FSA & Avalon Legal Information Services Joint Webinar
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FSA & AVALON LEGAL INFORMATION SERVICES, INC.
2019 CIVIL PROCESS LEGISLATION (HB 91)
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This bill makes certain changes related to civil process including:

• Allows special and certified process servers to serve any non-enforceable civil process.

• Creates new rules for serving spouses away from the home.

• Allows for service of out-of-state process by persons authorized to serve in that state, in accordance with the service requirements of this state, with no requirement to use a specific affidavit or form.

• Allows everyone authorized to serve process to sign return-of-service forms electronically.

• Exempts vehicles owned or leased by certified process servers from window tint restrictions.

HB 91 was signed into law by the Governor on May 7, 2019.
• **Section 3. 48.021 Process; by whom served.** –
  • Amends ch. 48.021, F.S. and authorizes special process servers appointed by the sheriff or certified process servers to serve any non-enforceable civil process, as opposed to only *initial* non-enforceable civil process.

• **Section 4. 48.031 Service of Process Generally; service of witness subpoenas.** –
  • Allows for substituted service on spouses of the person to be served, away from the home, without the requirement to accept process, if they are also a non-adversarial party to the action.
Section 4. 48.031 Service of Process Generally; service of witness subpoenas. – (continued)

- Requires that any person serving process must put, on only the first page of at least one of the processes served.
  - The date and time of service;
  - His or her identification number, if applicable; and
  - His or her initials or signature.
• **Section 6. 48.194 Personal Service Outside the State.** –

• Allows any person authorized to serve process in another state, including private process servers, to serve process on individuals found within that state.

• However, such out-of-state service must still be made in the same manner as service of process on persons within this state.

• Deletes the requirement that a person serving out-of-state process file an affidavit setting forth certain information, including the time, manner, and place of service and permits a court to consider a return-of-service form or any other competent evidence as proof of proper out-of-state service.
• **Section 7. 48.21 Return of Service Execution of Process.** —
  • Authorizes any person authorized to serve process under ch. 48, F.S., to sign return-of-service forms electronically, rather than only sheriff’s office employees.
  • Removes the requirement that the sheriff certify all such electronic signatures.

• **Section 8. 316.29545 Window Sunscreening Exclusions — Process Server Vehicles**
  • Adds certified process servers to those exempted from window tint restrictions.
Questions???

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