

We would like to thank you for your interest in serving as a Process Server and taking part in the Benton County Judicial process. The following information is being provided in order to assist you with a quick overview of what is required to serve as a Process Server in Benton County. Please make sure that you read the Administrative Order (Dated: March 31, 2015) very carefully as it will be your responsibility to ensure that all documents have been completed accurately and all requirements have been met.

Fees:

New petition to serve as a Process Server	\$140.00
Renewal to serve as a Process Server	\$ 50.00
Process Server Identification Card	\$ 5.00

New Process Servers please make sure you have the following documents upon filing
of your application with the Benton County Circuit Clerk's Office:
Petition for Appointment (see exhibit A)
☐ Affidavit of the Petitioner (see exhibit B)
Affidavit (see exhibit C)
☐ \$10,000 Cash/Corporate Surety Bond(with expiration date noted on the bond)
Order (see exhibit E)
Renewal Process will need the following documents upon filing with the Benton
County Circuit Clerk's Office:
Petition for Renewal (see exhibit D)
Affidavit of the Petitioner (see exhibit B)
Affidavit (see exhibit C)
\$10,000 Cash/Corporate Surety Bond (with expiration date noted on the bond)
Order (see exhibit E)
<u>Caution:</u> Only the forms provided by Benton County will be accepted. Examples of these forms have been provided as attachments.

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS DIVISIONS I, II, III, IV, V, & VI

IN THE MATTER OF APPOINTMENT OF PERSONS AUTHORIZED TO SERVE LEGAL PROCESS IN BENTON COUNTY, ARKANSAS BRENDA DESHIELDS
CLERK AND RECORDER
BENTON COUNTY, AR.

ORDER

Pursuant to Rule 4(c), Arkansas Rules of Civil Procedure, and Administrative Order No. 20, the Circuit Courts are authorized to appoint persons to serve legal process. The Court finds that there is a need for the establishment of a procedure for approval of persons who will be authorized pursuant to Rule 4(c) and Administrative Order No. 20 to serve process, as well as a need for a registry of persons so authorized in Benton County.

To effectuate the procedure desired by the courts and to provide for an accurate, current registry, the Court orders as follows:

- 1. All authorizations effective on January 2, 2015, shall continue to be effective until the expiration of the Process Server's current order.

- (a) Be at least eighteen years of age or older and a citizen of the United States.
 - (b) Have a high school diploma or equivalent.
- (c) Have never been convicted of a crime punishable by imprisonment for more than one year or a crime involving dishonesty or false statement, regardless of the punishment.
 - (d) Hold a valid driver's license.
- (e) Obtain a \$10,000.00 Cash/Corporate Surety Bond as to the performance of the duties of a Process Server for the benefit of the Benton County Circuit Court. The application will not be approved if the bond does not reflect an expiration date on its face.
- (f) Pay a filing fee of \$165.00 for filing an original application and a \$50.00 filing fee for filing a renewal application pursuant to Act 328 of 2009.
- 3. Applicant shall attach to the application an affidavit of the applicant substantially in the form that is attached to this Order (Exhibit "B") acknowledging knowledge of and familiarity with Rule 4(c) and Administrative Order No. 20 of the Arkansas Rules of Civil Procedure. Also attached to the application shall be an affidavit from an attorney of record practicing before the courts in Benton County, said affidavit being substantially in the form that is attached to this Order (Exhibit "C") stating that the attorney has, in fact, informed the applicant of the laws concerning service of process in the State of Arkansas, including Rule 4(c) and Administrative Order No. 20.
- 4. The Application, when filed, will be filed in the office of the Benton County Circuit Clerk and shall be assigned a number with a "BPS" designation so that the first application filed in 2015 will be "BPS 2015-1" and the next one filed will be "BPS 2015-2," et cetera. These applications shall be kept in a separate file in the Circuit Clerk's Office, and when an order is

entered (Exhibit "E") in connection with said application granting permission to serve, then the applicant's name will be entered onto a registry maintained by the Circuit Clerk. The process server will sign his/her return of service with his/her name and immediately after his/her process server number on each return of service.

- 5. After the initial approval is granted by the Administrative Judge of the Circuit Court of Benton County, each process server shall contact the Circuit Clerk's Office to make arrangements and pay any necessary cost to obtain a picture identification card from Benton County. Each Process Server is required to carry this identification card along with their Certified Order of Approval and a valid driver's license when serving process. He/she shall, upon request or inquiry, present this identification at the time the service is made.
- Applicant shall then, prior to the expiration date, file an Application for Renewal and an affidavit stating that he/she is familiar with all changes in the law concerning service of process and especially Rule 4(c) and that he/she is still active in the business of serving process along with a current bond. If the application, affidavit, and current bond are not filed prior to the expiration date, then the approval granted by the original order shall be deemed terminated, and the applicant's name shall be stricken from the registry of approved process servers. If same applicant wishes to be reinstated, he/she must file a new Application, Affidavits, and Bond with the court. Approval of renewal applications (Exhibit "E") will be for a period of one year pursuant to Administrative Order No. 20(e) of the Administrative Orders of the Arkansas Supreme Court.
- 7. The Circuit Clerk shall maintain a separate registry of all persons for whom a petition has been filed and an order signed by the Administrative Judge of the Court granting approval to serve process. The Circuit Clerk shall also maintain a separate file containing the applications and orders for process servers, and said file and registry shall be available for

inspection by the public in the Circuit Clerk's Office.

Any Circuit Judge may revoke an appointment to serve process for any of the following reasons: (1) making a false return of service; (2) willful and purposeful improper service; (3) failing to meet the minimum qualifications for serving process; (4) misrepresentation of authority, position or duty or other good cause.

__ day of March, 2015. IT IS SO ORDERED and entered this

Division I

THOMAS E. SMITH, Circuit Judge

Division III

XOLLIE DUNCAN, Circuit Judge

Division V

Division II

JOHN R. SCOTT, Circuit Judge Division IV

Circuit Judge

Division VI

IN THE MAT THE APPOIN TO SERVE L	
PROCESS S	ERVER NUMBER: BPS
	APPLICATION FOR APPOINTMENT AND AUTHORIZATION TO SERVE LEGAL PROCESS
Come	and petitions the Court for an order of
appointment	as civil process server in accordance with Rule 4(c)(2), Arkansas Rules of Civil
Procedure, a	nd Administrative Order Number 20, and states:
1.	Applicant seeks appointment to serve process in Benton County, Arkansas and
files this app	plication and supporting affidavit establishing that Applicant meets the minimum
qualifications	to serve process:
(a)	is eighteen years of age or older and a citizen of the United States;
(b)	has a high school diploma or equivalent;
(c)	has not been convicted of a crime punishable by imprisonment for more than one year or a crime involving dishonesty or false statement, regardless of the punishment;
(d)	holds a valid driver's license from one of the United States;
(e)	has obtained a \$10,000.00 Cash/Corporate Surety Bond
(f)	paid a filing fee of \$165.00 for filing an original application or a \$50.00 filing fee for filing a renewal application
2.	Applicant is a resident of County, Arkansas with
a mailing add	dress of
3.	Applicant is familiar with and has read and understands Rules 4, 5, and 45 of the
Rules of Ci	vil Procedure and represents to the Court that [he/she] is familiar with the

requirements of the service of civil process in the State of Arkansas and with the various documents to be served. Applicant agrees to comply with the requirements set forth in those rules and the orders of the court. Applicant further states that [he/she] will endeavor to stay current with any changes to the law concerning the service of process as well as the Rules of Civil Procedure pertaining thereto.

4. Applicant will carry a certified copy of [his/her] order of appointment, along with the Benton County photo I.D. card and a valid driver's license when serving process and will, upon request or inquiry, present this identification at the time service is made.

WHEREFORE, Applicant prays that this Application be granted and that the Court enter an order authorizing service of civil process in Benton County, Arkansas.

		Applicant	
STATE OF ARKANSAS COUNTY OF)		
I state on oath that I ha contained therein are true and cor			
		Applicant	
Subscribed and sworn to before n	ne this	day of	, 20
My Commission Expires:		Notary Public	

Adopted March 31st, 2015

IN THE MATTI THE APPOINT TO SERVE LE	
PROCESS SE	RVER NUMBER: BPS
	APPLICATION FOR RENEWAL OF APPOINTMENT AND AUTHORIZATION TOSERVE LEGAL PROCESS
Comes	now and petitions the Court for an order of renewal
of appointmen	t as civil process server in accordance with Administrative Order Number 20 and
Rule 4(c)(2), A	rkansas Rules of Civil Procedure, and states:
1.	Applicant was appointed to serve legal process in Benton County, Arkansas, by
order of the Co	ourt dated, a copy of which is attached hereto as Exhibit A.
2.	Applicant seeks a renewal of this appointment and files this application and a
supporting aff	fidavit establishing that Applicant meets the minimum qualifications to serve
process:	
(a)	is eighteen years of age or older and a citizen of the United States;
(b)	has a high school diploma or equivalent;
(c)	has not been convicted of a crime punishable by imprisonment for more than one year or a crime involving dishonesty or false statement, regardless of the punishment;
(d)	has a valid driver's license from one of the United States;
(e)	has obtained a \$10,000.00 Cash/Corporate Surety Bond;
(f)	has paid a filing fee of \$140.00 for filing an original application or a \$50.00 filing fee for filing a renewal application.
3.	Applicant is a resident of, County, Arkansas with
a mailing add	ress of:

Applicant is familiar with and has read and understands Rules 4, 5, and 45 of the 4. Rules of Civil Procedure and represents to the Court that [he/she] is familiar with the requirements of the service of civil process in the State of Arkansas and with the various documents to be served. Applicant agrees to comply with the requirements set forth in those rules and the orders of the court. Applicant further states that [he/she] will endeavor to stay current with any changes to the law concerning the service of process as well the as the Rules of Civil Procedure pertaining thereto. Applicant will carry a certified copy of [his/her] order of appointment along with 5. the Benton County photo I.D. card and a valid driver's license when serving process and will, upon request or inquiry, present this identification at the time service is made. WHEREFORE, Applicant prays that this Application be granted and that the Court enter an Order renewing authorization of Applicant to serve civil process in Benton County, Arkansas. Applicant STATE OF ARKANSAS COUNTY OF I state on oath that I have read the foregoing Application and that the statements contained therein are true and correct to the best of my present knowledge and belief. Applicant Subscribed and sworn to before me this _____ day of _____, 20___. **Notary Public**

My Commission Expires:

Adopted March 31^{31} , 2015

THE A		NTME	NT OF		
PROC	ESS S	ERVI	ER NUMBER: BPS		
			AFFIDAV	IT OF APPLICANT	
	Come	es nov	N	, Applicant herein, and being first duly	y sworn, upon
his/he	r oath	depos	ses and states:		
	1.	l ar	m a resident of	, Cour	nty, Arkansas,
and			my	address	is
	2.			, and I a	
by			, whose address is	s	<u> </u>
	3 .	(Ch	neck one of the following	paragraphs):	
		(a)	I have filed an appli	ication requesting approval from the C	ircuit Court of
			Benton County to se	erve process in accordance with the	Rules of Civil
			Procedure and the la	ws of the State of Arkansas.	
		(b)	I have filed an applic	cation requesting renewal of my appoir	ntment as civil
			process server. 1 wa	as appointed to serve legal process in E	Benton County
			by order of the Circu	iit Court dated, a	copy of which
			is attached hereto as	s Exhibit A.	
	4.	ln :	support of the Applicatio	on, I state that I meet the minimum qu	ualifications to
serve	proces	ss:			
	(a)	l aı	m eighteen years of age o	or older and a citizen of the United State	es.
	(b)	l ha	ave a high school diploma	a or equivalent.	

- (c) I have not been convicted of a crime punishable by imprisonment for more than one year or a crime involving dishonesty or false statement, regardless of the punishment.
- (d) I hold a valid driver's license from one of the United States.
- (e) I have obtained a \$10,000.00 Cash/Corporate Surety Bond.
- (f) I have paid a filing fee of \$165.00 for filing an original application or a \$50.00 filing fee for filing a renewal application.
- 5. I am familiar with and have read and understand Rules 4, 5, and 45 of the Rules of Civil Procedure and represent to the Court that I am familiar with the requirements of the service of civil process in the State of Arkansas and with the various documents to be served. I agree to comply with the requirements set forth in those rules and the orders of the Court. I further state that I will endeavor to stay current with any changes to the law concerning the service of process as well as the Rules of Civil Procedure pertaining thereto.
- 6. I will carry a certified copy of my order of appointment along with the Benton County photo I.D. card and a valid driver's license when serving process and will, upon request or inquiry, present this identification at the time service is made.

FURTHER AFFIANT SAYETH NOT.

Applicant	
Typed or Printed Name	
Address	
City, State, and Zip Code	
Telephone	
Email Address	

STATE OF ARKANS COUNTY OF	SAS)							
Subscribed	and , 20	sworn , at		or	affirmed	before	me	this -	 day	of
					N	otary Pub	olic			
My Commission Exp	oires:									

Adopted March 3154, 2015

IN THE MATTER OF THE APPOINTMENT OF TO SERVE LEGAL PRO	CESS:			
PROCESS SERVER NU	WIBER: BPS			
	AFFIDAV	IT OF ATTORNEY		
COMES NOW			, being first duly sw	orn, and
upon oath deposes and s	tates:			
1. That I am	a licensed, practici	ng attorney in good stan	ding before the Su	preme
Court of Arkansas and pr	acticing in the abo	ve stated courts of Bento	on County, Arkansa	ıs.
2. That I am	familiar with and ha	ave read and understand	d Rules 4, 5, and 4	5 of the
Rules of Civil Procedure	of Arkansas regard	ding service of process in	n the State of Arkar	isas.
3. I further st	ate that I have as a	a client		_ and
have been engaged by s	aid client to review	with him the rules perta	ining to the service	of
process and the requiren	nents for the servic	e of process in the State	e of Arkansas. Said	i client
has demonstrated to me	a full understandin	g of said rules and requi	irements for the se	vice of
process.				
FURTHER AFFIA	NT SAYETH NOT			
		Attorney	-	
		Bar Number		
		Typed or Printed Name)	
		Address		

COUNTY OF		
I state on oath that I am a licensed attorne the statements contained therein are true and corbelief.	ey in and for Benton County rect to the best of my preso	/, Arkansas and tha ent knowledge and
	Attorney	
Subscribed and sworn to before me this _	day of	, 20
	Notary Public	
My Commission Expires:		

Adopted March 31St, 2015

IN THE MATTER OF THE APPOINTMENT OF TO SERVE LEGAL PROCESS:
PROCESS SERVER NUMBER: BPS
ORDER OF APPOINTMENT AS PROCESS SERVER
Pursuant to Rule 4(c)(2), Arkansas Rules of Civil Procedure, and Administrative Order
Number 20, after reviewing the application, affidavit, and other information submitted by
Applicant for appointment to serve legal process in Benton County, Arkansas, the Court finds
follows:
That the application should be, and hereby is, approved; this appointment is effective
until 12:00 midnight,, 20, unless terminated earlier by court order.
Name of Process Server:
Address:
This appointment is effective for every division of circuit court and for every district court in
Benton County.
The circuit clerk shall file this order and provide a certified copy of it to the process
server and the circuit clerk and sheriff of each county of this judicial circuit wherein approval
has been granted. The circuit clerk(s) shall add the Applicant to the list of qualified
process servers that it maintains and posts.
The process server shall carry a certified copy of this order of appointment, a
Benton County photo ID card and a valid drivers license when serving process and shall,
upon request or inquiry, present this identification at the time service is made.
The process server is required to update this Court with his/her address and
telephone number within thirty (30) days of any change from the one listed herein.
Entered this day of, 20
Doug Schrantz Administrative Judge