

Frequently Asked Questions: *Process Server Individual Exam*

Under New York City law, individuals must pass an exam to get or to renew a Process Server Individual license.

GENERAL INFORMATION

Where do I take the Process Server Individual exam?

New applicants for the Process Server Individual license take the exam at the DCA Licensing Center, located at 42 Broadway in Lower Manhattan. After you submit your license application (online or in person), go to DCA's Testing Room, which is in the Licensing Center, to take the exam. The exam is given between 9:00 a.m. and 3:00 p.m. Monday through Friday.

Renewing Process Server Individual licensees must contact Pearson VUE to register to take the exam at a Pearson VUE test site. See details below.

REGISTERING FOR THE EXAM (RENEWING LICENSEES ONLY)

Why is Pearson VUE administering DCA's Process Server Individual exam to renewing licensees?

Through DCA's partnership with Pearson VUE, we are able to offer more dates (including weekends), times, and secure locations throughout New York City convenient to test takers. When you register, you can find out the schedule of the test site most convenient to you.

How do I register to take the exam?

You can register to take the exam in ONE of two ways:

1. Online at pearsonvue.com/ny/dca
2. By phone: (888) 365-0588 (Customer service is available 7 days a week.)

Note: To register online, you need to create a web account. It is a quick 3-step process.

How soon can I register to take the exam?

You can register to take the exam *the business day after* you submit your completed License Renewal Application, required documents, and renewal and exam fees to DCA. *You cannot register to take the exam until DCA has received required documents and payments.*

Note: You must pass the exam within 30 days from the date you submitted your application or your application will be denied. You have two (2) total attempts to pass the exam.

What should I do if I need to change my name during the renewal process?

You must notify DCA if you change your name. Call 311 (212-NEW-YORK outside NYC) and ask to be transferred to DCA with a question about your Process Server Individual License. DCA needs this information both to review your renewal application and to provide Pearson VUE with your information so that you can register for the exam.

I have a disability and would like to request a test accommodation. Whom should I contact?

Pearson VUE complies with the provisions of the Americans with Disabilities Act (ADA). Please refer to Pearson's Handbook, available at pearsonvue.com/ny/dca, for information about ADA Accommodations and the steps to request a test accommodation.

What do I do if I have to reschedule the exam?

If you have to reschedule, you must:

- Call Pearson VUE at (888) 365-0588 at least 48 hours before the day of the exam to ask for a new exam date.
- Notify DCA.

Reminder: You must pass the exam within 30 days from the date you submitted your application or your application will be denied.

I missed my scheduled exam due to an emergency. Whom should I contact?

If you miss a scheduled exam, you automatically fail, and Pearson VUE will report the “Fail” Grade to DCA. **Contact Pearson VUE within two (2) business days following the day of the exam that you missed to request an excused absence.** The Pearson Handbook, available at pearsonvue.com/ny/dca, includes an Absence Policy section with instructions to request an excused absence.

PEARSON VUE TEST SITE (RENEWING LICENSEES ONLY)

What do I need to bring to the Pearson VUE test site?

You must bring one (1) form of current (unexpired) government-issued photo identification with your signature. Acceptable forms include:

- Your DCA Process Server Individual license
- Driver’s license
- Passport
- Military ID
- Alien Registration Card

Will Pearson VUE give me anything after the exam?

Pearson VUE will give you a Score Report that includes your Score and Grade, i.e., Pass or Fail. Note: You do not need to submit your score report to DCA. Pearson VUE will notify DCA of your exam results directly.

I passed the exam. What happens next?

Upon approval of your application, DCA will mail you a renewed license.

What do I do if I fail the exam?

You have two (2) attempts to pass the exam. If you fail the exam on your first attempt, contact Pearson VUE toll-free at (888) 365-0588 or pearsonvue.com/ny/dca to retake the exam. *You must wait 24 hours from your failed exam before registering to retake the exam.*

If you fail the exam two times, you must apply for a new Process Server Individual license and pay the license and exam fees again.

Can I still take the exam at the DCA Licensing Center?

No. Renewing licensees must take the Process Server Individual exam at a Pearson VUE test site.

GENERAL EXAM QUESTIONS

What does the exam cover?

The exam covers City and State laws and rules that you must know in order to serve process legally and properly. Questions test your understanding of how these requirements are applied in your everyday experience. See the sample questions that follow and the section “Preparing for the Exam.”

What's the format of the exam?

The exam consists of 30 multiple choice questions. Here are sample questions:

You have affixed a notice of petition and petition to a white, wooden apartment door in a landlord/tenant case. The hallway walls adjacent to the door are composed of red brick. What information must you record in your log book?

- a) That the door is white and composed of wood.
- b) That the door is white, but not that it is composed of wood.
- c) That the door is composed of wood, but not that it is white.
- d) That the hallway walls adjacent to the door are red and composed of brick.

The correct answer is (d). See Title 6 of the Rules of the City of New York, Rule 2-233(b)(4).

You attempt to serve Susan Jones in a debt collection matter in Bronx Civil Court. You gain access to her apartment building and ring the bell. A woman answers the door and when you ask if she is Susan Jones, she confirms that she is. You then try to hand her a Summons and Complaint and explain that you are a process server, but before you do so, she slams the door in your face and will not reopen it. How can you properly effect service?

- a) Place the papers in front of the door and leave.
- b) Tell Ms. Jones through the door that you are leaving the papers at the door, place the papers and leave.
- c) Tape the papers to the door like any other nail and mail service.
- d) You can't. You must return another time and try to get Ms. Jones to physically take the papers.

The correct answer is (b). See McKinney's New York Civil Practice Law and Rules, § 308.

What's a passing grade?

To pass the exam, you must answer at least 21 questions correctly.

PREPARING FOR THE EXAM

DCA prepared Educational Materials for Process Servers that include New York City Laws and Rules; New York General Business Law; New York Civil Practice Law and Rules; New York Domestic Relations Law; New York Real Property Actions and Proceedings Law; and New York Business Corporation Law.

Important: *These materials include relevant City and State laws and rules you need to know to serve process properly. They are not a "study guide" exclusively for the exam. You can download materials from the DCA website at nyc.gov/processservers or call 311 and request the Process Server Individual license application packet, which includes these educational materials.*

Are DCA's Educational Materials for Process Servers the only materials I need to study before the exam?

No. Although these materials will help as you prepare for the exam, you should consult other resources, which may include:

- Attorneys and agencies for whom you work
- Relevant professional associations (to obtain training and other materials)
- New York State Unified Court System Public Access Law Libraries:
<http://www.nycourts.gov/lawlibraries/publicaccess.shtml>
- New York Civil Practice and Landlord-Tenant Practice:
 - McKinney's New York Civil Practice Law and Rules
 - New York Practice by David D. Siegel
 - New York Practice Series - Landlord and Tenant Practice in New York
- New York Jurisprudence, 2nd Edition
- DCA's legal interpretations regarding process server rules and laws, available at nyc.gov/processserver
- *New York City Marshals Handbook of Regulations*, in particular Chapter IV, Section 2-2 and Section 5