

Explanatory Comment

Current Rule 3129.2(d) requires that notice of a sheriff's sale be advertised in (1) a newspaper of general circulation and (2) a legal publication if one has been designated by local rule of court for publication of notices. It has been reported that certain counties are requiring publication of the notice of sheriff's sale in multiple newspapers. This additional publication, which is not required by Rule 3129.2, can significantly increase costs imposed for sheriff's sales. The amendment to Rule 3129.2 clarifies the intent of the rule by adding a sentence to subdivision (d) stating that advertising of a sheriff's sale is required in only one newspaper of general circulation, and in the legal publication, if any, designated by rule of court for publication of notices.

By the Civil Procedural
Rules Committee

Robert C. Daniels
Chair