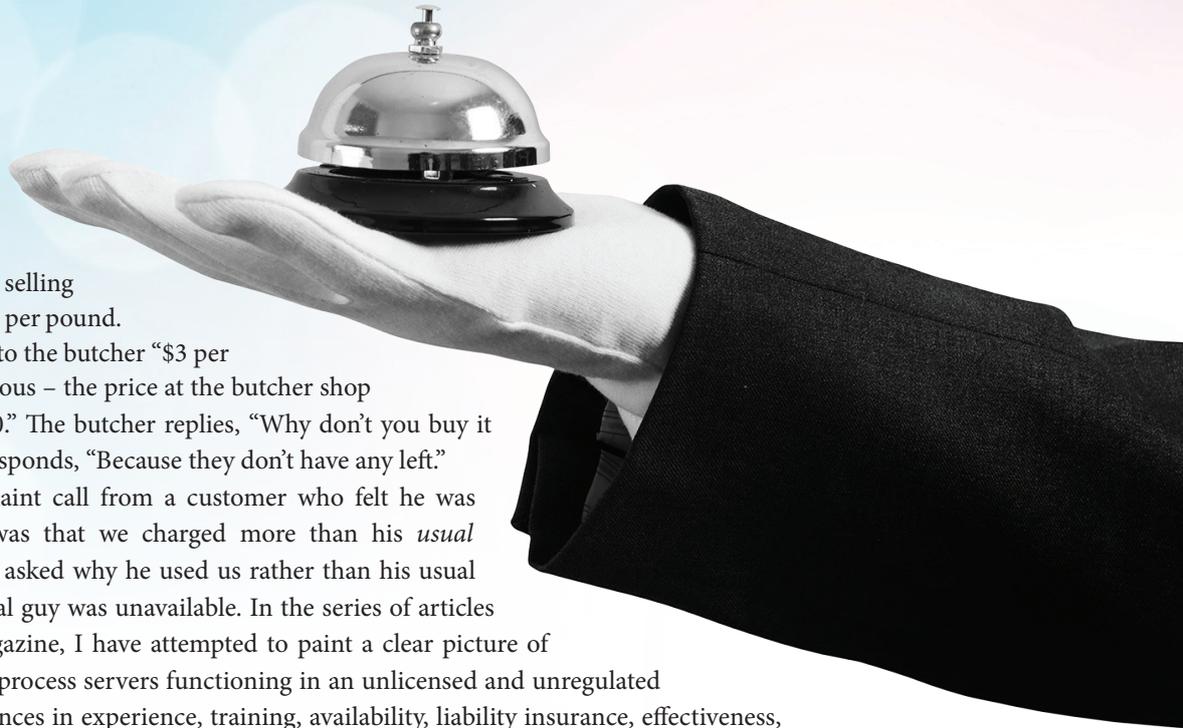


The Cost of Service: Does it Really Matter?

By Scott Gray



A butcher shop is selling ground beef at \$3 per pound. A customer says to the butcher “\$3 per pound is outrageous – the price at the butcher shop down the street is only \$2.50.” The butcher replies, “Why don’t you buy it there then?” The customer responds, “Because they don’t have any left.”

I recently fielded a complaint call from a customer who felt he was overcharged. His position was that we charged more than his *usual* process server would have. I asked why he used us rather than his usual server, and he said his normal guy was unavailable. In the series of articles I have published in this magazine, I have attempted to paint a clear picture of the vast differences between process servers functioning in an unlicensed and unregulated industry in this state. Differences in experience, training, availability, liability insurance, effectiveness, accountability and competence vary greatly from server to server.

Like in most things you purchase, you get what you pay for ... plain and simple. Whether using a sheriff, or a private process server, the ultimate cost of local service will likely be less than \$100 for a single service completed under reasonable time constraints. We often receive phone calls seeking quotes on charges for service of process and other services we provide. I recently gave someone an estimate of \$45 to complete service. Her response was that she had already been quoted \$40 by a different process server, so she was going with them. Obviously that determination is totally up to her, but I find it quite interesting that the decision on who to use to serve process is based on a difference of \$5. The commencement of a lawsuit has to be a more important factor to a lawyer than simply seeking the cheapest service, when the differences in costs are as little as \$5, not to mention the time it takes to call around and seek quotes. In the grand scheme of things, does that small of a difference really matter?

You have likely heard the good/fast/cheap business theorem. If you want it good and fast, it won’t be cheap, good and cheap it won’t be fast, and fast and cheap it won’t be good. That pretty much applies to process serving and the pricing thereof. How fast does it need to be done? Service needing to be done within the hour is more costly than one needing to be done in a week. How far do we have to drive? The farther away, the more costly. How many attempts do we have to make to complete service? If the servee is avoiding service, or infrequently at home, greater and more costly effort must be expended to get the job done. Our business model allows for good and fast, and good and cheap. We leave the fast and cheap up to others.

In most cases, the pricing set up by the local sheriff is the basis by which process servers set their prices. Usually private servers attempt to undercut the sheriff’s pricing to create an incentive to the attorney to use a process server instead.

The value in using a private process server is ease of use, competence, speed, accountability, and fair pricing relative to other service options. The cost of bad service, whether vacating judgments, battling over service validity, missing statutes of limitations, or having to start all over and delaying your client’s case are far more costly than fretting over whether service costs \$40, \$50 or \$60. In the overall equation, especially when service fees are recoverable, the concern should be who will perform the best over time, every time, rather than who is the least expensive.

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