

Introduction To Citations

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Special Thanks to:
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What We Will Cover

- What is a citation?
- Issuance of the citation
- Requirements of the citation
- Dates & times for service
- Expiration for service
- Who may serve the citation
- Methods of service
- Who the citation is delivered to
- Duties and requirements of the officer
- Return duties and requirements of the officer

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RESOURCES



• www.txcourts.gov
• Texas Rules of Civil Procedure (TRCP)



• www.statutes.capitol.texas.gov
• All statutes other than the Rules of Civil Procedure



• www.tjctc.org
• Texas Civil Process Field Guide
• Deskbooks – including Practical Guide to Writs of Execution
• Legal Question Board
• Forms

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RULES OF CIVIL PROCEDURE

All rules except Rules 500 – 510

- Apply to cases in county and district court.

Rules 500 -510

- Apply specifically to cases in justice court.
- The other rules of civil procedure do not apply UNLESS the judge determines that a particular rule should apply in order to ensure fairness to all parties or the law says another rule applies.

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WHAT IS A CITATION?

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WHAT IS A CITATION?

It is the official process by which a defendant is notified he or she is being sued.

- Issued after the plaintiff (person suing) files a petition and pays a fee.
- Accompanied by a copy of the petition when it's served.

The citation provides notice to the defendant(s) of the opportunity to:

- Answer,
- Appear, and
- Defend the suit.

TRCP Rules 99 & 501

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Who issues the Citation?

Citations can be issued by the clerk of the:

1. District court
2. County court
3. Justice court
4. All of the above

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What if There are Multiple Defendants?

A citation must be issued for EACH defendant.

- The officer must serve a citation and petition on each defendant.
- A service fee will be charged for every citation that has to be served.

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Requirements of the Citation

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1. Main Requirements of the Citation

- Styled "The State of Texas."
- Identifies the person to whom the citation is directed = Defendant.
- Includes the name and county of the court where the case is filed.
- Includes the cause number.
- Identifies all parties in the case.
- Includes the date of issuance of the citation.
- Includes the date the petition was filed.
- Includes the name and address of the plaintiff's attorney, or the address of the plaintiff.

TRCP Rules 99 & 501.1(b)

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2. Main Requirements of the Citation

- Includes how long the defendant has to file an answer.
- Includes the address of the clerk.
- Informs the defendant that a default judgment may be entered if the defendant fails to answer.
- Includes the required statutory notice telling the defendant he/she has been sued and stating the deadline to file an answer.
- Identifies which court the citation is returnable to.
- Is signed by the clerk of the court or the judge.
- Contains the court's seal.

TRCP Rules 99 & 501.1(b)

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Defendant's Time to Answer

DISTRICT OR COUNTY COURT:

On or before Monday at 10:00 AM, after the expiration of 20 days from the date of service.

JUSTICE COURT:

By the end of the 14th day after the date of service.

If that day is a Saturday, Sunday, or legal holiday, then by the end of the next business day.

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Statutory Notice Wording

District or county court:

•"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you."

TRCP Rules 99(c)

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Statutory Notice Wording

Justice court:

•"You have been sued. You may employ an attorney to help you in defending against this lawsuit. But you are not required to employ an attorney. You or your attorney must file an answer with the court. Your answer is due by the end of the 14th day after the day you were served with these papers. If the 14th day is a Saturday, Sunday, or legal holiday, your answer is due by the end of the first day following the 14th day that is not a Saturday, Sunday, or legal holiday. Do not ignore these papers. If you do not file an answer by the due date, a default judgment may be taken against you. For further information, consult Part V of the Texas Rules of Civil Procedure, which is available online and also at the court listed on this citation."

TRCP Rules 99(c) & 501.1(c)

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Sample Form
Available on www.tjctc.org and
additional info. on the Coronavirus
Page

CAUSE NO. _____

PLAINTIFF _____

VS. _____

DEFENDANT _____

CITATION (SMALL CLAIMS OR DEBT CLAIMS CASE)

THIS STATE OF TEXAS
TO: _____ DEFENDANT in the above styled and numbered case.

This citation is issued pursuant to a petition filed by the above named Plaintiff on _____, 20____. The Plaintiff's attorney's name and address or the Plaintiff's address, if they have no attorney, are: _____ Your answer must be filed with this court located at _____, TX _____.

YOU HAVE BEEN SUED. YOU MAY EMPLOY AN ATTORNEY TO HELP YOU DEFENDING AGAINST THIS LAWSUIT. BUT YOU ARE NOT REQUIRED TO EMPLOY AN ATTORNEY. YOU OR YOUR ATTORNEY MUST FILE AN ANSWER WITH THE COURT. YOUR ANSWER IS DUE BY THE END OF THE 14TH DAY AFTER THE DAY YOU WERE SERVED WITH THESE PAPERS. IF THE 14TH DAY IS A SATURDAY, SUNDAY OR LEGAL HOLIDAY, YOUR ANSWER IS DUE BY THE END OF THE FIRST DAY FOLLOWING THE 14TH DAY THAT IS NOT A SATURDAY, SUNDAY OR LEGAL HOLIDAY. DO NOT IGNORE THESE PAPERS. IF YOU DO NOT FILE AN ANSWER BY THE DUE DATE, A DEFAULT JUDGMENT MAY BE TAKEN AGAINST YOU. FOR FURTHER INFORMATION, CONSULT PART V OF THE TEXAS RULES OF CIVIL PROCEDURE, WHICH IS AVAILABLE ONLINE AND ALSO AT THE COURT LISTED ON THIS CITATION.

SIGNED AND RETURNED this _____ day of _____, 20____.

JUDGE OF THE PEACE, PRESENT _____
COUNTY, TEXAS

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Practice: Identifying the Parts of a Citation

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Can a Citation be Served on Sunday?

1. Yes
2. No

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Dates & Times for Service

Citations may be served Monday through Saturday, any time of the day.

- Citations may not be served on Sundays.
- Writs related to attachment, garnishment, sequestration, or distress proceedings CAN be served on Sunday.

If service is by publication, a citation published on Sunday is valid.

TRCP Rules 6, 105, & 501.2(d)

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Expiration for Service

Citations, unless for ad valorem taxes, don't expire for the purpose of serving, BUT service should be done as soon as possible and without delay.

- Ad valorem tax citations expire 90 days from the date of issuance and must be returned if not served by the 90 days.

TRCP Rule 117a

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Who May Serve the Citation?

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Who Serves the Citation?

Citations may be served by:

Any sheriff, constable, or their deputies

A private process server certified by the Supreme Court,

The clerk of the court IF served by publication, registered mail, or certified mail, or

Any person authorized by law or by court order who is at least 18 years old.

TRCP Rules 103, 501.2(a)

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What About Evictions?

•An EVICTION citation can ONLY be served by a sheriff, constable, their deputies, or a person authorized by court order. (You will learn more about eviction citations in the Intro to Evictions course.)

•No person who is a party to or interested in the outcome of a suit may serve process in that suit.

•The citation may be served anywhere in the state.

TRCP Rules 103, 105, 106, 501.2(a), & 510.4

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Who has the Duty?

The PLAINTIFF is responsible for obtaining service of the citation and petition on the defendant.

The plaintiff decides who is going to serve the citation.

If there is an issue finding a defendant, it is the plaintiff's responsibility to find other addresses to serve.

Ashley v. Hawkins, 293 SW3d 175; Allen v. Rushing,
129 SW3d 226; Boyattia v. Hinojosa, 18 SW3d 729.
TRCP Rules 103, 106 & 501.1

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Payment of Fees

The plaintiff must pay all fees for service unless they have filed a Statement of Inability to Afford Payment of Court Costs.

- Also referred to as an Affidavit of Inability to Pay Costs or Affidavit of Indigency.

If that statement is filed in a JP court, a process server CANNOT serve the citation, only a sheriff, constable, their deputies, or a clerk can.

TRCP Rules 103, 105, 106, &
501.2(c)

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Practice Tip

Go to apartment complexes and introduce yourself to the staff.

- Explain what your job is, why they might see you there, and how they can help.
- This is especially helpful regarding evictions.

This is useful to build rapport so apartment staff:

- Won't interfere (then or in the future) when you're serving process.
- Will provide locating or forwarding information for a person if they have it.

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Methods of Service

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Methods of Service

A citation must be served by:

- Personal service on the defendant named in the citation,
- Give defendant a copy of the citation AND the petition with the date of delivery written on it.

OR

Mailing a copy of the citation AND petition to the defendant named in the citation.

- Must be by registered or certified mail with return receipt requested.
- Rule 501.2 allows an electronic return receipt, but Rule 106 does not.

TRCP Rules 106 & 501.2

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Case Law

"Generally, service of process needs to occur by handing the paperwork directly to the person being served. However, if the person refuses to accept service, they are held under Texas law to be personally served if 1) the person being served is identified; 2) they are informed of the nature of the process and that service is being attempted, and 3) the papers are deposited in an appropriate place in their presence or near them where they are likely to find them. *Dosamentes v. Dosamentes*, 500 S.W.2d. 233; *Texas Industries, Inc. v. Sanchez*, 521 S.W.2d. 133."

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Additional Methods of Service

Available options AFTER the previous options are unsuccessful:

- Alternative/Substituted Service
- Service by Publication

Must be requested from and approved by the court AFTER attempts to serve by personal service or mail are unsuccessful.

- Plaintiff or anyone authorized to serve process can request alternative service.

TRCP Rules 106(b) & 501.2(e)

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Alternative or Substituted Service

The person requesting alternative service must submit a sworn affidavit explaining:

- The attempts made to serve by personal service or mail,
- How the attempts were not successful, and
- Provide the location of defendant's:
 - Usual place of business,
 - Usual place of residence, or
 - Other place where the defendant can probably be found.

TRCP Rules 106(b) & 501.2(e)

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Sample Request for Alternative Service (Small Claims and Debt Claims Case)

On the TJCTC website

- www.tjctc.org
- Under > Legal Resources
- >Forms

ALTERNATIVE/
SUBSTITUTED
SERVICE:

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How Alternative Service Works (County/District Courts)

If alternative service is authorized by Rule 106, service is by:

- Leaving a copy of the citation and petition with any person over the age of 16 at the location(s) specified in the affidavit;
- OR
- By serving a copy in any manner the court determines will be reasonably effective in giving defendant notice of the suit.

TRCP Rule 106(b)

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How Alternative Service Works (Justice Courts)

If alternative service is authorized by Rule 501.2, service is by:

- Mailing a copy of the citation and petition by first class mail to defendant's address, AND leaving a copy of the citation and petition with any person over the age of 16 at the location(s) specified in the affidavit;
- OR
- Mailing a copy of the citation and petition by first class mail to defendant's address, AND by serving a copy in any manner the court determines will be reasonably effective in giving defendant notice of the suit.

TRCP Rule 501.2(e)

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1. SAMPLE AFFIDAVITS

The image shows two sample affidavit forms. The left form is titled "AFFIDAVIT FOR ALTERNATIVE SERVICE" and the right form is titled "ORDER OF THE COURT". Both forms contain legal text and signature lines. The left form has a red circle around the title "AFFIDAVIT FOR ALTERNATIVE SERVICE".

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How does Publication Work?

If allowed, the citation is published:

- Once a week for 4 consecutive weeks.
- With the first publication done at least 28 days before the return date of the citation.

TRCP Rules 109, 116, & 501.2(f)

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Service by Publication: Newspaper

If the suit DOES NOT involve title to land or partition of real estate, publication is in:

- The county where the case is pending if that county has a newspaper, or
- If that county does not have a newspaper, in an adjoining county with a newspaper.

If the suit DOES involve title to land or partition of real estate, publication is in:

- The county where the land, or a portion of the land, is located if that county has a newspaper, or
- If that county does not have a newspaper, in an adjoining county that has a newspaper.

TRCP Rules 109, 116, & 501.2(f)

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Service by Publication: Public Information Internet Website

NEW Requirement!

- Generally, in addition to newspaper publication, the citation must be published on the Public Information Internet Website: <https://topics.txcourts.gov/>
- This is done by the court clerk
- In some cases, publication in the newspaper may not be required, and publication will only be made on the Public Information Internet Website:
 - If the party requesting the citation files a Statement of Inability to Afford Payment of Court Costs;
 - If the total cost of the required publication exceeds \$200 each week or an amount set by the TX Supreme Court (whichever is greater); or
 - If the county in which the publication is required does not have any newspaper published, printed, or generally circulated in the county.

TRCP Rules 116 & 501.2

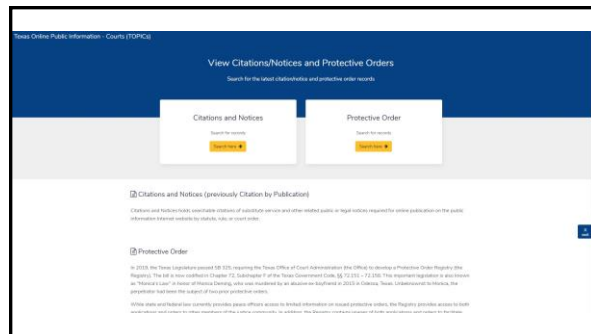
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Have you visited the TOPICs Website yet?

(Texas Online Public Information-Courts)

1. Yes
2. No

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Service by Social Media and Other Changes

- **The Texas Supreme Court issued an order in compliance with laws** passed at the last legislative session making changes to Rules 106 & 108a effective December 31, 2020.
- Most of these changes were made to make the language of the rules more clear and less confusing.
- A major change is that Rule 106 will explicitly allow substitute service "electronically by social media, email, or other technology"
- Full text of the order can be found at:
 - <https://www.txcourts.gov/media/1449613/209103.pdf>

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Service by Social Media

- Any substitute service by social media or other electronic means will need to be executed according to the court's order.
- The court may ask for your input on what should be included in their order.
- We have included in your handouts an Example of Proposed Service via Social Media that was prepared by the Travis County Pct. 5 Constable's Office.



Has anyone else drafted a proposed policy or discussed this with their courts?

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Who is the Citation Delivered to?

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Deliver the Citation to:

If the case is against an individual:

- Defendant named in the citation.
- If alternative service is allowed: any person over the age of 16.

If the case is against a business:

- Business owner or registered agent for service.
- If the business is a partnership: at least one of the partners.
- If the business owner can't be located, isn't a resident of the county, or isn't a resident of Texas: an agent or clerk of the business.

CPRC §17.021 & 17.022

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Practice Tip

Have the plaintiff give you a copy of the defendant's photograph and/or description before you attempt to serve:

- You'll know who you're looking for.
- You'll know if you're talking to the defendant even if he/she tells you their name is something different.

If you have determined it's the defendant, but they tell you their name is something else:

- In a non-confrontational way, explain that unless they can prove they are someone else they are considered served.
- It is *advisable* not to deliver the citation unless you can determine the identity or until the defendant admits or confirms their true identity.

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Service on a Partnership

If a suit is against several partners who are jointly indebted under a contract and citation has been served on at least one, but not all partners, the court:

- May render judgment against the partnership and against the partners who were actually served, but
- May not award a personal judgment or execution against any partner who was not served.
- Best practice: serve ALL partners if possible

CPRC §31.003

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Service on a Dissolved Corporation

When a case is filed against a dissolved corporation, the citation may be served on the:

- President,
- Directors,
- General manager,
- Trustee,
- Assignee, or
- Other person in charge of affairs at the time the corporation was dissolved.

TRCP Rule 29

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1. Who to Serve When it's Not Obvious

Political subdivisions:

- County: the county judge.
- City: mayor, clerk, secretary, or treasurer.
- School district: president of the school board or the superintendent.
- Financial institution:
 - Registered agent, president, or branch manager.
- Credit union:
 - Registered agent, president, or vice president.

CPRC §17.024 & 17.028

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2. Who to Serve When it's Not Obvious

Prison inmate:

- Employee designated by the Warden to act as an agent for service;

Suit against a non-resident business entity:

- Person in charge, resident agent for service, or Secretary of State;

Delinquent tax suit:

- Secretary of State.

CPRC §17.029 & 17.044

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3. Who to Serve When it's Not Obvious

Transportation suits:

- Person in charge, designated resident agent for service, or the Texas Transportation chairman;

Utility supplier:

- Local agent, superintendent, representative, or person in charge;

Foreign Railway:

- Conductor or agent who sells tickets or makes contracts.

CPRC §17.062, 17.091, & 17.093

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Service Duties & Requirements of the Officer

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1. Service Duties & Requirements

"Officer" doesn't necessarily mean law enforcement; it means the person serving the citation.

The officer's ONLY responsibility is to hand the citation and petition to the person being served.

The officer may not force a person to open the door, accept service, or use force to enter.

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2. Service Duties & Requirements

When serving the citation, the officer must:

- Enter the citation into their record keeping system.
- Write/stamp on the citation the date and time when the officer received it.
- Write the date of delivery on the citation before giving it to the defendant.
- Serve the citation on the defendant.
- Proceed without delay.
- Attempt service at all addresses provided.
- Keep copies of all documents in accordance with established record retention schedules.

TRCP Rule 501.2

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Attempting Service

The number of attempts required varies by agency, but multiple, diligent attempts at different times of the day should be made.

Remember: alternative service cannot be requested until attempts to serve by personal delivery or mail are unsuccessful.

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Records must be retained and may be destroyed pursuant to established retention schedules.

Retention of records relating to service of process:

Local Schedule PS – Retention Schedule for Records of Public Safety Agencies

www.tsl.state.tx.us/slr/recordspubs/localretention

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Fee Collection

The officer is **NOT** entitled to demand his or her fee for service in advance of serving the process.

- The officer's fee is to be taxed and collected as other costs in the case.

EXCEPTION: if the officer is serving process for a case pending in another county, then the officer may require payment before serving UNLESS a Statement of Inability to Afford Payment of Court Costs has been filed.

TRCP Rules 17 & 126

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Return Duties & Requirements of the Officer

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1. Return Duties & Requirements

Once the citation is served, the officer must complete a return of service.

- The court issued return may be used OR it can be a separate document.

The officer must sign the return and file it with the clerk of the proper court.

- If the officer is not a constable, sheriff, their deputies, or the court clerk, the signature must be sworn to and notarized.
- Return may be in person, electronically, or by fax.

TRCP Rules 15, 16, 107, & 501.3

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2. Return Duties & Requirements

The return should be filed as soon as the citation has been served.

The return must be filed:

- At least 3 days before a default judgment can be granted in justice court
- At least 10 days before default judgment can be granted in district and county court.

TRCP Rules 107, & 501.3

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3. Return Duties & Requirements

- Include the cause number.
- Include the case name.
- Include the name and county of the court where the case is filed.
- Indicate the date and time the citation was received for service.
- Include the name of the person or entity served.
- Indicate the address where the citation was served.
- Include the date(s) and time(s) of service and/or attempted service.
- Indicate the manner of delivery of service and/or attempted service.
- Description of what was served

TRCP Rules 107, & 501.3

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4. Return Duties & Requirements

- Name of the person(s) who served and/or attempted service.
- If the person serving is a process server, his or her identification number and expiration date.
- If the citation was served by registered or certified mail, include the return receipt with the addressee's signature.
- If the citation was served by publication, specify the dates of publication and include a printed copy of the publication.
- Any other information required by rule or law.
- Any additional information specific to the service that should be noted in the file.

TRCP Rules 107, 117 & 501.3

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More is Better

Don't feel obligated to use, or limited to, the return section printed on the citation.

- If you need more space, use a separate document.

The more detail you provide, the better off you are.

- If proper service becomes a contested issue in court, your return will protect you and help refresh your memory if you have to testify.

Sample Return

- On the TJCTC website
 - www.tjctc.org
 - Under "forms"

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Liability for Failure to Execute & Return

If a constable fails or refuses to execute and return a process that is lawfully directed and delivered to him or her, the constable SHALL be fined for contempt on the motion of the person injured by the failure or refusal.

- Applies to deputy constables in the same way.

Fine of \$10 - \$100 plus costs paid to the injured person.

May be liable for damages as a result of negligence or refusal.

Local Government Code §86.021 & 86.024, CPRC §7.001

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Citation Process – Sample

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Serving a Citation: Step 1

You receive a citation from the clerk's office to serve. What do you do first?

- Create a case file/folder with an information coversheet or index card.
 - Urban offices: the file may come to you already prepared.
 - Rural offices:
 - 3 section folders work well for separating documents into documents that are given to the defendant, documents issued by the court, and a work product section.

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Serving a Citation: Step 2

After assembling the folder, what do you do next?

- Record the following on the information coversheet:
 - Party names
 - Cause Number
 - Issuing court
 - Court date
 - Date received
 - Type of document
 - Deputy assigned to serve
 - Name and address of person to be served

Sample
Form
Available on www.tjctc.org

Office of the Inspector General
 800 424-9095, 202-512-2200
 202-512-2200 (TDD)
 202-512-2200 (Voice)
 202-512-2200 (Relay Texas)

INFORMATION COVERED

Request: Public Request Date Recd: 01-29-2008 07:52:00
 Information: 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076, 077, 078, 079, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786

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Serving a Citation: Step 3

On June 1, 2018, at 10:30 AM you go to 625 Lost Key Dr. to serve the citation.

The address for service is not a business but a house.

You knock loudly several times, but no one answers the door.

What do you do while you're at the location?

- Leave a business card with the cause number written on it if you have one.
- What do you do when you get back in your car or back to the office?

Date	Time	Deputy	Notes
6/1/18	10:30 AM	KH	Address is a home, no one there, left business card

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DEUTEROCOURT, TEXAS
PRECINCT ONE
CURTIS HARRINGTON, CONSTABLE

INFORMATION COVERSHEET

Plaintiff: Adam Scott Cause No. CN-2018-02508
 Defendant: GPB-GC LLC d/b/a Lost Key Golf Club Court: JP 2 - Blue Falcon County
 Type of document: Citation Court date: _____
 Date Received: 5/13/18 Deputy assigned: Hughes
 Person(s) to be served: Greg Jones
 Address for service: 025 Lost Key Dr, Austin, TX 78735
 EXECUTED BY: K. Hughes
 DATE EXECUTED: 6/13/18 TIME EXECUTED: 11:00 AM
 DATE RETURNED: 6/13/18

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ATTEMPTS:

Date	Time	Deputy	Notes
6/11/18	10:30 AM	KH	Address is a home, no one there, left business card
6/12/18	8:00 PM	KH	No one at address, business card still in door
6/13/18	11:00 AM	KH	Served Adam with info + business card via certified mail Full name: Allen Grooms

6/15/18 - Sent email to plaintiff's attorney to see if they have other addresses to serve
 6/16/18 - Plaintiff's attorney e-mailed that they don't have any other addresses for
 defendant or defendant's agent, they want alternative service.
 6/16/18 - Requested alternative service from JP 2.
 6/13/18 - Alternative service granted - mail letter to agent (certified w/ return
 receipt requested) + serve someone (at Lost Key Golf Club)
 6/13/18 - Filed return with mail return receipt with agent's signature
 attached

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Serving a Citation: Step 6

Filing the return

- Should you file the day you mailed the citation and petition or wait until you get the return receipt with the agent's signature?

What if you filed the return the day you mailed the citation and petition?

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Serving a Citation: Step 7

Do you use the return on the citation or a separate document?

•Pros and cons of using the return on the citation?

•Pros and cons of using a separate document?

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QUESTIONS?

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