



**Baltimore County Sheriff's Office  
Towson, Maryland**

**Sheriff  
R. Jay  
Fisher**

**General Order**

<b>Subject:</b> Service of Process	<b>Effective Date</b> 2/1/16	<b>Number</b> A-21
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**Purpose:** The purpose of this directive is to set forth the policies and procedures relating to the administration of process.

- I. Contents:**
- I Policy**
  - II Receipt of Process**
  - III Procedures for the Collection of Fees for Service**
  - IV Recording, Entering, Depositing Fees for Service**
  - V Supervisor Duties**
  - VI Service of Process**
  - VII Return**
  - VIII Refund of Fees**

**I. Policy**

It is the policy of the Baltimore County Sheriff's Office to document the receipt of process and to serve all civil and criminal process in a lawful and expeditious manner.

**II. Receipt of Process**

- A.** All process received by the Sheriff's Office for service will be immediately time stamped upon receipt.
- B.** The process will be reviewed to ascertain if we have jurisdiction (Baltimore County Address), if it is signed by a Judge or the Clerk of the Court, there are sufficient copies to serve and return to the court, proper fees are attached and made payable to the Baltimore County Sheriff if appropriate.
- C.** All process will be entered into the process inventory system (PIS) and a bar code will be attached.

**III. Procedures for the Collection of Fees for Service**

- A.** All process with an attached fee for service (Check, Money Order) will be logged into the journal located on top of the drop box, process along with the fee attached will be placed into the locked box.
- B.** All collected fees for service of process must have the following or it will not be accepted
  - 1. Made out to the Baltimore County Sheriff.
  - 2. Must have a name, address and phone number of individual paying for service.  
(This is who will receive a refund if not served)
- C.** When fees are collected in person (at the front window), the person receiving the process and fee must:
  - 1. Collect fee.
  - 2. Provide receipt.
  - 3. Log into journal.

4. Place process and attached fee into drop box.

**D. Fees Received from the Clerk of the Court**

1. Verify that we have the following information.
  - a. Proper fee, made payable to the Baltimore County Sheriff's Office.
  - b. Name and address to send a refund if necessary.  
**Note: If the process does not include all of the above, it must be returned to the petitioner with an explanation of what is needed.**
  - c. Log into journal and place process and attached fee into drop box.

**IV. Recording, Entering, and Depositing Collected Fees for Service – to be Performed by the Early Clerk**

- A. Unlock drop box and compare drop box journal with the process in the box. Notify supervisor if the contents of the drop box are not the consistent with the journal.
- B. Record process in the check process system.
- C. Enter process into process inventory system.
- D. Complete deposit slip for all process fees collected and give to Supervisor for review.
- E. The above procedures will be conducted daily.

**V. Supervisor Duties**

- A. Ensure deposits are conducted daily.
- B. Compare the following daily to ensure they all match:
  1. Drop box journal.
  2. Process check system.
  3. Deposit slip.
- C. Maintain receipt of deposit slip provided by the cashier.
- D. Perform monthly audit of the receipt book, drop box journal and process check system to check for discrepancies.

**VI. Service of Process**

- A. The (PIS) computer system assigns the process to a designated Area/Deputy for service.
- B. Once process has been assigned to an Area/ Deputy for service, he/she will make every effort to personally serve that process in a timely manner.
- C. The Sheriff's Office policy is to serve all process personally, if process is left with someone other than named on the process, or it was unable to be served it will be returned as "Not Served" within ten (10) days following the expiration of the process.
- D. All process that has a trial date will be returned to the Clerk of the Court from which it was received a minimum of forty eight (48) hours prior to the trial date.

**VII. Return**

- A. The process being returned must have:
  1. The date and time served/not served. State reason if not served.

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2. Mark on the summons the correct amount of the Sheriff's fee (\$40.00 in state \$60.00 originating from out of state).
3. Sheriff's signature stamp.
4. The Deputy's I.D. number.
5. The Deputy returning the process is responsible for updating the (PIS) computer system with the appropriate codes (i.e. 01 served, 02 not served, etc.)
6. Return of service for Writs of Garnishment will be completed as stated above, and a copy will be mailed to the last known address of the Garnishee.
7. Return of service for foreign (Out of State) process will be completed as stated above, then given to a Sheriff's Clerk to prepare a notarized affidavit of service. Once prepared the serving Deputy will sign same and mail to the appropriate jurisdiction.

**VII. Refund of Fees**

- A. The Sheriff's Office is required by law to refund the party requesting the Sheriff to serve process 50% of the fee collected if the process was not served. This will be accomplished automatically through our (PIS) computer system generating a report at the end of each month of all process that we collected a fee and was not served. This report will be sent to the Office of Budget and Finance and they will be responsible for mailing out the appropriate refund.

**Distribution**

Sworn Personnel  
Criminal Record Processors

By Authority of:



R. Jay Fisher  
Sheriff