

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 08- **9011**

TEMPORARY MODIFICATION OF PROCEDURES GOVERNING PROCESS SERVER CERTIFICATION RENEWAL

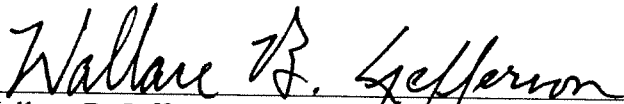
The Court created the Process Server Review Board in 2005 and set forth initial procedures for certification, including a three-year certification term. Misc. Docket No. 05-9122, at 2 (June 29, 2005). The first process servers certified under the Court order were nearly 1300 process servers who became certified on July 1, 2005 by virtue of having been approved at that time to serve process in Harris, Dallas, or Denton County. *Id.* at 3. The three-year certification term for all process servers certified on July 1, 2005 expires on July 1, 2008.

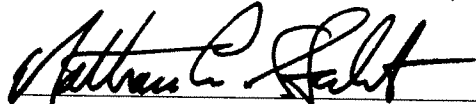
The Court later adopted Rule of Judicial Administration 14 to provide more detailed rules to govern the certification process. Misc. Docket No. 07-9036 (March 5, 2007). Rule 14 provides that, to avoid any lapse in certification, a process server seeking renewal should submit a completed application between 45 and 90 days before the certification expires. Tex. R. Jud. Admin. 14.4(c)(2). However, due to an administrative transition to new data-management software, this 45-day renewal window may not provide sufficient time to process renewal applications for the large number of process servers whose certifications are set to expire July 1, 2008.

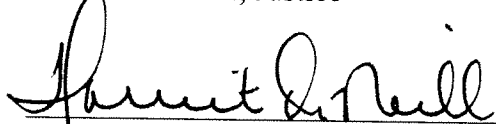
To provide adequate processing time, and to avoid any lapse in certification for process servers who timely submit renewal applications, the Court hereby adopts the following temporary modifications to the renewal procedures specified in Rule 14.4(c):

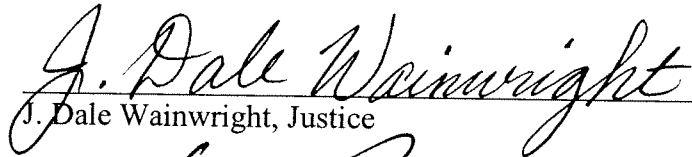
For any applicant whose current certification is scheduled to expire on July 1, 2008 and who timely submits a renewal application (at least forty-five days, and no more than ninety days, before the expiration date), the current certification is automatically extended until the earlier of (1) October 1, 2008; or (2) the Board's decision to either grant or deny the application following consideration of the application on its merits, unless the Board determines that certification should not be extended in a particular case for good cause, such as an applicant's failure to immediately provide notification to the Clerk of the Supreme Court upon being convicted of a felony offense or of a misdemeanor offense involving moral turpitude. Nothing in this Order modifies a certified process server's duty to immediately report that he or she has been convicted of a felony offense or of a misdemeanor offense involving moral turpitude and cease serving process pursuant to his or her statewide certification. *See* Tex. R. Jud. Admin. 14.5(a).

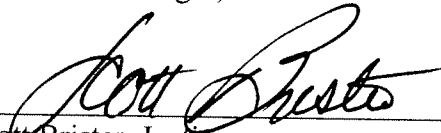
SIGNED AND ENTERED, this 12th day of February, 2008.

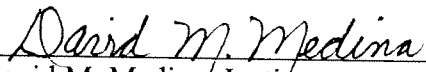

Wallace B. Jefferson, Chief Justice

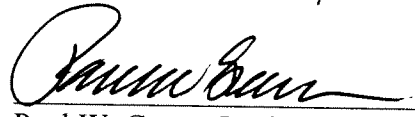

Nathan L. Hecht, Justice



Harriet O'Neill, Justice

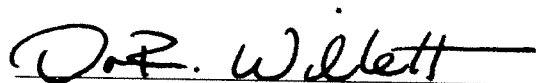

J. Dale Wainwright, Justice


Scott Brister, Justice


David M. Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice