

STUDY GUIDE FOR PRIVATE PROCESS SERVER CERTIFICATION EXAMINATION

It is strongly recommended you spend time with an attorney or at the law library to acquaint yourself with state laws (Arizona Revised Statutes A.R.S.), Arizona Rules of Court, Rules of Civil Procedure (RcP) and local (individual county) court rules. Information contained in this packet should be considered a guide and is not intended to be a complete listing of all laws and rules a private process server would need to know. Selected information, for example, the Administrative Order and Arizona Code of Judicial Administration are posted on the Arizona Judicial Branch Website at <http://www.azcourts.gov/orders/AdministrativeOrdersIndex.aspx> and the Arizona Rules of Court at <http://www.azcourts.gov/rules/Home.aspx>

READ:

- < Administrative Order 2002-110
- < Arizona Code of Judicial Administration §7-204: Private Process Server
- < The local court rules for each county where you intend to or may be employed to serve papers.
- < A.R.S. §10-501 - Known Place of Business and Statutory Agent
- < A.R.S. §10-504 - Service upon Corporation
- < A.R.S. §11-447 - Service of Process Regular on its Face
- < A.R.S. §11-448 - Duty to Show Process
- < A.R.S. §12-303 - Witness Fees and Mileage. Arizona Rules of Civil Procedure (RcP), Rule 45(d)(2), states that for service of a subpoena, when the subpoena commands the appearance of a party at a trial or hearing, or is issued on behalf of the state or any of its officers or agencies, fees and mileage need not be tendered.
- < A.R.S. §12-1175(c) - Complaint and Answer; Service and Return
- < A.R.S. §12-2294.01. Release of medical records or payment records to third parties pursuant to subpoena
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- < A.R.S. §12-3301 - Fees Chargeable in Civil Actions by Private Process Servers, Authority of Private Process Servers; Background Investigations
- < A.R.S. §13-1501, §13-1502, §13-1503, and §13-1504 - Criminal Trespass
- < A.R.S. §13-2810 - Interfering with Judicial Proceedings; Classification

- < A.R.S. §13-2814 - Stimulating Legal Process; Classification
- < A.R.S. §13-3802 - Right to Command Aid for Execution of Process; Punishment for Resisting Process
- < A.R.S. §13-4072 - Service of Subpoena
- < A.R.S. §13-4093 - Witness from Another State Summoned to Testify in this State
- < A.R.S. §13-4094 - Exemption from Arrest and Service of Process
- < A.R.S. §33-1377 - Service of Special Detainer Actions
- < A.R.S. §39-121 - Inspection of Public Records [useful in locating defendants for service]
- < RcP, Rule 3 - Commencement of Action
- < RcP, Rule 4 - Process
- < RcP, Rule 4.1 - Service of Process Within Arizona
- < RcP, Rule 5 - Service and Filing of Pleadings and Other Papers [entire rule, but especially 5(c)2]
- < RcP, Rule 7 - Pleadings Allowed; Form of Motions and Other Documents; 7.3 Orders to Show Cause
- < RcP, Rule 10 - Form of Pleading [sets out size of paper, margins and other technicalities for preparing pleadings]
- < RcP, Rule 45 – Subpoena
 - *Tolelson v. Haines*, 2 Ariz.App. 127, 406 P.2d 845, Ariz. App. (1965)
 - *Hatmaker v. Hatmaker*, 337 Ill.App. 175, 85 N.E. 2d 345 (1949)
 - *In re Ball*, 2 Cal.App.2d 578, 38 P.2d 411 (1934)
 - *Thorndyke v. Jenkins*, 61 Cal.App.2d 119, 142 P.2d 348 (1943)
 - *Trujillo v. Trujillo*, 71 Cal.App.2d 257, 162 P.2d 640 (1945)
 - *Lane v. Elco*, 134 Ariz. 361, 656 P.2d 650 (1982)
 - *Endischee v. Endischee*, 141 Ariz. 77, 685 P.2d 142 (1984)
 - *Enriquez v. State*, 115 Ariz. 342, 565 P.2d 522 (1997)
 - *Francisco v. State*, 113 Ariz. 427, 556 P.2d 1 (1976)
 - *Marsh v. Hawkins*, 7 Ariz.App. 226, 437 P.2d 978, 31 A.L.R.3d 1383 (1968)