

Prior law provided that when the sheriff had not made service within five days after receipt of the process or when a return had been made certifying that the sheriff was unable to make service, the court was authorized to grant a motion by a party to appoint a private process server.

New law requires the court to grant a motion by a party to appoint a private process server whom the court deems to be qualified when the sheriff has not made service within 10 days after receipt of the process or when a return has been made certifying that the sheriff has been unable to make service, whichever is earlier.

New law further provides that any person who is a Louisiana licensed private investigator shall be presumed qualified to perform the required duties to make service of process.

Effective upon signature of governor (June 22, 2010).

(Amends C.C.P. Art. 1293(A))