

**PROPOSED NEW RULE AND FORM – submitted to Hamilton Co Common Pleas Court
Rules Committee 2/27/25 – Judge Goering, Chair**

Rule 21. Process Servers

(A) A person may be designated as a “Civil Process Server” for cases filed in the court by filing a combined Affidavit and Entry. The Affidavit and Entry shall set forth the following information:

- (1)** Personal Information. The name, address, and telephone number of the person to be appointed as a Standing Special Process Server;
- (2)** Age. That the person is 18 years of age or older;
- (3)** Non-Party. That the person agrees not to attempt service of process in any case in which the server is a party, related to a party to the proceeding, or has a financial interest in the outcome of the proceeding;
- (4)** Citizenship Status. That the person is a citizen or legal resident of the United States;
- (5)** Identification. That the person holds a valid government-issued identification card, passport, or driver’s license;
- (6)** Law-Abiding. That the person has not been convicted in the last 10 years of any felony, offense of violence or offense involving dishonesty or false statement, and not currently under community control sanctions, probation, post-release control, or parole;
- (7)** No CPO. That the person is currently not a respondent under any civil protection order;
- (8)** Knowledge. That the person is familiar with the required procedure for service of process;
- (9)** Professionalism. That the person will conduct themselves in a professional manner; and
- (10)** Compliance. That the person agrees to follow the requirements of Civ.R. 4 through Civ.R. 4.6, any applicable local rule, and specific instructions for service of process as ordered by the court in individual cases.

(B) An appointment can be for one-time or standing as a Civil Process Server. A standing appointment shall be for no more than a one-year period ending on December 31. Upon expiration of an appointment, a person must reapply in accordance with this Rule. If the person designated a standing Civil Process Server fails to satisfy the requirements set forth in Civ.R. 4.1(D) during the period of appointment, the authority to serve process shall cease.

(C) All appointment orders for a one-time Civil Process Server shall be authorized by the Assigned Judge. All appointment orders for a Standing Civil Process Server shall be authorized by the Hamilton County Common Pleas Court, General Division, Equity/Criminal Presiding Judge, for a period of no longer than one year. If the Judge authorizes a person to be a Standing Civil Process Server, the order shall be captioned “In Re: The Appointment of [Name of Person Being Appointed] as Standing Civil Process Server” and state the following:

It appearing to the court that the following person has complied with the provisions of Hamilton County Court of Common Plea Local Rule 21, [Name of Person Being Appointed] is hereby designated as a Standing Civil Process Server authorized to make service of process in all cases filed in this court and to serve until December 31, ____, or further order of the court, whichever comes first. If at any time during the period of this appointment [Name of Person Being Appointed] fails to satisfy the requirements set forth under Civ.R. 4.1(D), the authority to serve process under this Order shall cease.

(D) The Clerk shall record such appointment on the court's journal and shall file the original affidavit and order. In any case thereafter, the Clerk shall accept a time-stamped copy of such affidavit and order as satisfying the requirements of Civ.R. 4.1(D) for designation by the court of a person to make service of process.

(F) The clerk shall charge \$150 for the Entry filing for new applicants and \$60 for a renewal.

1. I am _____, my address is _____,
telephone number _____;
2. I am eighteen (18) years of age or older;
3. I agree not to attempt service of process in any cause in which the server is a party,
related to a party to the proceeding, or have a financial interest in the outcome of a
proceeding;
4. I am a citizen or legal resident of the United States;
5. I hold a valid government-issued identification card, passport, or driver's license;
6. I have not been convicted in the last 10 years of any felony, offense of violence, or
offense involving dishonesty or false statement, and am not currently under community
control sanctions, probation, post-release control, or parole;
7. I am not a respondent under any civil protection order;
8. I am familiar with the required procedure for service of process;
9. I will conduct myself in a professional manner; and
10. I agree to follow the requirements of Civ.R. 4 through Civ.R. 4.6, any applicable local
rule, and specific instructions for service of process as ordered by the court in individual
cases.

A standing appointment shall be for no more than a one-year period ending on December 31. Upon expiration of an appointment, I understand that I must reapply in accordance with Hamilton County Local Rule 21. If I fail to satisfy the requirements set forth in Civ.R. 4.1(D) during my period of appointment, my authority to serve process shall cease.

FURTHER AFFIANT SAITH NAUGHT:

(Name of Person Requesting Appointment)

(Signature)

Sworn to and subscribed in my presence by the Applicant, this _____ day of _____, 20____,
at _____, County, Ohio.

(Notary Public)

ORDER

It appearing to the court that the above named individual has complied with the provisions of Ham. Co. Local Rule 21, they are hereby designated as a Standing Special Process Server authorized to make service of process in this court and to serve until December 31, _____, or further order of the court, whichever comes first. If at any time during the period of this appointment they fail to satisfy the requirements set forth under Civ.R. 4.1(D), the authority to serve process under this Order shall cease.

APPROVED:

HAMILTON COUNTY COMMON PLEAS JUDGE