



9 Questions to Ask a Process Serving Company

It's the shortcut you've been waiting for. Use these 9 questions to control your law firm's spend and inspire a **new level of performance** and value from your process server.



Finding the right **process serving vendor** can be the legal professional's version of an Easter egg hunt; and not in a fun way. Sure, you could look for clues on Twitter or plumb the depths of Reddit but sifting through the social media haystack for hours on end probably isn't a good use of your time.

To keep you from falling into the vendor interview sinkhole we've created this nine-question probe to get the **clear and direct answers** you need to qualify a process serving company.



Q1.

How much experience do you have?

The answer to this question should reveal much more than how long the company has been in business. **It should help you determine whether a provider keeps up** with legal technology, stays atop court rules, and keeps pace with the evolving legal industry.

You're looking for clues about how the company has developed expertise and industry insight during its years of operation. A vendor that possesses expertise and insight will demonstrate that it understands:

- What clients look for in each situation regarding the type of document being served and the timeliness with which the document must be served.

Among these documents, also referred to as dated documents, are subpoenas, orders, or motions. Any document for which a hearing date is applicable.

As an example, subpoenas must be served in what the court deems as "reasonable time to appear." Other documents, such as orders, have a statutory deadline for when the document must be served prior to a hearing date.

- The relationship between the documents being served and the deadlines those documents must follow.
- Variations in court requirements for diligence.
- How different courts feel about certain types of services. This may include refusal of service (process server places documents near the party being served) or substituted service of process (process server gives documents to an agent of the defendant, another adult in the recipient's home, or a corporate office).



Q2.

What is your serve success rate?

Determining a process serving company's serve success rate should be straightforward, however, there is a glut of statistics associated with process serving that can muddy the waters for this metric.

To get a clear view of serve success, let your prospective vendor know that you want to focus on the total number of documents that can be served.

What does that mean, exactly?

Documents that can be served have a valid address for the individual to be served. Likewise, for documents that can be served, the process server has a high degree of certainty about when the person will be at the address to accept papers.

The success rate of documents that can be served should be in the range of 80-90%.

An important distinction

As you interview vendors be aware that there is an important difference between documents that *can* be served and documents to be served.

Documents to be served refers to the total number of documents ordered for service of process. This includes service of process orders that are challenging to serve due to factors such as bad addresses and evasive parties. These influences can drive down the company's overall success rate and make the process serving company appear less effective than it actually is.

Losing Money on Your Service of Process Expense?

Your process serving company should be doing more for you than simply checking the boxes when a serve is complete. It should provide business intelligence that tells you which aspects of your service of process orders are performing well and which may be losing money for your firm.

You can use these reports to monitor performance and prevent overpayment by checking the:

▶ **Service level distribution**

For example, Standard (1st attempt within 5 days), Priority (1st attempt within 1 day) and Urgent (same day attempt, if received by deadline).

▶ **Orders by type**

That is, process serving, physical filing, electronic filing, and courtesy copy delivery.

▶ **Service of process orders by pricing zone**

▶ **Service of process performance**

That is, what percentage of serve orders that could be served (good address and/or non-evasive party) were successful vs. unsuccessful?

Learn more about how data from your vendor can help you better control your law firm's spend.

Technology Your
Process Server
Should Be Using.

Q3.

What are your deadlines?

Your process server should be crystal clear about document cutoff times so you can make sure the papers are served in compliance with court rules.

There are two types of deadlines your prospective process serving company should be prepared to discuss with you:

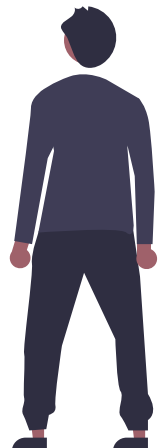
- **COURT DATED DOCUMENTS**

Documents such as a subpoena or a court order to show cause have specific deadlines for when they must be served. Therefore, it's crucial for a server to know the state and local rules governing deadlines.

The process serving company should make sure the papers are served sufficiently in advance of a hearing or deposition to give the other party enough time to appear. If documents are not served sufficiently in advance a judge may throw out a case based on insufficient process.

- **NON-COURT DATED DOCUMENTS**

These documents are provided at a certain time of day so the server can make the initial attempt to serve. Deadlines will vary depending on whether documents are to be delivered to a business address or a residential address.



Q4.

What are your service levels?

Law firms do not operate in a one-size-fits-all world. Therefore, services that are flexible and scalable should be the standard for the process serving company you choose.

In some cases documents will need to be served as quickly as possible, so an on-demand or same-day service should be available as a standard option. Putting all your work in an on-demand bucket, however, will likely result in overpayment for urgency you don't need.

That's why you should search for a company that offers a diverse level of services. The right one will align with your timing needs and budget.



While the service levels of process serving firms are similar, there are differences. For example, Rapid Legal's four service levels are:

- 1. On demand:** A five-alarm, all hands-on deck response. Work begins on the order immediately and focuses on making the first attempt to serve within 2 hours of receiving the document. Keep in mind that if you have a service of process that must be performed in a remote locale or rural area, that may extend the serve time to 3 or 4 hours.
- 2. Urgent:** Service of process is attempted same day or same evening. The time of day the serve is attempted is scheduled according to where the papers are being served. Daytime work hours for business address and evening hours for residential addresses.
- 3. Priority:** Service is made the following day. If the first attempt is unsuccessful then subsequent attempts are made every couple of days thereafter.
- 4. Standard:** Service is attempted within 3 to 5 days of receiving the service of process order.

BOTTOM-LINE

You will want to select a vendor that provides **enough flexibility** to match the urgency you need with a price that makes sense.

Q5.

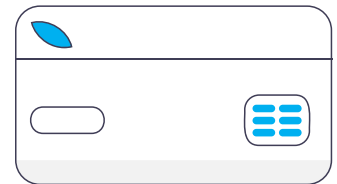
When can I expect to receive my Proof of Service?

Everyone likes security, and that's what a Proof of Service provides. The company you interview should be able to provide that security in the form of a physical document signed by the process server that states when the document was served.

Turnaround on that document should be as quick as possible. Here are two benchmarks your process serving company should meet:

- ▶ Turnaround for a Proof of Service with a standard level of service ordered should be 2-3 days.
- ▶ Turnaround for an out-of-state service of process may extend to 5 days.

Remember, many process serving companies use a computerized system to create the proof of service document. That document requires the physical process server to review and apply or attach a signature to the proof of service. This may delay turnaround in varying degrees.



Wouldn't It Be Nice?

Just imagine: You place a service of process order from your computer anytime, anywhere; then email updates about the order begin to appear. The updates continue until service is effected and your Proof of Service arrives in your email inbox.

That's not a dream. That's the Rapid Legal standard for service of process. And the service can be provided for parties or registered agents located anywhere in the U.S.

You can get this convenience on common documents Rapid Legal serves such as:

- **Summons**
- **Complaints**
- **Motions and Proposed Orders**
- **Dismissals**
- **Petitions**
- **Defaults**
- **Answers**

Contact us now

to learn more about Rapid Legal's superior service of process.

And with **Rapid Legal**, service is free, if it isn't done right. That's our guarantee.

What are your charges?

This question is never really about money. It's about **value**.

As you look for value in the price you pay, here are two important features a process serving company can offer that will add value to your spend:

- A system that **monitors your serve** anytime you want to look at it. You can see attempts and you can see the progress of the serve.
- A dedicated operator in the office that manages your serve and can update, provide direction, and communicate with the server.

While you weigh the question of value, keep in mind that two factors have an important influence on the cost of service of process:

- Speed with which the document must be served.
- Location of the party to be served (i.e., rural or metropolitan).

Always pay attention to the fine print, too. A good vendor provides transparent pricing without hidden fees. The best vendors will have an **online pricing calculator** so you can know the complete cost of your service of process up front.

Remember that the fee any process serving company charges should seal confidence and assure that your service of process order doesn't become a slow-moving crisis.

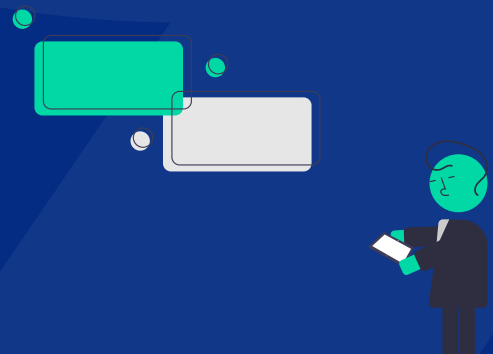
Interview Like a Guru

Command your interviews with prospective process serving companies by deepening your knowledge about service of process.

[Read The Ultimate Guide for Process Serving](#)

Want to become the office expert? Get bonus tips and insights in **What to Look for When Hiring a Process Serving Company** about these key areas:

- ▶ **Serve Success Rates**
- ▶ **Speed of Service**
- ▶ **Service of Process Pricing**
- ▶ **Client Satisfaction**



Power up your service of process IQ now!

Q7.

How do you handle evasive parties?

Nothing slows down service of process like an evasive party. Multiple service attempts cost time and money, so it's good to know up front whether your service of process vendor is well-equipped to deal with these orders.

The process serving company should use clues from each attempt to construct a window of time when the person to be served most likely will be present. To do this, the process server's in-person tactics should include:

- **Checking with the neighbors.**
- **Taking note of movements, vehicles, blinds open or closed, trash cans placed on the curb.**
- **Checking whether a name appears on a gas meter.**
- **Observing the property.**
- **Verifying the property is where the defendant resides.**
- **Performing a stakeout.**

If multiple attempts fail it may be necessary to perform a stakeout. Your vendor should be able to handle this important task or offer a **concierge service** to help escalate your response to evasive parties as needed.

Concierge service can provide expert assistance for service of process, electronic court filing, document review, and more.

Struggling to serve an evasive party?

Rapid Legal offers skip tracing to locate an individual's whereabouts. Contact us for a quote.

Manage Cases



Process serving companies should have powerful online technology to help address difficult serves. For example, some providers offer a **manage cases** feature that allows the process server to enter information about the attempt into a record the law firm can access.

Law firms log into the manage case feature to check on the order's progress and see information about the attempt.

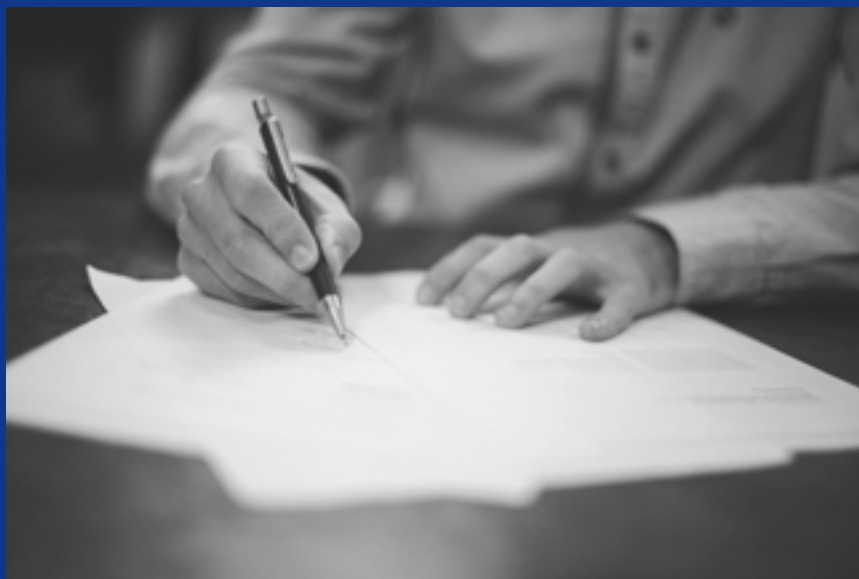
The server may include information such as whether the door was answered, lights in the home were on or off, whether cars were parked at the residence, automobile license plate numbers, etc.

Plan B: Substituted Service of Process

If personal service on an evasive party cannot be completed after multiple attempts, a process server may perform substituted service of process on another person or entity. This is also known as a sub serve.

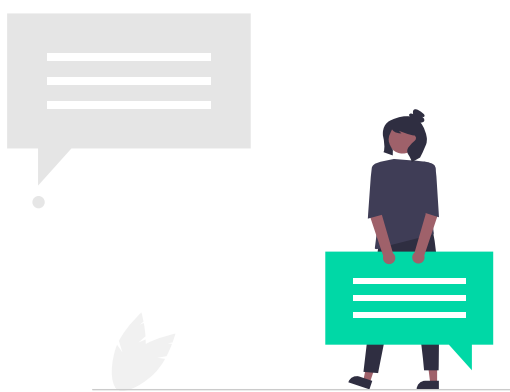
The types of parties that may be used for a sub serve vary, so it's critical for the service of process company to be well acquainted with the local court rules governing sub serves.

The **California Civil Code** varies by county with regard to due diligence required before a sub serve is permitted. Likewise, some courts may require personal service be attempted at particular times of day before a sub serve is permitted. The process server's understanding is critical in these cases to make the serve efficient and in compliance.



Q8.

Tell me what sets you apart from other process servers or companies?



A crowded list of prospective vendors can thin out quickly when you filter for competitive characteristics. But how to recognize a meaningful differentiator when so much of the industry is lacquered by sameness?

Look for a company that thinks different. Instead of tired old mantras such as “Great quality and service,” look for a vendor that emphasizes communication and being purpose-driven.

In the context of a process serving company, here is what those two qualities should describe:

Communication-driven

- 1) The way a process serving company communicates doesn't need to be complex, it simply needs to be clear. More importantly, communication needs to actually take place. A good service of process company understands that and communicates with a law firm honestly and frequently. It also makes communication accessible via telephone, email, or chat.

Purpose-driven

- 2) Every document matters to someone regardless of whether it's a company or person, husband or wife, landlord or tenant. As you narrow your search, look for a vendor that believes in the gravity of the work it does. A top-performing service of process company is one that knows it's not just the law firm that is trying to get the document served, but also the case participant.

Q9.

What do your customers say?

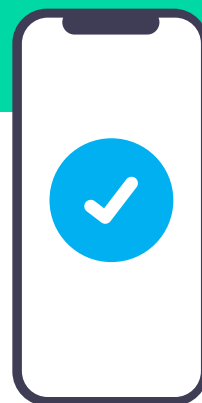
Asking a vendor for references, testimonials, or case studies doesn't have to be an awkward game of Truth or Dare. Simply ask for references from the vendor's customers and let them know you want to open dialogue with other legal professionals.

This is an opportunity to compare your needs and experiences with peers who can tell you how the firm performed for them in similar situations. The right answer should be affirming and enthusiastic. Something like this:

"We absolutely have a list of customers for whom we've done work for a long time who value our communication, honesty, reports, analytics, and desire to get the job done. We're happy to give you a list whenever you need them."

See what legal professionals have to say about Rapid Legal.

Check out the customer testimonials at
www.rapidlegal.com



It's Time for Better Value and Reliability

You may not understand every nuance of service of process but you understand your law firm's supply chain. You also understand your responsibility to get the best value from your vendors. Ask these nine questions up front and you'll avoid hidden costs, gain confidence, and launch a strategic partnership that will add value to your law firm now and in the future.

Share your service of process challenges with an account executive now and explain what you need to succeed.

Call now or book a demo to get started

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