

**KENTUCKY BAR ASSOCIATION  
KENTUCKY RULES OF CIVIL PROCEDURE**

**COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS AND  
ORDERS**

**CR 4.05 Parties who may be constructively served**

If a party sought to be summoned is: (a) An individual who is a nonresident of this state and known or believed to be absent therefrom, or (b) a corporation, or a partnership or unincorporated association which is subject to suit under a common name, having no agent in this state known to the plaintiff upon whom a summons may be lawfully served, or (c) an individual who has been absent from the state for four months or who has departed therefrom with the intent to delay or defraud his creditors, or (d) an individual who has left the county of his residence to avoid the service of a summons or has so concealed himself that a summons cannot be served upon him, or (e) an individual whose name or place of residence is unknown to the plaintiff; the clerk shall forthwith, subject to the provisions of Rule 4.06, make an order upon the complaint warning the party to appear and defend the action within 50 days.

HISTORY: Amended eff. 1-1-78; prior amendment eff. 4-1-63; adopted 7-1-63