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Memo

To: Process Servers and Process Server Agencies

Re: Legal Interpretation – Use of Abbreviations, Codes, and Pre-formatted Stamps in Logbooks

Date: October 2, 2013

Process servers serving process in New York City are required to maintain records in compliance with the provisions of Section 89-cc of the New York General Business Law (“GBL”). *See* Title 6 of the Rules of the City of New York (“6 RCNY”) § 2-233(a). Section 89-cc of the GBL sets forth the required information that a process server must record legibly and chronologically “in a bound, paginated volume”—often called a “logbook.” N.Y. GBL § 89-cc(1). The Department of Consumer Affairs (the “Department”) has issued supplementary rules concerning the maintenance of process server logbooks, which all licensees are required to follow. *See* 6 RCNY § 2-233(b).

The Department issues this interpretation in response to the following questions concerning the use of abbreviations and pre-formatted stamps in logbooks:

1. May a process server use abbreviations or codes to identify the process server agency (“PSA”) and license number instead of writing out the full agency name and license number when recording attempted or completed services in logbooks? The short answer is yes.

6 RCNY § 2-233(b)(6) requires that:

“Licensees who serve process shall also maintain their records in the following manner: ... [t]he entry shall include the name and license number of the process server organization from whom the process served was received, or, if not received from a process server organization, of such other person or firm from whom the process served was received.”

The Rule contemplates that a process server will record entries of the names and license numbers of PSAs for which it attempted or completed service in a manner that allows courts, litigants and the Department to easily identify the PSA. A process server may therefore use abbreviations for the name and



license number of a PSA in its logbook as long as the first page of the logbook contains a key to the unique abbreviation it uses for each PSA licensee. Further, the process server may use the abbreviation, as long as it does so legibly, accurately and consistently. An example of a key follows:

Speedy Process Serving Agency (DCA Lic. #1234567) = "A"
Smith, Brown, Wood, LLP = "B"
Robinson Process Serving (DCA Lic. #1112222) = "C"

2. May a process servers use a pre-formatted ink stamp for recording entries in a logbook? The short answer is yes.

A process server's use of pre-formatted ink stamps to record contemporaneously each attempt or completed service is consistent with a process server's obligations under the law and Rules so long as the entries are legible, accurate, and do not obscure other entries of data. *See* N.Y. GBL § 89-cc(1) ("Each process server shall maintain a legible record of all service made by him ..."); 6 RCNY § 2-233(b)(1) ("The licensee shall make a separate and contemporaneous entry of the date, time and address of every attempted and effected service of process in chronological order in a bound, paginated volume.").

For example, a process server may use a pre-formatted stamp to record:

- The type of papers served (*e.g.*, "Summons & Complaint," "Notice of Petition & Petition," etc.)
- The court in which the action has been commenced (*e.g.*, "Sup. Ct., Kings County," "US Dist Ct. (SDNY)," "US Bkrpt Ct. (EDNY)," etc.)
- The name and license number of the process server organization from whom the process served was received (*e.g.*, "Speedy PSA DCA Lic. #1234567," etc.).

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