

Notice to Providers of Service of Process

Private process servers should not be retained to serve in-county law enforcement except in exceptional circumstances. Under section 57.081, Florida Statutes, the sheriff is required to provide service of process without prepayment to indigent defendants. Therefore, an attorney representing an indigent client should only use the services of a private process server in circumstances where the sheriff is unable to provide timely service. In the case of in-county law enforcement, the sheriff should always be capable of providing adequate service. Therefore, unlike service upon private individuals, there is simply no logical reason to retain a private process server absent exceptional circumstances. As such, JAC will object to payment for private process of service.

This information is also found on p. 20 of the Q&A: [Click here](#)

51.) Does JAC pay for private process servers to pay for in-county service of law enforcement officers?

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