

CHARLES LOMELI
Treasurer-Tax Collector-County Clerk

MICHAEL COOPER
Assistant Treasurer-Tax Collector-
County Clerk

TREASURER-TAX COLLECTOR-COUNTY CLERK



SOLANO
COUNTY

LORI BUTLER-SLAPPY
Tax Collections Manager

DENISE TOLSON
County Clerk Manager

PROCESS SERVER REQUIREMENTS FOR REGISTRATION

INFORMATION AND REQUIREMENTS TO FILE A NEW OR RENEWAL REGISTRATION FOR PROCESS SERVER IN SOLANO COUNTY – EFFECTIVE 07/01/05. PLEASE READ ALL INFORMATION BELOW BEFORE REGISTERING.

YOU MUST OBTAIN THE FOLLOWING TO REGISTER AS A PROCESS SERVER.

1. Completed registration form for natural person or corporation or partnership. (*)
2. Completed Live Scan Service Form for fingerprinting for the DOJ and FBI.

(Solano County Sheriff's Department does fingerprinting Monday – Friday by appointment only please contact them at (707) 421-7000 for fee information and appointment scheduling. You must specify you need live scan fingerprinting.)

3. Process server bond in the amount of **\$2,000.00** in the name of the natural person or **partnership** or corporation registering (**BOND MUST BE IN THE SAME NAME AS THE REGISTRATION**).
4. (a) Fee of **\$110.00** made payable to **SOLANO COUNTY** (Registration and I.D. Card Fee)
(b) **A SEPARATE FEE** will be paid **DIRECTLY** to the **COUNTY RECORDER** when bond is submitted for recording.

(*) Staff members will no longer be authorized to serve under their employer's process server registration. All staff members who serve **10** or **MORE** services per year will be required to register as a **NATURAL PERSON** in order to be in compliance with **SECTIONS 22350 BUSINESS & PROFESSIONS CODE**.

DEFINITION OF A PROCESS SERVER WHO MUST REGISTER

Section 22350 Business & Professions Code

- (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.
- (b) **This chapter shall not apply to any of the following:**
- (1) Any sheriff, marshal, or government employee who is acting within the course and scope of his or her employment.
 - (2) An attorney or his or her employees, when serving process related to cases for which the attorney is providing legal services.
 - (3) Any person who is specially appointed by a court to serve its process.
 - (4) A licensed private investigator or his or her employees.
 - (5) A professional photocopier registered under Section 22450, or an employee thereof, whose only service of process relates to subpoenas for the production of records, which subpoenas specify that the records be copied by that registered professional photocopier.

FINGERPRINT SCAN – Section 22351.5 Business & Professions Code

- (a) At the time of filing the initial certificate of registration, the registrant shall also submit a completed Request for Live Scan form confirming fingerprint 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.
- (b) If, after receiving the results of the Request for Live Scan, 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.

FILING FEE - Section 22352 Business & Professions Code

At the time of filling the initial Certificate of Registration, a registrant shall pay the following fees to the county clerk:

- (a) A fee of one hundred dollars (**\$100**)
- (b) A fee to cover the actual costs of processing the completed fingerprint cards when submitted with the initial certificate registration. (**\$56.00 per set** of fingerprint cards payable to Department of Justice)
- (c) A fee to cover the actual cost of issuing a registered process server identification card. (**\$10.00**)

NEED FOR FILING BOND - Section 22353 Business & Professions Code

- (a) A Certificate of Registration shall be accompanied by a bond of two thousand dollars (\$2000) which is 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 (\$2000).

TERM OF REGISTRATION - Section 22354 Business & Professions Code

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 the date the current registration expires. 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.

MAINTENANCE BY COUNTY CLERK; RENEWAL – Section 22355 Business & Professions Code

- (a) The county clerk shall maintain a register of process servers and assign a number and issue an identification card to each process server. The county clerk shall issue a temporary identification card, for no additional fee, to applicants who are required to submit Request for Live Scan forms for background checks to the Federal Bureau of Investigation and the Department of Justice. This card shall be valid for 120 days. If clearance is received from the Federal Bureau of Investigation and the Department of Justice within 120 days, the county clerk shall immediately issue a permanent identification card to the applicant. Upon request of the applicant, the permanent identification card shall be mailed to the applicant at his or her address of record. Upon renewal of a certificate of registration, the same number shall be assigned, provided there is no lapse in the period of registration.

RESPONSIBILITY OF REGISTRANT – Section 22356 Business & Professions Code

A registrant shall be responsible at all times for the good conduct of his or her employees acting within the course or scope of their employment, and any person acting as an independent contractor within the course or scope of the agency relationship with the registrant.