

# Process Server Checklist

## Due Process Vendor Contract

- Vendors **must** submit a current fiscal year contract. The contract runs through June 30 of each year. The contract **must** be approved before a bill can be processed.

## Substitute Form W-9

- Prior to executing a contract, a properly completed Substitute Form W-9 must be submitted to the Department of Financial Services.

## Court Appointed (Note: Attorney must submit these documents when opening a case)

- Order of Appointment – **Must** contain Regional Counsel Conflict language.
- Charging Document(s) *if available*.

## Indigent for Costs (Note: Attorney obtains and submits these documents. Send to pleadings@justiceadmin.org). These documents should be provided prior to the submission of any billing.

- Motion to Declare the Defendant Indigent for Costs – submit prior to billing, not at time of billing.
- Clerk's Application for Indigency – submit prior to billing, not at time of billing.
- Affidavit Attesting to Attorney's Fees – submit prior to billing, not at time of billing.
- Order Declaring the Defendant Indigent for Costs – submit prior to billing, not at time of billing.
- Charging Document(s) *if available*.
- IFC Agreement/ Contract (Attorney will execute online).

## Information Required on Voucher/Invoice

- Attorney name and Bar ID. (If the Defendant is Pro se, then the Defendant's name.)
- Vendor Name.
- Payee Tax ID Number.
- Case number.
- Defendant name.
- Name(s) and date(s) of individual(s) served.
- Total amount billed.
- Vendor Signature and Attorney Signature. (If the defendant is Pro se, then the signature of Defendant or Standby Counsel).

## Additional Required Documents

- Signed return/affidavit of service including the name(s), date(s), and address of individuals served.

## Motion to Authorize Services (Attorney submits these document. Send to pleadings@justiceadmin.org)

- Motion for Services (**must** be submitted to pleadings before obtaining an Order).
- JAC response – Provided by JAC to Attorney. For payment of process server fees, JAC only pays at the rates established by law absent a court order authorizing a higher rate. JAC has the right to object to any payment in excess of the established rates.

## Order authorizing subpoena services (Note: Attorney obtains the Order)

- Rate per attempt (if no set rate per the A.O., or for out-of-state process servers).
- Maximum amount allowed.
- Judge's signature and date (conformed copy okay).

## **No Law Enforcement**

**JAC does not pay for subpoenas served on Law Enforcement Officers.**

As a general rule, JAC does not pay for service of process on in-county law enforcement officers. Under section 57.081, the sheriff is available to provide service of process without prepayment in cases involving indigent persons. Absent exceptional circumstances, the sheriff is capable of rendering service on law enforcement officers within the county. In order to use a private process server to serve in-county law enforcement officer, a specific court order will need to be provided setting forth the need for use of a private process server.