



NATIONAL ASSOCIATION OF PROFESSIONAL PROCESS SERVERS

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**Guidelines for forwarding and receiving
out of state original service of process**
[does not apply to subpoenas]

Florida

Service of original process in state.

Service of process may be made by an officer authorized by law to serve process, but the court may appoint any competent person not interested in the action to serve the process. When so appointed, the person serving process shall make proof of service by affidavit promptly and in any event within the time during which the person served must respond to the process. Failure to make proof of service shall not affect the validity of the service. When any process is returned not executed or returned improperly executed for any defendant the party causing its issuance shall be entitled to such additional process against the un-served party as is required to effect service.

All process shall be served by the sheriff of the county where the person to be served is found, except non-enforceable civil process, criminal witness subpoenas, and criminal summonses may be served by a special process server appointed by the sheriff as provided in Title VI, Section 48 of the Florida Statutes or by a certified process server as provided in Section 48.27. Civil witness subpoenas shall be served by any person authorized by rules of civil procedure.

The sheriffs maintain an approved list of natural persons designated as special process servers.

Service on Sunday is void. Title VI, Section 48.20.

Service of original process forwarded to another state.

Process shall be made in the same manner as service within this state by any person authorized to serve process in the state where the person is served. No order of court is required. See 48.194

Florida process **IS PERMITTED** by rule to be served by private process servers in the following states:

Alabama, Arizona, California, Colorado, District of Columbia, Idaho, Illinois, Indiana, Iowa, Maryland, Michigan, Minnesota, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York*, North Dakota, Oregon, Pennsylvania (Only Philadelphia County), Rhode Island, South Carolina, Texas, Utah, Washington, West Virginia, Wisconsin, Wyoming. *New York see Ruffin v Lion Corp. 2010 NY Slip Op 08767:

Service may be made outside the state but within the United States by a person authorized to serve process under the law of the state where such service is made.

Florida process is **NOT PERMITTED** by rule for private process servers in the following states, unless appointed by court order from the forwarding state or in some cases the sheriff.

Alaska, Arkansas, Connecticut, Delaware, Georgia, Hawaii, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, Pennsylvania (except Philadelphia County), South Dakota, Tennessee, Vermont, Virginia.