



What You Need to Know About Process Serving

Process serving, also known as service of process, is a legal procedure conducted in the US that states every party facing legal action in court has to be notified.

Essentially, documents that describe legal actions are served to the individual who has legal action taken against them. This is where the saying “You got served” comes from.

There are a few different types of documents that are part of the process service. These include:

- Summons
- Summons and Complaint
- Subpoena
- Writ of Garnishment

There may also be other documents, but these four are the primary categories the documents will fall into. A process server will deliver the documents to the target individual. The process server cannot be someone who is involved in the case involving the individual getting served.

According to the legal procedure within the US, every party within a case has to become notified whenever an action takes place against them in court. This makes processing serving an integral element of due process.

Each state has its own rules governing the civil procedure of [process server](#). On a federal level, there are special rules that apply as well. Process service can also be conducted on the international level.

Who Can Be a Process Server

Besides private investigators acting as process servers, most individuals over the age of eighteen years, not a party to the action being brought and without any felony convictions can be a process server unless there are licensing requirements in the state where the process is to be effected.

Each state has its own rules and licensing requirements regarding process service. Some states require process servers to be licensed, whereas others do not. Likewise, some states demand that process servers are registered within a certain county or state or at least appointed to be serving within a certain county within the state.

The states which currently demand process servers carry a license are the following:

- Alaska
- Arizona
- California - Requires Registration
- Florida
- Georgia
- Illinois
- Montana - Requires Registration
- Nevada
- Oklahoma
- Texas - Has a Standing Order issued by the Court Clerk after a background check has been cleared
- Washington - Requires Registration

Who Gets Served

For the service of process to be upstanding, the correct individual has to be served. Sometimes, an individual can only be described and not named. In such a case, a fictional name can be given to them, such as John Doe.

In other situations, when the individual is not a person but is a corporation, a managing agent, director, officer, or someone else officially considered to be an agent of the corporation can be served, such as registered agent or attorney of records for the company or any officer of the business.

In cases where the person with legal action against them is a minor, or someone unable to handle their legal affairs, a parent, legal guardian, or another person entrusted to care for the individual, or their affairs, can be given the documents.

However, sometimes it is not entirely clear who that individual is. In such a circumstance, the court can decide on who should be the proper individual to be provided those documents. Once appointed by the

court, the service of process can continue.

In some situations, there are multiple individuals getting sued. These circumstances call for each person getting sued to be served. A common example of this is a legal business partnership.

When the Service of Process Can Occur

The ideal time for the service of process to occur will depend on what the law is in the specific jurisdiction of the individual getting served. However, that person must be served within the Statute of Limitations for taking that specific type of action. This action initiates a lawsuit, so it must adhere to the legal window of opportunity.

In several states, a service of process is not allowed on Sundays. It is also may be prohibited from being performed on legal holidays in certain states. As with the rule of civil procedure, these restrictions can vary from state-to-state.

Hire Professional Process Servers

Service of process is required by law. This is to ensure fairness in regards to giving someone an opportunity to respond to a lawsuit against them. Process serving must be conducted in a specific way. If it is not, a court of law has the authority to dismiss the lawsuit.

Based in Baltimore, Maryland, RCI International Process Service and Investigations has a wealth of experience providing process serving on local, state, national, and international levels.

They employ an array of methods, which include the Hague Convention, Letters Rogatory, and even local agents for direct service of process similar to what is accomplished inside the United States, where it is acceptable to do so.