

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

**CASE NO. 22-01
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 22-12**

**IN RE: ORDER IMPOSING
SANCTIONS ON CERTIFIED CIVIL
PROCESS SERVER VICTOR RACEK**

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 Chief Judge of the Eleventh Judicial Circuit of Florida reestablished standards and requirements governing certified process servers within the Eleventh Judicial Circuit in Administrative Order No. 16-11 Amendment 1, pursuant to Rule 2.215, Florida Rules of General Practice and Judicial Administration; and

WHEREAS, a second complaint was filed against Certified Civil Process Server Victor Racek on June 7, 2022, for violating the standards and requirements of Administrative Order No. 16-11 A1. After consideration of the documents and evidence submitted, the Board has found Mr. Racek in violation of Administrative Order No. 16-11 A1 Sections 4(k) and 4(p) by engaging in prohibited conduct.

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, it is hereby **ORDERED** that:

1. Pursuant to Sections 5(c)(iii), 5(c)(iv), 5(c)(v) and 5(c)(vi), Administrative Order No. 16-11 A1, Victor Racek shall be subject to the following sanctions:
 - a. The imposition of costs and expenses incurred by the Board in connection with the proceeding, specifically the certified mail costs (amount to be determined);
 - b. Payment of restitution in the amount of two hundred and forty-five dollars (\$245.00) to Jacqueline Diaz;

- c. Successful retake of the certified process server certification examination at Mr. Racek's expense; and
- d. Forty-five (45) day suspension, after which reinstatement may be sought upon satisfaction of all pending sanctions, including restitutions and any conditions the Chief Judge may deem appropriate.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida this 17th day of August 2022.

**NUSHIN G. SAYFIE, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**