

**PRACTICAL TEXAS FIELD GUIDE**

# **THE NEW TEXAS PROCESS SERVER HANDBOOK**

Practical Guidance for Starting Your Career, Serving Documents,  
and Avoiding Costly Mistakes

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MANUSCRIPT — PART 1 | AUGUST 2026

## Copyright and Legal Notice

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This handbook is an educational field guide. It is not legal advice and does not create an attorney-client relationship. Texas statutes, court rules, local practices, certification requirements, fees, and administrative procedures can change. Readers must verify current requirements with the Judicial Branch Certification Commission, the Texas Rules of Civil Procedure, the issuing court, and the attorney or law firm that assigned the service.

A process server should never improvise a method of service, alter court documents, interpret legal rights for a recipient, or claim authority the server does not possess. When instructions are unclear, stop and obtain written clarification from the client or issuing court.

**Edition note:** The certification information in Chapter 1 was checked against Texas Courts and JBCC materials available in August 2026. A new certification examination requirement is scheduled to apply to initial applications submitted on or after January 1, 2027. Always confirm the effective rule before applying or renewing.

## Dedication

For new process servers who want to build their careers correctly—from the first assignment, the first knock, and the first return.

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## Book Structure and Writing Plan

This starter handbook is designed as a practical first-career reference rather than an academic civil-procedure treatise. Each chapter will answer four questions: What must the server know? What should the server do in the field? What must be documented? What common mistake must be avoided?

### Recurring Features

- Field Rule — a short operational principle the reader can remember during an assignment.
- New Server Mistake — a preventable error commonly made by inexperienced servers.
- Stop and Confirm — a situation in which the server should obtain written instructions before proceeding.
- Field Checklist — a practical list that can be used before, during, or after an attempt.
- Houston Field Note — experience-based guidance for dense urban areas, apartments, gated communities, businesses, hospitals, and correctional facilities.

## About the Author



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Oleg Molchanov is the founder of Houston Process Servers, LLC and a JBCC Certified Texas Process Server serving the Houston legal community. His work includes routine, rush, and same-day process service; difficult residential and business assignments; service in hospitals and correctional facilities; due-diligence documentation; court-ready affidavits; and locate research for law firms.

Through years of field work in Harris, Fort Bend, and Montgomery Counties, Oleg has learned that successful service depends on more than locating a door and handing over papers. It requires preparation, patience, accurate observation, professional communication, strict compliance with the court's instructions, and documentation that an attorney can confidently place before a judge.

He wrote this handbook to give new Texas process servers the practical guidance he wishes every server received before accepting a first assignment.

## Professional Memberships



Texas Process Servers Association



National Association of Professional Process  
Servers



American Association of Notaries

## Introduction: The Job Is Bigger Than the Knock

Many new process servers imagine that the job begins when they arrive at an address. In reality, the quality of the service is often decided earlier—when the assignment is accepted, the documents are reviewed, the address is checked, the instructions are understood, and the server chooses what information to carry into the field.

A process server is part investigator, part professional messenger, and part witness. You observe facts, make a legally authorized delivery, and create a record that may later be examined by an attorney, clerk, judge, opposing counsel, certification authority, or disciplinary investigator. Your return can support the court's jurisdiction. A careless return can create delay, expense, or a challenge to a judgment.

**Field Rule:** If you cannot accurately explain what you received, what you did, where you did it, when you did it, whom you encountered, and how you identified the recipient, your notes are not complete.

### What This Handbook Will Teach You

- How to enter the Texas profession and maintain certification.
- How to review an assignment before making an attempt.
- How to approach residences and businesses professionally and safely.
- How to confirm identity without escalating the encounter.
- How to document facts without assumptions or exaggeration.
- How to prepare accurate returns, affidavits, and status reports.
- How to work reliably with law firms and build a sustainable service business.

### What This Handbook Will Not Do

This handbook will not tell you to invent facts, force entry, impersonate law enforcement, give legal advice, or use a method of service simply because it worked for someone else. The issuing documents, applicable rules, court orders, local practice, and client instructions control each assignment.

**New Server Mistake:** Treating every assignment as identical. A citation, subpoena, writ, notice, foreign-state document, and court-authorized alternative service order may carry different instructions and restrictions.

## PART I — ENTERING THE PROFESSION

### Chapter 1: Becoming a Certified Texas Process Server

Texas statewide certification is administered by the Judicial Branch Certification Commission (JBCC). Certification allows a person who meets the applicable requirements to serve civil process statewide, subject to the Texas Rules of Civil Procedure, statutes, court orders, local rules, and the JBCC's rules and ethics requirements.

**Current-rule alert:** As of August 2026, the JBCC states that initial applicants must complete an approved seven-hour civil-process course, apply online, pay the required fee, and complete state and national criminal-history checks. Rules posted in 2026 add an examination requirement for applications submitted on or after January 1, 2027. Verify the effective rules before relying on this chapter.

#### 1.1 Certification Is Permission—and Responsibility

Certification does not make a private process server a police officer, sheriff, court employee, or attorney. It does not create a right to enter private property, cross a locked gate, threaten arrest, demand identification, or use force. It means the JBCC has authorized the server to perform process service within the limits of the law.

The professional standard begins before certification is issued. A new applicant should read the current JBCC rules, Code of Ethics, Texas Rules of Civil Procedure, and the approved curriculum—not simply complete the minimum course and assume the rest will be learned later.

#### 1.2 The Current Initial-Certification Path

1. Complete an approved seven-hour civil process service educational course. The course must be completed before applying and, under the JBCC's April 2026 instructions, no more than one year before filing the application.
2. Create a profile and submit the Process Server Application through the JBCC online licensing system. Use your full legal name exactly as it appears on your government-issued identification.
3. Upload the course-completion certificate and pay the nonrefundable application fee. The JBCC listed the first-time applicant fee as \$200 as of April 1, 2026.
4. Complete the required fingerprint-based state and national criminal-history checks using the JBCC service code supplied after the application is submitted. Upload the fingerprinting receipt as instructed.
5. Monitor the online profile and email for requests, status updates, or a decision. Processing time varies, and an applicant should not serve process as a certified server until certification is actually approved and active.

### 1.3 The 2027 Examination Change

The JBCC process-server rules posted in 2026 state that an applicant must obtain at least 75 on a Commission-approved examination covering Texas law and procedure related to service of process. The posted transition language applies the examination requirement to initial applications submitted on or after January 1, 2027.

The same posted rules also address existing servers who were certified before the examination requirement became effective. Those servers should review the final adopted rule and their next renewal instructions rather than assuming the examination affects only new applicants.

**Stop and Confirm:** The 2026 documents reviewed for this draft include revised rules posted for implementation. Before publication—and before any reader applies or renews—the final operative JBCC rule, examination registration process, fees, deadlines, and transition requirements must be checked again.

### 1.4 Criminal History and Candor

Applicants must complete the required background-check process, and the Commission may evaluate criminal history under its rules. A record does not justify hiding information or giving an incomplete answer. The safer rule is simple: read every question carefully, disclose what is required, provide the requested documents, and answer truthfully.

The duty of candor continues after certification. The Code of Ethics includes reporting duties for convictions and certain other events. A process server who is uncertain whether an event must be reported should consult the current rule or obtain guidance from the JBCC promptly.

### 1.5 After Approval: Build Your Compliance File

Do not treat the approval email as the end of the process. Create a permanent certification file and keep it backed up. At minimum, retain:

- Your certification document and certification number.
- The exact certification expiration date.
- Your course-completion certificate and application records.
- Current contact information submitted to the JBCC.
- Continuing-education certificates and renewal confirmations.
- Copies of the current JBCC rules, Code of Ethics, and essential process-service rules.
- A calendar reminder well before the renewal deadline.

**Field Rule:** Never accept or perform an assignment while your certification is expired, suspended, or revoked. Verify your status and expiration date yourself; do not depend on a dispatcher or software system to warn you.

## 1.6 Your Name Must Stay Consistent

Use the name under which you are certified when signing returns, affidavits, declarations, and professional records. Do not casually shorten your legal name, substitute a nickname, or use initials in a way that creates a mismatch between your certification and the court record. Consistency makes the return easier to verify and reduces avoidable questions.

## 1.7 Maintaining Certification

Texas process-server certification operates on a renewal cycle. The JBCC states that certified process servers must complete eight hours of approved continuing education during each two-year certification period. The current rules and renewal materials should be checked for ethics-hour requirements, reporting instructions, fees, background-check requirements, deadlines, and any examination transition obligations.

Maintain your continuing-education records as courses are completed. Waiting until the renewal deadline to locate certificates or discover that a course was not approved creates unnecessary risk.

## 1.8 Ethics Begin on the First Assignment

The JBCC Code of Ethics emphasizes respect, accurate and complete service records, honesty, objectivity, and professional conduct. It prohibits false or misleading documents, exaggerating authority, and serving when certification is inactive. It also requires record retention and cooperation with courts and Commission inquiries.

For a new server, these duties can be converted into five daily habits:

6. Write facts, not conclusions you cannot prove.
7. Record the attempt immediately, while details are fresh.
8. Never change a time, address, description, or outcome to satisfy a client.
9. Never imply that you are law enforcement or that the recipient will be arrested for refusing to speak with you.
10. Ask for written clarification when the assignment instructions and the court documents do not match.

## 1.9 What Certification Does Not Teach You

An orientation course can teach the legal framework, but it cannot replace field judgment. New servers still must learn how to review a document packet, identify a safe approach, recognize an address mismatch, communicate through a doorbell camera, describe a person accurately, document vehicles without making unsupported ownership claims, and write an affidavit that separates observation from inference.

The remaining chapters of this handbook are designed to close that practical gap.

## Chapter 1 Field Checklist

- I completed a currently approved orientation course within the permitted time.
- I applied using my full legal name and uploaded the required documents.
- I completed fingerprinting with the correct JBCC service code.
- I confirmed that my certification is approved and active before serving.
- I recorded my certification number and expiration date accurately.
- I created renewal and continuing-education reminders.
- I downloaded the current JBCC rules, Code of Ethics, and Texas Rules of Civil Procedure.
- I understand that certification does not grant law-enforcement authority or a right of forced entry.

## Knowledge Check

11. May an applicant serve as a certified Texas process server while the application is still pending?
12. What name should appear in the JBCC profile and professional court records?
13. What should a server do if certification expires before an assignment is completed?
14. What major certification change is scheduled for applications submitted on or after January 1, 2027?
15. Why should continuing-education records be maintained throughout the certification period?

## Chapter 2: What a Process Server Is—and Is Not

A process server performs a narrow but essential function: delivering legal process in a manner authorized by law and creating a reliable record of what occurred. The server is not hired to win the case, frighten the recipient, investigate the merits, collect a debt, or persuade anyone to cooperate. The job is completed through lawful delivery, accurate observation, and truthful documentation.

**Field Rule:** Your authority comes from the process you carry and the rules governing its service. It does not come from a badge, a forceful personality, or the recipient’s misunderstanding of who you are.

### 2.1 A Professional Messenger and a Fact Witness

The server has two connected roles. First, the server delivers the documents as directed by the applicable rule, statute, court order, or written instruction. Second, the server becomes a witness to the service attempt. If service is questioned, the server may need to explain the date, time, place, method, identity information, statements, observations, and documents delivered.

That is why small details matter. The color of a door, the name on a reception desk, the words used by an occupant, or the location where papers were placed may later help an attorney or judge evaluate the

service. Record what you personally observed and heard. Clearly identify information received from someone else. Never convert an assumption into a fact.

## 2.2 The Server Must Remain Neutral

A process server works for a client, but is not an advocate for the client's position in the lawsuit. The server's loyalty is to lawful instructions and a truthful record. You should not argue about the allegations, criticize either party, celebrate a successful surprise, or express an opinion about who should win.

Neutrality also means recognizing conflicts. The Texas Process Server Code of Ethics restricts service when the server has an interest in the outcome, is a party, or is employed by a party or a party's attorney, and it addresses conduct that creates a distinct appearance of impropriety. Review the current rule before accepting an assignment involving your employer, relatives, friends, property, money, or another personal interest.

**Stop and Confirm:** If the case is personally connected to you, do not decide that you can remain objective. Disclose the connection and obtain direction before accepting the assignment.

## 2.3 A Process Server Is Not Law Enforcement

Certification does not make a process server a police officer, deputy, constable, marshal, investigator for the court, or court employee. Do not call yourself an officer unless you lawfully hold that separate position and the description is appropriate to the work being performed. Do not display a law-enforcement badge or wear clothing designed to make people believe you are law enforcement.

A server may identify himself or herself truthfully and may display JBCC certification. The server must not exaggerate authority or imply that the court has ordered the recipient to open the door, answer questions, produce identification, or remain at the location unless the actual document or order says so.

**New Server Mistake:** Using phrases such as 'I am with the court,' 'I have a warrant,' or 'you must cooperate with me' when those statements are not true. A misleading shortcut can create a complaint and damage the credibility of the return.

## 2.4 No Power to Force Entry or Detain

A civil process server does not receive a general right to enter a home, apartment, fenced yard, office, secured building, or other private area. Never push through a door, climb a locked gate, follow a vehicle through controlled access, defeat a lock, refuse to leave after lawful notice, or physically block a person from walking or driving away.

The recipient's refusal to cooperate does not expand your authority. Step back, preserve safety, document the facts, and report the outcome. A later attempt or a court-authorized alternative method may be available, but the server does not create that authority in the field.

## 2.5 A Process Server Does Not Give Legal Advice

Recipients frequently ask questions: What does this mean? How long do I have? Do I have to appear? Can I ignore this? Will I lose my property? Should I call the plaintiff? A process server should not interpret the papers, calculate a deadline, predict the result, recommend a response, or advise the person whether to sign or accept anything.

You may state neutral facts that are plainly observable, such as the names of the documents being delivered or the contact information printed on them. A safe response is: 'I am the process server. I cannot give legal advice. Please read the documents and contact an attorney or the issuing court if you have questions.'

**Field Rule:** Describe the document; do not explain the recipient's legal rights or obligations.

## 2.6 A Process Server Is Not a Debt Collector

Some lawsuits involve unpaid accounts, judgments, repossession, foreclosure, or other financial disputes. The server's role remains delivery. Do not demand payment, negotiate a settlement, threaten consequences, collect money, obtain a signature for the plaintiff, or pressure the recipient to call the client while you wait unless the assignment and law specifically authorize a separate function and you are qualified to perform it.

Combining service with collection pressure can confuse the encounter and create legal or ethical problems. Complete the authorized service, document it, and leave the merits and resolution of the dispute to the parties and their attorneys.

## 2.7 Truthful Identification Without Unnecessary Disclosure

You should be prepared to identify yourself accurately. Use your real name, your business name when appropriate, and your correct status as a certified process server. Do not invent a story to gain access, impersonate a delivery driver, claim to be conducting a government investigation, or use another person's identity.

Truthfulness does not require announcing private case details to neighbors, coworkers, children, receptionists, or bystanders. Ask only for the information reasonably needed to locate the named person. Avoid disclosing allegations, debt amounts, family disputes, medical information, or other sensitive contents of the papers.

## 2.8 Respect and De-escalation Are Professional Duties

A recipient may be angry, embarrassed, frightened, or hostile. Do not mirror that behavior. Keep your voice controlled, use short factual statements, maintain distance, and avoid insults, sarcasm, political

comments, or arguments about the case. The JBCC Code of Ethics begins with a duty to treat everyone with respect.

Professionalism is not weakness. It is control. You can be clear and persistent without being aggressive. If the scene becomes unsafe, leave. No service attempt is worth an injury, arrest, confrontation, or allegation of threatening conduct.

**Houston Field Note:** Doorbell cameras record many encounters from the first step onto the porch. Act as if the judge, client, and certification authority may later watch and hear the entire attempt.

## 2.9 Confidentiality and Responsible Information Handling

Assignments may contain home addresses, birth dates, phone numbers, photographs, vehicle data, medical details, financial information, and allegations. Carry only what is needed, secure printed packets and electronic files, and do not discuss assignments casually or post field details on social media.

Confirm recipients before sending status reports or photographs. Do not leave unserved papers visible in a vehicle, discard working notes in ordinary trash, or forward a client's documents to another server without authorization. Follow the client's instructions and applicable law regarding retention, transmission, and destruction.

## 2.10 You Are Responsible for the Return

A client or dispatcher may supply the address, description, preferred wording, or a draft return. You remain responsible for the facts you sign. Read every return, affidavit, or declaration before signing. Confirm that it accurately states the documents, person, method, address, date, time, and other material facts.

Never sign a blank form. Never allow someone to add facts after you sign. Never change an unsuccessful attempt into a successful service because a client is facing a deadline. If a prepared return is wrong, correct it before signing and preserve the true supporting notes.

**Field Rule:** Your signature belongs only under facts you personally know to be accurate or that are clearly identified as information from another source.

## 2.11 When Instructions Conflict With the Documents

New servers sometimes assume that the client's email controls everything. It does not. The citation, subpoena, writ, statute, applicable rule, court order, and written assignment instructions must be reviewed together. If they point in different directions, do not choose the easiest method.

Pause and request written clarification. Describe the conflict precisely—for example, the order authorizes attachment at one address but the work order lists another, or the packet contains a

document not listed in the return template. The server should identify the problem, not give the client a legal opinion about how to solve it.

## 2.12 A Simple Professional Introduction

There is no single script for every encounter, but a calm introduction reduces confusion. When appropriate, begin with your name and the person you need to see: 'Good afternoon. My name is Oleg. I am looking for John Smith.' After identity is reasonably established, state your role plainly: 'I am a certified process server, and I have legal documents for you.'

Do not overload the opening with accusations or details. Do not debate whether the person wants the papers. Focus on identity, lawful delivery, safety, and documentation. The precise words and delivery method must fit the applicable law and the situation, subjects covered later in this handbook.

## Chapter 2 Field Checklist

- I understand that I am a professional messenger and potential fact witness.
- I have no personal interest or disqualifying relationship in the case.
- I identify myself and my authority truthfully.
- I do not display a law-enforcement-style badge or imply police powers.
- I do not force entry, defeat access controls, detain anyone, or threaten arrest.
- I do not interpret documents, calculate legal deadlines, or recommend legal action.
- I do not collect money or negotiate the dispute while serving process.
- I protect case information from unnecessary disclosure.
- I remain respectful and leave if the encounter becomes unsafe.
- I personally verify every fact before signing a return or affidavit.

## Knowledge Check

16. What are the process server's two connected roles during an assignment?
17. May a process server tell a recipient how many days remain to answer the lawsuit?
18. What should a server do when a work order conflicts with a court order?
19. Why is it improper to describe yourself as being 'with the court' when that is not true?
20. Who is responsible for the accuracy of a return prepared by a dispatcher or client?

## Chapter 3: Understanding the Documents Before You Leave

A professional attempt begins with a document review, not with navigation to the address. Before leaving, the server must know whom the papers are directed to, what documents are in the packet, which court issued them, what method of service is authorized, and whether the assignment

instructions match the actual process. A five-minute review can prevent an invalid attempt, a false return, or a wasted trip.

**Field Rule:** Never serve a packet you have not reviewed and inventoried. You do not need to interpret the lawsuit, but you must understand the identity, delivery, and documentation instructions that control your work.

### 3.1 Start With the Case Caption

The caption usually identifies the court, county, cause number, plaintiff or petitioner, and defendant or respondent. Compare that information across the citation, petition, subpoena, order, return form, and work order. The cause number and court should be consistent unless the packet contains a document from another proceeding for an explained reason.

A name appearing in the caption is not automatically the person you are assigned to serve. A case may include several parties, multiple companies, intervenors, counter-defendants, or a person named in more than one legal capacity. Locate the exact addressee on the citation, subpoena, order, or written assignment.

**New Server Mistake:** Seeing a familiar name on the first page and assuming every copy in the packet is for that person. One case can require separate packets, separate attempts, and separate returns for different defendants.

### 3.2 Identify the Type of Process

Different documents perform different functions. The title is important, but the server must also read the service language printed in the document. Common assignments include:

- A citation accompanied by a petition or other pleading initiating a claim against the person served.
- A subpoena commanding a person to attend, testify, produce items, permit inspection, or perform another act stated in the subpoena.
- A notice, motion, application, or hearing document that may be served under a rule, statute, order, or agreement.
- A temporary restraining order, protective order, injunction, or other signed order requiring careful review of any special service language.
- A writ or other enforcement-related process with duties that may exceed ordinary private service and may be restricted to a sheriff, constable, or another specifically authorized officer.
- Foreign-state or federal process that may use different forms, deadlines, and returns even when delivery occurs in Texas.

Do not decide what a document means for the recipient. Your task is narrower: identify what it is, confirm that you are authorized to serve it, follow the stated method, and accurately list it in your notes and return.

### 3.3 Read the Citation as an Instruction Document

Under Texas Rule of Civil Procedure 99, a citation contains specific case and notice information and directs service with a copy of the petition. For the server, the citation is not just a cover sheet. Review the exact defendant name, court, cause number, date of issuance, clerk information, plaintiff's attorney or plaintiff contact information, and any wording relevant to service and return.

Texas Rule 106 provides the ordinary methods for serving citation unless another rule, statute, or court order controls. Do not treat an address printed on a citation as permission to use any method at that location. Personal delivery, mailing methods, attachment, delivery to another person, or electronic service each require the authority applicable to that assignment.

**Stop and Confirm:** If the citation names one defendant but the work order names another, or if the citation is missing the petition it directs you to deliver, stop and ask the client for a corrected or complete packet.

### 3.4 Petition, Application, and Other Pleadings

The accompanying pleading explains the case, but a process server should not analyze its merits. Confirm the first-page caption, party names, cause number, page count, exhibits, and signature block. If the citation directs service of a copy of the petition, verify that the petition is actually present and that it appears complete.

Amended, supplemental, and original pleadings are not interchangeable labels. Record the title exactly as shown. If the work order says 'Original Petition' but the packet contains a 'First Amended Petition,' do not silently rename it or assume the difference is harmless. Ask which document must be served and how it should be listed on the return.

### 3.5 Subpoenas Require a Separate Review

A subpoena is a command directed to a person, not merely a notice that a lawsuit exists. Texas Rule of Civil Procedure 176 governs subpoenas issued under the Texas civil rules and specifies required contents, service, proof of service, and protections. Read the subpoena itself for the named witness or custodian, place, date, time, requested testimony or production, issuing authority, and any attached schedule or exhibit.

Confirm that every attachment referenced in the subpoena is included. A subpoena duces tecum may refer to categories of records in an attachment; serving the subpoena without that attachment can deprive the recipient of the actual command. Also confirm whether the assignment includes a witness fee or other item and obtain written instructions on how it must be tendered or documented.

**New Server Mistake:** Treating every subpoena like an ordinary citation. A subpoena may name a nonparty, command production, include a short compliance date, and require documentation of any fee tendered. Review it independently.

### 3.6 Court Orders Control the Authorized Method

A signed order may authorize or restrict a method of service. Read the complete order, including findings, named party, authorized address, person eligible to receive the papers, delivery or attachment location, electronic destination, documents to be served, and any deadline or reporting requirement. Follow the words of the order; do not substitute what your company normally does.

For alternative service, small differences matter. 'Front door,' 'main entrance,' 'any person over sixteen at the specified location,' and a named email address are not equivalent instructions. If the address in the order differs from the work order, or the order does not authorize the method requested by the client, pause and obtain written clarification.

### 3.7 Match the Defendant's Name and Legal Capacity

Read the complete name, including suffixes and the capacity in which the person is named. 'John Smith,' 'John Smith, Individually,' and 'John Smith, Registered Agent for ABC, LLC' may describe different service assignments. A company name, assumed name, partnership, governmental unit, estate, trust, minor, or incapacitated person can require service on a particular representative under rules or statutes outside the ordinary individual-service pattern.

Do not choose a company's authorized recipient from a receptionist's guess or an internet result when the papers or client have not identified the proper capacity. The attorney determines the legal service target. The server confirms identity and reports facts from the field.

**Stop and Confirm:** When a packet names a business but the assignment asks you to serve an individual without stating the person's capacity, request written clarification before attempting service.

### 3.8 Inventory the Complete Packet

Create a document inventory before printing or leaving. Use the exact titles shown on the documents and note page counts when practical. A basic inventory should answer:

- How many separate service packets are there?
- Which named recipient belongs to each packet?
- What is the exact title of every document and attachment in each packet?
- Are all pages legible, correctly oriented, and in the correct order?
- Are referenced exhibits, schedules, photographs, or orders included?
- Does the return template list the same documents that are physically present?
- Are there confidential, sealed, or specially handled materials requiring client instructions?

Do not remove a court stamp, staple, exhibit label, clerk's seal, barcode, or identifying page because it looks unnecessary. Do not open material marked sealed or confidential merely to satisfy your curiosity. If you cannot verify a sealed packet's contents, document how the client identified it and obtain instructions for describing it on the return.

### 3.9 Compare the Work Order With the Court Papers

The work order organizes the assignment, but it is not a substitute for the process. Compare the target name, service address, court, cause number, deadline, permitted attempt times, number of copies, special identification details, method requested, and documents listed. Highlight every mismatch before accepting the field route.

A client's operational deadline is not necessarily a legal deadline, and a server should not calculate or reinterpret either one. Record the due date supplied by the client and plan backward. If the papers appear stale, the hearing date has passed, or there is too little time to complete the requested service, notify the client immediately and ask whether to proceed.

### 3.10 Printing and Electronic Packet Quality

If you print the packet, inspect the finished copy rather than assuming the printer reproduced it correctly. Check for missing backsides, blank pages caused by scanning, clipped margins, unreadable seals, color-coded exhibits that became unclear in grayscale, and pages printed from the wrong defendant's file.

When working electronically, use a stable file name and preserve the version supplied by the client. Avoid editing, compressing, reordering, or combining documents in a way that changes pagination or removes signatures and stamps. Keep the field copy secure and confirm that the complete packet is available even if cellular service fails.

**Houston Field Note:** Heat, rain, vehicle storage, and repeated handling can damage papers quickly. Carry each packet in a separate labeled folder or weather-resistant sleeve, with a backup copy available when the assignment is urgent.

### 3.11 Build a One-Page Assignment Summary

For a difficult or multi-document assignment, prepare a short summary that can be checked without exposing the entire pleading in public. Include the recipient's exact name and capacity, address, court and cause number, authorized method, packet inventory, client deadline, identification information supplied by the client, safety notes, and the client's contact information.

Mark client-provided information as client-provided. Do not copy an allegation from a pleading into the field summary as if it were a verified fact. The summary is an operational aid, not evidence and not permission to depart from the documents.

### 3.12 The Final Go-or-Stop Review

Before departure, ask four questions: Do I have the right recipient? Do I have the complete packet? Do I understand the authorized method? Can I truthfully complete the expected return from the facts I will be able to observe? If any answer is uncertain, resolve it before the attempt.

**Field Rule:** A delayed attempt caused by a timely question is better than a fast attempt made with the wrong defendant, wrong packet, wrong address, or unauthorized method.

### Chapter 3 Field Checklist

- I matched the court, cause number, and caption across the packet.
- I identified the exact recipient and legal capacity for this service.
- I identified the type of process and confirmed that I may serve it.
- I read the service language in the citation, subpoena, or order.
- I inventoried every pleading, exhibit, schedule, and attachment.
- I compared the work order, court papers, address, method, and deadline.
- I confirmed that separate defendants have separate complete packets.
- I checked printing, legibility, page order, signatures, seals, and stamps.
- I obtained written clarification for every material mismatch.
- I secured the documents and prepared the information needed for field notes.

### Knowledge Check

21. Why is the case caption alone insufficient to identify the person assigned for service?
22. What should a server do when the citation calls for a petition but the petition is missing?
23. Why must every schedule or exhibit referenced in a subpoena be checked before service?
24. May a server use the company's usual attachment location when a court order specifies a different location?
25. What four questions form the final go-or-stop review?

## PART II — PREPARING AND MAKING THE ATTEMPT

### Chapter 4: The Assignment Intake Checklist

A process-serving assignment should not enter the field as a loose email, an unexplained PDF attachment, or a name and address sent by text message. Intake is the point at which the server converts a client request into a controlled work order. A complete intake record protects the case, the client, the recipient, and the server.

**Field Rule:** Do not accept an assignment until you can identify the client, the service target, the controlling documents, the authorized method, the deadline, the address, the fee arrangement, and the person who can answer questions.

#### 4.1 Confirm Who Is Assigning the Service

Record the full name of the law firm, process-serving company, government office, agency, or other authorized client assigning the work. Identify the responsible attorney, paralegal, dispatcher, or coordinator, along with a direct telephone number and monitored email address. A generic inbox is useful for records, but it may not help when a problem arises at 6:30 p.m. during a rush attempt.

Confirm where reports, photographs, invoices, and the completed return must be sent. If one company orders the service for another firm, identify both organizations and determine who has authority to approve additional attempts, address research, rush fees, or a change in method.

**New Server Mistake:** Accepting papers from an unknown individual without confirming the client, the purpose of the assignment, the authorized recipient for reports, or the payment terms.

#### 4.2 Run a Conflict and Eligibility Check

Before accepting the assignment, determine whether you are eligible and professionally able to serve it. Texas Rule of Civil Procedure 103 restricts who may serve process and prohibits service by a person who is a party to or interested in the outcome of the suit. Court orders, particular types of process, or other law may impose additional restrictions.

Ask whether you know a party, witness, attorney, property, or dispute in a way that could affect your neutrality or create an appearance of personal interest. Also confirm that your certification is active and that the assignment is within your training, insurance, operational area, and lawful authority. If the service involves an unusual writ, seizure, entry, or enforcement act, do not assume ordinary process-server authority is sufficient.

**Stop and Confirm:** If you are a party, have a financial or personal interest in the case, or are uncertain whether a private certified server may perform the requested act, do not dispatch the assignment until the issue is resolved.

### 4.3 Create One Work Order for Each Service Target

One lawsuit may produce several distinct assignments. Create a separate work order for each person or entity to be served, even when the defendants share an address or appear in the same caption. Each work order should have a unique job number and should identify the target exactly as named in the controlling process.

Record any legal capacity, such as an individual, registered agent, authorized officer, custodian of records, trustee, guardian, or representative of a named entity. Do not merge two defendants into one service record merely because one person may be connected to both.

### 4.4 Capture the Essential Case Information

The intake record should capture enough information to connect the field attempt to the correct case without requiring the server to search through an entire pleading. At minimum, enter:

- Court name, county, and court number or division, when shown.
- Complete cause number.
- Case style or short caption.
- Exact name of the person or entity to be served.
- Capacity in which the target must be served.
- Type of process and exact documents included in the packet.
- Date the assignment and documents were received.
- Client reference, matter number, purchase order, or billing code.

Use the documents—not memory—to enter these fields. A transposed digit in a cause number or a missing company suffix can cause reports and returns to be associated with the wrong matter.

### 4.5 Record Every Address and Its Source

Enter the complete service address, including apartment, suite, building, gate, floor, city, state, ZIP code, and any location-specific instructions. Record whether the address is described as a residence, business, registered office, hospital, correctional facility, or another type of location.

Keep the source of the address visible. An address stated in a signed court order, supplied by the client, shown on a citation, found through authorized research, or provided by an occupant should not be treated as the same kind of information. Mark what is known, what is client-provided, and what remains unverified.

**Houston Field Note:** Houston-area addresses frequently have matching street names in different municipalities, unincorporated areas, and ZIP codes. Verify the complete address and map pin before dispatch, especially when a toll road, gated subdivision, office complex, or high-rise is involved.

## 4.6 Separate Deadlines From Service Levels

Record every date that affects operations: hearing date, appearance date, production date, court deadline supplied by the client, requested completion date, and internal status-update date. Do not calculate a recipient's answer deadline or give the client a legal conclusion. Capture the deadline exactly as supplied and notify the client of any apparent timing problem.

Separately record the purchased service level—routine, rush, same day, or a custom schedule—and what that service level promises. A rush fee does not authorize a method of service, and a routine service level does not override a court deadline. If the requested timetable is impossible or unsafe, disclose that before accepting payment and dispatching the work.

**New Server Mistake:** Treating the date in the work order, the legal deadline, and the company's promised attempt window as if they were one date. They serve different purposes and must be tracked separately.

## 4.7 Define the Scope of Attempts

Write down what the quoted fee includes: number of attempts, geographic area, mileage or travel limits, time-of-day coverage, weekend or holiday work, notarization, photographs, return filing, mailing, witness-fee handling, and any waiting time. If additional attempts require approval, identify who may approve them and how approval must be documented.

Do not promise that a person will be served within a particular number of attempts. Promise only the work you control: timely attempts, appropriate variation, professional conduct, prompt reports, and accurate documentation. Service success depends on facts that cannot be guaranteed.

## 4.8 Capture Identification Information Carefully

Useful intake information may include an approximate age, photograph, physical description, vehicle description, work schedule, unit location, known associate, or a warning that the target uses a nickname. Label the source of each item and avoid presenting uncertain information as fact.

Collect only information reasonably needed for the assignment, secure it, and limit access. A photograph or date of birth may help prevent misidentification, but sensitive data should not be copied into reports, emails, or field notes unnecessarily. Never substitute a photograph for reasonable identity confirmation during the encounter.

## 4.9 Ask About Access and Safety Before Dispatch

The client may know that the address has a locked gate, concierge, security desk, aggressive dog, difficult parking, hazardous property condition, prior threat, known weapon, protective order, or history of confrontation. Ask for relevant access and safety information during intake and record the source without exaggeration.

A safety warning changes planning; it does not authorize force, trespass, deceptive entry, or a confrontation. If the assignment presents a risk beyond your training and procedures, decline it or discuss a safer lawful plan with the client. Emergency conditions belong with emergency services, not a private process server.

## 4.10 Put Special Instructions in Writing

Special instructions should be specific, lawful, and connected to the controlling documents. Examples include a court-ordered attachment location, a person authorized to receive business service, a requirement to tender a fee, a request for photographs, a facility check-in procedure, or a direction not to attempt before a stated date.

Do not rely on a telephone conversation for a material change. Send a short confirmation identifying the job number, change, authorizing person, date, and time. If an instruction conflicts with the process, rule, statute, or court order, pause the assignment rather than placing the conflict into the field server's hands.

**Stop and Confirm:** 'Do whatever it takes,' 'leave it with anyone,' and 'just post it on the door' are not valid service instructions. Obtain the precise legal authority and written direction for the requested method.

## 4.11 Confirm Fees, Billing, and Cancellation Terms

A professional intake record states the quoted fee, included services, payment status, invoice recipient, billing reference, and charges that require advance approval. It should also explain cancellation, bad-address, printing, waiting-time, mileage, parking, toll, witness-fee, and return-filing policies when applicable.

Clear billing terms prevent a financial disagreement from interfering with a legal assignment. Do not hold an already completed return hostage to an unexpected fee dispute, and do not begin work when company policy requires prepayment but payment has not been confirmed. Resolve the commercial terms at intake.

## 4.12 Send an Acceptance Confirmation

After review, send a concise written acceptance that confirms the target, address, documents received, service level, first-attempt commitment if applicable, client deadline, fee, and any unresolved issue. Do not repeat sensitive information that is unnecessary for confirmation.

If the assignment is incomplete, send a deficiency notice instead of silently placing it in the queue. State exactly what is missing—for example, the signed order, petition, referenced exhibit, apartment number, payment, witness fee, or clarification of the service target—and mark the job as not yet dispatched.

## 4.13 The Dispatch Gate

A work order is ready for dispatch only when the server can answer yes to three groups of questions: Is the assignment lawful and accepted? Is the packet complete and matched to the correct target? Are the address, timing, scope, safety notes, payment status, and reporting instructions clear?

Use a visible status such as Pending Review, Awaiting Client, Ready for Dispatch, In Field, Served, Non-Service Complete, or Closed. Never allow an incomplete assignment to appear ready merely because documents were uploaded or an invoice was created.

**Field Rule:** Intake is complete when another qualified server could open the work order and understand exactly what may be attempted, what must be delivered, what must be documented, and whom to contact—without guessing.

## Chapter 4 Assignment Intake Checklist

- The assigning client and authorized contact are identified.
- My certification, neutrality, and authority to perform the assignment are confirmed.
- Each service target has a separate job number and complete work order.
- The court, cause number, caption, target, and legal capacity match the documents.
- Every document and attachment to be delivered is inventoried.
- The complete address, location type, and source of the address are recorded.
- Legal or client dates are recorded separately from the purchased service level.
- The number and scope of attempts, reports, photographs, and extra charges are clear.
- Identification, access, and safety information is labeled by source and secured.
- Special instructions are written and do not conflict with controlling authority.
- Payment, billing, cancellation, and additional-work approval terms are confirmed.
- The client received an acceptance confirmation or a precise deficiency notice.
- The assignment passed the dispatch gate before any field attempt was made.

## Knowledge Check

26. Why should each defendant or service target have a separate work order?
27. What is the difference between a client deadline and a purchased service level?
28. Why should the source of an address or identification detail be recorded?
29. What should a server do when a client gives a material instruction only by telephone?
30. What three groups of questions form the dispatch gate?

## Chapter 5: Planning the First Attempt

The first attempt should begin with a plan, not with a navigation app announcing that the destination is on the right. Good planning improves the chance of lawful service, reduces wasted travel, protects the server, and produces better facts when additional attempts or alternative service later become necessary.

**Field Rule:** Plan the attempt around verified assignment facts, lawful access, reasonable timing, and personal safety. Do not build the plan on stereotypes, unsupported assumptions, or instructions that exceed your authority.

### 5.1 Define the Objective

Before selecting a time or route, state the objective in one sentence: locate and personally deliver the identified packet to the named individual; serve a named entity through an authorized person; deliver a subpoena with any required tender; or perform the precise method authorized by a court order. The objective determines what information, copies, fees, and documentation must accompany you.

Do not let secondary goals replace the service assignment. You may need to observe whether an address appears occupied or obtain the name of a knowledgeable person, but you are not there to argue the lawsuit, search private property, interrogate neighbors, or prove allegations in the pleadings.

### 5.2 Verify the Destination Before Driving

Review the complete address against the court papers, work order, client message, and map result. Confirm the street number, directional prefix or suffix, street type, apartment or suite, municipality, and ZIP code. If two sources disagree, do not choose the version that looks most convenient. Ask the client to resolve the discrepancy or document which address is authorized for the attempt.

Study the map and available lawful public-facing information sufficiently to recognize the property. A residence may share a driveway, an apartment complex may have several entrances, and a business may operate from a suite whose entrance faces a different street. A map pin is a navigation aid, not proof that the target lives or works there.

**New Server Mistake:** Driving to the map pin without checking the written address, then documenting activity at the wrong building, wrong entrance, or similarly numbered property.

### 5.3 Identify the Location Type

Classify the destination before choosing the approach. Is it a detached residence, apartment, gated subdivision, high-rise, office suite, warehouse, retail business, registered office, medical facility, correctional facility, hotel, rural property, or mixed-use building? Each location creates different parking, access, identification, privacy, and safety considerations.

Note what remains unknown. An address supplied as a residence may now be a business or vacant property. A company name on a directory may not establish that the named individual is present. Record conditions as you find them rather than forcing the location to match the description in the work order.

### 5.4 Choose a Reasonable First-Attempt Time

Select a time that is lawful, consistent with the assignment, reasonably likely to reach the target, and safe for the location. Consider whether the address is residential or commercial, the client's reliable information about availability, facility hours, security procedures, the service deadline, travel conditions, and any time restriction in the process or court order.

The first attempt establishes only what happened at that date and time. If no one answers, do not conclude that the target has moved or is evading service. Later attempts may need meaningful variation. Record the exact time and the objective observations that will help plan the next attempt.

**Houston Field Note:** Rush-hour traffic, toll-road access, school zones, major events, flooding, and long distances across the Houston area can turn a short map estimate into a missed facility closing time. Build realistic travel and parking time into the plan.

### 5.5 Plan the Route, Parking, and Exit

Review the route before departure and identify lawful parking. Avoid stopping in a traffic lane, blocking a driveway, occupying a reserved or accessible space without authorization, or leaving the vehicle where it creates a hazard. At large properties, determine which public or visitor entrance is appropriate.

Know how you will leave if the encounter becomes hostile, an animal is loose, weather worsens, or access conditions change. Park where you can depart safely, keep the vehicle secured, and avoid allowing another vehicle or closed gate to trap you. An exit plan is basic field preparation, not an expectation of confrontation.

## 5.6 Anticipate Lawful Access Obstacles

Consider gates, call boxes, concierges, security desks, locked lobbies, restricted parking, controlled elevators, reception procedures, guard stations, and visiting hours. Bring the information needed to identify yourself and explain your legitimate business truthfully. Follow reasonable facility procedures unless they conflict with the controlling service instructions or prevent the authorized service.

A locked gate or restricted door is not permission to climb, force entry, follow a vehicle through a controlled gate, use another resident's access credential, or enter a nonpublic area. If lawful access is unavailable, document the exact obstacle and report it. The client can then decide whether to provide additional information, authorize another attempt, or seek court relief.

**Stop and Confirm:** If a client instructs you to bypass security, misstate your identity, enter through a restricted area, or use access information without permission, pause and obtain lawful instructions. Urgency does not expand a process server's authority.

## 5.7 Review Target Information Without Overrelying on It

Before departure, review the exact name, known variations, photograph, approximate age, physical description, vehicle information, workplace or schedule information, and known associations supplied for the assignment. Mark the source and reliability of each detail. Use the information to avoid misidentification and to ask focused questions—not as a substitute for confirming identity during the encounter.

Information becomes stale. A vehicle may be borrowed or sold, a photograph may be old, and another family member may share the same name. Never report that the target was present solely because a described vehicle was parked outside or a person generally resembled a photograph.

## 5.8 Check Conditions and Personal Safety

Review weather, daylight, road conditions, neighborhood access, facility restrictions, and known safety warnings. Carry a charged phone, keep emergency contacts accessible, and let the appropriate person or dispatch system know the route when company procedure requires it. Wear professional clothing and footwear suitable for the property and conditions.

If you observe an immediate threat, leave. Do not remain to complete service merely because you drove a long distance or promised a first attempt that day. Contact emergency services when circumstances justify it, and report the facts to the client after you are safe. Do not exaggerate routine discomfort into a threat, but do not minimize a genuine danger.

**Field Rule:** No service fee, deadline, or successful handoff is worth forcing an unsafe encounter. Withdrawal can be the most professional decision made on an assignment.

## 5.9 Prepare the Field Kit

Organize the materials before leaving the vehicle. A practical field kit may include:

- The correct, complete, and protected service packet, plus an authorized backup copy when appropriate.
- A concise assignment summary and secure method for recording notes.
- Government-issued identification and proof of current certification when company practice calls for it.
- Any required witness fee or other tender, handled exactly as instructed.
- A charged phone, vehicle charger, flashlight, weather protection, pens, and a firm writing surface.
- A lawful method for capturing requested photographs without exposing confidential documents or bystanders unnecessarily.

Keep unrelated case files out of view and secure electronic devices with a passcode. Do not leave pleadings visible in the vehicle or display a recipient's information at a front desk where others can read it.

## 5.10 Decide What Must Be Documented

Know the required report fields before the attempt: arrival or attempt time, exact address, location description, persons encountered, identity statements, physical description when relevant, words and conduct surrounding delivery, documents delivered, method used, and objective occupancy or access observations. Special assignments may require photographs, tender information, a business recipient's name and title, or details specified by a court order.

Planning the notes prevents memory gaps, but it must not script the facts. Never prefill a successful-service description, copy yesterday's observations, or select a conclusion before arriving. Record only what actually occurs.

## 5.11 The Sixty-Second Pre-Arrival Check

Before stepping out of the vehicle, pause and confirm:

31. I am at the exact authorized address and have identified the correct entrance.
32. I have the correct target, packet, number of copies, and any required tender.
33. I understand the authorized method and any special restriction.
34. My parking and approach are lawful, and I have a safe exit.
35. I know what facts must be observed and recorded.
36. No new condition requires me to stop, relocate, or contact the client.

**New Server Mistake:** Carrying several packets to the door and selecting the correct one during the encounter. Take only the packet needed for that target, after confirming the label and contents privately.

## 5.12 When the Plan Must Change

Field conditions frequently differ from the plan. The address may be vacant, the building may have changed names, the unit may not exist, a business may have moved, security may deny access, or the target may be encountered outside the expected location. Slow down and identify what authority applies before changing methods or locations.

A changed circumstance may justify a factual report and a request for instructions; it does not automatically authorize leaving papers with another person, attaching them to a door, entering private property, or serving a different person. When the legal effect of the change is uncertain, stop and contact the client.

## Chapter 5 First-Attempt Planning Checklist

- I stated the precise service objective for this assignment.
- I verified the complete address and resolved every material discrepancy.
- I identified the location type, entrance, access controls, and facility hours.
- I chose a reasonable, lawful, and safe attempt time.
- I planned the route, lawful parking, approach, and exit.
- I reviewed identification information and marked its source and limitations.
- I checked weather, traffic, access conditions, and known safety warnings.
- My field kit contains the correct packet, copies, tender, identification, and note tools.
- I know what the client, return, and any court order require me to document.
- I completed the sixty-second pre-arrival check before approaching.

## Knowledge Check

37. Why is a navigation map pin not proof that the target lives or works at the location?
38. What factors should guide the time selected for a first attempt?
39. What should a server do when a locked gate prevents lawful access?
40. Why can a vehicle or photograph support planning but not establish identity by itself?
41. What six items should be confirmed during the pre-arrival check?

## Chapter 6: Approaching the Address Safely and Professionally

The approach begins when the server arrives—not when someone opens the door. Parking, movement through the property, interaction with occupants, and the decision to continue or withdraw can affect

safety, credibility, and the usefulness of the final report. A professional approach is calm, lawful, observable, and easy to describe later in neutral language.

**Field Rule:** Use the least intrusive lawful approach that reasonably allows you to reach the appropriate public or visitor entrance. A process server's certification does not create a right to force entry, bypass access controls, ignore a direction to leave, or enter a nonpublic area.

## 6.1 Observe Before You Exit

Confirm the street number, unit or suite, building name, and entrance before leaving the vehicle. Look for traffic hazards, posted parking restrictions, gates, loose animals, active construction, damaged steps, poor lighting, groups blocking the approach, and any condition that makes the location different from the assignment notes.

This brief observation is for orientation and safety—not prolonged surveillance. Do not photograph through windows, search mail or trash, handle property, or wander around a residence looking for evidence. Record only facts visible from a lawful location and relevant to the attempt.

## 6.2 Park Lawfully and Keep a Clear Exit

Park in a lawful public or designated visitor space whenever possible. Do not block a driveway, fire lane, gate, loading area, accessible space, or another vehicle. At a rural or poorly lit property, consider whether the vehicle can be turned around safely before approaching. Keep keys and essential equipment under your control.

Avoid parking in a way that appears threatening or traps an occupant. Your vehicle should support a safe, ordinary departure. If the available parking would create a traffic hazard or leave you boxed behind a controlled gate, relocate and document why.

## 6.3 Use the Normal Public or Visitor Route

Approach by the walkway, lobby, reception area, or entrance ordinarily used by visitors. A closed but unlocked pedestrian gate may require judgment based on signs, barriers, property layout, and local law; certification alone is never permission to disregard notice that entry is forbidden. Do not climb a fence, open a locked gate, enter a backyard, test side doors, use another person's credential, or follow a resident's vehicle through a controlled entrance.

At a business, start with reception or the designated visitor entrance unless the assignment or a lawful facility procedure directs otherwise. Employee-only doors, warehouses, treatment areas, offices behind access controls, and residential hallways beyond locked entry points should be treated as nonpublic unless access is authorized.

**Stop and Confirm:** When a sign, barrier, security officer, owner, or lawful occupant communicates that entry is forbidden or directs you to leave, do not argue that certification gives you special access. Withdraw safely, preserve the exact facts, and report the obstacle to the client.

## 6.4 Gates, Call Boxes, and Security

At a call box or security desk, identify yourself truthfully and state that you have legal documents for the named person or business. Provide professional identification when reasonably requested and consistent with company policy. You do not need to explain the allegations or display confidential pleadings to gain access.

If access is denied, ask one concise factual question when appropriate: whether the named person is associated with the location or whether the facility has a lawful procedure for delivering civil process. Do not pressure a guard, ask another resident to smuggle you inside, or claim an emergency. Record the name or description of the person contacted, the time, the stated reason for denial, and the access point used.

## 6.5 Animals and Physical Hazards

Never assume a fence will contain a dog or that a quiet animal is safe. If an animal is loose, aggressive, or positioned between you and the entrance, remain in or return to the vehicle. Do not reach through a gate, attempt to distract the animal, or place yourself where retreat is difficult. The same rule applies to unsafe stairs, standing water, fire, exposed wiring, unstable structures, and other visible hazards.

If an occupant opens a door while restraining an animal, maintain distance and ask the person to secure it before continuing. Leave if the animal is not controlled. Your report should describe observable behavior—such as barking, charging, or blocking the walkway—rather than label an animal dangerous without a factual basis.

## 6.6 Door Cameras and Recorded Encounters

Assume that doorbells, lobbies, parking areas, and phones may record the encounter. This should not change truthful conduct; it should reinforce it. Stand where you are visible, keep your hands clear, avoid looking through windows, and use professional language from the first knock until you have left the property.

A camera can also permit limited communication with an occupant. State your name and purpose truthfully without announcing sensitive case details to neighbors or creating an unnecessary public record. Do not cover, move, disable, or deliberately obstruct a camera.

**New Server Mistake:** Arguing with a voice through a doorbell camera. Make a concise request, listen for useful factual information, and end the exchange professionally when no lawful delivery can be completed.

## 6.7 Knock, Ring, and Wait Reasonably

Use the normal doorbell or a firm but ordinary knock. Allow a reasonable time for a response, considering the size and type of property, visible mobility issues, weather, and time of day. A second knock or ring may be appropriate. Repeated pounding, prolonged ringing, shouting a person's name, or creating a disturbance is not professional persistence.

Remain near the normal entrance without pressing against the door or peering through windows. Do not try the doorknob. If you hear movement or conversation, note it accurately, but do not report that a particular person was inside unless you have a reliable basis for that identification.

## 6.8 The First Words Matter

When someone responds, begin calmly: introduce yourself and ask for the named person. If asked why, state that you have legal or court documents for that individual. Do not impersonate a police officer, court employee, delivery driver, maintenance worker, prospective customer, or another person. Do not use a false emergency or fabricated story to cause someone to open the door.

Keep your tone neutral. The recipient may be surprised, embarrassed, angry, or afraid. You are not there to discuss the merits of the case, collect a confession, or win an argument. Your task is to establish identity and complete the authorized delivery if the facts permit it.

**Professional Script:** Good afternoon. My name is Oleg. I am looking for Jordan Smith. I have legal documents for Jordan Smith. Are you Jordan?

## 6.9 Preserve Privacy Around Other People

Neighbors, children, coworkers, customers, and family members do not need the details of the lawsuit. Ask only what is reasonably necessary to locate or identify the target, and do not display pleadings where unrelated people can read them. At a workplace, request the appropriate person or representative without announcing allegations in a lobby or customer area.

If a minor answers, use particular restraint. Do not question the child aggressively, disclose sensitive information, invite the child outside, or attempt a method of delivery that is not clearly authorized. Ask whether an adult is available and document the encounter factually.

## 6.10 Refusal, Hostility, and the Decision to Leave

A refusal to answer questions is not permission to threaten, block movement, enter the property, or escalate the encounter. Lower your voice, increase distance, keep an exit open, and avoid sudden movements. If lawful service can be completed under the controlling authority, Chapter 7 will address delivery and documentation. If it cannot, end the attempt.

Leave immediately when a person displays a weapon, threatens violence, releases an animal, attempts to surround or detain you, or when any other condition creates a reasonable fear of harm. Do not remain to gather better evidence. Once safe, contact emergency services when appropriate, notify the client, and write detailed contemporaneous notes.

**Field Rule:** A professional server knows the difference between persistence and confrontation. Persistence creates another lawful opportunity; confrontation creates risk and weakens credibility.

### 6.11 Police Contact

If law enforcement responds, remain calm, keep your hands visible, and follow lawful instructions. Identify yourself truthfully, provide requested identification, and briefly explain the civil assignment. Do not tell an officer that the officer must help you gain access or force the recipient to accept papers.

Record the agency, officer's name or identifying information when available, time, and material instructions or statements. Do not interfere with an active investigation, arrest, medical response, domestic disturbance, or other emergency. Withdraw when instructed and report the facts to the client.

### 6.12 End the Attempt Cleanly

After service, refusal, denial of access, no answer, or withdrawal for safety, leave without commentary, gestures, or continued argument. Return to a safe lawful location before typing detailed notes or contacting dispatch. Do not sit directly outside the property longer than necessary if doing so may escalate the situation or appear intrusive.

Before driving away, confirm that the packet status is clear, the time is recorded, and no confidential document or equipment was left behind. Separate direct observations from statements made by others and from your conclusions. Chapter 10 will develop the complete field-note method.

## Chapter 6 Professional-Approach Checklist

- I confirmed the address, entrance, hazards, and access controls before exiting.
- I parked lawfully and preserved a safe route back to my vehicle.
- I used the normal public or visitor route and did not bypass a barrier or controlled entrance.
- I treated signs, security instructions, and directions to leave seriously.
- I withdrew from loose animals, unsafe structures, and credible threats.
- My knocking, waiting, identification, and language were calm and reasonable.
- I did not misrepresent my identity, authority, or purpose.
- I protected the privacy of the target and unrelated people.
- I left cleanly when the attempt ended and completed notes from a safe location.

## Knowledge Check

42. Why should a server use the normal public or visitor route to an entrance?
43. What facts should be documented when security denies access?
44. How should a server respond when a loose animal blocks the approach?
45. What truthful opening can be used when an occupant asks why the server is present?
46. Which conditions require the server to withdraw immediately?

## Chapter 7: Identity, Communication, and Delivery

Personal service is not complete merely because papers reached the correct address. The server must have a reliable factual basis for identifying the recipient, clearly communicate the nature of the delivery, use the method authorized for that process, and record what occurred. Identity, communication, delivery, and documentation are connected parts of one event.

**Field Rule:** Do not confuse confidence with proof. Before reporting personal service, be able to explain exactly how you identified the recipient and exactly where the papers were placed.

### 7.1 Know Whom You Are Authorized to Serve

Begin with the exact name and legal capacity shown in the assignment and controlling documents. An individual defendant, registered agent, corporate officer, witness, custodian of records, parent, guardian, and governmental representative are not interchangeable. Confirm the correct target before discussing delivery.

A person being present at the listed address does not make that person the defendant. Likewise, a receptionist, spouse, roommate, neighbor, or employee does not automatically have authority to accept personal service for someone else. Delivery to another person requires authority under the applicable rule, statute, court order, or valid written instruction.

**Stop and Confirm:** If the person offers to take the papers for the target but you are not clearly authorized to serve that person, do not improvise. Obtain instructions and report the offer as a factual lead.

### 7.2 Ask a Direct, Neutral Identity Question

A simple question often produces the clearest evidence: 'Are you Jordan Smith?' or 'May I speak with Jordan Smith?' Avoid announcing the lawsuit to everyone present. When the person confirms the name, note the exact words used rather than reducing the exchange to a vague statement that identity was confirmed.

A recipient is not required to display identification merely because a private process server asks. You may request identification when appropriate, but you may not seize it, block the person from leaving, or represent that refusal is unlawful. Continue only when the available facts provide a reasonable and truthful basis for identification.

### 7.3 Reliable Ways Identity May Be Established

Identity can be established through one strong fact or several consistent facts. Common examples include:

- The person expressly states the full name or answers yes when asked whether they are the named recipient.
- Another occupant, receptionist, security officer, or coworker identifies the person in the person's presence.
- The server recognizes the person from a reliable photograph or a prior face-to-face encounter and can describe the source of that recognition.
- The person responds to the name and makes statements showing personal knowledge or control of the matter, when those statements are sufficiently specific and reliable.
- At a business, the person states both a name and the capacity in which the person is accepting the papers, when that capacity is legally authorized for the service.

Record each basis separately. Do not write 'positively identified' when the actual basis was only a general resemblance, an unverified social-media image, a vehicle at the property, or an assumption that the person answering the door must be the target.

**New Server Mistake:** Treating age, sex, ethnicity, or presence at a residence as identity. A physical description documents the person encountered; it does not by itself prove the person's name.

### 7.4 When the Person Refuses to Give a Name

A refusal to state a name does not end the analysis, but it also does not permit a guess. Remain calm and consider the facts already available: prior recognition, an identification by another person, the person's response to the name, statements made during the exchange, and whether the person was observed arriving from or controlling a location associated with the target.

Ask one or two clear questions; do not conduct an interrogation. If the facts are insufficient, do not claim service. End the contact safely, document the refusal and all objective observations, and report the result so the client can decide the next lawful step.

**Professional Script:** I am looking for Jordan Smith. I have legal documents for Jordan Smith. If you are not Jordan, please tell me that and I will document your response.

## 7.5 Clearly Communicate the Nature of the Delivery

Once identity is established, state plainly that you are a certified process server and have legal or court documents for the person. The recipient need not agree with the lawsuit or discuss it. Do not conceal the nature of the papers at the moment of delivery, and do not falsely describe them as ordinary mail, a package, or information unrelated to a legal proceeding.

Keep the statement concise. Naming every allegation, party, or sensitive subject in front of family members, customers, or coworkers is unnecessary. The goal is clear notice of the attempted legal delivery, not public embarrassment.

## 7.6 Complete the Authorized Delivery

For ordinary personal service of a Texas citation under Rule 106(a)(1), the authorized server delivers to the defendant, in person, a copy of the citation showing the delivery date and a copy of the petition. Other process may have different contents or delivery requirements. Use the documents, governing rule, statute, and any court order—not habit—to determine what must be delivered.

Present the complete packet in a manner that allows the identified recipient to take possession. Keep control of unrelated files. Do not ask the person to sign a receipt unless a signature is required or authorized for that assignment, and never represent that a signature is required when it is not.

**Field Rule:** The recipient's consent is not the legal test for a properly authorized delivery. The server's job is to complete the lawful delivery and create a precise record—not obtain agreement with the lawsuit.

## 7.7 Refusal After Identity Is Established

A person may identify themselves and then refuse to take the packet. Texas decisions recognize that physical acceptance is not always necessary when the identified defendant is informed of the nature of the process and the papers are placed in an appropriate location in the defendant's presence or near the defendant where the papers are likely to be found. Because validity depends on specific facts, a new server should act carefully and document the event in detail.

Clearly state that the documents are legal process for the identified person. Place the complete packet in a safe, visible, and appropriate location within the person's immediate presence or reach. Do not throw papers at the person, push them through a closing door in a manner that risks injury, place them where they will blow away or be destroyed, or pursue the person into a restricted or dangerous area.

Immediately record the distance, precise placement, statements, movements, line of sight, and whether the recipient could readily retrieve the papers. Do not reduce the event to 'drop service' or 'refused.' Those labels omit the facts a court may need.

**Example Note:** After he confirmed, ‘Yes, I am Jordan Smith,’ I stated, ‘I am a certified process server and these are legal documents for you.’ He said, ‘I am not taking them’ and stepped backward. I placed the complete packet on the dry entry table approximately two feet in front of him, stated that the documents were being left for him, and departed. He remained facing me and the packet.

## 7.8 Do Not Convert Personal Service Into Substitute Service

Leaving papers at a residence when the defendant has not been identified and is not present is not personal delivery. Neither is handing papers to an unauthorized family member or attaching them to a door merely because several attempts have failed. Substitute or alternative service requires the authority applicable to the case—commonly a signed court order under Rule 106(b) for Texas district and county-court citation.

Follow a signed order exactly. The named address, eligible recipient, age requirement, attachment location, electronic destination, documents, and required proof are material. Chapter 13 addresses due diligence and alternative service in detail.

## 7.9 Special Communication Situations

Language differences, hearing impairment, mobility limitations, emotional distress, or another communication barrier may require patience, but they do not authorize the server to alter the method. Use plain language, allow reasonable time, and use a lawful interpreter or accessibility method when arranged. Do not ask an unrelated child or neighbor to interpret sensitive allegations.

If the person appears unable to understand the interaction, is in medical crisis, or may lack legal capacity, do not make a legal diagnosis or assume another person can accept service. Protect safety, document objective facts, and request instructions.

## 7.10 Questions From the Recipient

Recipients often ask, ‘What is this about?’ ‘Do I have to sign?’ ‘How long do I have?’ or ‘What should I do?’ You may identify the documents by their titles, point to the court and attorney information printed in the packet, and explain that you cannot provide legal advice. Do not calculate deadlines, predict consequences, recommend an attorney, interpret an order, or argue about the claim.

**Professional Script:** The documents identify the court and the parties, and the attorney's contact information is printed in the packet. I am the process server, so I cannot explain your legal rights or advise you what to do.

## 7.11 Record the Service Before Memory Changes

From a safe location immediately after the encounter, record:

- The exact date, time, and complete address of delivery.
- The exact name and capacity of the person served.
- Every fact supporting identity, including quoted words and the source of any recognition.
- A neutral physical description when required or useful.
- What you said about your identity, role, and the nature of the documents.
- The exact titles or inventory of the documents delivered.
- How the papers passed into the recipient's possession or precisely where they were placed after refusal.
- Material witnesses, access conditions, statements, photographs, tender, or unusual events.

Separate what you saw, what someone told you, and what you inferred. The return required by Rule 107 must contain specified facts, including the person or entity served, the address served, the date and time, the manner of delivery, and other identifying information required by the rule. Chapter 12 will address returns and affidavits in full.

### 7.12 Report the Outcome Accurately

Use a precise status: personally served, served in an authorized representative capacity, not served, access denied, identity not established, or another result supported by the facts. Do not report 'served' while planning to decide later whether the encounter was legally sufficient. If uncertainty remains, preserve the packet status, send the facts promptly, and ask the client how to proceed without changing what occurred.

**New Server Mistake:** Writing the return from memory at the end of the week. Exact words, distances, placement, times, and identity details fade quickly and are often the facts challenged later.

## Chapter 7 Identity-and-Delivery Checklist

- I confirmed the exact person or legally authorized representative named for service.
- I can state the specific facts establishing identity.
- I did not demand identification or treat refusal to show it as unlawful.
- I identified myself and clearly communicated that I had legal documents.
- I delivered the complete packet by the method actually authorized.
- If the recipient refused, I used a safe and appropriate placement in the person's presence and recorded every material fact.
- I did not leave papers with another person or at the property without authority.
- I protected privacy and did not give legal advice.
- I recorded the identity basis, statements, document titles, delivery method, date, time, and address immediately.
- My status report and return describe what happened without assumptions or exaggeration.

## Knowledge Check

47. Why does a physical description alone not establish the recipient's identity?
48. What should a server do when a person refuses to provide a name and the remaining facts are insufficient?
49. What must be communicated before papers are placed near an identified recipient who refuses them?
50. Why is leaving papers at a residence after unsuccessful attempts not automatically personal or substitute service?
51. Which facts should be recorded when a recipient refuses physical acceptance?

## Chapter 8: Residential Service

Residential assignments are the center of everyday process service, but a correct street address does not make every person, entrance, or delivery method legally interchangeable. A new server must combine lawful access, reliable identity, privacy, safety, and exact documentation without assuming that residence alone proves the target is present or that another occupant can accept the papers.

**Field Rule:** At a residence, separate three questions: Is this the correct property? Is the target associated with it? Is the person encountered the target or someone legally authorized to receive this process? One answer does not establish the others.

### 8.1 Confirm the Exact Residence and Entrance

Before approaching, compare the street number, directional prefix, street name, unit, city, and ZIP code with the assignment. In subdivisions and apartment complexes, similar street names and repeated building numbers create frequent errors. Use the normal front door or visitor entrance unless a controlling order or lawful property procedure directs otherwise.

Do not treat a side door, backyard gate, garage, patio, or neighboring unit as an alternative entrance merely because no one answers at the front. A visible path used by ordinary visitors may be appropriate, but do not enter a fenced backyard, enclosed patio, garage, or other nonpublic residential area without lawful permission.

### 8.2 Observe From a Lawful Position

Record facts visible from the public way, lawful parking area, normal walkway, or visitor entrance. Useful observations may include the displayed address, condition of the property, vehicles in open view, lights, sounds, packages, posted notices, occupancy indicators, and whether the entrance appears accessible. These facts can help explain the attempt; they do not independently prove that the target was inside.

Do not open a mailbox, move packages, search trash, touch a vehicle, photograph through windows, peer between blinds, or walk around the house looking for evidence. Never report a conclusion such as 'avoiding service' when the facts show only that no one answered.

**New Server Mistake:** Writing 'confirmed residence' because a vehicle or package bearing the surname was visible. Describe the item, its location, and the source of any name; leave the legal or investigative conclusion to the client and court.

### 8.3 Contact at the Front Door

Knock or ring in an ordinary manner and wait a reasonable time. If someone answers, introduce yourself truthfully and ask for the named person. Protect privacy by avoiding detailed discussion of the lawsuit within hearing of neighbors, children, or unrelated occupants.

If the person identifies as the target, follow the identity and delivery procedure in Chapter 7. If identity is established and the person refuses physical acceptance, state the nature of the papers, use a safe and appropriate placement in the person's presence, and document every material fact. Do not label an unidentified voice behind a closed door as the target without a reliable factual basis.

### 8.4 Another Adult Answers

A spouse, partner, parent, adult child, roommate, homeowner, tenant, or property manager does not automatically have authority to accept personal service for the target. Ask whether the target is available and gather only the factual information reasonably needed for the assignment. Do not disclose allegations or pressure the occupant to take documents.

If the assignment concerns an entity, protected person, special statutory process, or a signed alternative-service order, authority may depend on a stated capacity, age, address, or other condition. Read the controlling authority exactly. When the authority is unclear, do not convert a useful conversation into an unauthorized delivery.

**Professional Script:** Thank you. These documents are for Jordan Smith personally. Is Jordan available? If not, I will record that I spoke with you and report the information to the law firm.

### 8.5 When a Minor Answers

Use special restraint when a child answers. Ask whether a parent or other adult is available. Do not question the child aggressively, invite the child outside, ask the child to retrieve identification, disclose sensitive case information, or leave papers with the child unless the exact governing authority unmistakably permits that delivery.

Record only what occurred, including an estimated age range when relevant and any spontaneous statement. Avoid claiming that a person was a minor as a proven fact unless the person stated an age or another reliable source supplied it.

## 8.6 No Answer Is a Factual Result

When no one answers, document the date, exact time, complete address, entrance used, duration and manner of the contact attempt, access conditions, and objective observations. 'No answer' does not mean vacant, evading, moved, or not home. Those are different conclusions requiring additional facts.

Do not leave ordinary citation and petition papers at the door after an unsuccessful personal-service attempt unless a signed court order or other controlling authority permits that specific method. Repeated attempts do not create substitute-service authority by themselves.

**Field Rule:** Four unsuccessful knocks are still four unsuccessful personal-service attempts. They are not permission to attach papers to a residence.

## 8.7 Statements About Residency or Whereabouts

An occupant may say the target lives there, moved, is at work, is traveling, or will return later. Record the speaker's exact words, name if provided, relationship claimed, physical description when useful, and whether the statement appears based on personal knowledge. Do not rewrite the statement as an established fact.

Ask concise follow-up questions only when appropriate: whether the target receives mail there, when the target may be available, or whether another address is known. Do not threaten the occupant, misrepresent why you need the information, or turn the contact into an interrogation.

## 8.8 Driveways, Garages, and Encounters Outside

A target may be encountered in an open driveway, front yard, apartment walkway, or other place where the server is lawfully present. Personal service does not require the recipient to stand inside the residence. Confirm identity, communicate the nature of the papers, complete the authorized delivery, and document the exact location.

Do not block a vehicle, step into its path, reach inside it, open a door, follow it dangerously, or create a traffic hazard. If the person drives away before identity and delivery are established, record the observations and end the attempt safely.

## 8.9 Apartments and Multi-Unit Properties

At an apartment, condominium, duplex, or assisted residential property, confirm both the building and unit. Begin at the lawful visitor entrance, leasing office, concierge, or call box as appropriate. Staff may

provide useful access or association information, but they do not automatically have authority to accept service for a resident.

Protect the target's privacy in shared hallways and offices. Do not announce allegations, post an unauthorized packet, or leave papers where neighbors can read them. Chapter 15 will address gated communities and secured buildings in greater detail.

### 8.10 Timing and Repeated Residential Attempts

Select attempt times that are lawful, safe, and reasonably connected to when the target may be present. Varying times can improve the quality of due-diligence evidence, but there is no universal number of attempts or automatic schedule that guarantees alternative service. Follow the client's written instructions and any local or case-specific requirements.

For each attempt, create a separate contemporaneous record. Do not copy observations from a prior visit. Vehicles move, gates change, occupants give different information, and conditions that look identical may not be identical.

### 8.11 Court-Authorized Substitute Service at a Residence

For citation governed by Texas Rule of Civil Procedure 106, a court may authorize another effective method after the required motion and supporting statement or affidavit establish unsuccessful attempts at the defendant's usual place of business or usual place of abode, or another place where the defendant can probably be found. The signed order controls the server's method.

Before executing the order, compare the target, address, authorized recipient, minimum age if stated, attachment location, electronic method if any, packet contents, deadline, and proof requirements. Follow the words of the order exactly. If the order authorizes attachment to the front door, attachment somewhere more convenient is not equivalent.

**Stop and Confirm:** If the physical property does not match the order—for example, there is no front door for the named unit, the address is vacant, or the unit number differs—stop and obtain written instructions rather than inventing the nearest substitute.

### 8.12 Photographs and Residential Privacy

Take photographs only when lawful, relevant, requested, or useful to document the method authorized by an order. Frame the address, entrance, attachment, access obstacle, or other material condition without unnecessarily capturing children, neighbors, interiors, license plates, or confidential text.

A photograph should support the written notes, not replace them. Record who took it, when, where, what it depicts, and how it relates to the attempt. Preserve the original file under company procedure and never alter an image in a way that changes the facts.

### 8.13 Finish the Attempt Before Leaving

From a safe location, confirm whether the packet was served, retained, or remains available for another attempt. Record the exact address, time, person encountered, identity basis, statements, delivery or non-delivery facts, access conditions, vehicles or occupancy indicators, photographs, and safety issues. Send the client the factual status promptly.

A strong residential report lets another professional understand the visit without guessing. It distinguishes direct observation from a third-party statement and from the server's inference.

## Chapter 8 Residential-Service Checklist

- I confirmed the exact street address, building, unit, and normal visitor entrance.
- I remained on a lawful public or visitor route and did not enter a private residential area.
- I treated visible occupancy indicators as observations, not proof of identity or presence.
- I protected privacy when speaking with occupants, neighbors, staff, and minors.
- I did not assume that a spouse, roommate, family member, manager, or employee could accept service.
- I did not leave papers after no answer without specific legal authority.
- I recorded exact statements about residence or whereabouts and identified their source.
- I followed every material term of a signed substitute-service order exactly.
- Any photographs are lawful, relevant, original, and supported by written notes.
- My final status states what happened without claiming vacancy, evasion, or residence beyond the known facts.

### Knowledge Check

52. Why does a correct residence address not authorize delivery to any occupant?
53. What should a server record when no one answers the door?
54. How should a statement that the target moved be documented?
55. Why do repeated unsuccessful attempts not authorize papers to be attached to a door?
56. Which terms of a residential substitute-service order must be checked before execution?

## Chapter 9: Business and Workplace Service

A business address can create two very different assignments: serving a business entity through a legally authorized representative, or serving an individual who happens to work there. The building may be the same, but the target, authority, privacy concerns, and facts required in the return are different. New servers must identify the legal objective before speaking with reception or handing over papers.

**Field Rule:** Never ask only, 'Who can take legal papers?' First identify the named defendant and the capacity required for service. A helpful employee is not automatically an authorized recipient.

## 9.1 Identify the Exact Defendant

Read the citation, petition, assignment, and any entity research together. Determine whether the named party is an individual, corporation, limited liability company, partnership, professional entity, nonprofit organization, governmental unit, assumed-name business, or another legal form. Do not convert one into another because the trade name on the sign looks similar.

Compare every word of the legal name, including punctuation and entity suffixes such as LLC, PLLC, Inc., LP, or PC. Record any discrepancy between the caption, citation, client instructions, Secretary of State record, appraisal record, website, and sign at the location. Obtain written clarification when the discrepancy affects whom or how you are authorized to serve.

**New Server Mistake:** Treating a storefront name as the defendant's legal identity. A brand, assumed name, franchise, location name, and legal entity may be different.

## 9.2 Serving a Business Entity

For a Texas filing entity, the registered agent and registered office are common service starting points. Texas Business Organizations Code Chapter 5 governs registered agents, registered offices, and circumstances in which service may proceed through the Secretary of State. Other statutes may authorize service on officers, managers, partners, governing persons, or particular representatives depending on the entity and claim.

The process server should not choose among possible statutory recipients from memory. The client should identify the authorized target and capacity, supported by current research and the applicable law. If the citation names the entity but the work order names an individual with no stated capacity, stop and confirm before attempting delivery.

## 9.3 Registered Agent and Registered Office

Before the attempt, verify the registered agent's exact name and the street address of the registered office from a current official record when available. A registered office must be a physical street address where process may be personally served; it is not simply any mailing address associated with the company.

At the location, ask for the named registered agent. If the agent is an organization rather than an individual, confirm the human representative's name and the capacity in which that person claims authority to receive process for the agent and defendant. Record the chain of capacities clearly rather than reporting only that papers were left at the registered office.

**Stop and Confirm:** If the registered office is a mailbox store, vacant suite, residence with no apparent connection, or location where staff deny the agent's association, document the facts and request instructions. Do not serve an unrelated occupant because the official record appears outdated.

## 9.4 An Employee Is Not Automatically Authorized

Receptionists, administrative assistants, security officers, office managers, human-resources employees, sales staff, and coworkers often offer to take documents. Their willingness does not establish legal authority. Ask for the person and capacity specified by the assignment, statute, rule, or order.

When someone claims authority, obtain and record the person's full name, title, employer, relationship to the defendant, and exact statement of authority. If the claimed capacity does not match the authorized recipient, do not hand over the packet merely to avoid another trip.

**Professional Script:** The documents are directed to Acme Services, LLC through its registered agent, Jordan Smith. May I speak with Jordan Smith? If Jordan is unavailable, who at this office is legally authorized to accept service for the registered agent?

## 9.5 Serving an Individual at Work

When the defendant is an individual, the employer and workplace are not themselves the target. Ask discreetly for the named person and state only that you have legal documents. Do not disclose allegations to reception, supervisors, coworkers, customers, or human resources.

A coworker or manager generally cannot accept personal service for the employee merely because the employee works there. If the target appears, establish identity and complete personal delivery as described in Chapter 7. If management asks you to leave or denies access to a nonpublic area, comply, document the restriction, and report the result.

## 9.6 Reception, Security, and Visitor Procedures

Begin at the normal visitor entrance. Sign in truthfully when reasonably required, present professional identification when appropriate, and follow neutral safety procedures that do not alter or prevent lawful service. Do not claim an appointment, invent a delivery, conceal prohibited items, borrow an employee credential, or follow someone through a controlled door.

Security may contact the target, summon an authorized representative, direct you to a legal department, or deny access. Record the name and title of the person contacted, the exact location, the procedure requested, material statements, and the final result. A denial by security is evidence of an access obstacle, not proof that the target is absent.

## 9.7 Legal Departments and Corporate Campuses

Large companies may centralize service through a legal department, corporate office, or designated intake desk. Follow that procedure only when it results in delivery to a recipient authorized for the named defendant and process. A company policy cannot by itself expand your legal authority, and it should not cause you to disregard a citation or court order naming a different recipient.

On a multi-building campus, confirm the physical address, building, floor, suite, department, and reception point. Photograph or record exterior identifiers when lawful and useful, while avoiding confidential screens, badges, employees, or restricted operations.

## 9.8 Home Offices, Small Businesses, and Sole Proprietorships

A small business may operate from a residence, shared office, coworking space, warehouse, storage property, or virtual address. The location type does not determine the legal defendant. A sole proprietorship is not automatically interchangeable with a similarly named LLC or corporation, and an assumed name does not necessarily identify a separate legal entity.

At a home office, apply the residential-access and privacy rules from Chapter 8. At a shared office or coworking location, staff may confirm membership or accept mail without having authority to receive process. Record the business relationship stated by staff and do not leave documents without clear authority.

## 9.9 Refusal by an Authorized Representative

If the correct representative identifies themselves and their authorized capacity but refuses physical acceptance, clearly state that the packet contains legal process for the entity. Use a safe, appropriate placement in the representative's presence only when the governing authority supports completion in that manner, and record the exchange, distance, placement, line of sight, and accessibility of the papers.

Do not throw papers across a reception counter, leave them unattended in a public lobby, slide them under a locked office door, or hand them to an unauthorized person. When identity or capacity remains uncertain, report non-service and ask the client for direction.

## 9.10 Closed, Moved, Vacant, or Inaccessible Locations

A dark office or locked door does not by itself prove that a business is closed permanently. Record posted hours, directory listings, suite signage, leasing notices, accumulated mail visible from a lawful position, statements from property staff, and any forwarding information. Attribute every statement to its source.

When a business has moved, ask for the new location when appropriate and report the exact response. Do not alter the address on the citation or serve at the new location without confirming that the

assignment authorizes the attempt. An outdated registered office may require a different statutory procedure handled by the client.

### 9.11 Service Through the Texas Secretary of State

Texas law permits the Secretary of State to act as agent for service in specified circumstances, including certain cases involving a filing entity that fails to maintain a registered agent or when the registered agent cannot with reasonable diligence be found at the registered office. This is a statutory process with exact filing, forwarding, and proof requirements.

A private process server should not declare Secretary of State service available or complete merely because one attempt failed. Document diligent factual attempts, preserve the current entity record, and let the attorney or assigning professional determine and initiate the authorized procedure.

**Field Rule:** An unavailable registered agent is a fact to document, not a legal conclusion that substitutes the Secretary of State automatically.

### 9.12 Multiple Defendants at One Business

A single location may house several entities and individual defendants. Keep each packet separate and verify the target, authorized capacity, document inventory, and delivery facts for each service. One representative may have authority for one entity but not another.

Do not combine returns or assume that one handoff completed every assignment. Record a separate service event for each named defendant, even when the same person accepts several packets during the same encounter.

### 9.13 Document the Capacity, Not Just the Name

For entity service, the return should identify the entity served, the human recipient, the service address, date, time, manner of delivery, and the capacity that made the recipient authorized, together with other information required by Rule 107 and the controlling law. The phrase 'served employee' is usually inadequate because it does not explain authority.

Record the recipient's exact title and statements, how identity was established, what documents were delivered, and whether the person accepted or refused physical possession. If a business card or directory supports the capacity, preserve it under company procedure without treating it as conclusive when other facts conflict.

## 9.14 Protect Business and Case Confidentiality

Do not discuss claims in an open lobby, leave pleadings face-up on a counter, photograph confidential operations, or tell coworkers why an individual is being served. Use the minimum factual description needed to reach the authorized recipient.

Secure visitor logs, badges, business cards, photographs, and notes because they may reveal personal or proprietary information. Report facts to the client through the authorized channel, not through social media or informal messages.

## Chapter 9 Business-and-Workplace Checklist

- I identified the exact legal defendant and did not rely only on a brand or assumed name.
- I know whether I am serving an entity or an individual at the workplace.
- I verified the authorized recipient and required capacity before delivery.
- I used the normal visitor entrance and complied with lawful security procedures.
- I did not assume that reception, management, security, or a coworker could accept service.
- I protected the target's privacy and did not announce case allegations.
- I documented access denial, relocation, vacancy, or closure with objective facts and attributed statements.
- I kept separate packets and service records for every defendant.
- My notes identify the human recipient, title, employer, authority statement, address, time, method, and documents.
- I did not declare Secretary of State service available without the client's legal determination and statutory procedure.

## Knowledge Check

57. What is the first distinction a server must make at a business address?
58. Why is an employee's willingness to accept papers not enough to establish authority?
59. Which facts should be recorded when security denies workplace access?
60. How should multiple defendants served through one representative be documented?
61. Why does one unsuccessful registered-office attempt not automatically authorize Secretary of State service?

## PART III — DOCUMENTATION AND COURT-READY WORK

### Chapter 10: Field Notes That Protect the Case

A process server's memory is not the official record. Field notes preserve the facts from which status reports, returns, affidavits, testimony, and later explanations are built. Strong notes allow the server to answer precise questions months after an attempt without guessing, embellishing, or relying on a software status label.

**Field Rule:** Write notes so that a neutral reader can reconstruct the attempt without speaking to you. If an important conclusion is not supported by a recorded fact, the note is incomplete.

#### 10.1 Notes Begin Before the Attempt

Create a separate record for every defendant and assignment before leaving the vehicle. Include the case style and number, issuing court, client or forwarding company, target's exact name and capacity, authorized address, document inventory, special instructions, deadline, attempt number, and any required tender.

Mark planning information as planning information. A database address, client statement, photograph, vehicle record, or expected work schedule is a lead—not an observation from the attempt. Keeping sources separate prevents a later report from presenting pre-arrival information as something personally seen or verified in the field.

#### 10.2 Record the Exact Time

Record the full date and exact local time for arrival, contact, delivery, and departure when those moments differ materially. Use a consistent format and include a.m. or p.m. Avoid estimates such as 'around six' unless an exact time truly cannot be recovered, and then label the time as approximate.

Confirm the device clock and time zone when an assignment crosses regions or involves electronic evidence. Do not alter the time to satisfy client instructions, create the appearance of varied attempts, or match a photograph whose metadata differs. Explain genuine discrepancies instead of hiding them.

**New Server Mistake:** Entering the dispatch-completion time as the service time. The return must reflect when delivery occurred, not when the server later updated the software.

### 10.3 Record the Complete Address and Exact Location

Write the street number, directional prefix, street name, unit or suite, city, state, and ZIP code as observed and assigned. Record the building, floor, entrance, reception area, driveway, parking lot, gate, or other specific place where contact or delivery occurred.

If the displayed address differs from the assignment, record both without silently correcting either. Note missing or damaged numbers, renumbered suites, GPS placement problems, and the landmarks used to identify the property. A correct final conclusion requires the underlying discrepancy to remain visible.

### 10.4 Separate Observation, Statement, and Inference

Every material note should fit one of three categories:

- Observation — what you personally saw, heard, did, photographed, or received.
- Statement — what another person said, attributed to that person by name, role, or description.
- Inference — a conclusion drawn from facts, clearly labeled and used cautiously.

For example: 'The lobby directory listed Acme Services in Suite 400' is an observation. 'The receptionist stated Acme moved in May' is a statement. 'The office appeared permanently closed' is an inference that should be supported by specific observations or omitted.

**Field Rule:** Facts become weaker when the source disappears. Never write 'target moved' when the actual source was an unidentified neighbor who said, 'I think he left months ago.'

### 10.5 Use Exact Quotations for Material Words

Record the exact words that establish identity, capacity, refusal, residence, employment, knowledge of whereabouts, access denial, threats, or the nature of delivery. Place quotation marks only around language you remember accurately. If you remember the substance but not the exact wording, paraphrase it without quotation marks.

Include the question when the answer could otherwise be misunderstood. 'Yes' is meaningless without knowing whether the server asked, 'Are you Jordan Smith?' or 'Does Jordan Smith live here?'

### 10.6 Identify Every Person Encountered

Record the person's stated full name, title or relationship, employer or entity connection, and the method by which identity or capacity was established. If the person refuses a name, write that refusal and record a neutral physical description when relevant.

A useful description may include approximate age range, apparent height, build, hair, facial hair, glasses, distinctive clothing, and other nonjudgmental characteristics. Do not exaggerate precision, use insulting

labels, diagnose a condition, or treat perceived race, sex, age, or presence at an address as proof of identity.

### 10.7 Describe the Delivery Mechanically

For successful service, identify every document delivered and describe how possession changed. Record whether the recipient took the packet by hand, the packet was placed on a counter in the recipient's presence after refusal, or a signed order was executed by attachment or another specified method.

When papers are placed after refusal, record the words used to identify the process, exact placement, distance from the recipient, line of sight, weather or surface conditions, and whether the packet was readily retrievable. Avoid vague labels such as 'drop served,' 'subserved,' or 'left at door' when the facts matter.

**Example Note:** At 7:14 p.m., after she stated, 'I am Jordan Smith,' I identified myself as a certified process server and stated that the packet contained legal documents for her. She refused to take it. I placed the complete packet on the dry porch table approximately three feet in front of her while she faced me and the table.

### 10.8 Document Unsuccessful Attempts Completely

A non-service note should explain what prevented delivery, not merely say 'no answer.' Record the entrance used, method and duration of knocking or ringing, access controls, persons contacted, objective occupancy indicators, material sounds or movement, property condition, business hours, posted notices, and the packet's retained status.

Do not report evasion, vacancy, abandonment, or relocation unless the facts reasonably support the term. A vehicle, light, voice, camera response, package, or neighbor statement may be relevant, but each must be described and sourced separately.

### 10.9 Document Access Obstacles and Safety Events

For a locked gate, call box, security desk, loose animal, unsafe structure, threat, police contact, or direction to leave, record the exact obstacle and what you did. Include names or descriptions, agency or employer, statements, times, locations, and the point at which the attempt ended.

Write safety facts neutrally. 'Male occupant displayed a black handgun at his right side and said, "Leave now"' is more useful than 'crazy defendant threatened me.' Contact emergency services when appropriate and preserve any incident or report number.

## 10.10 Connect Photographs and Other Evidence

Assign each photograph, video, audio file, business card, screenshot, map, receipt, or document a clear identifier linked to the attempt note. Record who created or received it, the original filename, date and time, location, subject, and why it matters.

Preserve original files and metadata under company policy. Do not crop, filter, annotate, or rename away important information without retaining the original. A photograph can corroborate the address or placement, but it cannot replace a written account of identity, communication, and delivery.

## 10.11 Write Notes Immediately and From a Safe Place

Complete detailed notes as soon as practical after the encounter, from a safe lawful location. A short delay may be necessary to leave a hostile property, contact law enforcement, or avoid blocking traffic. Record the notes before beginning another assignment whenever possible.

If you must create a brief field entry and expand it later, preserve both and identify when the expansion occurred. Do not backdate a later narrative or represent reconstructed notes as contemporaneous.

**New Server Mistake:** Completing six attempt reports from memory at the end of the day. Similar doors, vehicles, statements, and times blend together quickly.

## 10.12 Correct Mistakes Without Hiding Them

If a note contains an error, preserve the original entry and make a dated correction explaining what changed and why. In software, use an audit trail or supplemental entry. On paper, draw a single line through the error, write the correction, and initial and date it when appropriate.

Never delete an unfavorable fact, change a time to match instructions, replace a person's statement with a stronger version, or rewrite notes after a client questions whether service was sufficient. Accuracy is more important than producing the answer someone hoped to receive.

## 10.13 Keep Notes Separate From the Formal Return

The field note is the complete factual source record. A client update summarizes the operational result. A return or affidavit contains the facts and declarations required by the rule, process, court order, and client. These documents serve different purposes and need not contain identical detail, but they must never contradict one another.

Before signing a return, compare every material field against the original notes: defendant, recipient, capacity, address, date, time, method, documents, tender, and unusual facts. If the return form cannot accurately describe the event, ask for guidance rather than forcing the facts into an incorrect checkbox.

### 10.14 Preserve Notes and Confidentiality

Store paper and electronic notes in a secure case-linked system with backups, access controls, and a consistent retention policy. Protect addresses, dates of birth, photographs, license information, health information, court records, and the identities of occupants or witnesses.

Do not leave notes in an unlocked vehicle, share screenshots through personal social media, or reuse a prior case note as a template without removing unrelated confidential information. Follow contractual, legal, and company requirements for retention and lawful destruction.

### 10.15 Prepare for Testimony

A server may later be asked to sign a detailed affidavit, answer an attorney's questions, give a deposition, or testify at a hearing. Review the original notes and preserved evidence before responding. Distinguish what you independently remember from what the notes refresh.

Do not fill memory gaps with standard practice. Saying, 'My notes do not record that fact, and I do not independently remember it,' is more credible than guessing. A consistent note system protects the server precisely because it shows what was and was not recorded at the time.

### 10.16 The Two-Minute Note Audit

Before closing an attempt, ask:

62. Can I identify the exact assignment, target, packet, address, date, and time?
63. Did I record how every person's identity or capacity was established?
64. Did I separate my observations from statements and inferences?
65. Did I preserve the exact words that establish identity, refusal, authority, residence, access, or threat?
66. Does the note describe precisely how delivery occurred—or why it did not?
67. Are photographs and other evidence linked, preserved, and explained?
68. Would the note allow me to prepare a truthful return and testify months later without guessing?

### Chapter 10 Field-Note Checklist

- Separate record for each defendant and attempt.
- Case, court, client, target, capacity, packet, tender, and attempt number identified.
- Exact address, location, date, arrival, contact, delivery, and departure times recorded.
- Every person identified by name, capacity, relationship, source, or neutral description.
- Direct observations, third-party statements, and inferences clearly separated.
- Material identity, refusal, authority, residence, access, and threat words recorded accurately.
- Delivery method, document inventory, placement, distance, and recipient response described.
- Non-service facts and access obstacles described without unsupported conclusions.

- Photographs and other evidence linked to their originals and preserved.
- Corrections are dated, explained, and auditable; the original record remains visible.
- Formal report or return was checked against the field note before signing.
- Notes are secured, backed up, and retained under policy.

## Knowledge Check

69. What is the difference between an observation, a statement, and an inference?
70. Why should exact questions be recorded with short answers such as 'yes'?
71. Which facts are essential when papers are placed after a recipient refuses them?
72. How should a server correct an inaccurate field note?
73. Why should field notes contain more detail than a routine client status update?

## Chapter 11: Photographs, Vehicles, Gates, Cameras, and Occupancy Indicators

Visual evidence can strengthen a service report when it is lawful, relevant, accurately described, and preserved. It can also damage credibility when a server photographs intrusively, mistakes an indicator for proof, alters a file, or writes conclusions that the image does not support. The professional standard is simple: document the fact, explain its limits, and preserve the original.

**Field Rule:** A photograph proves only what it fairly depicts. A vehicle at a residence does not prove the owner is inside; a light does not identify the person who turned it on; a camera response does not establish the speaker's identity without additional facts.

### 11.1 Decide Why the Evidence Is Needed

Before taking a photograph or recording an observation, identify its purpose. Common legitimate purposes include confirming the address, documenting an access barrier, showing the authorized attachment location, preserving a posted business notice, recording property condition, or supporting an objective occupancy observation.

Do not collect images merely because the phone is available. Unnecessary photographs increase privacy risk, expose unrelated people and property, consume storage, and create evidence the server must later explain and preserve.

### 11.2 Photograph From a Lawful Position

Take photographs only from a place where you are lawfully present, such as a public street, sidewalk, lawful parking area, normal visitor walkway, lobby, or entrance. Do not climb a fence, enter a backyard,

open a gate contrary to notice, step into a restricted workplace, or move onto neighboring property to obtain a better angle.

Do not press a camera to a window, photograph through blinds, raise a phone over a privacy fence, or use zoom to capture a private interior that is not ordinarily visible to a visitor. The assignment does not create special surveillance authority.

**New Server Mistake:** Walking around a residence after no answer to photograph every side of the house. The normal visitor approach should remain the boundary unless lawful authority clearly permits more.

### 11.3 Establish the Address in Context

An address photograph is most useful when it shows enough context to connect the displayed number to the correct entrance or structure. Capture the street or building number, unit or suite, entrance, and a stable identifying feature when possible. Avoid a tight image of numbers that could belong to any nearby property.

If the number is missing, obscured, damaged, or inconsistent with the assignment, photograph the condition when appropriate and write how the property was identified. The image should supplement—not replace—the complete address and location description in the field note.

### 11.4 Documenting a Court-Authorized Attachment

When a signed order authorizes attachment, photograph the final placement only if lawful, requested, or useful. The image should show the packet securely attached at the exact location required by the order and enough of the entrance to identify the placement. Protect case information by keeping pleading text unreadable whenever practical.

Record the time, address, entrance, attachment method, weather, surface condition, and the fact that the packet was secure when the server departed. A photograph cannot show how long the packet remained after departure, so do not claim continued presence without additional evidence.

### 11.5 Vehicles Are Leads, Not People

Record a vehicle only when it is relevant to the assignment or occupancy analysis. Useful facts may include make, model, body type, color, approximate year range, license plate, state, visible company marking, location, direction of travel, and the time observed.

A parked vehicle may belong to a target, relative, guest, customer, former resident, rental company, or another person. Even a registration record identifies a registered owner at a point in time; it does not prove who possessed the vehicle or who was present at the property during the attempt.

**Example Note:** A blue Toyota pickup bearing Texas plate ABC1234 was parked in the driveway at 7:08 p.m. A client-provided registration record listed Jordan Smith as the registered owner. I did not observe who parked or occupied the vehicle.

## 11.6 License Plates and Vehicle Identification

Copy plate characters carefully and distinguish uncertain characters such as zero and O, one and I, or five and S. Record the state and plate type when visible. Do not touch the vehicle, open a door, look inside compartments, remove a cover, enter private property, or obstruct traffic to obtain a plate.

If a photograph contains a plate, preserve the original. Redact or crop only a separate sharing copy when privacy or client procedure requires it. Never alter the original file used to support the service record.

## 11.7 Gates, Fences, and Access Controls

Document the precise barrier: pedestrian gate, vehicle gate, fence, locked lobby, key-card door, call box, security desk, concierge, guard station, elevator control, or posted restriction. Record where it was located, whether it was open or locked, available contact methods, persons contacted, and the response.

A photograph can show the barrier and address, but it cannot establish that every entrance was locked unless the server lawfully checked them. Do not stage a locked appearance, hold a gate closed for a photograph, or describe a controlled entrance as impossible when a visitor procedure was available but not attempted.

## 11.8 Doorbell and Surveillance Cameras

Assume residential and business approaches are recorded. Stand in the normal visitor area, keep your hands visible, avoid looking through windows, and use professional language from arrival through departure. Never cover, disable, move, damage, or deliberately obstruct a camera.

If a person responds through a doorbell, state your name and purpose concisely. Record the exact material words, time, apparent source, and whether the speaker identified themselves. Do not report the target as contacted solely because an unidentified voice answered a device at the target's listed address.

**Professional Script:** My name is Oleg, and I am a certified process server with legal documents for Jordan Smith. May I speak with Jordan, please?

## 11.9 Audio and Video Recording

Recording laws, workplace policies, court orders, and client requirements can vary and may change. A new server should not assume that every audio or video recording is lawful merely because the server is

a participant or standing outside. Follow current law and written company policy, and obtain legal guidance when uncertain.

When recording is lawful and authorized, preserve the complete original rather than only a favorable clip. Record the device, filename, start and end time, location, participants, and any interruption. Do not edit a recording in a way that changes context or meaning.

### **11.10 Lights, Sounds, Movement, and Curtains**

Describe only what was perceived: a light illuminated, a television was audible, footsteps approached, a curtain moved, a dog began barking, or a shadow passed. Include the location, timing, duration, and limits of the observation.

These indicators may support occupancy or a request for another attempt, but they rarely identify a specific person. Do not write 'defendant hiding inside' when the facts are that a light was visible and no one answered.

### **11.11 Packages, Mail, Trash, and Property Condition**

Packages, newspapers, landscaping, utility notices, full trash containers, or property condition can be relevant observations from a lawful position. Record visible names only when necessary and protect unrelated personal information in photographs and reports.

Never open, move, turn over, or photograph the contents of mail or packages; search trash; read documents through a window; or manipulate property to create a clearer indicator. A package label may be outdated, addressed to a prior resident, or delivered incorrectly.

### **11.12 Neighbors and Third-Party Information**

A neighbor, leasing employee, security officer, coworker, or family member may provide useful information. Record the person's name when offered, address or role, exact words, time, and apparent basis of knowledge. Keep the questions narrow and avoid revealing unnecessary case information.

Third-party statements are not personal observations and may be mistaken, speculative, or biased. Report 'Neighbor in Unit 12 stated...' rather than converting the statement into 'Target moved.'

### **11.13 Photograph People With Restraint**

Do not photograph recipients, children, neighbors, patients, customers, or employees merely to prove presence. A person's image can create safety, privacy, and dignity concerns and may escalate an otherwise routine service.

When a photograph of a person is lawful, necessary, and authorized, frame no more than needed and document the purpose. Never provoke a confrontation to obtain a face image, chase a person with a camera, or publicly distribute the photograph.

### 11.14 Metadata and Original Files

Preserve original filenames, capture dates, timestamps, location data when lawfully collected, device information, and file size. Transfer files through a method that does not silently compress, strip metadata, or replace the original. Link the evidence identifier to the assignment and field note.

Device time and location metadata can be wrong. Check settings, time zone, battery, storage, and camera operation before the route. If metadata conflicts with the written note, preserve both and explain the discrepancy promptly.

### 11.15 Editing, Annotation, and Sharing Copies

Retain an untouched original before creating any crop, redaction, brightness adjustment, arrow, label, or exhibit page. A working or court exhibit may be annotated for clarity when the alteration is disclosed and does not change the underlying fact.

Do not erase objects, add a person or vehicle, change a plate, replace a sky, modify a timestamp, or use generative editing on evidence. Send only through approved secure channels and verify that the correct case receives the correct file.

**Field Rule:** Enhancement may help a viewer see the evidence; alteration can destroy its reliability. Preserve the original and disclose every material change to a copy.

### 11.16 Write the Evidence Into the Report

A photograph or recording should be described in the field note by identifier, time, location, subject, creator, and relevance. Explain what it supports and what it does not establish. Avoid conclusions such as 'proof of residency' unless the client or court makes that determination from the full record.

Use evidence consistently. If the written note says a red sedan and the photograph shows a maroon SUV, stop and resolve the discrepancy before signing a return or affidavit.

### 11.17 Evidence Security and Retention

Store original files in a secure, backed-up, case-linked location with controlled access. Do not depend on a phone's camera roll, text-message thread, or social-media account as the only copy. Apply a consistent retention and lawful-destruction policy.

Keep a simple chain record when evidence may be used in court: who captured it, where it was stored, who received it, when copies were created, and what changes were made. If a device is lost or a file is corrupted, notify the appropriate client or supervisor instead of recreating evidence.

## Chapter 11 Evidence Checklist

- Every photograph or observation has a legitimate assignment-related purpose.
- I remained in a lawful public or visitor location and did not invade a private area.
- The image shows enough context to identify the address, barrier, vehicle, or placement.
- I treated vehicles, lights, sounds, packages, and cameras as indicators—not proof of a person's presence.
- I did not touch property, search mail or trash, look through private windows, or disable a camera.
- Third-party statements are attributed to their source and not presented as my observation.
- Original files, filenames, metadata, and complete recordings are preserved.
- Any crop, redaction, annotation, or enhancement exists only in a disclosed copy.
- Evidence is linked to the correct attempt and explained in the field note.
- Files are stored securely, backed up, and shared only through an approved channel.

## Knowledge Check

74. Why does a target-associated vehicle not prove the target was present?
75. What should an attachment photograph show, and what can it not prove?
76. How should an unidentified doorbell-camera speaker be documented?
77. Why must the untouched original be preserved before an image is cropped or annotated?
78. What facts should accompany a photograph in the field note?

## Chapter 12: Returns, Affidavits, and Reports of Non-Service

The field work is not finished when the server leaves the address. The return or affidavit is the court-facing proof of what occurred, and a non-service report may become the foundation for additional attempts, alternative service, or testimony. These documents must be accurate, internally consistent, properly signed, and matched to the controlling rule and process.

**Field Rule:** Never sign a return because the assignment software says 'served.' Sign only after comparing the proposed document, line by line, with your original field notes and evidence.

### 12.1 Four Documents With Different Purposes

New servers often use the word affidavit for every completion document, but the documents serve different functions:

- Return of service — the formal proof required by the governing rule for service or attempted service of process.
- Service affidavit — a detailed sworn or declared narrative used when the client, court, foreign jurisdiction, or unusual facts require more than a routine return.
- Due-diligence affidavit or declaration — a chronological account of unsuccessful efforts and related facts offered in support of a request for another method of service.
- Client report of non-service — an operational report that informs the client of the attempt status but may not itself satisfy the court's formal return requirements.

A single document may perform more than one function when properly drafted, but the title does not control. Its contents, signature, verification or declaration, filing, and governing authority determine its use.

## 12.2 Rule 107: Required Return Information

For citation governed by Texas Rule of Civil Procedure 107, the return, together with attached documents, must include:

79. The cause number and case name.
80. The court in which the case is filed.
81. A description of what was served.
82. The date and time the process was received for service.
83. The person or entity served.
84. The address served.
85. The date of service or attempted service.
86. The manner of delivery of service or attempted service.
87. The name of the person who served or attempted service.
88. For a JBCC-certified server, the certification identification number and certification expiration date.
89. Any other information required by rule or law.

Other process, justice-court matters, subpoenas, statutory proceedings, foreign-state documents, and court orders may impose different or additional return requirements. Use Rule 107 as a core checklist, not as permission to ignore the specific instrument.

## 12.3 Match the Caption and Court Exactly

Copy the cause number, case style, court name, county, judicial district or court number, and party names from the issued process. Do not silently correct spelling, punctuation, or party designations because another document appears more accurate.

If the citation and petition materially conflict, stop and obtain instructions before service when possible. If the conflict is discovered afterward, preserve the documents and field facts and notify the client rather than changing the court record yourself.

## 12.4 Describe Every Document Served

List the citation, petition, amended petition, application, order, notice, exhibits, discovery, subpoena, witness fee, or other item actually delivered. Use the document's printed title and revision or filing date when needed to distinguish versions.

Do not write 'citation and attachments' when the packet contained several documents whose delivery matters. Conversely, do not claim a document was served merely because it appeared on the work order. Compare the return against the packet inventory and field note.

**New Server Mistake:** Copying a standard document list from the prior assignment. One incorrect title can create doubt about the entire return.

## 12.5 Receipt Date and Time

Rule 107 requires the date and time the process was received for service. Record when the process was actually delivered to or accepted by the server for execution under the applicable workflow—not the later service time, invoice time, or date the assignment was opened for billing.

When a company receives the assignment before a specific server is assigned, follow the client, court, and company procedure for identifying the operative receipt. Do not guess. Preserve the transmission record when the date or time may affect compliance.

## 12.6 Identify the Person or Entity Served

For personal service on an individual, state the recipient's exact name and the facts required by the form or rule. For an entity, identify both the named entity and the human recipient's authorized capacity. A return stating only 'served office manager' may fail to establish why that person could receive process.

Do not substitute a nickname, omit an entity suffix, or change the defendant to the recipient. If the individual served uses a different spelling or states another name, report the discrepancy accurately and obtain guidance before finalizing a conclusion that identity was established.

## 12.7 State the Exact Address, Date, and Time

The return should identify the complete service address and the exact date and time of service or attempted service. Include the unit, suite, building, floor, or other location detail needed to distinguish the place.

Check a.m. and p.m., month and day order, year, ZIP code, and suite number against the field note. Small transcription errors can become serious when a party challenges service or seeks a default judgment.

## 12.8 Describe the Manner of Delivery

Use factual language that matches the authorized method. For personal delivery, state that the required documents were delivered in person to the named recipient. For entity service, state the recipient and authorized capacity. For refusal, include the facts necessary to explain communication and placement rather than relying only on the word 'refused.'

For court-authorized alternative service, follow the signed order exactly and state each required act: recipient and age if applicable, attachment location and method, electronic destination, mailing, or another ordered step. Do not call an attachment 'personal service' or omit a required second act.

## 12.9 Returns of Unserved Citation

Rule 107(d) requires an unserved return to show the diligence used, the cause of failure, and where the defendant is to be found if ascertainable. A single status phrase such as 'unable to serve' ordinarily does not tell the court what was attempted or why execution failed.

List each attempt separately with date, time, place, access method, person contacted, material statement, objective observation, and result. Explain the cause of failure—no answer, identity not established, access denied, address vacant, business moved, unsafe condition, or another fact—without exaggeration. Include a new address or likely location only when supported and identify its source.

**Field Rule:** Diligence is shown through specific acts and results, not through the sentence 'due diligence was performed.'

## 12.10 Return, Affidavit, or Declaration Signature

The server who served or attempted the citation must sign the return. Under Rule 107(e), a return signed by a person other than a sheriff, constable, or court clerk must either be verified or signed under penalty of perjury using the required declaration information in substantially the prescribed form.

Do not allow a dispatcher, owner, notary, or another server to sign as the person who executed the attempt. An assistant may prepare a draft from the notes, but the actual server must review every fact and personally sign the final document.

## 12.11 Verification and Notarization

A verified return or affidavit is sworn before an authorized officer, commonly a notary. A declaration under penalty of perjury is a different signing method authorized when the governing rule or law permits it. Do not combine or substitute formats casually.

When notarization is required, do not sign before appearing before the notary. The notary must perform the required identification and certificate procedure under applicable law. The server must not notarize their own signature or ask a notary to certify an appearance that did not occur.

**Stop and Confirm:** Use the exact signature method required by the court, rule, client, or foreign jurisdiction. A Texas unsworn declaration may not satisfy every out-of-state or special-process requirement.

## 12.12 Certification Information

A JBCC-certified process server should use the certified name consistently and include the correct identification number and certification expiration date where required. Confirm that certification was active on the service date and remains accurately stated on the form.

Do not borrow another server's number, sign under a company name, or omit the expiration date because software stored an old template. Update templates immediately after renewal and verify each generated return before signing.

## 12.13 Alternative-Service Returns

Attach or retain the signed alternative-service order as instructed and compare every act against it before drafting. The return should identify the order, authorized address, precise method, documents, recipient and age when applicable, attachment location, electronic address, mailing, and the completion time of each separate act.

Photographs may support compliance, but the written return must still state what occurred. If the property does not match the order or one ordered step could not be completed, do not rewrite the order through creative wording. Report the problem immediately.

## 12.14 Due-Diligence Affidavits

A due-diligence affidavit or declaration should present the attempts chronologically and with enough detail for the attorney and court to evaluate what was tried at the relevant location. Include the source and significance of address information when requested, varied attempt dates and times, access conditions, persons contacted, statements, occupancy indicators, and the reason personal service was unsuccessful.

Do not describe attempts at several unrelated addresses as repeated diligence at one location. Do not omit an attempt because it was inconvenient, or add an attempt that another server performed unless the affiant clearly identifies the source and has a lawful basis to include it.

### 12.15 Exhibits and Photographs

When photographs, entity records, maps, vehicle records, or other exhibits are included, label them consistently and refer to each exhibit accurately in the narrative. Preserve the original evidence and use a legible copy that does not expose unnecessary personal information.

An exhibit should support a stated fact; it should not replace the witness's testimony. Confirm that every exhibit belongs to the correct case, address, target, and attempt before signing or filing.

### 12.16 Client Reports of Non-Service

The client report should be prompt, concise, and operationally useful. State the exact attempt status, date, time, address, access or contact facts, persons and statements, occupancy indicators, safety issues, packet status, and recommended next operational step when requested.

Do not tell the client that substitute service is guaranteed, the defendant legally resides at the address, or the court will accept the diligence. Report facts and identify what additional attempts or information may be useful, leaving the legal decision to counsel and the court.

### 12.17 Corrections and Amended Returns

If an error is discovered before signing, correct it against the original notes and perform a complete second review. If a signed or filed return contains an error, notify the client promptly and follow the court's procedure for a corrected or amended return.

Never overwrite the original filed document, backdate a correction, or change a material fact without explanation. Preserve the original, the corrected version, the reason, the date, and the person who authorized or filed the correction.

### 12.18 Filing and Delivery to the Client

Follow written instructions concerning whether the server files the original return, uploads it, emails it to counsel, mails a notarized original, or returns it to a forwarding company. Protect confidential information and use the correct case and court portal.

Retain proof of transmission, filing acceptance, tracking, or delivery. Do not assume that sending a document means it was filed or received. Confirm rejection notices and correct them promptly without changing substantive facts.

### 12.19 The Final Return Audit

90. Correct cause number, case name, court, county, and defendant.
91. Exact inventory of documents actually served or attempted.
92. Correct receipt date and time.

93. Correct person or entity, human recipient, and authorized capacity.
94. Complete address, service or attempt date, and exact time.
95. Factual manner of delivery or failure, matching the controlling authority.
96. Every ordered alternative-service act stated and completed.
97. Server's certified name, JBCC number, and expiration date correct.
98. Proper verification, notarization, or penalty-of-perjury declaration.
99. Signature made by the actual server after review.
100. No contradiction with field notes, photographs, client reports, or exhibits.
101. Correct filing or delivery method completed and confirmed.

## Chapter 12 Return-and-Affidavit Checklist

- I selected the correct document type for the court and client purpose.
- Every Rule 107 or other governing requirement is present.
- Caption, document inventory, recipient, capacity, address, date, time, and method match my notes.
- Unsuccessful attempts show specific diligence, cause of failure, and any supported location information.
- Alternative service follows the signed order word for word.
- My certified name, JBCC number, and expiration date are correct.
- The signature, verification, declaration, and notarization method are authorized and complete.
- Exhibits are correctly labeled, legible, relevant, and linked to the narrative.
- I preserved the original notes, evidence, signed document, and any correction history.
- Filing or delivery was completed through the required channel and confirmed.

## Knowledge Check

102. Which information does Rule 107 require in a return of citation?
103. What must an unserved return explain beyond the words 'unable to serve'?
104. Why must an entity return identify both the human recipient and the recipient's capacity?
105. What is the difference between verification before a notary and a declaration under penalty of perjury?
106. How should an error in an already signed or filed return be corrected?

## Chapter 13: Due Diligence and Alternative Service

Alternative service is not a shortcut selected by the process server. It is a method authorized by the court after the plaintiff presents evidence that ordinary service was attempted unsuccessfully at a location connected to the defendant and that the proposed method is reasonably likely to provide notice. The

server's responsibility is to create reliable attempt evidence and, after an order is signed, execute its exact terms.

**Field Rule:** Unsuccessful attempts create evidence; they do not create authority. Until the court signs an order or another governing law authorizes the method, do not leave papers with another person, attach them to a door, mail them, text them, or send them electronically as substitute service.

### 13.1 What Rule 106(b) Requires

Under Texas Rule of Civil Procedure 106(b), a motion for alternative service must be supported by a statement sworn before a notary or made under penalty of perjury. The statement must list the defendant's usual place of business, usual place of abode, or another place where the defendant can probably be found, and specifically state facts showing unsuccessful service attempts under Rule 106(a)(1) or (a)(2) at the named location.

The court may then authorize leaving the citation and petition with someone older than sixteen at the specified location, or another method—including appropriate electronic service—that the evidence shows will be reasonably effective to give notice. The court decides; the server supplies accurate facts.

### 13.2 There Is No Automatic Number of Attempts

Rule 106(b) does not create a universal two-attempt, four-attempt, or five-attempt formula. Courts, local practice, clients, case circumstances, and the quality of the evidence may affect what is considered sufficient. A repeated number without useful timing, location, and occupancy evidence may be less persuasive than fewer well-planned attempts.

In Houston-area practice, attorneys frequently request four attempts at varied times at the same supported address before seeking substitute service. That is a practical diligence strategy—not a statewide guarantee that four attempts will always be enough or always required.

**New Server Mistake:** Making one attempt at four different addresses and reporting 'four attempts for alternative service.' Rule 106(b) focuses on the unsuccessful efforts at the location named in the supporting statement.

### 13.3 Build Diligence Around the Correct Location

Before planning repeated attempts, determine why the address qualifies as the defendant's usual abode, usual business, or another place where the defendant can probably be found. The server may rely on client-provided records and lawful research, but should identify each source and its date rather than claim personal verification that did not occur.

Useful support may include driver or vehicle information lawfully obtained, property and utility records, entity filings, lease or employment information, prior service records, current websites, recent

communications, a target-associated vehicle, or reliable statements from occupants or staff. No single source is automatically conclusive, and stale information must be labeled.

### 13.4 Plan Varied and Meaningful Attempts

Select dates and times reasonably connected to when the defendant may be present. A residential schedule may include weekday morning, weekday evening, and weekend attempts; a business schedule should reflect posted hours, shift information, and visitor access. Safety, Sunday restrictions, court deadlines, and process-specific rules still control.

Do not manufacture variety by changing a time after the fact or making several quick visits that provide no genuine opportunity for contact. Each attempt should be a separate lawful effort with its own observations and result.

### 13.5 What to Record at Every Attempt

- Exact date, arrival, contact, and departure time.
- Complete address, unit or suite, building, and entrance used.
- Knocking, ringing, call-box, reception, security, or other contact steps.
- Names, descriptions, relationships, titles, and exact material statements.
- Access barriers, posted restrictions, hours, animals, hazards, and safety events.
- Objective occupancy indicators, vehicles, lights, sounds, packages, and property condition.
- Facts supporting or contradicting the defendant's connection to the location.
- Why service was not completed and where the packet remained.

Do not copy the prior attempt narrative. Conditions that appear similar must be observed and recorded again. A chronology becomes credible because each entry contains fresh facts, not because the same paragraph is repeated four times.

### 13.6 No Answer, Evasion, and Refusal Are Different

No answer means the normal contact method produced no responding person. Evasion is a conclusion that may be supported by stronger facts, such as reliable identification combined with deliberate concealment or flight. Refusal occurs when an identified recipient will not accept papers after the nature of the delivery is communicated.

Use the narrowest accurate term. Courts can evaluate detailed facts; they cannot reconstruct facts hidden behind an exaggerated label. Do not call every unanswered door evasive service.

### 13.7 Third-Party Statements and Occupancy Evidence

Record who provided information, the exact words, and the apparent basis of knowledge. An occupant stating, 'Jordan lives here and works nights' is different from a neighbor saying, 'I think someone named Jordan lived there last year.' Preserve the distinction.

Vehicles, packages, doorbell responses, lights, movement, and property records may corroborate a location, but do not prove the defendant was present during a particular attempt. State what each fact supports and its limitation.

### 13.8 Preparing the Supporting Statement

The supporting affidavit or declaration should identify the affiant, case, defendant, documents, authorized address, source of the assignment, and chronological attempts. For each attempt, state specific contact steps, persons, statements, observations, and cause of failure. Include the factual basis showing that the named location is the usual abode, usual business, or another place where the defendant can probably be found when requested.

The actual server should attest only to personal acts and observations unless another source is clearly identified. Do not combine multiple servers' work into one first-person narrative that falsely implies one affiant performed everything.

**Field Rule:** A strong due-diligence affidavit reads like a verified timeline, not an argument. Let the court draw the conclusion from accurate facts.

### 13.9 Sworn Affidavit or Penalty-of-Perjury Declaration

Rule 106(b) permits the supporting statement to be sworn before a notary or made under penalty of perjury. Use the format required by the client, court, and applicable rule. A traditional affidavit must be signed through a lawful notarial act; an authorized declaration must contain the required declarant information and language.

Do not sign a notarial certificate in advance, notarize your own signature, or use a declaration format that omits required information. Out-of-state cases and special proceedings may require a different form even when the attempts occurred in Texas.

### 13.10 The Motion and Order Are Not the Same

A filed motion requests authority; it does not grant it. Wait for the court's signed order and confirm that the copy is complete and entered for the correct defendant and case. Oral expectations, a proposed order, client instructions, or an order signed for a codefendant do not authorize service.

If the court denies or modifies the request, the signed order controls. Do not execute the method originally requested when the judge authorized something narrower or different.

### 13.11 Audit the Signed Order Before Dispatch

107. Correct cause number, court, plaintiff, and defendant.
108. Correct authorized address, including unit, suite, or building.
109. Exact documents to be delivered.
110. Authorized recipient and minimum age, if applicable.
111. Exact attachment location and method, if applicable.
112. Required mailing, email, social-media, text, or other electronic destination.
113. Sequence and deadline for multiple required acts.
114. Photograph, return, affidavit, or exhibit requirements.
115. Any restriction, expiration, or special language affecting execution.

Resolve ambiguity before the attempt. The server should not decide that 'front entrance' means a garage, that 'over sixteen' means sixteen, or that a different email address is close enough.

### 13.12 Leaving Papers With a Person Older Than Sixteen

When the order authorizes delivery to someone older than sixteen at the specified location, confirm the exact location and obtain the recipient's name, stated age or reliable basis for the age requirement, relationship or role, physical description when useful, and statements connecting the person to the location.

Do not assume age from appearance when it is close or disputed. Do not deliver to a person outside the authorized location or to someone who does not satisfy the order. Record how the papers passed into the recipient's possession and what was communicated.

### 13.13 Attaching Papers to a Door or Entrance

Use the exact door or entrance stated in the order. Confirm the address and unit, protect the documents from weather when appropriate and permitted, and attach them securely without damaging property. Do not place the packet in a mailbox unless expressly authorized and lawful.

Record the attachment material, position, time, weather, surface, visibility, and condition when you departed. Take context photographs when lawful and useful. A side door, gate, garage, leasing office, or building lobby is not interchangeable with the front door of the named premises.

### 13.14 Mailing as an Additional Ordered Step

Some orders or special rules require mailing in addition to delivery or attachment. Follow the exact address, recipient name, mail class, envelope contents, deadline, and proof requirement. Record when and where the item entered the mail and preserve the receipt or tracking evidence.

Do not report alternative service complete until every required act is completed. If the mailing address conflicts with the physical service address, stop and confirm rather than silently choosing one.

### 13.15 Electronic Alternative Service

Rule 106(b)(2) allows a court, in proper circumstances, to authorize service electronically by social media, email, or other technology when the evidence shows the method will be reasonably effective to provide notice. The order should identify the platform, account, address, number, or procedure to be used.

Confirm that the destination matches the order and preserve evidence of transmission, content, date and time, account identity, delivery status, replies, and errors. Do not contact other accounts, post publicly, disclose unnecessary allegations, or assume that a sent message was received or opened.

**Stop and Confirm:** A server should not choose a social-media account or email address after the order is signed unless the order clearly authorizes that selection. If the ordered account is unavailable or changed, obtain new instructions.

### 13.16 Multiple Defendants and Multiple Addresses

Alternative-service authority is defendant-specific. One order may contain different methods or addresses for several defendants, but each service must be audited and documented separately. Do not use one defendant's diligence or order to serve another.

Attempts at different addresses should remain separated by location in the affidavit. Clearly identify which address the motion relies upon and what evidence connects the defendant to it.

### 13.17 When the Property Does Not Match the Order

Stop when the unit does not exist, the building has been demolished, the address is vacant, the front door cannot be identified, the business has moved, or another material condition makes literal compliance impossible or misleading. Photograph and document the condition lawfully, then contact the client.

Do not improvise the nearest door, attach papers to a community gate, or serve a new occupant simply because the trip was long or the deadline is near. A corrected order or additional evidence may be required.

### 13.18 The Alternative-Service Return

The return must state the facts required by Rule 107 and every material fact needed to show compliance with the order. Identify the signed order, address, date, exact time, documents, method, recipient and

age when applicable, attachment location, mailing or electronic act, photographs, and server certification information.

Use the order's language accurately but do not copy a successful method that did not occur. When multiple acts were required, state each act and time separately. Preserve the signed order, field notes, original evidence, receipts, messages, and final return.

### 13.19 Common Reasons Alternative Service Fails

- The attempts were made at addresses different from the location named in the supporting statement.
- The affidavit used conclusions without specific dates, times, facts, and sources.
- The motion—not the signed order—was treated as authority.
- The wrong defendant, address, unit, door, recipient, or age standard was used.
- A required mailing or electronic step was omitted or late.
- The return did not describe every ordered act.
- Photographs or exhibits belonged to another attempt or did not show context.
- The server changed the method when field conditions became inconvenient.

## Chapter 13 Due-Diligence and Alternative-Service Checklist

- The address is supported as a usual abode, usual business, or place where the defendant can probably be found.
- Attempts are meaningful, varied when appropriate, and separately documented.
- The chronology distinguishes observation, third-party statement, source record, and inference.
- The supporting statement contains specific unsuccessful-attempt facts at the named location.
- I waited for and reviewed the signed order for the correct defendant.
- Address, documents, recipient, age, door, mailing, electronic method, deadlines, and proof requirements are clear.
- Every authorized act was executed exactly and documented separately.
- I stopped instead of improvising when the property or technology did not match the order.
- The return states Rule 107 facts and complete compliance with the signed order.
- The order, notes, photographs, receipts, transmissions, and final return are preserved.

## Knowledge Check

116. Why is there no automatic four-attempt rule under Rule 106(b)?
117. What must the supporting statement say about the location and unsuccessful attempts?
118. Why does a filed motion not authorize alternative service?
119. What should a server do when the property has no door matching the signed order?
120. Which facts must be preserved when service is completed electronically?

## PART IV — DIFFICULT ASSIGNMENTS

### Chapter 14: Evasive Defendants and Repeated Attempts

A difficult defendant may ignore the door, deny identity, use gates or staff to block access, change schedules, or leave when approached. The process server's response must remain lawful, calm, evidence-based, and safe. The objective is not to outsmart or punish the defendant; it is to create another reasonable opportunity for authorized service and document the facts accurately.

**Field Rule:** Evasion is a conclusion supported by conduct. No answer is only no answer. Use the word evasive only when the recorded facts show more than an unsuccessful knock.

#### 14.1 Distinguish Difficulty From Evasion

Many ordinary conditions resemble avoidance: a person works long shifts, sleeps during the day, travels, has hearing or mobility limitations, does not answer unknown visitors, uses a doorbell remotely, or shares a residence with others. Do not convert inconvenience or suspicion into misconduct.

Possible evasion may be supported by reliable identification followed by flight or concealment, contradictory statements made by the same person, an identified voice refusing contact while controlling the premises, deliberate use of staff or occupants to deny access despite confirmed presence, or conduct specifically directed at preventing delivery. Record the conduct; let counsel and the court decide its legal significance.

#### 14.2 Review the File Before Repeating the Same Attempt

Read every prior note, photograph, address source, vehicle observation, occupant statement, schedule lead, and client instruction. Identify what is known, what is assumed, and what remains unresolved. Another attempt should test a specific factual possibility rather than simply repeat the same visit.

Confirm that the packet, address, deadline, target description, and authority remain current. If evidence shows the target moved or works elsewhere, ask the client whether the assignment should be redirected before consuming the remaining attempts.

**New Server Mistake:** Returning at 7:00 p.m. four nights in a row after learning that the target works nights. Repetition is not strategy.

#### 14.3 Vary Attempts for a Reason

Choose varied times tied to credible information: before a reported shift, after a normal workday, a weekend morning, posted business hours, or a time when a target-associated vehicle is usually present. Variation should improve the chance of lawful contact and the quality of the diligence record.

Do not make attempts at unreasonable hours merely to surprise someone, disturb neighbors, or create pressure. Follow Sunday restrictions, court orders, local law, client limits, and safety considerations. Record why a particular time was selected when the reason may matter.

#### 14.4 Use Information Without Overstating It

A current address record, vehicle registration, photograph, employer listing, social-media post, property record, prior return, or third-party statement can guide planning. Each source has a date and limitation. A post may be scheduled or old; a vehicle may be borrowed; an employer page may be outdated; a relative may be mistaken.

Keep the source separate from field observation. Do not write that the target was home because a registered vehicle was present, or that the target works at a business because a website lists the name. Use the information to choose the next lawful contact point.

#### 14.5 Lawful Observation Versus Surveillance

A brief observation from a lawful public location may help determine whether to approach safely or whether a target-associated vehicle arrives. Extended surveillance, tracking, recording, or repeated following can raise legal, privacy, safety, licensing, and client-scope issues.

A new process server should not undertake prolonged surveillance without written authorization, clear company procedure, and confirmation that the conduct is lawful. Never trespass, use a hidden tracking device, impersonate another person, access a private account, or follow a vehicle dangerously.

**Stop and Confirm:** When the assignment changes from making service attempts to monitoring a person's movements, stop and obtain written authority and guidance. Process-server certification alone does not answer every surveillance question.

#### 14.6 Approaching a Target Outside

A lawful encounter in a public walkway, open driveway, parking area, or workplace visitor area may provide a better opportunity than another closed door. Approach calmly, leave personal space, keep a safe exit, identify yourself truthfully, ask the direct identity question, and state that you have legal documents.

Do not block a person or vehicle, step into traffic, grab a door, enter a garage, reach into a car, surround the person with others, or continue pursuit into a restricted area. If identity and delivery cannot be completed safely, record the encounter and disengage.

## 14.7 Vehicles and Arrival Patterns

Record the make, model, color, plate, time, direction, and location of a relevant vehicle from a lawful position. A pattern across several attempts may support planning, but it does not identify the driver or prove residence without additional facts.

If a person exits a target-associated vehicle, establish identity independently. Do not chase, box in, touch, photograph intrusively, or confront the driver about registration information.

## 14.8 Occupants, Neighbors, and Staff

Ask narrow factual questions without disclosing unnecessary case information: whether the target is available, when the target may return, whether the target still lives or works there, or whether another lawful contact location is known. Record the source and exact words.

Do not recruit a child, neighbor, coworker, security officer, or family member to deceive the target or lure the person into an unsafe confrontation. Do not repeatedly question the same third party after they decline to help.

## 14.9 Doorbell and Telephone Contact

A doorbell response, call, or message may confirm a schedule, identity, or refusal, but the communication itself is not automatically service. State your identity and purpose truthfully and keep case details private. Record the account or number used, time, exact words, and basis for identifying the speaker.

Do not flood a person with calls or messages, use spoofed numbers, threaten consequences, or claim to be a customer, police officer, court employee, delivery driver, or friend. Electronic alternative service requires specific lawful authority.

## 14.10 Denial of Identity

When a person denies being the target, do not argue based only on appearance. Consider reliable prior recognition, a current photograph, another person's identification in the person's presence, response to the name, specific statements, and control of the target-associated location or vehicle.

Ask one or two clear questions and document the answers. If the evidence remains insufficient, do not claim service. A careful non-service report is better than an identity conclusion that cannot be defended.

## 14.11 Refusal After Identity Is Established

If identity is reliably established and the person refuses physical acceptance, clearly communicate that the packet contains legal process for that person. Use a safe and appropriate placement in the person's

presence when authorized, as discussed in Chapter 7, and document the exact words, movements, distance, placement, visibility, and accessibility.

Do not throw papers, force them into clothing or a vehicle, block departure, or create a physical struggle. The quality of the return depends on calm facts, not dramatic conduct.

### **14.12 Workplace Attempts**

A workplace may be effective when the employment information is current and visitor access is lawful. Begin with reception or security, protect the target's privacy, and ask for the named person without describing allegations. If management refuses access, comply and record the procedure, persons, statements, and any confirmation of employment or schedule.

Do not enter employee-only areas, disrupt operations, pose as a customer, or pressure coworkers to disclose private information. A manager or coworker is not automatically authorized to accept personal service for the employee.

### **14.13 Gated and Secured Properties**

Use the call box, guard station, concierge, leasing office, or normal visitor procedure. Identify yourself truthfully and request lawful access. Record the access point, contact, name or description, exact response, and whether the target's association with the property was confirmed or denied.

Do not tailgate another vehicle, borrow a resident credential, climb a fence, enter through an emergency exit, or use a false delivery story. Repeated access denial may support an alternative-service request, but it does not authorize bypassing security.

### **14.14 Team Assignments and Backup Servers**

A second server may bring different timing, recognition, language ability, or safety support, but each server must be independently authorized and must write separate first-person notes. Do not let a server who was absent sign the return or affidavit for another person's attempt.

Coordinate to avoid duplicate contacts, conflicting statements, excessive pressure, or accidental service with the wrong packet. Share factual history securely and preserve who observed each event.

### **14.15 When to End the Attempt**

Leave immediately when a weapon, credible threat, released animal, aggressive group, unsafe driving, medical emergency, law-enforcement instruction, or other condition creates unreasonable risk. Also end contact when continued presence would become harassment, trespass, obstruction, or an unnecessary disturbance.

Once safe, record the facts, notify emergency services when appropriate, and report to the client. Do not return alone to a location after a serious threat without a revised safety plan and written direction.

### 14.16 When to Recommend a Different Strategy

Additional attempts may have little value when the address is demonstrably vacant, the target has moved, access cannot lawfully be obtained, every reasonable schedule has been tried, a safety risk persists, or the evidence already supports counsel's request for another method.

Give the client a factual summary and possible operational options: another supported address, workplace attempt, updated locate research, a different authorized server, additional timing variation, or preparation of the due-diligence statement. Do not promise that a judge will grant substitute service.

### 14.17 Writing About Possible Evasion

Lead with the facts. Instead of 'Defendant evaded service,' write: 'A male matching the client-provided photograph looked through the front window after I asked for Jordan Smith, moved away from the window, and did not answer. The blue Toyota listed in the client-provided registration record was in the driveway.'

Identify the source of recognition and every limitation. Avoid emotional descriptions, accusations, and speculation about motive. A neutral narrative is more persuasive and easier to defend.

## Chapter 14 Difficult-Service Checklist

- I reviewed prior notes and selected the next attempt for a factual reason.
- Attempt times are meaningfully varied, lawful, safe, and connected to available information.
- I separated address, vehicle, schedule, photograph, and third-party sources from my observations.
- I remained in lawful public or visitor areas and did not conduct unauthorized surveillance.
- I did not deceive occupants, staff, neighbors, children, or the target about my identity or purpose.
- I established identity through reliable facts rather than appearance alone.
- I handled refusal calmly and documented exact communication and placement.
- I withdrew from threats, unsafe conduct, trespass risk, and unproductive confrontation.
- Multiple servers maintain separate first-person notes and correct packet control.
- My report describes possible evasion through specific facts, sources, and limitations.
- I recommended another strategy when further attempts would add little value or create risk.

## Knowledge Check

121. What facts distinguish possible evasion from an ordinary no-answer attempt?
122. Why should repeated attempts vary for a factual reason rather than merely change times?
123. When does observation risk becoming unauthorized surveillance?

124. How should a server respond when identity is suspected but not reliably established?
125. What is the strongest way to report possible evasive conduct?

## Chapter 15: Apartments, Gated Communities, and Secured Buildings

Multi-unit and access-controlled properties create two separate problems: finding the correct unit and reaching it lawfully. A gate, leasing office, concierge, or controlled lobby may provide useful information, but none automatically changes who can receive service or gives a private server special entry rights. Preparation and precise access notes are essential.

**Field Rule:** Confirm three things separately: the correct property, the correct unit, and lawful access to the resident's normal entrance. A correct gate address does not prove the target lives in a particular unit or authorize delivery to property staff.

### 15.1 Identify the Property Before Arrival

Confirm the official property name, street address, building number, unit, entrance, gate location, leasing-office address, visitor parking, and access hours. Large complexes may have several phases, duplicate building numbers, multiple gates, or a leasing office on a different street.

Review current maps and property information, but expect conditions to change. Record the source and date. Navigation pins frequently lead to a rear gate, emergency entrance, or building center rather than the public visitor entrance.

### 15.2 Verify the Unit Format

Determine whether the unit number encodes a building, floor, wing, or phase. Unit 1204 may mean Building 12, Unit 04 at one complex and twelfth floor, Unit 04 at another. Do not guess from a map or deliver to a similarly numbered door.

At the property, compare directories, building signs, floor indicators, door numbers, and the assignment. If the unit does not exist or the numbering system conflicts with the work order, document the discrepancy and obtain clarification.

**New Server Mistake:** Finding Apartment 204 in the first building and assuming it is the only 204. Many complexes repeat unit numbers by building.

### 15.3 Use the Normal Visitor Entrance

Begin at the visitor gate, call box, guard station, leasing office, concierge desk, or public lobby designated for guests. Park only in lawful visitor or public spaces and keep a safe exit. Follow neutral sign-in and security screening procedures when they do not require deception or unauthorized disclosure.

Do not enter through a resident-only garage, loading dock, pool gate, emergency exit, service corridor, package room, or employee entrance simply because it is open. An unlocked door is not necessarily a public entrance.

### 15.4 Call Boxes and Intercoms

Search the directory carefully and record the displayed name or code only when relevant. Call the listed unit or target, identify yourself truthfully, and state that you have legal documents. Avoid broadcasting case details where other residents can hear.

If an unidentified person answers, ask for the target and record the exact response. A remote unlock may authorize ordinary visitor entry for that contact, but it does not establish the speaker's identity or authorize entry into other restricted areas.

### 15.5 Leasing Offices and Property Managers

Leasing staff may confirm property layout, building location, visitor procedure, or whether the target is associated with a unit when policy permits. They may decline to provide resident information. Remain professional and ask only narrow questions necessary for the attempt.

A property manager, leasing agent, or maintenance worker is not automatically authorized to accept personal service for a resident. Do not leave the packet at the office unless the governing law or a signed court order clearly authorizes that recipient and location.

**Professional Script:** I am a certified process server seeking Jordan Smith at Unit 1204. I am not asking for private lease documents. Can you direct me to the normal visitor entrance for that building or contact the resident for me?

### 15.6 Guards, Concierges, and Front Desks

Identify yourself and the target, present professional identification when reasonably requested, and ask whether the desk can contact the resident or permit lawful visitor access. Do not demand that security escort you, reveal access codes, or force the resident to appear.

If access is denied, record the employee's name or description, employer or role, time, desk or gate location, exact reason stated, procedure offered, calls made, and whether the target's association or presence was confirmed. A security denial is not proof that the target was absent.

### 15.7 Do Not Tailgate

Do not follow a resident's vehicle through a closing gate, slip behind a person through a locked lobby door, borrow a credential, use a delivery code not issued to you, or ask another resident to defeat the access system. These acts create safety, trespass, and credibility risks.

If a resident voluntarily holds a normal visitor door open, consider the signs, property rules, instructions already given by staff, and whether entry is genuinely open to visitors. When access has been expressly denied or marked resident-only, do not use another person's entry to bypass it.

**Field Rule:** Lawful persistence means trying the authorized visitor procedures and reporting the result—not defeating the security system.

## 15.8 High-Rise Buildings

High-rises may require lobby registration, resident approval, elevator credentials, floor-specific access, or an escort. Confirm the unit and floor before entering the elevator. Do not select another floor and use stairs to bypass an elevator restriction.

At the unit, use the normal entrance and protect privacy in the shared hallway. Keep the packet face down or covered and avoid discussing allegations within hearing of neighbors, staff, or cameras.

## 15.9 Condominiums and Owner-Occupied Units

A condominium may be governed by an owners' association while individual units are separately owned, leased, or occupied. Association staff, board members, and management companies do not automatically have authority to accept service for a unit owner or resident.

Records identifying an owner may support location research but do not prove current occupancy. Distinguish owner, tenant, guest, property manager, and registered agent in the notes and return.

## 15.10 Student Housing, Senior Communities, and Mixed-Use Properties

Specialized communities may have privacy, safety, visitor, health, and resident-support procedures. Follow lawful facility rules without asking staff to disclose protected information or make legal decisions. A parent, roommate, caregiver, resident assistant, or facility employee is not automatically an authorized recipient.

Mixed-use buildings may share an address among retail, offices, parking, and residences. Record the tower, entrance, floor, and unit so the attempt can be reconstructed accurately.

## 15.11 Package Rooms, Mailrooms, and Lockers

Do not place service papers in a package room, parcel locker, mailbox, mail slot, or management mail area unless the signed order or governing law expressly authorizes that method. Delivery systems designed for packages do not automatically create lawful process-service authority.

Never access a resident's mailbox or locker, use another person's code, scan a label for private information, or mark a legal packet as an ordinary delivery to obtain entry.

### **15.12 Contact With Other Residents**

Neighbors may know whether the target lives there or when the target is usually present. Ask concise questions and disclose no more than necessary. Record the source, exact words, unit or location, and apparent basis of knowledge.

Do not recruit a neighbor to carry the packet, watch the target, share a gate code, or lure the resident outside. Do not knock on many units or announce the target's legal matter throughout the building.

### **15.13 Service in Common Areas**

If the target is lawfully encountered in a lobby, hallway, parking area, courtyard, or other common space, identity and personal delivery may be completed there. The target does not have to stand inside the unit.

Maintain personal space and do not block elevators, vehicles, doors, or pedestrian paths. Record the exact common-area location, how identity was established, communication, delivery, witnesses, and any refusal placement.

### **15.14 Multiple Occupants and Subtenants**

A person answering the unit door may be a spouse, roommate, family member, guest, subtenant, short-term renter, caregiver, or new occupant. Ask for the target and record the person's stated relationship and exact information.

Do not assume that another adult can accept personal service. If the person states the target moved, ask concise follow-up questions about timing, forwarding information, and the speaker's basis of knowledge. Report the statement rather than adopting it as proven fact.

### **15.15 No Answer at the Unit**

Record the building and unit, arrival and departure time, knocking or ringing, doorbell response, sounds, movement, posted notices, packages, visible occupancy indicators, and access path. Do not photograph through peepholes or windows or handle property.

Do not leave ordinary papers at the door after no answer without specific authority. A successful trip through a gate does not convert an unsuccessful unit attempt into substitute service.

### **15.16 Alternative-Service Orders at Secured Properties**

Audit the signed order for the exact unit, recipient, age, door, main entry, attachment location, mailing, and electronic steps. If the order says the front door of Unit 1204, a community gate, leasing-office door, call-box panel, or building lobby is not equivalent.

When security prevents access to the ordered location, document the barrier and contact the client. Do not attach the packet to the outer gate or hand it to a guard unless the order expressly permits that method.

**Stop and Confirm:** If a court order cannot be executed literally because the authorized door is behind a barrier you may not lawfully pass, report the facts and request a revised strategy. Do not invent a substitute for the court's substitute method.

### 15.17 Fire, Emergency, and Safety Systems

Never prop open a fire door, block a gate, disable a lock, enter through an emergency exit, misuse an alarm, or interfere with security equipment. Do not remain in a garage vehicle lane or stand where a gate may close on you.

Follow evacuation, weather, medical, and law-enforcement instructions immediately. An active emergency suspends the attempt; it does not create an opportunity for access.

### 15.18 Documenting Access Denial

A strong access-denial note includes the property and unit, exact entrance, time, physical barrier, signs, visitor procedure attempted, call-box or phone result, staff identity or description, statements, target association information, and any alternative procedure offered.

Photograph the address or barrier when lawful and useful, without capturing unrelated residents or access codes unnecessarily. Explain what you could and could not reach; do not state that the entire property was inaccessible when only one entrance was checked.

### 15.19 Planning the Next Attempt

Use the access facts to plan: staff hours, another visitor gate, a time when the resident may answer the intercom, updated unit confirmation, a workplace attempt, client contact with property counsel, or a due-diligence affidavit for alternative service.

Do not repeat the identical denied-entry attempt without a reason. Tell the client when lawful access is the central obstacle so counsel can decide whether additional evidence or court authority is appropriate.

## Chapter 15 Secured-Property Checklist

- I confirmed the property, phase, building, floor, unit, and normal visitor entrance.
- I understood the unit-numbering system and did not assume duplicate units were interchangeable.
- I used lawful visitor procedures at the gate, call box, leasing office, concierge, and security desk.
- I did not tailgate, borrow credentials, use a false delivery story, or bypass access controls.
- I did not assume property staff, neighbors, roommates, or caregivers could accept service.

- I protected resident privacy in offices, lobbies, hallways, and shared areas.
- I did not use mailrooms, package rooms, lockers, or mailboxes without express authority.
- Any common-area personal service includes exact identity, location, communication, and delivery facts.
- A substitute-service order was executed only at the exact authorized location and by the exact method.
- Access denial is documented through barriers, procedures, contacts, statements, and limits.
- The next attempt or strategy responds to the actual access obstacle.

## Knowledge Check

126. Why must the property, unit, and lawful access be confirmed separately?
127. What should be documented when a concierge or guard denies access?
128. Why is tailgating through a controlled entrance improper even when the target lives inside?
129. Can a leasing manager automatically accept personal service for a resident?
130. What should a server do when the ordered unit door is behind an inaccessible controlled lobby?

## Chapter 16: Hospitals, Jails, Rehabilitation Facilities, and Sensitive Locations

Sensitive facilities combine controlled access, vulnerable people, privacy obligations, and strict safety procedures. The server's role remains narrow: identify the correct person, use a lawful method, follow legitimate facility controls, avoid disrupting care or custody, and document what actually occurred. Certification does not create a right to enter a restricted treatment or correctional area.

**Field Rule:** Coordinate first, disclose only what is necessary, and never treat a staff member's possession of the packet as personal service on the target unless the governing authority permits that recipient or the target actually receives the papers.

### 16.1 Identify the Person, Facility, and Legal Task

Before traveling, confirm the target's full name, date of birth or booking identifier when lawfully supplied, the facility's exact name and campus, unit or housing location if known, and whether the person is a patient, resident, detainee, inmate, employee, or visitor. Similar names and transfers are common.

Review the papers to determine the required recipient and method. A citation directed to an individual is different from process directed to a hospital entity, county, agency, guardian, or registered agent. Do not let the location change the named legal target.

## 16.2 Confirm the Process Is Within Your Authority

Texas Rule of Civil Procedure 103 permits certified process servers to serve many forms of civil process, but process requiring the taking of possession of a person, property, or thing is reserved to a sheriff, constable, or another person authorized by law. Read the command before accepting or attempting the job.

**Stop and Confirm:** If the document commands arrest, commitment, seizure, attachment, turnover, or physical custody, stop and obtain legal or client confirmation. A private server should not infer authority from the document's label alone.

## 16.3 Coordinate Before Arrival

Call the facility's public number and ask for its legal-process, risk-management, security, administration, records, visitation, or classification procedure. Record the number called, date and time, employee's name or identifier, instructions, required identification, appointment window, packet restrictions, and delivery location.

Coordination is not a request for staff to decide whether service is valid. It is a way to learn the lawful access procedure and avoid an unnecessary trip, security incident, or interruption of care.

## 16.4 Use Minimum Necessary Information

State that you have legal documents for the named person and provide only identifiers needed to locate the correct individual. Do not describe allegations, diagnoses, treatment, criminal history, family circumstances, or case details to uninvolved staff, patients, residents, visitors, or other inmates.

Facility staff may refuse to confirm that a person is present. Do not demand protected records or claim a right to medical information. Ask whether the facility has a process for routing legal documents or whether its legal department can speak with you.

## 16.5 Hospitals and Medical Campuses

Enter through the public visitor entrance and report to security, reception, or the designated legal office. Present professional identification when reasonably requested. Do not enter clinical areas, staff corridors, pharmacies, operating areas, or locked units without express facility permission and an escort when required.

A hospital may have several towers, emergency departments, outpatient buildings, and separately operated entities. Record the campus, building, entrance, desk, floor, and department actually contacted.

## 16.6 Emergency Departments, Intensive Care, and Active Treatment

Medical care takes priority. Do not interrupt resuscitation, examination, medication, transport, surgery preparation, or a confidential clinician conversation. If staff reports that contact would endanger or materially interfere with treatment, record the statement and request a lawful later time or designated procedure.

Do not pressure a nurse or physician to disclose a diagnosis or make a legal conclusion. The useful field question is whether a safe, authorized personal contact can occur now and, if not, what procedure the facility offers.

## 16.7 Capacity, Consciousness, and Communication

A process server does not diagnose capacity. Observe and record objective facts: whether the person was awake, responsive, able to identify themselves, able to communicate, under active treatment, or reported unavailable by identified staff. Avoid labels such as incompetent, intoxicated, or mentally ill unless quoting a source and the statement is necessary.

If the person cannot respond, appears unconscious, is in acute distress, or cannot safely receive the packet, do not manufacture completion by placing papers on a bed or handing them to nearby staff. Withdraw, notify the client, and request instruction appropriate to the required method.

## 16.8 Privacy in Patient Areas

Keep documents covered and conversations quiet. Do not photograph patients, wristbands, room boards, charts, computer screens, medication, or other protected information. A room number or confirmation learned during the attempt should be recorded only as needed for the service file and not shared casually.

**New Server Mistake:** Announcing the lawsuit at a busy nurses' station or showing the pleading caption to everyone at the desk. Ask for private assistance and reveal only the target's name and the minimum locating information.

## 16.9 Nursing Homes and Assisted-Living Facilities

Use the public entrance and check in with administration or reception. Residents may have mobility, hearing, vision, cognitive, or communication limitations, but age or residence alone does not establish incapacity. Speak respectfully to the named person and accommodate ordinary communication needs without asking staff to answer for the resident.

A caregiver, family member, receptionist, or facility administrator is not automatically authorized to accept personal service for a resident. If a guardian or other representative is named in the process, verify the exact recipient and method before delivery.

## 16.10 Jails, Prisons, and Detention Centers

Confirm whether the person is in custody and at which facility using authorized public or client-provided information. Booking, transfer, release, court transport, medical housing, and classification changes may occur quickly. Record the identifier searched, source, time, and result.

Contact the facility's legal-process, records, visitation, or administration unit before arrival. Ordinary visitor procedures may not be the process-service procedure. Bring only permitted identification and documents, and follow screening, parking, dress, property, envelope, staple, and paper limits.

## 16.11 Correctional Security Rules

Do not bring a weapon, prohibited device, recording equipment, sealed object, food, medication, cash, or other restricted property into a secure area. Never conceal items in the packet, remove required security markings, or describe the papers as privileged mail unless that classification is accurate.

Do not photograph gates, control rooms, staff credentials, inmate movement, security equipment, or restricted layouts. Follow instructions about phones, keys, bags, lockers, escorts, and evacuation immediately.

## 16.12 Personal Delivery to a Person in Custody

Determine how the facility allows the named person to be brought to a legal-visitation area or to receive papers. Establish identity through facility confirmation and the target's response when possible. Record whether you personally saw the target, what was said, how the papers reached the target, and who witnessed the exchange.

Do not report personal service merely because an officer, mailroom, records clerk, or front-desk employee accepted the packet for routing. If facility policy allows only an intermediary, obtain the employee's name and role, receipt or tracking information, and exact explanation, then consult the client about whether the required legal method has been satisfied.

## 16.13 Transfer, Release, and Court Movement

When told that the person transferred, was released, or is temporarily away, ask for only information the facility may lawfully provide: effective date, destination facility, expected return, public booking source, or department to contact. Identify the speaker and distinguish confirmed records from belief or rumor.

Do not assume that an old public roster proves current custody. Recheck close to the attempt and tell the client promptly when a deadline may be affected.

### **16.14 Rehabilitation, Detoxification, and Behavioral-Health Facilities**

These facilities may protect their locations and resident information because disclosure can create safety risks. Contact administration or the legal department, identify your narrow purpose, and follow the authorized visitor procedure. Do not pose as family, treatment staff, law enforcement, a delivery driver, or an emergency contact.

Do not interrupt therapy, group sessions, medication distribution, intake, detox monitoring, crisis response, or confidential counseling. If direct contact is temporarily unsafe, document the reason given and request an authorized time or client instruction.

### **16.15 Minors, Guardians, and Authorized Representatives**

When the named person is a minor or the papers identify a guardian, conservator, parent, superintendent, agency, or other representative, read the citation and governing instructions carefully. Do not choose a substitute recipient based only on family relationship or facility employment.

Protect the minor's identity and location. Do not question children about a parent's schedule, treatment, custody status, or room assignment, and do not use a child to carry papers into a restricted area.

### **16.16 Staff Refusal and Access Denial**

Remain calm and ask for the governing procedure, supervisor, legal department, alternative appointment, or written policy when available. Do not argue that certification overrides facility security, threaten staff, block operations, or attempt another entrance after an express denial.

Record the facility, entrance, desk, date and time, employee identity or description, exact words, stated policy, identity documents shown, calls made, target information confirmed or withheld, alternative offered, and departure time. An access denial is not proof of the target's absence or evasion.

### **16.17 Rejected or Restricted Packets**

A facility may reject staples, clips, bindings, photographs, plastic, envelopes, excess pages, contraband-like material, or documents lacking identifying information. Learn the restriction before arrival when possible. Do not alter, detach, summarize, or omit court papers without client authorization.

If a required packet cannot pass screening intact, retain control of it, document the restriction, and contact the client. Never leave loose pages in a public lobby or unsecured drop box unless the governing authority expressly permits that delivery method.

## 16.18 Emergencies and Personal Safety

An evacuation, lockdown, medical emergency, disturbance, transport movement, or law-enforcement command ends or suspends the attempt. Move where directed, keep hands visible in secure settings, and do not interfere with responders or custody staff.

Report threats, accidental exposure to bodily fluids, injury, lost identification, separated documents, or security detention promptly under company procedure. Preserve objective notes and do not speculate about fault.

## 16.19 Writing the Attempt or Return

The return should state only a completed method that the server can support. The field report may add facility contacts, access procedure, identity sources, staff statements, treatment or custody limitations stated without unnecessary detail, packet routing, receipt numbers, and unresolved legal questions.

Separate what you personally observed from what staff reported. Use quotations for important statements and identify the speaker's role. Avoid conclusions such as service refused by hospital or inmate served through jail when the facts show only that a packet was rejected or accepted for internal routing.

## Chapter 16 Sensitive-Facility Checklist

- I confirmed the named person, exact facility, campus or unit, and legal recipient.
- I read the command and confirmed that the process is within a private server's authority.
- I contacted the facility and recorded its legal-process and security instructions.
- I disclosed only the information necessary to locate the correct person.
- I did not interrupt treatment, counseling, emergency response, custody movement, or facility operations.
- I did not demand medical records, diagnoses, confidential housing data, or protected information.
- I followed identification, screening, property, recording, packet, and escort rules.
- I did not assume staff, caregivers, officers, or family members could accept personal service.
- If an intermediary received papers, I documented the full chain and did not overstate completion.
- Transfer, release, incapacity, denial, or rejection information identifies its source and time.
- My return states only facts and a method I can personally support.

## Knowledge Check

131. Why should a server contact a hospital or correctional facility before arrival?
132. What should a server do when treatment staff says personal contact is unsafe at that time?
133. Does delivery to a jail's front desk automatically establish personal service on an inmate?
134. What information belongs in an access-denial report at a sensitive facility?

135. Why must a server review process that may require taking possession of a person or property?

## Chapter 17: Subpoenas and Special Instructions

A subpoena is a command backed by the court's authority. It may require a person to attend a trial, hearing, or deposition; produce documents or tangible things; permit inspection; or perform a combination of authorized acts. The server does not interpret the command for the witness, negotiate compliance, or repair defects. The server verifies the packet, completes lawful delivery, tenders any required fee, and creates precise proof.

**Field Rule:** Treat the subpoena, witness fee, required notices, attachments, and special instructions as one controlled assignment. A perfect delivery cannot cure a missing document, wrong witness, expired deadline, or unauthorized command.

### 17.1 Begin With an Exact Packet Audit

Identify the issuing court, cause number, style, issuing attorney or clerk, commanded person or organization, appearance or production date, time, place or remote method, requested materials, and every attachment. Compare the original electronic packet with the service copy page by page.

Check whether the subpoena bears the required court information, command, issuing signature, and notice language. Confirm that names, dates, locations, and attachments agree with the work order. Report discrepancies before an attempt; do not edit the subpoena yourself.

### 17.2 Who May Issue and Who May Serve

Under Texas Rule of Civil Procedure 176, a subpoena may be issued as authorized by the rule, including by the clerk, an attorney authorized to practice in Texas, or an authorized deposition officer in the circumstances stated by the rule. Issuance and service are separate acts.

A subpoena may be served by any person who is at least eighteen years old and not a party to the action. The assignment must still comply with certification, court, employer, and jurisdictional requirements that apply to the server.

### 17.3 Identify the Type of Command

- Attendance at a trial or hearing.
- Attendance at an oral deposition.
- Attendance at a deposition on written questions.
- Production of documents, electronically stored information, or tangible things.
- Inspection of premises or property when authorized.

A single subpoena may contain more than one command. Read the entire document and all referenced notices so the field report accurately describes what was delivered without attempting to summarize the witness's legal duties.

## 17.4 Discovery Subpoenas and Nonparties

Discovery from a nonparty is governed not only by Rule 176 but also by the applicable discovery rules, including Rule 205. The subpoena cannot be used to avoid notice, timing, scope, and protection requirements that would otherwise apply.

The process server is not responsible for deciding whether discovery is proper. Obvious conflicts - such as a production date that has passed, a missing referenced notice, or instructions that do not match the subpoena - should be reported to the client before service.

## 17.5 Geographic Limits

Rule 176 limits where a person may be commanded to appear or produce. The rule includes a 150-mile limit measured from where the person resides or is served, together with command-specific location rules. The exact analysis depends on the event and command.

**Stop and Confirm:** If the commanded place appears more than 150 miles from the target's residence or proposed service location, or the subpoena requires attendance in an unexpected county or state, stop and ask the issuing attorney to review it. Do not promise the witness that the subpoena is valid or invalid.

## 17.6 Deadline and Timing Control

Record the service deadline supplied by the client and independently note the commanded date and time. Allow time for location research, repeated attempts, fee correction, and return preparation. Flag any assignment received close to the appearance, deposition, or production date.

Do not backdate service, alter an attempt time, or report completion before delivery occurs. If service becomes impossible within the requested window, tell the client immediately so counsel can decide the next step.

## 17.7 Witness Fees

Texas Rule 176 requires fees to be tendered when the witness is commanded to attend. Texas Civil Practice and Remedies Code section 22.001 generally provides a \$10 witness fee for each day a civil witness attends court, subject to statutory exceptions and the nature of the proceeding.

Confirm the correct amount, payee, form of payment, and whether the command requires attendance before leaving. Keep the fee with the packet and record the check number, money-order number, cash

amount, or other tender details. Never substitute personal funds or change the payee without authorization.

**New Server Mistake:** Leaving the subpoena but forgetting the required witness fee. A service report should state whether a fee was required, what was tendered, and how the tender occurred.

## 17.8 Method of Service

Rule 176 provides for service by delivering a copy of the subpoena to the witness and tendering any fees required by law. Plan for personal delivery to the named witness. Do not leave a subpoena with a spouse, coworker, receptionist, registered agent, or household member merely because that person accepts other legal papers.

If the subpoena names an organization through a custodian or specifically identified representative, follow the exact command and client instruction. Distinguish service on the organization from service on an individual employee.

## 17.9 Establishing the Witness's Identity

Use reliable facts such as self-identification, workplace role, facility confirmation, an identifying photograph with a documented source, or corroborating information. A matching name on a directory or mailbox is not enough by itself.

When serving a professional custodian, record the person's full name, title, employer, department, and stated authority. Do not choose a convenient employee when the subpoena commands a different person or capacity.

## 17.10 Refusal to Accept

Identify the witness, explain that the documents are a subpoena, and offer the complete packet and fee. If the identified witness refuses physical possession, remain calm, state that service is being made, and use only a lawful refusal-delivery procedure consistent with the governing authority and company policy.

Record the exact words, distance, placement, surface, packet condition, fee tender, witnesses, and whether the person retrieved or abandoned the materials. Never throw papers, force them into clothing or property, block movement, or create a confrontation.

## 17.11 Businesses and Custodians of Records

Ask for the person or office named in the subpoena, such as the custodian of records. Large organizations may route subpoenas through legal, compliance, privacy, records, risk-management, or registered-agent departments. Routing policy does not automatically change the required recipient.

If an authorized representative accepts, obtain the representative's full name, title, department, business address, date and time, and any receipt or tracking number. If staff accepts only for internal forwarding, report that limitation instead of describing personal service on the named custodian.

### **17.12 Medical, Financial, Educational, and Government Records**

Sensitive-record subpoenas may be accompanied by notices, authorizations, protective orders, affidavits, business-record questions, or other required material. The server should verify inclusion but should not inspect confidential records or advise the recipient about disclosure.

Use the institution's lawful legal-process channel and protect case information in public areas. Do not request account, patient, student, tax, employment, or law-enforcement data as part of locating the recipient unless specifically authorized and legally appropriate.

### **17.13 Depositions on Written Questions**

These assignments often contain a subpoena, notice, written questions, affidavit form, authorization or notice material, records instructions, and return envelope. Confirm the packet order and identify which pages must be served versus retained or returned.

Do not detach questions, fill in the custodian's affidavit, calculate compliance dates, or instruct the records office how to answer. Record the legal entity and human recipient with enough detail to reconstruct delivery.

### **17.14 Trial and Hearing Subpoenas**

Confirm the courthouse or remote proceeding, courtroom, judge, date, time, and commanded witness. A docket setting can change after issuance, so immediately report any conflict between the subpoena, assignment, and information supplied by the client.

Do not tell the witness that attendance is optional, that the case will settle, or that counsel will excuse the appearance. Direct questions about compliance, scheduling, accommodations, or release to the issuing attorney or court contact identified in the papers.

### **17.15 Special Instructions From the Client**

Special instructions may require a rush attempt, a particular entrance, advance telephone contact, a photograph of the address, a signed receipt, a specific fee instrument, immediate notice of service, or same-day return. Separate logistical instructions from the legal command.

Follow lawful instructions exactly, but do not follow an instruction that conflicts with the subpoena, court order, law, ethics, safety, or truthful reporting. Ask for clarification in writing when the instruction changes the recipient, packet, method, date, or proof.

### 17.16 Instructions Written on the Return

Some packets include a proposed return or affidavit with prefilled language. Read it before the attempt so you know what facts must be observed, but never let the form dictate facts that did not occur. Correct prefilled errors through the client's approved process.

Do not sign a statement that lists the wrong date, time, location, recipient, fee, method, or server. Do not notarize your own signature or sign before the service details are complete.

### 17.17 Objections, Motions, and Legal Questions

A witness may object that the subpoena is burdensome, confidential, untimely, geographically improper, or directed to the wrong person. The server should not debate the objection or promise an outcome. Complete lawful delivery when possible and direct the witness to the issuing attorney or their own counsel.

If the witness presents a court order, written agreement, notice of quash, or other document that may affect the attempt, photograph or copy it only with permission, record its title and source, and contact the client. Do not declare that service is cancelled without authority.

### 17.18 Service Outside Texas and Foreign Subpoenas

An out-of-state subpoena may require domestication, issuance under Texas procedure, or compliance with another jurisdiction's law. A Texas server should not assume that a foreign subpoena is directly enforceable merely because the witness is in Texas.

For service outside Texas, confirm the law of the place of service, server eligibility, fee, method, and proof requirements. Refer legal sufficiency questions to counsel and document the authority supplied with the assignment.

### 17.19 Proof of Subpoena Service

Rule 176 requires proof of service by filing either the witness's signed memorandum accepting service or the serving person's statement showing the date, time, and manner of service and the name of the person served. Complete the proof promptly in the required sworn or declaration format.

A strong field record also includes the complete location, identity basis, documents delivered, fee details, statements, refusal facts, witnesses, photographs, and client notification. Keep the formal proof concise and place operational detail in the field report when appropriate.

### 17.20 Failed Attempts and Rejected Delivery

For a failed attempt, record the address, arrival and departure, access, contact, identity information, statements, occupancy or employment facts, and next useful action. For a rejected packet, identify who

rejected it, the stated reason, missing requirement, and whether the packet and fee remained under your control.

Notify the client immediately when a deadline, incorrect entity, missing fee, geographic issue, transfer, closed office, or restricted facility may require a new subpoena or strategy. Repeated attempts should respond to the facts rather than repeat the same failure.

## Chapter 17 Subpoena Checklist

- I confirmed the court, cause number, issuing authority, witness, command, date, time, and location.
- The service copy includes every referenced notice, attachment, question, and instruction.
- I identified each command: attendance, testimony, production, inspection, or a combination.
- I flagged any apparent deadline, geographic, jurisdictional, or recipient problem.
- I confirmed whether a witness fee is required and controlled the correct instrument.
- I planned personal delivery to the named witness or exact authorized capacity.
- I did not substitute a coworker, spouse, receptionist, or convenient custodian.
- I kept legal advice and compliance negotiations outside my role.
- I followed lawful special instructions without changing the legal command.
- My proof states the true date, time, manner, person served, and fee tender.
- Any failed attempt or rejected packet was reported before the deadline was endangered.

## Knowledge Check

136. What items should be confirmed before the first subpoena attempt?
137. Who may serve a Texas civil subpoena under Rule 176?
138. When should a witness fee be tendered, and what details should be recorded?
139. Can a receptionist automatically accept a subpoena directed to an individual employee?
140. How should a server respond when a witness raises a legal objection to the subpoena?

## PART V — PROFESSIONAL PRACTICE

### Chapter 18: Safety, Ethics, and De-escalation

A process server works where conflict, fear, embarrassment, illness, financial pressure, and family disputes may already be present. The objective is not to win an argument or prove courage. The objective is to complete lawful work without deception, unnecessary confrontation, injury, privacy violations, or damage to the judicial process. Safety and ethics are not separate subjects: good ethical judgment usually reduces physical risk.

**Field Rule:** No service is worth an injury, arrest, trespass allegation, false return, or avoidable escalation. When lawful control of the encounter is lost, create distance, leave, document, and notify the client.

#### 18.1 Safety Begins Before the Attempt

Review the assignment for known threats, protective orders, violent history supplied by the client, aggressive animals, remote terrain, restricted facilities, prior confrontations, unusual access, and the target's likely schedule. Separate verified facts from warnings, assumptions, and internet rumor.

Plan the route, parking, lighting, weather, communication, and exit. Tell the dispatcher or another responsible person where you are going when company procedure requires it. Keep the charged phone accessible, but do not hold it in a way that looks like a weapon or recording threat.

#### 18.2 Conduct a Continuous Risk Assessment

Risk changes from the street to the gate, driveway, porch, lobby, hallway, and conversation. Observe traffic, lighting, blind corners, loose animals, open gates, damaged steps, weapons, intoxication, crowd behavior, and the position of your vehicle. Reassess after every new fact.

Use objective observations rather than stereotypes. Neighborhood, clothing, age, race, disability, language, housing type, or economic condition does not establish danger. Conduct and environment do.

#### 18.3 Park for a Safe and Lawful Exit

Park legally, avoid blocking driveways and traffic, and leave room to depart without reversing into danger when practical. Do not trap another vehicle or allow your own vehicle to be boxed in. Keep valuables and unrelated case files out of view.

At rural or isolated locations, note road conditions, gates, livestock, cellular coverage, and turnaround space before committing to a long driveway. An open gate does not erase trespass signs or create public access.

## 18.4 Maintain Distance and an Exit Path

Stand at an angle rather than directly crowding the doorway. Remain outside the swing of the door, avoid standing between an occupant and an exit, and keep a clear path back to a public or authorized area. Do not enter a residence merely because invited unless the assignment requires it and the situation is safe.

If additional people gather, the door closes behind you, or someone moves between you and the exit, reposition or leave. Distance gives everyone time to think and reduces the chance that ordinary movement will be misread.

## 18.5 Hands, Identification, and Professional Appearance

Keep hands visible, movements slow, and identification accessible. Carry only the packet and tools needed for the attempt. Professional clothing and identification may reduce uncertainty, but do not wear or display anything that suggests police authority, a court officer, or another role you do not hold.

Under current JBCC rules, a certified server must not misrepresent the source of certification or create a misleading impression of authority. Describe yourself accurately as a JBCC-certified Texas process server when that description is relevant.

## 18.6 The First Ten Seconds

Use a calm voice, ordinary volume, neutral expression, and short introduction. Ask for the named person without announcing allegations. When identity is established, explain that you have legal documents and complete delivery without a speech about consequences.

**Professional Script:** Good afternoon. My name is Oleg. I am a certified process server, and I have legal documents for Jordan Smith. Are you Jordan Smith?

## 18.7 De-escalation Through Simplicity

People under stress process less information. Use short sentences, one question at a time, and a steady pace. Allow a brief pause for the person to respond. Avoid sarcasm, commands that are not legally necessary, rapid repetition, legal jargon, and arguments about fairness.

Acknowledge emotion without agreeing to false facts: I understand that this is upsetting. I cannot explain the case, but the attorney's information is in the papers. Then return to the narrow task or end the encounter.

## 18.8 Do Not Debate the Lawsuit

The target may insist that the debt is paid, the case is false, the name is wrong, the attorney is corrupt, or the court lacks authority. The server should not evaluate the claim, defend the client, predict deadlines, or tell the person what to file.

State that you cannot provide legal advice and direct the person to the documents, court, issuing attorney, or independent counsel. The server's neutrality protects the recipient, client, and return.

## 18.9 Refusal Without Confrontation

A refusal is a delivery problem, not a personal challenge. Once identity is reliably established, clearly identify the papers and offer them. If the person refuses, use only a lawful refusal-delivery method and document the exact words, placement, distance, and subsequent conduct.

Do not chase, grab, touch, corner, block a door or vehicle, throw papers, force entry, or prolong the exchange to obtain a dramatic reaction. A brief controlled refusal is stronger evidence than a long hostile encounter.

## 18.10 Warning Signs to Withdraw

- A weapon is displayed, referenced as a threat, or handled unpredictably.
- A person closes distance after being asked to stop or blocks the exit.
- Threats become specific, repeated, or accompanied by aggressive movement.
- Several people surround the server or attempt to take the phone, identification, or packet.
- The server discovers an active disturbance, severe intoxication, crisis, fire, medical emergency, or law-enforcement operation.
- The server is ordered to leave property by a person with apparent authority and has no clear lawful basis to remain.

Withdrawal does not require proving that a crime occurred. Leave early enough to avoid testing whether the warning becomes an assault.

## 18.11 Weapons

If a weapon is visible, do not reach suddenly, point at it, argue about rights, or attempt to disarm anyone. Increase distance, keep hands visible, use a calm voice, and leave when possible. Call emergency services from safety when there is an immediate threat.

A server who lawfully possesses a weapon must still comply with all licensing, property, court, facility, employer, and client restrictions. A weapon is not a persuasion tool and should never be displayed to gain cooperation with service.

**Stop and Confirm:** Never enter a courthouse, jail, school, hospital unit, government building, posted property, or other controlled location with a prohibited item. Check the rules before arrival.

## 18.12 Dogs and Other Animals

Do not enter a yard with a loose or uncertain animal. Remain outside the barrier, contact the occupant, and ask that the animal be secured. Do not rely on statements that an approaching dog does not bite, and do not place a hand through a gate or door opening.

If an animal approaches aggressively, avoid sudden running when that would increase danger, use available barriers, return to the vehicle or safe area, and contact emergency or animal-control services when necessary. Document the animal, barrier, warnings, and access limit without exaggeration.

## 18.13 Children and Vulnerable Adults

Do not use a child to lure an adult outside, carry the packet, reveal a schedule, open a gate, or provide private information. Keep case details away from children and do not question them beyond what is lawful, necessary, and professionally appropriate.

With elderly, disabled, ill, or distressed adults, adapt ordinary communication without assuming incapacity. Speak respectfully, allow time, and do not exploit confusion, hearing loss, mobility limits, or dependence on a caregiver.

## 18.14 Mental-Health, Substance, and Medical Crises

A server does not diagnose. Observe objective conduct such as confusion, incoherent speech, loss of consciousness, threats of self-harm, severe breathing difficulty, or inability to stand. Suspend service when continuing would create danger or interfere with urgent care.

Call emergency services when a reasonable person would perceive an immediate medical or safety emergency. Provide location and observable facts, not labels. Do not remain to investigate after responders take control.

## 18.15 Law-Enforcement Contact

If an officer contacts you, keep hands visible, identify yourself accurately, explain the narrow purpose, provide identification when lawfully required, and follow safety commands. Do not claim that certification gives police powers or a right to ignore an officer's direction.

A civil standby or advance call does not turn law enforcement into an escort or guarantee access. Record the agency, officer name or badge number when available, time, instruction, report number, and effect on the attempt.

### **18.16 Trespass, Harassment, and Surveillance Boundaries**

Leave after a clear demand when you lack a lawful basis to remain. Do not return repeatedly in a short period to punish, intimidate, or provoke. Attempts should be connected to legitimate service objectives, court requirements, and documented information.

Observation from a lawful location must remain proportionate. Do not peer through private windows, enter backyards or fenced areas without permission, track a person continuously, use hidden devices, or recruit neighbors to monitor the target. Persistence becomes a liability when it loses a legitimate service purpose.

### **18.17 Honesty and Accurate Authority**

Do not impersonate law enforcement, a delivery company, utility worker, government investigator, family member, customer, medical provider, or another person. Do not use a false emergency, fake package, misleading uniform, or deceptive credential to obtain access or identification.

Do not threaten arrest, contempt, default, immigration action, loss of children, seizure, or other consequences. Explain only that you are delivering legal documents and that questions should be directed to the appropriate legal source.

### **18.18 Accurate Returns and Evidence**

The JBCC Code of Ethics requires accurate, honest reporting. Never sign, submit, file, or swear to a false or misleading return; claim an attempt that another person made; change time or location; omit a failed identity issue; or describe papers as delivered when they were not.

Preserve original notes, photographs, dispatch records, and corrections according to policy. If an error is discovered, notify the client promptly and correct it transparently. Concealing a mistake creates a second and more serious problem.

### **18.19 Confidentiality and Privacy**

Use assignment information only for the service purpose. Do not discuss cases with friends, neighbors, unrelated clients, online groups, or family. Secure papers and electronic records, limit screen visibility, and dispose of duplicates through approved confidential methods.

Do not post body-camera clips, doorbell interactions, target photographs, pleadings, addresses, unusual stories, or successful evasive-service encounters on social media. Removing a name may not remove identifying context.

## 18.20 Conflicts, Gifts, and Improper Influence

Disclose any personal, family, financial, employment, or prior-case relationship that could affect neutrality or create an appearance of bias. Do not accept assignments in which personal involvement could influence identification, persistence, or reporting without client and company review.

Do not accept money, gifts, favors, or promises to delay, abandon, alter, or misreport service. Do not offer improper benefits to guards, staff, neighbors, or witnesses for access or information. Report attempted bribery or interference through the appropriate client and company channel.

## 18.21 Respect and Non-Discrimination

Treat every person with dignity regardless of race, color, national origin, language, religion, sex, sexual orientation, gender identity, disability, age, immigration status, housing status, criminal history, or role in the lawsuit. Use interpreters or accessible communication resources when authorized and practical.

Neutrality does not require tolerating abuse or danger. Set a calm boundary, end the contact, and document conduct without insults, stereotypes, or retaliatory language.

## 18.22 Incident Reporting

After a threat, injury, dog encounter, vehicle collision, police contact, property damage allegation, lost packet, accidental disclosure, or unusual refusal, move to safety and write contemporaneous notes. Record sequence, exact statements, distances, persons, evidence, calls, medical attention, and departure.

Notify the company and client at the level required. Preserve evidence and report criminal or emergency conduct to the appropriate authority. Do not edit recordings, coordinate stories, or publish the incident.

## 18.23 Recovery After a Serious Incident

Adrenaline can distort memory and judgment. After reaching safety, stop driving if necessary, regulate breathing, contact support, and write objective notes before discussing conclusions. Seek medical evaluation for injury, bites, exposure, chest pain, head impact, or significant distress.

A professional may need time away from field work, supervisory review, counseling, training, or a changed safety plan. Returning immediately to prove toughness can create another incident.

## Chapter 18 Safety and Ethics Checklist

- I reviewed known risks, route, weather, access, communication, and exit before arrival.
- I continuously assessed conduct and environment without relying on stereotypes.
- I parked lawfully, maintained distance, kept my hands visible, and preserved an exit path.
- I identified myself and my authority accurately without suggesting police or court-officer powers.

- I used short, calm, neutral communication and did not debate the lawsuit.
- I treated refusal as a documentation issue rather than a personal challenge.
- I withdrew from weapons, threats, blocked exits, crowds, emergencies, and loss of lawful control.
- I did not trespass, harass, conduct disproportionate surveillance, or use deceptive access tactics.
- I protected children, vulnerable adults, confidential information, and private case details.
- I rejected conflicts, gifts, bribes, discrimination, retaliation, and improper influence.
- My return, notes, photographs, and incident reports are complete, accurate, and preserved.

## Knowledge Check

141. Why are safety and ethics closely connected in process service?
142. What observable warning signs should cause a server to withdraw?
143. How should a server respond when the target wants to argue the merits of the lawsuit?
144. What should be documented after a threat, police contact, or other serious incident?
145. Why is posting an anonymized service encounter on social media still risky?

## Chapter 19: Working With Law Firms and Process-Serving Companies

The field attempt is only one part of professional process service. Law firms and forwarding process-serving companies also depend on accurate intake, predictable communication, deadline control, secure document handling, prompt escalation, and court-ready proof. A server who communicates well reduces uncertainty for attorneys, paralegals, docketing teams, clients, and courts.

**Field Rule:** Never make the client chase you for basic status. Confirm receipt, disclose problems early, report every attempt promptly, and close the assignment with accurate proof and a clear final status.

### 19.1 Understand the Client Relationship

The direct client may be a law firm, government office, corporation, insurer, collection agency, or another process-serving company. The underlying litigant is not automatically your direct client. Follow the authorized communication chain and protect information from unauthorized parties.

Know who may give instructions, approve additional attempts or fees, change an address, request an affidavit, or cancel service. Record the primary contact and backup contact before a deadline becomes urgent.

### 19.2 New-Client Verification

Before accepting substantial work, verify the business identity, contact information, billing arrangement, and authorized representative. Use professional email domains, public firm records, known referral

sources, or a direct office call when appropriate. Be cautious with urgent requests from unfamiliar personal accounts or instructions that change payment or document destinations.

A legitimate assignment still may present a conflict, safety concern, prohibited service, unrealistic deadline, or payment risk. Client verification does not replace assignment review.

### 19.3 Conflict and Independence Check

Determine whether you are a party, have a personal interest, previously represented or assisted an opposing side, know the target in a way that affects neutrality, or possess confidential information from another matter. Disclose material conflicts before accepting.

A forwarding company does not eliminate the server's independent duty to follow law, ethics, and truthful reporting. Decline instructions that would require deception, trespass, false statements, or an inaccurate return.

### 19.4 Assignment Intake Is a Contract-Control Point

Confirm the defendant or witness, document type, issuing jurisdiction, cause number, service address, deadline, service level, number of authorized attempts, special instructions, fee, payment status, return format, and reporting method. State what is included and excluded.

Do not begin from an incomplete email thread when a formal work order exists. Resolve conflicts between the work order, attached papers, portal, and later message in writing.

### 19.5 Acknowledge Receipt

Send a concise acknowledgment stating that the assignment and documents were received, whether they passed initial review, the accepted service level, the address, and any missing item. An acknowledgment is not completion and should not promise a result that depends on the target.

**Professional Script:** Assignment received for Jordan Smith at 123 Main Street. Routine service accepted today. The first attempt will be made within the agreed service window. I will report each attempt and notify you immediately of any issue affecting the deadline.

### 19.6 Define the Service Level

Terms such as routine, regular, priority, rush, same day, stakeout, or special handling have no universal meaning. Define the first-attempt window, overall completion window, attempt count, geographic limits, after-hours availability, and included proof.

Do not convert a routine assignment into rush work silently or accept a rush fee without capacity to perform. Tell the client before acceptance when travel, printing, facility scheduling, or a remote address changes the timeline.

## 19.7 Deadline Control

Record the legal or client deadline separately from the internal target date. Build time for printing, research, attempts, client decisions, return execution, notarization when required, and filing or delivery. Flag same-day, next-day, weekend, holiday, and out-of-area deadlines immediately.

A due date in a portal does not replace reading the citation, subpoena, order, or client instructions. When dates conflict, ask the authorized contact to resolve them.

## 19.8 Document and Packet Control

Maintain a complete service copy and identify which papers must be delivered, retained, returned, or filed. Protect originals, witness fees, checks, exhibits, confidential records, and sealed material. Do not combine packets from different defendants or cases.

Use a final page-count and caption check before dispatch. If a file is corrupted, illegible, incomplete, password-protected, or too large to print correctly, stop and request a replacement.

## 19.9 Special Instructions

Read all instructions before the first attempt: authorized hours, gate procedure, photograph requirements, identity information, status deadlines, alternate addresses, workplace restrictions, fee tender, or requested affidavit language. Separate useful field information from legal conclusions.

Confirm any instruction that changes the named recipient, delivery method, packet, deadline, or court-ordered procedure. Do not improvise based on a casual message from an unauthorized person.

## 19.10 Status After Every Attempt

Report the date, arrival time, departure when material, exact address, access, contact, statements, identity information, observed facts, result, and recommended next action. Use neutral facts and distinguish personal observations from third-party statements.

Send updates through the agreed channel and within the agreed time. A portal entry, email, and text may serve different purposes; avoid creating contradictory versions.

**New Server Mistake:** Writing only no answer. The client needs enough information to evaluate diligence, plan the next attempt, and support a future affidavit.

## 19.11 Escalate Problems Early

Notify the client when the address is bad, deadline is threatened, target moved, facility requires an appointment, access is repeatedly denied, packet appears defective, witness fee is missing, identity is uncertain, safety incident occurs, or the authorized attempt count is nearly exhausted.

State the facts, consequence, and available choices. Do not conceal a problem while hoping the next attempt will repair it.

### **19.12 Changes and Additional Work**

Obtain authorization before adding an address, distant travel, extended wait, surveillance, skip tracing, printing charge, notary expense, special courier, additional attempt, or rush upgrade when it falls outside the accepted scope. Record who approved it and when.

An address supplied after acceptance may restart or change the service window. Tell the client clearly rather than silently applying the original deadline to different work.

### **19.13 Cancellations and Holds**

A hold pauses attempts but does not necessarily cancel the assignment. Confirm the effective time, packet disposition, deadline consequence, fee treatment, and person authorized to release the hold. A cancellation should also be confirmed in writing.

If cancellation arrives while the server is at the address or after completion, preserve timestamps and report exactly what occurred. Do not alter a valid service event to match a late cancellation.

### **19.14 Working for a Forwarding Company**

A forwarding company may impose its own portal, affidavit template, photo rules, attempt cadence, invoice procedure, and client-communication restrictions. Learn them before dispatch. Do not contact the forwarding company's law-firm client directly unless authorized.

Keep your own complete records even when entering data into another company's system. Download or preserve accepted work orders, updates, proof, and payment records according to the agreement and confidentiality policy.

### **19.15 Subcontracting and Backup Servers**

Do not reassign work unless the client agreement permits it. Verify the substitute server's eligibility, certification when required, location, availability, insurance or business requirements, and ability to follow the exact instructions.

Transfer the complete packet and known attempt history securely. The person who made the attempt must provide first-person facts and sign the appropriate proof. Never sign for another server or merge observations as though one person witnessed everything.

### **19.16 Quality Control Before the Return**

Compare the proposed return with the citation, work order, notes, photographs, and status reports. Confirm court, cause number, style, recipient, capacity, date, time, address, method, documents, server identity, certification information, signature, and notarization or declaration language.

Correct inconsistencies before delivery or filing. A fast affidavit that conflicts with the status history creates more work than a careful review.

### **19.17 Affidavit Requests and Amendments**

Law firms may request a detailed affidavit of due diligence, alternative-service support, identity narrative, vehicle observation, access history, or corrected return. Use first-person facts from contemporaneous records and clearly identify information learned from other sources.

An amendment may clarify or correct; it must not invent diligence or strengthen the case by changing history. Preserve the original version, explain the correction, and obtain the actual server's signature.

### **19.18 Filing and Delivery Responsibility**

Confirm whether the server, process-serving company, law firm, or e-filing provider will file the return. Rule 107 permits filing methods recognized by the court, but the assignment controls who performs the administrative step.

When responsible, record the submission date, court, envelope or transaction number, acceptance or rejection, and final filed copy. A return sent to the client is not necessarily filed with the court.

### **19.19 Confidentiality and Cybersecurity**

Use secure portals and authorized accounts, verify recipients before sending, protect passwords and multifactor authentication, and avoid public wireless networks for sensitive transfers when practical. Do not place pleadings or personal identifiers in an unprotected subject line.

Report misdirected email, compromised credentials, lost devices, exposed documents, or suspicious payment instructions immediately. Do not hide a security incident because the recipient promises deletion.

### **19.20 Billing Handoff**

The operational file should support the invoice: accepted service level, addresses, attempts, approved extras, mileage or wait time when applicable, printing, witness fees, cancellation terms, and completion date. Billing descriptions should be clear without revealing unnecessary confidential detail.

Resolve fee questions professionally and keep proof of authorization. Do not withhold a legally required or already-promised return as leverage without reviewing the agreement and applicable duties.

### 19.21 Mistakes and Service Recovery

When an error occurs, determine the facts, protect any deadline, notify the authorized contact, propose a correction, and document the outcome. Do not blame a receptionist, software, subcontractor, or client before the evidence is reviewed.

A prompt truthful response can preserve trust. Delay, defensiveness, or altered records usually makes the damage worse.

### 19.22 Building a Reliable Client Relationship

Reliability means consistent acceptance decisions, realistic timelines, useful attempts, prompt updates, defensible affidavits, secure handling, and predictable billing. Attorneys value a server who identifies a problem before it becomes a hearing problem.

Ask for feedback, learn the client's formatting and communication preferences, and maintain boundaries. Professional availability does not require accepting every impossible deadline or answering nonurgent messages at all hours.

## Chapter 19 Client-Work Checklist

- I verified the client, authorized contact, communication chain, billing arrangement, and conflicts.
- I confirmed the recipient, documents, address, deadline, service level, attempts, fee, and return format.
- I acknowledged receipt and disclosed missing information or capacity limits before dispatch.
- I protected packet completeness, originals, fees, confidential material, and separate defendants.
- Every attempt was reported promptly with facts, sources, limitations, and a useful next step.
- Problems affecting validity, safety, cost, or deadline were escalated early.
- Additional work, changed addresses, holds, and cancellations were authorized and documented.
- Any backup server received the complete assignment and reports only first-person facts.
- The return passed quality control against the papers, notes, photographs, and status history.
- Filing responsibility, billing support, and final closure are clear.

## Knowledge Check

146. What should an assignment acknowledgment tell the client?
147. Which problems require immediate escalation rather than waiting for another attempt?
148. Why must a forwarding company's client-communication chain be respected?
149. What should be checked before a return or affidavit is released?

150. How should a professional server respond after discovering a mistake?

## Chapter 20: Pricing, Invoicing, Updates, and Client Expectations

Pricing is part of the service promise. A fee tells the client not only what the work costs, but what address, packet, attempt schedule, reporting, proof, travel, printing, and deadline are included. Clear pricing prevents disputes; accurate invoicing documents the agreement; consistent updates demonstrate that the client received the promised professional service.

**Field Rule:** Never quote only a number. State the scope, first-attempt target, overall service window, attempt limit, included pages, proof, exclusions, payment terms, and what requires new authorization.

### 20.1 Price the Assignment, Not Just the Drive

The true cost includes intake, conflict review, printing, dispatch, travel, parking, attempts, waiting, communication, notes, photographs, affidavit preparation, notarization when used, quality control, filing or delivery, payment processing, insurance, technology, and record retention. Difficult access and short deadlines increase operational risk even when mileage is low.

A fee that covers only the successful doorstep moment will underprice most assignments. Build rates from the complete workflow and review actual time and expense regularly.

### 20.2 Define the Unit of Service

State whether the quoted price applies per defendant, witness, packet, set of documents, address, case, attempt, hour, or trip. One lawsuit may contain multiple defendants and multiple packets at one address; one defendant may require work at multiple addresses.

A clear rule is easier to administer than an exception invented after work begins. Put the unit on the estimate, invoice, work order, and client-facing policy.

### 20.3 Service Levels Need Measurable Terms

Routine, rush, and same-day service should have defined first-attempt targets and overall work windows. The first-attempt target is not a guarantee of completed service, and the overall window should account for the authorized number of attempts.

Use business days or calendar days consistently, define the time from which the clock begins, and explain how weekends, holidays, incomplete documents, bad addresses, nonpayment, and client holds affect timing.

## 20.4 Business Pricing Example

The following example comes from Houston Process Servers business materials supplied for this handbook. It illustrates a transparent tier structure; it is not a statewide fee schedule, legal requirement, or promise that prices will remain unchanged.

- Regular: \$120; up to 15 business days; first attempt within 4 business days; up to 50 printed pages included.
- Rush: \$170; up to 10 business days; first attempt within 24 hours; up to 100 printed pages included.
- Same Day: \$230; up to 7 business days; first attempt within approximately 4 to 6 hours; up to 100 printed pages included.
- Price applies per set of documents and address.
- Each level includes up to four attempts and a notarized affidavit of service or non-service.
- Work is prepaid through the issued invoice.

**Review Before Publishing:** Prices, deadlines, page allowances, payment methods, geographic coverage, and included services are business policies. Date the schedule and review it whenever costs, capacity, law, or workflow changes.

## 20.5 State When the Clock Starts

A professional policy should identify the acceptance event. A practical service clock may begin only after payment clears and the company receives correct, complete, printable documents, a valid address, contact information, and necessary instructions.

If the client supplies a new address, corrected packet, additional defendant, or changed order later, confirm whether a new service window begins. Do not allow silence to create two different expectations.

## 20.6 Attempts Included

Define what counts as an attempt and how many are included. A field visit to the correct address with documented access and contact efforts generally counts even when nobody answers. A trip to an address the company entered incorrectly should not automatically be charged to the client as valid diligence.

Explain whether attempts are shared across addresses or included per address. Additional attempts should require authorization when outside the accepted scope.

## 20.7 Printing and Packet Charges

State the included page count and how excess pages are calculated: per page, per packet, single-sided or double-sided, color or black-and-white, and number of sets. Confirm unusually large exhibits before printing.

Do not reduce, omit, or reformat court papers merely to stay within an allowance. Obtain approval for the charge or request a revised authorized packet.

## **20.8 Travel, Mileage, Parking, and Tolls**

Define the base service area and charges for distant ZIP codes, rural routes, tolls, paid parking, ferries, campuses, or multiple buildings. Quote unusual travel before dispatch when reasonably predictable.

Use consistent mileage and zone rules. Do not surprise the client with a travel fee that was apparent from the original address.

## **20.9 Waiting, Stakeouts, and Special Handling**

Extended waiting should be separately priced by hour or authorized block, with a minimum, rounding rule, start time, included attempt, and cancellation policy. State whether travel and report preparation are additional.

Hospital, rehabilitation, correctional, gated-property, after-hours, holiday, and appointment-based service may justify special handling because scheduling and access consume time even without a completed delivery.

## **20.10 Subpoenas and Witness Fees**

Separate the process-service fee from witness fees, checks, money orders, deposition-officer charges, records fees, and courier costs. The invoice and field record should show who supplied the witness fee and whether it was tendered.

Do not treat money entrusted for the witness as business revenue. Maintain clear control and return unused instruments according to instructions.

## **20.11 Skip Tracing and Locate Research**

Research pricing should explain the initial fee, success condition, remaining balance, permitted client type, scope, sources, turnaround, and what the result does not guarantee. Finding data does not prove current residence or guarantee service.

The supplied Houston Process Servers example begins at \$180: a \$50 initial research charge is collected per request, and if data is obtained the remaining balance is charged; if the search is unsuccessful, no additional balance applies. Pricing and eligibility must be confirmed for each request.

Collect lawful identifiers and use them only for the authorized purpose. Do not release detailed results before the agreed payment condition is satisfied, and do not advertise a guaranteed locate when the product is research with stated limitations.

## 20.12 Prepayment, Credit, and Deposits

Prepayment reduces collection risk and confirms authorization. State when payment is due, whether work is scheduled before payment clears, accepted payment methods, and how rush capacity is reserved.

If established business clients receive credit terms, document the limit, invoice frequency, due date, late-payment procedure, disputed-item process, and authority to suspend new work. Apply policy consistently.

## 20.13 Estimates, Quotes, and Invoices

An estimate is a forecast; a fixed quote is a defined commitment; an invoice requests payment for an identified scope. Use the correct label and show the client, matter or reference number, recipient, service address, service level, packet, approved extras, taxes when applicable, credits, total, due date, and payment instructions.

Avoid sensitive allegations in the invoice description. Enough detail should support accounting without exposing unnecessary case information.

## 20.14 Invoice Numbering and Reconciliation

Use unique invoice numbers and connect each payment, credit, refund, charge, and assignment to the same client and matter. Reconcile payment records with dispatch status so an unpaid assignment is not mistakenly treated as authorized.

Retain invoices, receipts, approvals, processor records, and deposit information under the business retention policy. Restrict access to financial data.

## 20.15 Card and Electronic Payments

Use reputable invoicing and payment systems, protect account credentials, and never request full card details through ordinary email or text. Verify any request to change bank instructions through a known contact and independent channel.

Explain processor fees, bank-transfer timing, declined payments, chargebacks, and refunds in the client agreement when they may affect service.

## 20.16 Cancellation and Refund Policy

Define the charge when cancellation occurs before printing, after printing, after dispatch, during travel, at the address, after an attempt, or after service. Distinguish a client cancellation from a server-caused failure.

Refunds and credits should follow written policy and the actual work performed. A no-service result is not automatically a failed service when diligent authorized attempts were completed.

### **20.17 Status Updates Are Part of the Price**

If the service promises updates after every attempt, include that work in capacity and pricing. Each update should provide date, time, address, result, meaningful observations, source limitations, and next action without unnecessary narrative.

A client paying for rush service should not receive routine-speed communication. Escalate bad addresses, safety problems, rejected packets, and deadline threats immediately.

### **20.18 Set Expectations About Results**

The server controls preparation, effort, lawful method, documentation, and communication. The server does not control whether the target is home, opens the door, remains at the address, cooperates, or can be lawfully served within the window.

Promise process, not outcome. Avoid guarantees such as we will serve today unless the promise concerns an action fully within the company's control, such as making the first attempt.

### **20.19 Client Approval for Extra Work**

Before charging for another address, extended wait, additional attempt, distant travel, large printing job, research, courier, special affidavit, filing, or rush upgrade, provide the price and obtain approval from an authorized contact.

Record the approval date, person, scope, amount, and new timeline. An ambiguous thumbs-up in an unrelated message may not establish informed authorization.

### **20.20 Disputed Charges**

Respond with the accepted quote, work order, attempts, approvals, receipts, and invoice calculation. Separate the client's dissatisfaction with the litigation or no-service result from a genuine billing error.

Correct errors promptly and issue a clear credit or revised invoice. Do not argue emotionally, threaten the client, disclose case information publicly, or alter supporting records.

### **20.21 Collections and Stopping Work**

Use scheduled reminders and a defined escalation process. For overdue accounts, identify the invoices, amounts, due dates, prior contacts, dispute status, and consequence for new work. Keep communications professional.

Before withholding a return, filing, original document, or time-sensitive action, review the agreement and legal obligations. Suspension of future work is often clearer and safer than using a court document as leverage.

## 20.22 Measure Profitability and Capacity

Track time, miles, attempts, printing, parking, tolls, subcontractor cost, payment fee, affidavit time, communication, and rework by service level and geographic zone. Revenue alone does not show whether a service is profitable.

Review late attempts, missed updates, rushed affidavits, refunds, and complaints as capacity signals. Raise prices, narrow territory, change inclusions, or limit rush intake before service quality deteriorates.

## 20.23 Keep the Price Sheet Consistent

Website language, emailed quotes, portal settings, phone scripts, invoices, referral discounts, association discounts, and staff explanations should agree. Date internal and external schedules and remove obsolete copies.

When prices change, state the effective date and treatment of accepted assignments, existing contracts, prepaid work, and recurring clients. Do not silently apply a new rate to an already accepted job.

## Chapter 20 Pricing and Expectations Checklist

- The quote identifies the unit of service, packet, address, service level, attempts, and deadlines.
- The service clock begins at a defined event involving payment and complete correct documents.
- Included pages, excess printing, travel, parking, waiting, special handling, and filing are clear.
- Witness fees and other entrusted funds are separate from business revenue.
- Research pricing defines the initial charge, success condition, balance, scope, and limitations.
- Payment, credit, cancellation, refund, and dispute terms are written and consistently applied.
- Every extra charge has approval from an authorized client contact.
- Updates and escalation are treated as part of the promised service.
- The company promises controllable actions, not guaranteed service outcomes.
- Invoices, receipts, credits, approvals, and assignment records reconcile.
- Pricing is reviewed against actual cost, capacity, quality, and current published materials.

## Knowledge Check

151. Why should a quote define the unit of service rather than state only a price?
152. What event should start the service window, and why must it be stated?
153. How should a company describe a skip-tracing fee without guaranteeing a locate?
154. Which additional expenses require advance client approval?

155. Why are attempt updates and deadline escalation part of pricing and capacity planning?

## Chapter 21: Building a Reliable Process-Service Business

A reliable process-service company is more than a certified server with a vehicle and a telephone. It is an operating system that accepts the right work, protects every deadline and packet, dispatches intelligently, records every event, communicates without gaps, produces accurate proof, collects payment, protects confidential information, and continues functioning when the owner is unavailable.

**Business Rule:** Build the company so that every active assignment has a visible owner, deadline, status, next action, and complete record. Memory is not a workflow.

### 21.1 Choose a Clear Business Model

Decide whom the company serves, where it works, which assignments it accepts, and what it refuses. A focused business may work only for law firms and professional legal clients, limit its territory, exclude particular dispute types, and offer routine, rush, same-day, facility, or difficult-service options under written terms.

A clear model makes pricing, marketing, intake, training, insurance, and quality control consistent. Accepting every request from every caller usually creates incompatible promises and preventable risk.

### 21.2 Establish the Business Properly

Choose an appropriate legal structure and register it as required. Maintain accurate assumed-name, tax, banking, address, and contact records. Separate business money from personal money and use written agreements, invoices, and accounting records.

Business formation does not replace personal certification, court authorization, insurance, or compliance with professional rules. Consult qualified legal and tax professionals about structure, contracts, employment, taxes, and local requirements.

### 21.3 Protect Certification and Eligibility

Track certification expiration, continuing education, renewal filings, fees, background-check requirements, address changes, disciplinary notices, and any restriction on eligibility. Create reminders well before the deadline and preserve completion records.

Apply the same control to every field server. Do not dispatch someone whose certification or authority is unknown, expired, suspended, or insufficient for the assigned process.

## 21.4 Insurance and Risk Transfer

Review general liability, commercial automobile, professional or errors-and-omissions, cyber, property, workers' compensation, hired and non-owned vehicle, and umbrella coverage with a knowledgeable agent. The appropriate combination depends on operations, contracts, employees, subcontractors, vehicles, and data handled.

Read exclusions, deductibles, reporting deadlines, territory, driver requirements, and subcontractor conditions. A certificate of insurance is not proof that every process-service risk is covered.

## 21.5 Define Territory by Capacity

Set a primary service area using real travel time, traffic, tolls, parking, courthouse or facility delays, and the location of backup servers. A large map may produce revenue while destroying attempt timing and profitability.

Use zones or ZIP codes, price distant work deliberately, and reserve capacity for retries. Review the territory when traffic, volume, staffing, or vehicle cost changes.

## 21.6 Write the Operating Policies

Document client eligibility, payment, acceptance, service levels, included attempts, printing, travel, waiting, cancellations, refunds, research, communication, photographs, affidavit preparation, filing, record retention, confidentiality, safety, and complaints. Date each policy and control obsolete copies.

Policies should guide judgment without overriding a citation, statute, rule, court order, or lawful client instruction. When an exception is approved, record who approved it, why, and which assignment it affects.

## 21.7 Build One Assignment Record

Each job should have a unique identifier connecting the client, case, recipient, packet, address, deadline, payment, instructions, attempts, photographs, communications, return, invoice, and final disposition. Avoid splitting essential facts among an email inbox, text messages, paper notebook, and one person's memory.

The current status should answer five questions immediately: Is the job accepted? What is due? What happened last? What must happen next? Who is responsible?

## 21.8 Use a Stage-Based Workflow

- New — received but not yet reviewed.
- Hold — missing payment, documents, address, authority, or instruction.
- Accepted — complete and scheduled under a defined service level.

- Dispatched — assigned to an eligible server with the complete packet.
- Attempted — field event reported; next action and deadline updated.
- Served — delivery completed; proof is being prepared and reviewed.
- Non-service closure — authorized work exhausted, cancelled, or stopped with documented reason.
- Filed or delivered — final proof reached the responsible recipient or court.
- Closed — operational, document, and billing requirements reconciled.

**Control Point:** No assignment should move to a new stage until the required information and quality check for that stage are complete.

## 21.9 Technology Should Enforce the Workflow

Use software that supports assignment intake, deadlines, dispatch, mobile notes, photographs, status updates, document generation, invoicing, permissions, backups, and audit history. Configure required fields and alerts so the system prevents omissions rather than merely storing them.

Test exports and recovery. The company must be able to retrieve active assignments and critical records if a vendor changes terms, an account is locked, a device fails, or internet access is unavailable.

### 21.10 Cybersecurity and Confidentiality

Use unique passwords, multifactor authentication, device locks, encryption where appropriate, role-based access, secure portals, verified recipients, software updates, and dependable backups. Remove access promptly when a worker leaves.

Collect only data needed for the assignment and restrict access to sensitive identifiers, pleadings, medical information, addresses, photographs, payment records, and research results. Maintain an incident plan for lost devices, compromised accounts, misdirected messages, malware, or exposed documents.

### 21.11 Records and Retention

Adopt a written retention schedule for work orders, packets, notes, photographs, GPS or timestamp information, communications, returns, affidavits, filing receipts, invoices, payments, complaints, and incident reports. Consider legal requirements, contracts, limitation periods, disputes, insurance, storage cost, and client instructions.

Suspend routine destruction when litigation, a subpoena, complaint, insurance matter, audit, or preservation request may require the records. Destruction should be secure, documented, and consistent—not selective after a problem arises.

## 21.12 Hiring Employees and Using Contractors

Define the relationship correctly and obtain professional advice before classifying workers. Employees and independent contractors may create different tax, wage, supervision, insurance, equipment, and liability obligations; a contract label alone does not decide status.

Screen certification, driving eligibility, experience, conflicts, communication ability, safety judgment, technology competence, and reliability. Use written terms covering territory, fees, confidentiality, records, client contact, reassignment, incidents, proof, and return of company information.

## 21.13 Train Beyond the Minimum

Orientation should cover the company's intake, packet control, identity standards, service methods, alternative-service orders, note format, photographs, status deadlines, safety, privacy, affidavits, billing evidence, and escalation rules. Use supervised assignments before giving a new server complex work.

Training is not proven by attendance. Review sample notes, observe performance, test difficult scenarios, and correct misunderstandings before they become sworn statements.

## 21.14 Dispatch According to Risk

Match the server to distance, deadline, access, language, facility procedure, safety history, document type, and complexity. Do not send a new server to the most difficult assignment simply because that person is closest.

Provide the complete packet, attempt history, current instructions, known safety facts, reporting deadline, and escalation contact. Require acceptance so the dispatcher knows responsibility transferred.

## 21.15 Backup Coverage and Continuity

Maintain eligible backup servers and a written handoff method for illness, emergencies, vehicle failure, weather, sudden volume, or departure. Know how active assignments, documents, keys, witness fees, credentials, and client notices will be transferred securely.

Prepare for power, internet, telephone, printer, software, and payment-system outages. Keep protected contact lists, deadline exports, and essential forms available through a tested fallback method.

## 21.16 Quality Control Is Independent of Speed

Use a pre-dispatch packet review, post-attempt note review, pre-release return review, and final closure reconciliation. Higher-risk work—alternative service, entities, subpoenas, evasive targets, facilities, amended affidavits, and deadline emergencies—should receive enhanced review.

The reviewer should compare source documents, notes, photographs, status history, and proposed proof. A polished affidavit is not reliable when the underlying records conflict.

### **21.17 Measure the Business**

Track assignment volume, acceptance rate, first-attempt timeliness, completion time, attempts per job, served and non-served outcomes, bad-address rate, update timeliness, affidavit corrections, filing rejection, complaints, refunds, mileage, labor time, collection time, and profitability by client, area, and service level.

Use metrics to find workflow problems, not to pressure servers into unsafe shortcuts or unsupported service claims. A high service rate can be a warning if identity and documentation standards are weak.

### **21.18 Market to the Right Clients**

Professional marketing should explain territory, service types, communication standards, proof quality, certification, associations, and the problems the company is equipped to solve. Build relationships through dependable work, useful educational content, accurate local information, and professional follow-up.

Do not advertise guaranteed service, special court influence, investigative authority the company lacks, or misleading certification claims. Keep the website, directory listings, profiles, price materials, and email signatures accurate and consistent.

### **21.19 Reputation and Complaints**

Make it easy for an authorized client to report a concern. Preserve the record, acknowledge the complaint, determine facts, protect deadlines, correct valid errors, and explain the resolution without defensiveness or unnecessary disclosure.

Never answer a public review by exposing case facts, addresses, health information, payment details, or the identity of a person served. A calm privacy-respecting response protects the company better than winning an online argument.

### **21.20 Financial Discipline**

Maintain a budget, tax reserves, operating reserve, vehicle and equipment plan, insurance schedule, accounts-receivable process, and monthly reconciliation. Know cash flow separately from profit and calculate the full cost of each service level.

Growth financed by unpaid invoices and underpriced work is fragile. Set credit limits, pause new work under written policy, and raise prices or narrow scope before quality declines.

### 21.21 Grow Without Losing Control

Add territory, clients, servers, service types, or rush capacity one controlled step at a time. Before expansion, confirm demand, margin, training, backup, supervision, technology, insurance, and quality-control capacity.

Standardize repeatable work while preserving judgment for unusual assignments. The goal is not merely more jobs; it is more work completed accurately without hiding risk in the owner's workload.

### 21.22 Owner Capacity and Burnout

A tired owner becomes a deadline, driving, communication, and affidavit risk. Set intake limits, quiet hours, emergency definitions, backup coverage, administrative time, and days away from field work. Do not sell twenty-four-hour availability unless the company can staff it safely.

Review workload honestly after mistakes, near misses, illness, or sustained overtime. Sustainable service protects the owner, the client, the server, and the court record.

### 21.23 A Ninety-Day Startup Sequence

- Days 1–30: confirm certification, business structure, banking, insurance, territory, client eligibility, pricing, contracts, and core policies.
- Days 31–60: configure assignment software, intake forms, status templates, document control, invoicing, security, backups, and record retention.
- Days 61–90: test the full workflow, establish backup coverage, review metrics, correct bottlenecks, and begin focused outreach to qualified professional clients.

A new company should test each step using sample assignments before accepting high volume. The first real rush job is not the time to discover that alerts, document templates, payment controls, or backup procedures do not work.

## Chapter 21 Business-System Checklist

- The company has a defined client type, territory, service menu, exclusions, and written terms.
- Business registration, banking, taxes, certification, insurance, and renewals are controlled.
- Every assignment has one identifier, responsible person, deadline, status, next action, and complete record.
- Software permissions, multifactor authentication, backups, exports, and incident response are tested.
- Retention and secure-destruction rules cover notes, photographs, proof, billing, and complaints.
- Employees and contractors are properly screened, classified, trained, insured, and supervised.
- Dispatch matches server ability to deadline, distance, complexity, access, and safety risk.

- Backup coverage exists for people, vehicles, equipment, software, communications, and power.
- Quality control occurs before dispatch, after attempts, before proof release, and at closure.
- Metrics measure timeliness, accuracy, communication, cost, capacity, and corrections.
- Marketing claims are accurate, professional, privacy-respecting, and directed to qualified clients.
- Growth and owner workload remain within safe operational capacity.

## Knowledge Check

156. Why should every assignment have a visible owner, deadline, status, and next action?
157. Which business records should remain connected through one assignment identifier?
158. What continuity plans are needed when a server, vehicle, device, or software system becomes unavailable?
159. Why can a high service rate be misleading as a performance metric?
160. What should be tested before a new company accepts high-volume or rush work?

## APPENDICES — FIELD FORMS AND QUICK REFERENCES

These forms are educational working templates. Adapt them to the controlling documents, court rules, court orders, client instructions, company policies, and software fields. A checklist supports professional judgment; it does not authorize a method of service.

**Use Note:** Complete forms contemporaneously, preserve the original record, and distinguish observed facts from statements, database information, and conclusions.

### Appendix A: Assignment Intake Form

#### Client and Matter

- Assignment ID: \_\_\_\_\_
- Date and time received: \_\_\_\_\_
- Client / forwarding company: \_\_\_\_\_
- Authorized contact and backup: \_\_\_\_\_
- Email / telephone / portal: \_\_\_\_\_
- Court, county, and jurisdiction: \_\_\_\_\_
- Cause number and case style: \_\_\_\_\_
- Plaintiff / petitioner: \_\_\_\_\_
- Defendant / respondent: \_\_\_\_\_

#### Recipient and Address

- Person or entity to be served: \_\_\_\_\_
- Capacity, if entity service: \_\_\_\_\_
- Primary service address: \_\_\_\_\_
- Unit, suite, building, gate, or access information: \_\_\_\_\_
- Alternate address authorized? Yes / No
- Identity information supplied: \_\_\_\_\_
- Known vehicles, schedule, language, disability, or safety facts: \_\_\_\_

#### Documents and Authority

- Citation / subpoena / notice / order / other: \_\_\_\_\_
- Every document to be delivered: \_\_\_\_\_
- Number of pages and sets: \_\_\_\_\_

- Originals, witness fees, checks, or sealed items: \_\_\_\_\_
- Issue date: \_\_\_\_\_ Expiration / deadline: \_\_\_\_\_
- Who issued the process: \_\_\_\_\_
- Who is authorized to serve it: \_\_\_\_\_
- Special method or signed order attached: Yes / No / Not applicable

### Scope, Timing, and Payment

- Routine / rush / same day / special handling: \_\_\_\_\_
- First-attempt target: \_\_\_\_\_
- Final client or legal deadline: \_\_\_\_\_
- Attempts included / authorized: \_\_\_\_\_
- Service area and travel terms confirmed: Yes / No
- Fee, printing, witness fee, and extras: \_\_\_\_\_
- Payment received or approved credit terms: \_\_\_\_\_
- Return, affidavit, filing, and reporting requirements: \_\_\_\_\_
- Accepted by / date / time: \_\_\_\_\_

### Intake Stop Conditions

- Recipient, address, documents, authority, deadline, or method is unclear.
- Packet is incomplete, illegible, corrupted, or inconsistent.
- Payment or authorized billing arrangement is incomplete.
- Conflict, certification, safety, territory, capacity, or prohibited-work issue exists.
- Required witness fee, order, original, or instruction is missing.

Issue and written resolution:

## Appendix B: Dispatch and Pre-Attempt Checklist

### Dispatcher Review

- The server is eligible, available, and appropriate for the assignment.
- The server received the correct complete packet and current work order.
- Recipient name, entity capacity, address, unit, and deadline match.
- Prior attempts, identity information, access facts, and safety facts are included.
- The authorized method and any court order are clearly identified.
- Attempt timing, reporting deadline, escalation contact, and extra-work limits are clear.
- The server acknowledged the assignment and responsibility transfer.

## Server Pre-Departure Review

- I read the citation, subpoena, notice, order, and special instructions.
- I can identify every paper and set that must be delivered.
- I verified the exact destination, route, parking, access, and facility procedure.
- I reviewed lawful timing, legal deadline, and attempt strategy.
- I have identification, charged telephone, packet, notebook, writing tools, and authorized fees.
- My vehicle is safe, fueled, insured, and parked equipment is secured.
- I reviewed weather, animals, weapons, hostility, medical, and location-specific risks.
- Someone knows my assignment or check-in plan when risk requires it.
- I know when to stop, leave, and contact the dispatcher or emergency services.

## Attempt Plan

- Planned date and time range: \_\_\_\_\_
- Reason for timing choice: \_\_\_\_\_
- Known access obstacle and lawful response: \_\_\_\_\_
- Identity-confirmation approach: \_\_\_\_\_
- Next action if no answer: \_\_\_\_\_
- Immediate escalation trigger: \_\_\_\_\_

## Quick Doorstep Sequence

161. Park lawfully and observe safety and access before approaching.
162. Confirm the exact address, unit, suite, or building.
163. Approach normally; do not enter restricted areas or defeat access controls.
164. Identify yourself truthfully and ask for the named person without disclosing unnecessary case details.
165. Confirm identity through reliable facts; do not assume.
166. Complete only a legally authorized delivery method.
167. Withdraw from danger, confrontation, or loss of lawful control.
168. Write contemporaneous notes and report the attempt promptly.

## Appendix C: Contemporaneous Field-Note Form

### Assignment and Attempt

- Assignment ID / case: \_\_\_\_\_
- Recipient: \_\_\_\_\_
- Attempt number: \_\_\_\_\_ Server: \_\_\_\_\_

- Date: \_\_\_\_\_ Arrival: \_\_\_\_\_ Departure: \_\_\_\_\_
- Exact address attempted: \_\_\_\_\_
- Weather / lighting when material: \_\_\_\_\_

### Address and Access

- Address numbers and unit verified by: \_\_\_\_\_
- Property type and entrance used: \_\_\_\_\_
- Gate, call box, security, concierge, leasing office, or access result: \_\_\_\_
- Where I stood and areas I did not enter: \_\_\_\_\_

### Contacts

- Name or description of each person contacted: \_\_\_\_\_
- Apparent age when legally relevant: \_\_\_\_\_
- Relationship or capacity stated: \_\_\_\_\_
- Exact words used to identify the target: \_\_\_\_\_
- Exact material statements, in quotation marks: \_\_\_\_\_
- Language or communication issue: \_\_\_\_\_

### Identity and Delivery

- Basis for identity: self-identification / recognition / third party / other
- Specific identity facts: \_\_\_\_\_
- Method authorized: personal / court-ordered alternative / other
- Documents delivered: \_\_\_\_\_
- Exact delivery location and physical placement: \_\_\_\_\_
- Recipient reaction, refusal, or movement after identity: \_\_\_\_\_

### Objective Observations

- Vehicles and plates observed lawfully: \_\_\_\_\_
- Lights, sounds, cameras, packages, signs, or occupancy facts: \_\_\_\_\_
- Photographs or recordings created and file identifiers: \_\_\_\_\_
- Statements by neighbors, staff, occupants, or databases—identify source: \_\_\_\_
- Safety event, police contact, animal, threat, or departure reason: \_\_\_\_

### Result and Next Action

- Served / no answer / access denied / bad address / moved / other
- Facts supporting result: \_\_\_\_\_

- Next attempt or client decision needed: \_\_\_\_\_
- Status sent through / date / time: \_\_\_\_\_
- Server signature or electronic confirmation: \_\_\_\_\_

## Appendix D: Client Attempt-Update Templates

### No Answer

**Template:** Attempt [number] was made on [date] at [time] at [complete address]. I verified the address by [fact]. There was no response after [objective contact method]. I observed [material facts only]. No contact was made and no service occurred. Next action: [planned attempt or requested instruction].

### Contact but Target Not Present

**Template:** On [date] at [time], I contacted [name/description] at [address]. The person stated [exact material statement] and identified their relationship or capacity as [relationship]. I did not locate or serve [target]. The statement is reported as third-party information and has not been independently confirmed. Next action: [plan].

### Access Denied

**Template:** On [date] at [time], I attempted [address]. Access was controlled by [gate/security/call box]. I used [lawful access steps], but access was denied or unavailable because [objective facts]. I did not enter a restricted area and did not reach the unit or recipient. Next action: [plan or client decision].

### Bad or Vacant Address

**Template:** On [date] at [time], I inspected [address]. The address appeared [vacant/nonexistent/commercial/other] based on [specific observations]. [Named source and capacity] stated [statement]. I did not confirm that the target resides or works there. Please advise whether additional research or another address is authorized.

### Successful Personal Service

**Template:** On [date] at [time] at [address], I personally delivered [complete document list] to [full name]. Identity was established by [specific basis]. Delivery occurred [exact description]. [If applicable: After identity was established, the recipient refused physical acceptance, and the documents were placed within the recipient's physical proximity at [location], with the action clearly explained.] Formal proof will follow after quality review.

## Court-Ordered Alternative Service

**Template:** On [date] at [time], I executed the signed [court and date] alternative-service order at [address] by [exact ordered method]. I completed the following ordered acts: [list each act separately]. Documents were [placement], and supporting [photographs/mailling/electronic transmission] were created or completed as ordered. Formal proof will follow after review.

## Immediate Problem Escalation

**Template:** Immediate review requested for assignment [ID]. Issue: [missing fee/defective packet/address conflict/safety event/facility rejection/deadline threat]. Facts: [concise chronology]. Consequence if unresolved: [deadline or validity impact]. Available options within the accepted scope: [options]. Please provide written direction by [time].

## Update Quality Check

- Does the update state date, time, exact address, contact, facts, result, and next action?
- Are quotations exact and sources identified?
- Are observation, statement, database information, and inference separated?
- Does the update avoid legal conclusions, accusations, private data, and speculation?
- Does it agree with field notes, photographs, and the future return?

## Appendix E: Return and Affidavit Quality-Control Checklist

### Compare Against Source Documents

- Court, county, cause number, case style, and issuing authority match.
- The correct recipient and entity capacity are stated.
- Every document delivered is listed accurately.
- The service date, time, address, and method match contemporaneous notes.
- The return follows the citation, subpoena, rule, statute, and signed order.

### Server Information

- Server's full legal name is correct.
- Certification number, county or statewide authority, expiration, and other required information are correct.
- The actual server—not a dispatcher or owner who was absent—states and signs first-person facts.
- Signature, declaration, or notarization requirement is satisfied.

## Personal Service

- Identity basis is documented without unsupported assumptions.
- Delivery location and handling are described accurately.
- Any refusal narrative begins only after identity was established.
- The proof does not convert service on another person into personal service on the target.

## Entity or Capacity Service

- The named entity and its legal form are correct.
- The person served and qualifying capacity are identified.
- Authority comes from the controlling law or documents—not job title alone.
- The proof does not confuse serving an individual at work with serving the entity.

## Alternative Service

- A signed order was reviewed before service.
- The exact authorized address, person, minimum age, placement, mailing, posting, or electronic act is followed.
- Every ordered act is documented separately with its own date, time, and proof.
- Photographs, mailing records, screenshots, and exhibits are preserved and correctly labeled.

## Consistency and Release

- Return, affidavit, notes, photographs, client updates, and portal entries agree.
- No blank, placeholder, copied case information, or impossible date remains.
- Corrections preserve the original and explain material changes.
- Filing responsibility, submission, acceptance, and final delivered copy are documented.
- Reviewer / date / version: \_\_\_\_\_

## Appendix F: Due-Diligence and Rule 106 Preparation Worksheet

This worksheet helps organize facts for attorney review. It does not establish a universal attempt requirement and does not authorize substitute service. The attorney requests relief and the court's signed order controls the method.

### Address Foundation

- Address: \_\_\_\_\_
- Evidence it is the defendant's usual place of abode or business: \_\_\_\_
- Source, date, and limitation of each address fact: \_\_\_\_\_

- Conflicting addresses or move information: \_\_\_\_\_

### Attempt Pattern

- Attempt 1 — date / time / result / observations: \_\_\_\_\_
- Attempt 2 — date / time / result / observations: \_\_\_\_\_
- Attempt 3 — date / time / result / observations: \_\_\_\_\_
- Attempt 4 — date / time / result / observations: \_\_\_\_\_
- Additional attempts or access efforts: \_\_\_\_\_
- Why timing varied and what each attempt added: \_\_\_\_\_

### Corroborating Facts

- Occupant, neighbor, leasing, security, employer, or facility statements with source: \_\_\_\_
- Vehicles, registration information, photographs, packages, lights, sounds, or cameras: \_\_\_\_
- Gate, call-box, concierge, or access history: \_\_\_\_\_
- Research information and its limitations: \_\_\_\_\_
- Facts suggesting occupancy, schedule, refusal, or possible evasion—without exaggeration: \_\_\_\_

### Attorney Submission Package

- Chronological first-person attempt narrative.
- Basis for the address and identity information.
- Photographs or other exhibits with dates and neutral descriptions.
- Clear separation of personal observations, third-party statements, and records research.
- Requested method drafted by the attorney or submitted for attorney approval.

### Signed-Order Execution Review

- Court, cause number, defendant, signed date, and service address match.
- Authorized recipient and minimum age: \_\_\_\_\_
- Authorized physical placement: \_\_\_\_\_
- Mailing requirement: \_\_\_\_\_
- Electronic or other requirement: \_\_\_\_\_
- Photograph, affidavit, deadline, or filing requirement: \_\_\_\_\_
- Every ordered act completed and documented: Yes / No / Not yet

## Appendix G: Safety and Incident Report

### Immediate Actions

- Move to a safe location and call emergency services when necessary.
- Obtain medical care for injury, bite, exposure, head impact, chest pain, or significant distress.
- Notify the appropriate company and client contact without delaying emergency care.
- Preserve evidence; do not post, edit recordings, coordinate accounts, or return for confrontation.

### Incident Information

- Assignment ID / recipient / address: \_\_\_\_\_
- Date / beginning time / ending time: \_\_\_\_\_
- Exact location and server position: \_\_\_\_\_
- Persons involved and objective descriptions: \_\_\_\_\_
- Chronological facts before, during, and after incident: \_\_\_\_\_
- Exact threats, commands, or material statements: \_\_\_\_\_
- Weapons, animals, vehicles, blocked exit, crowd, or property event: \_\_\_\_
- Distance, movement, physical contact, injury, or damage: \_\_\_\_\_
- Why and how the server withdrew: \_\_\_\_\_

### Response and Evidence

- 911 / law-enforcement agency / officer / event number: \_\_\_\_\_
- Medical provider or treatment: \_\_\_\_\_
- Witnesses and contact information: \_\_\_\_\_
- Photographs, video, audio, messages, or damaged property preserved: \_\_\_\_
- Company, client, insurer, or attorney notified / date / time: \_\_\_\_\_
- Documents, packet, fees, equipment, and vehicle status: \_\_\_\_\_

### Follow-Up

- Assignment hold, withdrawal, reassignment, or changed safety plan: \_\_\_\_
- Insurance, police, legal, or certification report required: \_\_\_\_\_
- Record-preservation hold issued: Yes / No / Under review
- Training, equipment, policy, or workflow correction: \_\_\_\_\_
- Report prepared by / date: \_\_\_\_\_
- Supervisor review / date: \_\_\_\_\_

## Appendix H: Final Assignment Closure Checklist

### Operational Closure

- Every authorized attempt and material contact is recorded.
- The final result is served, non-served, cancelled, held, transferred, or otherwise clearly identified.
- Client received required status, escalation, and final notice.
- Originals, witness fees, checks, keys, badges, and unused materials are accounted for.

### Proof and Filing

- Return or affidavit passed quality control against documents and records.
- Required exhibits are complete, legible, labeled, and preserved.
- The actual server signed; declaration or notarization is complete when required.
- Proof was delivered or filed by the responsible party.
- Submission number, acceptance, rejection, and final filed copy are retained.

### Billing Closure

- Invoice matches accepted service level, addresses, attempts, printing, travel, waiting, research, fees, and approved extras.
- Payment, credit, refund, chargeback, or outstanding balance is reconciled.
- Entrusted witness or records funds are separate and accounted for.

### Record Closure

- Work order, packet, notes, photographs, communications, proof, filing receipt, and invoice share the assignment ID.
- Duplicate drafts and temporary local copies are handled under policy.
- Retention category and destruction date are assigned.
- Litigation hold, complaint, subpoena, incident, or insurance preservation requirement is checked.
- Access is limited to authorized persons and sensitive records remain protected.

### Learning Review

- What went well: \_\_\_\_\_
- What created delay, rework, risk, or client uncertainty: \_\_\_\_\_
- Policy, template, training, pricing, territory, or software change needed: \_\_\_\_
- Closed by / date: \_\_\_\_\_

## Appendix I: New Server First-Assignment Checklist

169. Verify certification and authority before accepting the work.
170. Read every page and every instruction before leaving.
171. Confirm the person, address, documents, deadline, and authorized method.
172. Plan lawful access, identity confirmation, safety, parking, and timing.
173. Carry the correct complete packet and required equipment.
174. Approach normally, identify yourself truthfully, and avoid legal advice.
175. Serve only the correct person or legally authorized recipient.
176. Do not force entry, defeat access controls, threaten, argue, or impersonate authority.
177. Write exact contemporaneous facts, statements, identity basis, and delivery placement.
178. Report the attempt promptly and escalate problems before the deadline.
179. Compare the return with the documents, notes, photographs, and updates before signing.
180. Preserve the file and learn from the completed assignment.

**Final Reminder:** A professional server does not need a dramatic encounter. The goal is a lawful attempt, correct delivery when possible, safe conduct, prompt communication, and a record that remains accurate under review.

## Sources Checked for Part 1

Primary current sources (accessed August 12, 2026):

- Texas Judicial Branch, JBCC Process Server Certification — Initial Certification.
- Texas Judicial Branch, Certification Requirements & Fees, updated April 1, 2026.
- Texas Judicial Branch, 2026 revised Process Server Certification Rules posting.
- Texas Judicial Branch, Process Server Code of Ethics posting.
- Texas Judicial Branch, Texas Rules of Civil Procedure, current through July 1, 2026, including Rules 103 and 107.
- Texas Judicial Branch, Texas Rules of Civil Procedure, current through July 1, 2026, including Rules 99, 105, 106, and 176.
- Texas Judicial Branch, Texas Rules of Civil Procedure, current through July 1, 2026, including Rules 103, 106, and 107 as applied to residential service and proof of service.
- Texas Judicial Branch, Texas Rules of Civil Procedure, current through July 1, 2026, including Rules 176 and 205 governing subpoenas and nonparty discovery.
- Texas Legislature Online, Texas Civil Practice and Remedies Code Chapter 22, including section 22.001 governing civil witness fees.
- Texas Legislature Online, Texas Business Organizations Code Chapter 5, including provisions governing registered agents, registered offices, and service through the Secretary of State.

- Texas appellate authorities addressing personal delivery when an identified recipient refuses physical acceptance, including *Summersett v. Jaiyeola*, 438 S.W.3d 84 (Tex. App.—Corpus Christi—Edinburg 2013, no pet.).
- Texas Judicial Branch, Statutes, Rules, and Resources for Process Servers.
- Texas Judicial Branch, Rules & Standards — current Texas Rules of Civil Procedure.
- Texas Judicial Branch, 2026 Revised Process Server Code of Ethics public posting.
- Texas Judicial Branch, 2026 Revised Process Server Certification Rules, including Rules 8.5 through 8.7 on continuing education, accurate authority, and restricted service during governmental operations.
- Texas Judicial Branch, Certified Process Servers Code of Ethics, current public posting accessed August 13, 2026.
- Texas Penal Code § 30.05, Criminal Trespass, current official statutory text.

Research materials supplied by the author included the JBCC standardized process-server curriculum, an orientation-course curriculum copy, a 2023 Texas civil-process reference book, and Houston Process Servers business materials. These sources are used for research and planning; the handbook text is newly written and is not a reproduction or light paraphrase of another author's work.

## Official Links

- <https://www.txcourts.gov/jbcc/process-server-certification/initial-certification/>
- <https://www.txcourts.gov/jbcc/process-server-certification/initial-certification/certification-requirements-fees/>
- <https://www.txcourts.gov/jbcc/process-server-certification/statutes-rules-and-resources-for-process-servers/>
- <https://www.txcourts.gov/rules-forms/rules-standards/>
- <https://statutes.capitol.texas.gov/Docs/PE/htm/PE.30.htm#30.05>
- <https://statutes.capitol.texas.gov/Docs/BO/htm/BO.5.htm>

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