



# ARCADIA NEWS

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Frank Lloyd Wright spent some time in Arcadia near Exeter and modern-day Rubicon (above), scouting and subsequently purchasing a section of land in 1950. Tucked into a citrus grove that came with the property, a home was built for his son David, now known as the David Wright House. *Our feature story begins on page 22.*

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Part-time hobby to full-fledged business, local mom finds the perfect recipe for success.

## PAGE 34

Daughters and granddaughters gather to continue Nona's handmade gnocchi legacy.

## PAGE 52

A photographic look at the third annual Arcadia Family Fun Run on April 19 for Team Taylor.



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## You've been served: Divorcing via Facebook

By Johnathan T. Hasebe

In a recent 2014 study, Facebook was listed as a contributing factor in more than 30 percent of all divorce pleadings.



In a recent March 27, 2015 court decision, Facebook played a substantive role in connection with a divorce proceeding. Judge Matthew Cooper, a New York Supreme Court Judge, held that Ellanora Baidoo, a 26-year-old nurse, could serve notice of the divorce proceeding to her soon-to-be ex-husband, Victor Sena Blood-Dzraku, via Facebook.

Service via Facebook is not a particularly new concept. As early as 2013, courts have allowed plaintiffs to use the popular social networking site as a supplemental method of service. What was groundbreaking in Judge Cooper's decision is that Ms. Baidoo sought (and was approved) to use Facebook as the sole means of serving Mr. Blood-Dzraku.

Assuming service is not waived, most jurisdictions have three basic methods by which a plaintiff in a lawsuit can serve a defendant: (1) actual or personal service, (2) substituted service, and (3) service by publication.

Under actual service, a process server or sheriff physically hands the court documents to the defendant. Service by publication requires that the plaintiff publish, at least once a week for four successive weeks in the county where the action is pending and in the county of the last known residence of the person to be served. New York, like Arizona, also allows

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for alternative or substituted service if another method of service proves impracticable.

In the New York case, Judge Cooper found that any other statutorily authorized means of service would be impracticable for Ms. Baidoo. Still, before granting the plaintiff's request to notify her husband of the divorce proceeding via Facebook, the Judge noted a number of concerns, including that the defendant might not have created the account and that the defendant might not see the Facebook message informing him that he was being sued for

divorce. To allay these concerns, the plaintiff was required to execute an affidavit stating that she knew the account belonged to her husband. She was also required to submit proof that the defendant logged into and updated his account regularly.

While Judge Cooper's opinion is unlikely to lead to a wave of pleadings filed via Facebook, the decision stands as an interesting benchmark in regards to the interplay between legal procedure and our digital lives.

*"It would not be surprising for state legislators in the near future to recognize social networking platforms as an effective means of alternative service."*

With social networking becoming further engrained in American society, it would not be surprising for state legislators in the near future to recognize social networking platforms as an effective means of alternative service.

— Jonathan Hasebe is an associate at Gallagher & Kennedy. He practices in the areas of both general commercial litigation and transactional law. For more information about Mr. Hasebe, please visit [gknet.com](http://gknet.com).

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