

## **CERTIFICATION OF PROCESS SERVERS**

Any natural person seeking certification as a process server shall be at least eighteen years of age, be a permanent resident of the state of Florida, have no mental or legal disability, and meet the requirements of the Process Server Act and this Administrative Order. The Chief Judge may, from time to time by administrative order, prescribe additional rules and requirements regarding the eligibility of a person to become a certified process server or to have his or her name maintained on the CPSL.

### **A. New Applications for Certification of Process Servers**

1. *Application.* The Applicant must submit an application to Court Administration, along with a non-refundable fee via personal check or money order made payable to the St. Lucie County Board of County Commissioners in the amount of \$75.00.

See Exhibit "A" to this Administrative Order for Initial Application for Certified Process Server. Court Administration shall accept applications for certification during normal working hours throughout the year. All certifications shall be good for one (1) year, except as otherwise set forth in Parts III through IV herein.

2. *Background Investigation.* The Applicant shall submit to a background investigation by the Florida Department of Law Enforcement, which investigation shall include a review of the applicant's criminal record, if any exists. In addition, the Applicant must be electronically fingerprinted by the Sheriff's Office. Court Administration will be advised of the results of the background investigation. The Applicant must pay any and all fees associated with the background investigation and/or fingerprinting as established by the law enforcement agencies and/or Court Administration.

3. *Certificate of Good Conduct.* The Applicant shall obtain and file with the application a Certificate of Good Conduct certifying that there is no record of: (a) any pending criminal case against the Applicant; (b) any felony conviction of the Applicant; or (c) any conviction of the Applicant for a misdemeanor involving moral turpitude or dishonesty within the preceding five (5) years. See Exhibit "C" to this Administrative Order for Certificate of Good Conduct.

4. *Performance Bond.* Applicants must file with the Designee evidence of a performance bond in the amount of five thousand dollars (\$5,000.00) with a surety company authorized to do business within the State of Florida for the benefit of any person injured by misfeasance, malfeasance, neglect of duty, or incompetence of the Applicant in connection with his or her duties as a process server. The bond should name the Administrative Office of the Court, Nineteenth Judicial Circuit as obligee. The bond must be maintained at all times during the certification period and is renewable annually. Each time the performance bond is renewed, the Applicant must file proof of the renewal with the Designee.

5. *Observation Requirement.* Applicants must provide proof of completion of at least ten (10) hours of observation of service of process with a certified process server whose name appears on a list of mentor certified process servers maintained by Court Administration. A mentor certified process server must have been included on the CPSL and actively have been serving process within the Nineteenth Judicial Circuit for at least the last five (5) years. See Exhibit "D" to this Administrative Order for Affidavit of Mentor Certified Process Server.

6. *Education; Examination.* Applicants who have completed an application and satisfied the requirements set forth in subdivisions 1 through 5 above shall file with the Designee proof of successful completion of a process server education course which meets the requirements established by Court Administration and is provided by an institution meeting accreditation criteria and other standards acceptable to Court Administration. See Exhibit "E" to this Administrative Order, Certified Process Server Education, for accreditation criteria and process server education course requirements.

Applicants must submit to a written examination testing the Applicant's knowledge of the laws and rules regarding the service of process. The content and frequency of the examination shall be approved by the Chief Judge; however, the examination shall be administered no less than once each year. A passing examination grade is hereby fixed at no less than eighty percent (80%) out of a possible score of one hundred percent (100%). The written examination must be taken within eleven (11) months following the day the application is submitted. No person shall be eligible to sit for the examination until such time as the Designee has in its possession the items set forth in subdivisions 1 through 5 above. The Chief Judge may at any time require an individual process server to re-enroll in a process server education course and complete the course again as well as pass the required written examination with a score of 80 percent or higher.

7. *Oath.* An Applicant who successfully completes the application process shall take an oath that he or she will honestly, diligently, and faithfully exercise the duties of a certified process server.

8. *Issuance of Certification.* Upon satisfactory completion of the specified prerequisites, the Board shall recommend the Applicant to the Chief Judge for inclusion on the CPSL. If the Chief Judge is satisfied that the conditions have been met, the Chief Judge shall issue an order placing the Applicant on the CPSL and provide a copy of the order to Court Administration and the Clerk of Court for each county within the Circuit.

9. *Denial of Certification.* All Applicants will be notified of the Board's finding as to whether the Applicant has completed the specified prerequisites for certification. If an Applicant wishes to challenge an unfavorable recommendation by the Board, the Applicant may, within 30 days of the notice of unfavorable recommendation, request in writing that the application material be reviewed by the Chief Judge.

10. *Identification Card.* Upon certification as a certified process server, the Applicant shall be issued a Certified Process Server Identification Card in the form prescribed by section 48.29, Florida Statutes. The identification card shall be valid for one (1) year from the date of issuance and must be renewed annually before its expiration upon proof of compliance with the requirements for renewal pursuant to Section B of this Part. No other form of identification shall be used by a certified process server for the Nineteenth Judicial Circuit while engaged in the service of process. Costs incident to the preparation and issuance of the identification card shall be paid by the Applicant. It is the responsibility of the Applicant to safeguard the identification card. There is a \$10.00 replacement fee if the identification card is lost or stolen.