

HOW TO REGISTER AS A PROCESS SERVER

- Acquire Live Scan paperwork from Clerk's office
- Arrange to have fingerprints taken at a Live Scan location (i.e. Sheriff's Office) for each general partner or corporate officer
- Purchase a \$2000 Bond from a bonding company that covers the 2-year registration term (\$2000 cash deposit in lieu of bond may be submitted)
- Complete the Certificate of Registration
- Appear in person at the County Clerk's office with picture identification and the documentation mentioned above
- Submit filing fees: \$117 (\$100 filing fee – B&P Code § 22352, \$7.00 file the bond – B&P Code § 22353(c) + \$10 identification card fee – B&P Code §22352(c))
- Record bond (B&P Code § 22353(a)) and submit recording fee: \$7+ (GC § 27361)

BUSINESS & PROFESSIONS CODE EXCERPTS

§ 22350(a): Any natural person who makes more than 10 services of process within this state during one calendar year, for specific compensation or in expectation of specific compensation, where that compensation is directly attributable to the service of process, shall file and maintain a verified certificate of registration as a process server with the county clerk of the county in which he or she resides or has his or her principal place of business. Any corporation or partnership that derives or expects to derive compensation from service of process within this state *shall also* file and maintain a verified certificate of registration as a process server with the county clerk of the county in which the corporation or partnership has its principal place of business.

§ 22351.5(a): At the time of filing the initial certificate of registration, the registrant shall also submit fingerprints for submission to the Department of Justice and the Federal Bureau of Investigation, in order to verify that the registrant has not been convicted of a felony. The clerk shall utilize the Subsequent Arrest Notification Contract provided by the Department of Justice for notifications subsequent to the initial certificate of registration.

[\$56 fee paid to Live Scan Operator and effective July 1, 2005, the Department of Justice will only accept live scan submission of fingerprints]

§ 22351.5(b): If, after processing the completed fingerprints, the clerk is advised that the registrant has been convicted of a felony, the presiding judge of the Superior Court of the county in which the certificate of registration is maintained is authorized to review the criminal record and, unless the registrant is able to produce a copy of a certificate of rehabilitation, expungement, or pardon, as specified in paragraph (2) of subdivision (a) of Section 22351, notify the registrant that the registration is revoked. An order to show cause for contempt may be issued and served upon any person who fails to surrender a registered process server identification card after a notice of revocation.

§ 22353(a): A certificate of registration shall be accompanied by a bond of two thousand dollars (\$2,000), executed by an admitted surety insurer and conditioned upon compliance with the provisions of this chapter and all laws governing the service of process in this state. The total aggregate liability on the bond is limited to two thousand dollars (\$2,000). As an alternative to the bond, the registrant may deposit with the clerk, cash or a money order in the amount of two thousand dollars (\$2,000).

Code of Civil Procedure § 995.440: A bond given as a condition of a license or permit shall be continuous in form, remain in full force and effect, and run concurrently with the license or permit period and any and all renewals, or until cancellation or withdrawal of the surety from the bond.

§ 22354: A certificate of registration shall be effective for a period of two years or until the date the bond expires, whichever occurs first. Thereafter, a registrant shall file a new certificate of registration or a renewal of the certificate of registration and pay the fee required by Section 22352. A certificate of registration may be renewed up to 60 days prior to its expiration date and the effective date of the renewal shall be effective for a period of two years from the effective date or until the expiration date of the bond, whichever occurs first.