

ADMINISTRATIVE ORDER
NO. 07-97-58

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

ADMINISTRATIVE ORDER RELATING TO SERVICE OF PROCESS

WHEREAS, procedures have been established in Administrative Order No. 07-87-10 governing the appointment of private process servers; and

WHEREAS, pursuant to Section 48.21, Florida Statutes (1997), it is necessary that additional procedures governing executed returns be established;

NOW, THEREFORE, I, Belvin Perry, Jr. pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit under rule 2.050, Florida Rules of Judicial Administration do hereby order that executed returns must be accompanied by the following:

1. A legible affidavit of service or non-service which includes the name and ID number of the process server typed or printed below the process server's signature.
2. The person who actually served the process must be the person who signs the affidavit of service or non-service. The person's signature must be notarized or verified by the signing of a written declaration as prescribed in Section 92.525(2), Florida Statutes (1997), stated as follows: "Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true". This declaration must be followed by the signature of the person who served the process.
3. The ORIGINAL process must be returned to the court file. (In the past, the process server has served in error the original summons, notice to appear or order. In some instances only an affidavit of service has been returned with no document attached. Further, a process server may state in error that a subpoena was served when he or she actually served a summons

or notice to appear).

4. A statement or notation of the costs of service must be included on the affidavit of service.

5. The manner of service, i.e., personal, substituted or by posting (depending upon the nature of the case) must be stated in the affidavit of service.

6. The original affidavit of service containing all the information listed above must be attached to the back of the ORIGINAL or certified copy of the process before being submitted to the Clerk for filing.

7. All incorrect affidavits will be returned for correction before being filed. This can result in the delay of the entry of a default.

8. This Administrative Order shall become effective immediately.

DONE AND ORDERED at Orlando, Florida this 7th day of April, 1998.

/s/ Belvin Perry, Jr.
Belvin Perry, Jr.
Chief Judge

Copies to:

All Circuit & County Judges, Ninth Judicial Circuit
State Attorney's Office, Ninth Judicial Circuit
Public Defender's Office, Ninth Judicial Circuit
General Counsel, Orange County Sheriff's Office
Orange County Corrections
Orange County Bar Association
Bar Briefs, Orange County Bar Association
Paul C. Perkins Bar Association
Hispanic Bar Association
Clerk of Courts, Orange County
Orange County Law Library
Clerk of Courts, Osceola County
The Osceola County Bar Association

The Osceola County Law Library
The Osceola County Sheriff's Office
The Osceola County Dept. of Corrections, Jeff Elkins-Director
Office of the Statewide Prosecutor
Central Florida Criminal Defense Attorneys Association
Executive Director of The Florida Bar
Official Records, Orange County Comptroller

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