



What Makes a Process Server a Good Process Server?

By Scott Gray

In the series of articles I have written for this publication over the last year I have attempted to highlight some of the characteristics, factors, and practices that establish a company as a reliable and quality provider of service of legal process and other ancillary services to the legal community. Issues such as compliance, accountability, insurance, training, use of employees rather than contractors, scheduling, monitoring, and review are of course all quite important in an industry in which (at least in the State of Minnesota) there exists no barrier to entry and no oversight or licensing. If you say you are a process server, presto, you are a process server. Since those articles focused on the factors that provide for a strong organizational structure, I thought it would be informative to also discuss the various characteristics of the process servers themselves. Who are these people and what skills and strengths do they possess that enable them to make the organizational structure function as designed?

Diverse Backgrounds: As a large amount of process serving needs to occur at residences, and most people tend to be home in the evenings, many of our process servers have established careers and work part time. Although the historic stereotype of process servers has either been “sneaky” or “burly” people, one would be surprised at the diverse backgrounds of the folks we have serving in the evenings. We employ school teachers, landscapers, computer techs, pastors, police officers, attorneys, postal employees, homemakers, gunsmiths, probation officers, private investigators, paralegals, firefighters, and medical technicians to name a few. Our ethnic diversity runs the full spectrum which also provides multiple language skills at our disposal. Many are surprised to learn that nearly half of our process servers are female. Our age range runs from as young as 19, to as old as 72.

Training: For someone with no experience serving legal papers, it can be difficult through a verbal description to get an appreciation for what the job entails and what they may encounter while serving. Consequently, prior to being hired they are first sent out with an experienced server to actually see what happens when serving process. In many cases, the prospective server may decide that this type of job just isn't for them. For those that feel they can handle it, they are hired and

trained. Training encompasses orientation, in office study of published materials, and additional “on the road” training with senior servers.

Monitoring: Most process service companies assign a pile of papers to be served to one of their independent contractors who are then expected to go and serve them and come back when they are done - whether that is in a day, a week or a month. Our process servers work scheduled shifts where they start in our office, get instructions on expectations of the particular services they are working on that night, and upon completing those instructions on the road, return to our office at the end of the evening where a supervisor then reviews the work they completed. Supervisors are always available in the office throughout the evening for advice and questions.

Compensation: As employees rather than contractors, our servers are compensated for their time and mileage regardless of whether they complete service. This method of guaranteed pay eliminates any incentive on the server's part to effect anything but valid service which as I've discussed in previous articles is a substantial problem both nationally and locally with independent contractors who are only paid if they complete service. Our process servers are truly “disinterested parties” as anticipated by the service rules.

The formula of well trained people with diverse backgrounds being closely monitored and supervised and compensated for their efforts rather than their results has proven to yield the highest quality process service services available in the Upper Midwest over the last 40+ years. Serving with empathy, compassion, integrity, consistency and compliance ensures equity for all of the involved parties in any legal action requiring service of process.

Scott Gray is the vice president and operations manager for Metro Legal Services with over 30 years of process service experience. Metro Legal Services, in its 43rd year of operation, is the leader in the upper Midwest in providing ancillary services to the legal community. Questions/comments welcome at 602.349.9512, or visit www.metrolegal.com.