declarant of "**Due Diligence**" submitted with the proof of service stating that there were such attempts at personal service before substituted service must made, there were such attempts at personal service before substituted service was made, the server having taken into consideration each of the three possible work shifts. At a business where direct contact with an employee is not permitted, the process server may make substituted service without the prior attempts, but it must be stated on the proof of service that company policy does not allow personal service and also the defendant's residence is unknown. If the residence address is known, attempts must be made there before service can be completed at the business.

**AGAIN**, if plaintiff is ignorant of the residence address of the defendant. This fact must appear in any "**Due Diligence Declaration**". Providing the various work shifts have been taken into consideration.

The sub-service may be effected on the third attempt.

APPROVED

A handwritten signature in black ink, appearing to read "Lucien J. King", is written over a horizontal line. Below the line, the words "Presiding Judge" are printed.

DATED APRIL 18, 1989