

Process Servers Perform Best When Goals Are Established

By Scott Gray

When you hire a professional process server, their primary objective is to effect valid service on the project you have given them. Their secondary goal is to do so in a fashion that results in customer satisfaction such that you continue to use their services for future projects. Customer satisfaction falls short when the process server doesn't meet the expectations the customer had – expectations that may not have been communicated clearly to the server. For the process server to perform at his or her best, it is important for them to be given clear instructions and expectations if the service request is anything other than routine.

A competent process server should be able to accomplish almost anything the attorney needs done on a particular service project whether related to specific times, numbers of attempts, multiple addresses, surveillance, special circumstances (i.e., take photos, use subterfuge, or a violent servee), constant updates, or rush return of affidavits. To ensure customer satisfaction and an economically-efficient completion of the task, eliminate any misunderstandings.

Let's look at some examples of circumstances where dissatisfaction can occur. Service requests deadline of "ASAP" are quite common. The term ASAP is inherently meaningless as it is interpreted differently by different people. If the server's interpretation of the term does not coincide with the attorney's, there will be problems. If the attorney says "do it whenever you get to it" and the server took it to mean "as soon as possible" literally, the resulting service charge will likely be far more than the attorney expected, and vice versa. Using specific time parameters is key to eliminating this potential misunderstanding. It is quite common to receive service requests asking that service be completed the same day. An attorney may say "I need this served today," but doesn't specify whether this means serve it today at all costs, or just try to get it served today. Again, if it really needed to be served that day, and the server only made an attempt or two when the attorney intended the server to sit there all night if necessary, there will be dissatisfaction.

There are many factors that cause attorneys to set deadlines. Some are because their client wants the suit commenced immediately, the defendant is leaving town, there is a hearing

fast approaching, there is a statutory deadline looming, or it is simply an arbitrary deadline. The steps the process server can take to best ensure the process gets served vary depending on the circumstances. I have dealt with unhappy customers regarding same day requests where service was not accomplished after a couple attempts but the attorney expected surveillance would occur if necessary, as well as customers shocked by the price of service where numerous rush attempts were made to complete it. In either case, the dissatisfaction is merely the result of lack of communication.

Deadlines can conflict with reality. There is often an assumption that if you send a process server to someone's residence in the evening, that service will be completed. There are numerous circumstances that can cause failure to complete service. Sometimes no one is home - because they work the second or third shift, they are at youth sporting events, they are out for entertainment, they are out of town, they are staying at a friend's home, and on and on. Or, someone is home but won't answer the door because they are afraid of unexpected visitors, they are engrossed in a book or show and don't want to be bothered, they are under the weather, have prepared to retire to bed, children are home alone, or maybe they are avoiding service.

If the process server is fully aware of the circumstances regarding the attorney's service wishes, they can best perform to their talents and ensure that the resulting product meets or exceeds the expectations going in. By clearly communicating deadlines and their reasons, along with an understanding of the level and speed of effort expected balanced with the inherent increased expenses related to such effort, the server can operate as effectively as possible to ensure valid service, and the attorney can be assured of the best possible results both in service performance and economy.

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