**THE ELEVENTH JUDICIAL CIRCUIT**
**MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 26-1**
**(Court Administration)**

**ADMINISTRATIVE ORDER**
**N0. 26-28**
**(Superseding AO No. 24-08, as amended)**

**IN RE: REESTABLISHMENT OF CERTIFICATION AND REGULATION OF CERTIFIED CIVIL PROCESS SERVERS WITHIN THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR MIAMI-DADE COUNTY**

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**WHEREAS**, Administrative Order No. 24-08, Case No. 24-1 rendered on September 13, 2024, reestablished the certification and regulation of certified civil process servers within the Eleventh Judicial Circuit of Florida, in and for Miami-Dade County; and

**WHEREAS**, Administrative Order No. 24-08 A1, Case No. 26-1 entered on August 13, 2026, amended and clarified the standards and requirements governing certified process servers within the Eleventh Judicial Circuit of Florida; and

**WHEREAS**, Rule 2.215 of the Florida Rules of General Practice and Judicial Administration places responsibility in the Chief Judge for the development of an administrative plan for the efficient and proper administration of all courts within the Circuit; and

**WHEREAS**, the Florida Certified Process Server Act, Florida Statutes §§ 48.25 through 48.31 ("Process Server Act"), expressly vests in the Chief Judge the authority to establish an approved list of process servers who have met the requirements for certification under the Process Server Act and the requirements set forth by the Eleventh Judicial Circuit of Florida; and

**WHEREAS**, the Legislature has provided in Chapter 48 a method of certification of process servers and has authorized the chief judge of each circuit to establish a list of such certified process servers who may serve process in that circuit; and

**WHEREAS,** § 48.29(6) of the Florida Statutes provides that returns of service shall be made by certified process servers on a form which has been reviewed and approved by the court; and

**WHEREAS**, § 92.525 of the Florida Statutes establishes alternate methods for verification of documents; and

**WHEREAS**, § 48.27 of the Florida Statutes sets forth certain standards and requirements for the designation of certified process servers to serve initial non-enforceable civil process in the Eleventh Judicial Circuit of Florida; and

**WHEREAS**, uniform procedures and guidelines are necessary for ensuring proficiency in professionalism in the service of civil process within the Eleventh Judicial Circuit; and

**WHEREAS**, accordingly, this Administrative Order requires a reestablishment and clarification of the standards and requirements governing certified process servers within the Eleventh Judicial Circuit of Florida.

**NOW, THEREFORE,** pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215, Florida Rules of General Practice and Judicial Administration, the following standards and requirements governing certified process servers within the Eleventh Judicial Circuit are hereby reestablished:

## A. STANDARDS AND REQUIREMENTS:

1. The Chief Judge has broad discretion to make determinations considering whether to add an applicant to the list of Certified Process Servers. Individuals seeking certification must submit an application with a reasonable processing fee, as set forth in the current Information Sheet for Applicants issued by the Administrative Office of the Courts ("AOC"), and must fulfill the following requirements:

   (a) The applicant shall be a permanent resident of the State of Florida, shall be at least eighteen (18) years of age, and must have no mental or legal disability.

   (b) The applicant shall submit to a background investigation which shall include the right to obtain and review the applicant's criminal record, if any exists.

   (c) The applicant shall obtain and file with the application a certificate of good conduct which specifies all of the following:

      (1) There is no pending criminal case against the applicant;

      (2) There is no record of any felony conviction of the applicant; and

      (3) There is no record of a conviction of the applicant for a misdemeanor involving moral turpitude or dishonesty within the past five (5) years.

   (d) Any applicant whose application indicates a record of a felony conviction, a misdemeanor conviction involving moral turpitude

or dishonesty, registration as a sexual offender, or designation as a sexual predator may be determined to be ineligible to be placed on the list of Certified Process Servers at the discretion of the Chief Judge.

(e) Persons who have completed an application and satisfied the requirements set forth in paragraphs 1(a)-(c) shall submit to a written examination testing the applicant's knowledge of the laws and rules regarding the service of process. A passing examination grade is hereby fixed at eighty percent (80%) out of a possible score of one hundred percent (100%).

The Chief Judge has approved the Florida Association of Professional Process Servers' (FAPPS) sixteen (16) hour education course for new applicants and the four (4) hour continuing education course for renewing process servers to meet the process server program education and examination requirements.

Therefore, new applicants must submit a certificate of completion of the FAPPS sixteen (16) hour course for new process servers, demonstrating passage of the course within twelve months prior to the date of the application. Certificates of completion may be dated between twelve and twenty-four months prior to the application, but in that event, applicants must additionally provide a separate certificate of completion of the FAPPS four (4) hour continuing education course for process servers, dated within twelve months prior to the application.

(f) An applicant shall execute a performance bond with a surety company authorized within Miami-Dade County in the amount of Five Thousand Dollars ($5,000.00) as provided in § 48.29(3)(g) of the Florida Statutes. Such bond shall be approved by the Clerk of the Courts prior to presentation to the AOC and shall be renewable on an annual basis.

(g) An applicant who successfully completes the required course(s) shall take an oath that he or she will honestly, diligently, and faithfully exercise the duties of a certified process server.

(h) An applicant who completes the requirements set forth in Chapter 48 and set forth in this Administrative Order may be eligible to be placed on the approved list of process servers to serve initial nonenforceable civil process as may be authorized in § 48.27 of the Florida Statutes and within the discretion of the Chief Judge. Those placed on the approved list of process servers will be issued an identification card.

2. The identification card issued to each certified process server shall be renewed annually, upon proof of good standing, current bond, and completion of an approved four (4) hour continuing education course.

   Process servers must, while serving process, carry the official certified process server identification card issued to them and display it to anyone who requests information on the process server's authority to serve process. At the time of renewal, a reasonable renewal fee set by the Chief Judge shall be due from each process server. If a process server needs an identification card reissued to him or her due to loss or destruction, a reasonable replacement fee set by the Chief Judge shall be due from the process server.

3. Certified process servers approved for the Eleventh Judicial Circuit shall comply with the standards and requirements in this Administrative Order and all applicable rules and statutes pertaining to service of process and will be expected to keep up to date with any new provisions within said rules and statutes.

4. Certified process servers are prohibited from engaging in the following conduct:

   (a) Making false or misleading statements or misrepresentations regarding other certified process servers in this Circuit to any person with the intent to obtain business as a result of such false statements or misrepresentations or to deprive the subject process server from continued business;

   (b) Making false statements or omissions to any person regarding his or her identity or legal authority to effect service of process;

   (c) Continuation of false or deceptive advertising or other activity intended to generate business after receipt of a cease-and-desist letter from the Board;

   (d) Use of inappropriate, unprofessional, threatening or intimidating tactics to obtain client lists or other business records from other certified process servers' offices or from client's offices;

   (e) Alcohol or drug abuse, physical incapacity, or mental instability which does or is likely to interfere with the performance of the duties of a certified process server;

   (f) Misrepresentation as to the identity of the party receiving service or the process server who delivered the service. (Note that knowingly executing a false return of service is a felony of the third degree);

   (g) Obtaining the certification by fraudulent means;

   (h) Having his/her certification revoked in another circuit;

(i) Being adjudicated delinquent on his or her child support obligation;

(j) Accepting a gratuity, gift or favor that interferes with, might interfere with, or appears to influence, professional judgment;

(k) Making material misrepresentations in connection with the service of process;

(l) Making malicious or intentionally false statements about a colleague;

(m) Misrepresenting one's own professional qualifications;

(n) Submitting fraudulent information on any document in connection with service of process;

(o) Misrepresenting one's own identity to avoid service of process; and

(p) Any other practices which constitute malfeasance, misfeasance, neglect of duty, or incompetence in connection with the duties of a certified process server.

5. A certified process server on the approved List of Certified Process Servers eligible to serve process within the Eleventh Judicial Circuit may be removed from the List for good cause. Good cause shall include, but not be limited to, prohibited conduct specified in Section A.4. of this Administrative Order. Furthermore,

(a) Any person aggrieved by the actions of a certified process server may file a complaint with the Process Server Review Board of the Eleventh Judicial Circuit.

(b) The Board shall receive the complaint and provide the process server 10 business days to file a written response after receipt of the complaint by the process server. If the process server does not file a written response to the complaint within the 10 days allotted or seeks to request an extension from the Board to respond, the Board's vote will proceed based solely on the Complaint's allegations. Additionally, any failure to timely respond to the allegations in the Complaint within the time specified above may result in the imposition of sanctions against the process server separately and independently from the Board's findings, including but not limited to 1) written admonishment; 2) suspension, and/or 3) de-certification from the list of approved Certified Process Servers.

The Board shall address the complaint at the next Board meeting,

but no more than 45 days after the filing of the complaint. After review of the complaint and the process server's written response, the Board may afford the process server an opportunity to be heard before the Board. Subsequently, the Board shall make a finding that probable cause or no probable cause has been established to show that a violation of the standards and requirements in this Administrative Order has occurred and grounds for discipline exist by a majority or unanimous vote. If the Board finds probable cause exist, the Board shall determine the recommended sanction(s) by vote.

The Board Chair shall inform the Chief Judge or the Chief Judge's designee of the Board's recommendations. The Board Chair shall advise the Chief Judge and/or Chief Judge's designee of any tie vote. Any tie vote by the Board will result in the Chief Judge or the Chief Judge's designee making a final determination. The Board shall be notified of the final disposition at the next Board meeting.

Disposition letters signed by the Board Chair along with any accompanying documents will be sent to the complainant and certified process server by the Program Coordinator. Any substantiated complaint shall remain on file for a period of five (5) years.

(c) Discipline recommended by the Board and imposed by the Chief Judge (or designee) may consist of one or more of the following:

i. A reprimand from the Board;

ii. A reprimand from the Chief Judge;

iii. The imposition of costs and expenses incurred by the Board in connection with the proceeding, including costs of recording and investigation;

iv. Restitution;

v. Requiring the certified process server certification examination to be successfully retaken;

vi. Suspension of certification not to exceed one (1) year, after which the individual may seek reinstatement upon any conditions the Chief Judge may deem appropriate; and/or

vii. Revocation of certification.

If, after reviewing the Board's recommendation and factual findings, the

Chief Judge (or designee) determines that sanctions are appropriate, an Order Imposing Sanctions shall be entered. The Office of the Court Administrator and the Clerk of the Court for each County shall update the list of Approved Certified Process Servers with notations or removals based on such orders.

(d) Within 30 days after a final adverse disciplinary disposition, a certified process server may seek review by common law certiorari to the Third District Court of Appeal pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

(e) Nothing herein shall limit the power of the Chief Judge to take whatever action is deemed appropriate without the necessity of referral to the Process Server Review Board.

## B. VERIFIED RETURN OF SERVICE FORM

1. A return of service form provided by a Certified Process Server that is captioned "Return of Service" and which contains the following information shall be authorized for use in this Circuit:

   (a) The court, case number, and caption of the case.

   (b) The date and time when process was received by the Certified Process Server.

   (c) The date and time when service was made.

   (d) The specific manner of execution (section of statute, if applicable).

   (e) The name of the person on whom service was made.

   (f) If a person was served in a representative capacity, the position occupied by the person.

   (g) The signature of the certified process server.

   (h) The printed name and identification number of the certified process server.

   (i) A statement that the person serving process is a certified process server in good standing in the judicial circuit in which the process was served and that the Certified Process Server is disinterested in the process being served.

2. Verification of the Return of Service shall be accomplished by either of the methods prescribed in § 92.525 of the Florida Statutes:

(a) An oath before a notary that, by personal knowledge, the facts and matters contained within the Verified Return of Service are true and correct; or

(b) A signed declaration containing the following language: "Under penalty of perjury, I declare that I have read the foregoing Verified Return of Service and that the facts stated are true."

3. A Verified Return of Service, to be valid, need not refer to any Administrative Order nor to any order or blanket appointment.

4. A Verified Return of Service which contains information in addition to those items mentioned above shall not be invalidated on that basis.

## C. MAINTENANCE OF LIST OF APPROVED CERTIFIED PROCESS SERVERS:

The Administrative Office of the Courts and the Clerk of the Courts are hereby authorized and directed to maintain and update the approved List of Certified Process Servers.

## D. PROCESS SERVER REVIEW BOARD

1. Board Purpose. The Process Server Review Board ("Board") shall monitor the certification, conduct, and professionalism of persons certified to serve process in the Eleventh Judicial Circuit pursuant to this Administrative Order and Section 48.25, *et seq.,* Florida Statutes. The Board shall operate under the supervisory authority of the Chief Judge of the Eleventh Circuit.

2. Board Composition. The Board will be composed of a chair, co-chair(s), member at large, certified civil process server, Board secretary, Board coordinator, representative of the Miami-Dade County Clerk of the Courts who is familiar with service of process, representative of the law enforcement community in this Circuit who is familiar with service of process, and an active circuit or county court judge in this Circuit. All are voting members except for the Board secretary and coordinator. All members of the Board shall be appointed by the Chief Judge who, at any time, is authorized to expand or amend the composition of the Board as deemed necessary or appropriate.

3. Quorum. A majority of the voting members of the Board shall constitute a quorum.

4. Vacancies. Any vacancy on the Board shall be filled by appointment of the Chief Judge. The person appointed shall serve the remainder of the vacant term.

5. Term. The Board will serve for a minimum two-year term beginning on April 1 of the new term calendar year.

6. Board Duties.

   (a) The Board shall be responsible for the following: recommending the certification of process servers; reviewing complaints and concerns relating to the certification process; reviewing complaints regarding certified process servers; reviewing certified process servers' responses to complaints and conducting all necessary proceedings and deliberations in connection with making factual findings and recommendations to the Chief Judge for disposition of complaints.

   (b) The Board shall have the authority and discretion to adopt rules governing its operating procedures which shall be submitted to the Chief Judge for approval.

   (c) The Board may make recommendations to the Chief Judge regarding an amendment to the rules.

7. Records. The Board secretary, or other Board member designated by the chair, shall maintain records and minutes of all Board proceedings and official actions.

8. Expenses. Members of the Board shall serve without compensation.

This Administrative Order supersedes Administrative Order No. 24-08, as amended, and shall become effective immediately upon execution and shall remain in full force and effect until further order of the Court.

**DONE AND ORDERED** in Chambers at Miami-Dade County, Florida, this 30th day of September 2026.

ARIANA FAJARDO ORSHAN, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA