

Superseded 5/10/2016

78B-6-807 Allegations permitted in complaint -- Time for appearance -- Service of summons.

- (1) The plaintiff, in his complaint:
 - (a) shall set forth the facts on which he seeks to recover;
 - (b) may set forth any circumstances of fraud, force, or violence which may have accompanied the alleged forcible entry, or forcible or unlawful detainer; and
 - (c) claim damages or compensation for the occupation of the premises, or both.
- (2) If the unlawful detainer charged is after default in the payment of rent, the complaint shall state the amount of rent due.
- (3) A judge, court clerk, or plaintiff's counsel shall endorse on the summons the number of days within which the defendant is required to appear and defend the action, which shall be three business days from the date of service, unless the defendant objects to the number of days, and the court determines that the facts of the case should allow more time.
- (4) The court may authorize service by publication or mail for cause shown.
- (5) Service by publication is complete one week after publication.
- (6) Service by mail is complete three days after mailing.
- (7) The summons shall be changed in form to conform to the time of service as ordered, and shall be served as in other cases.