

Texas Process Servers Association

Code of Ethics

Each member agrees to abide by the provisions and principles set forth herein when dealing with clients, the general public, public officials, associate members and associates in business as follows:

I. Duties to Clients, General Public, and Legal Entities

All work shall be performed in a lawful, professional and ethical manner. In the conduct of a member's professional and non-professional activities, nothing shall be done that would impugn the position, reputation, or name of this Association, its members, or the process serving profession. Everything possible shall be done to avoid an appearance of impropriety and to protect the rights, interest and confidentiality of clients, entities being served, and the legal profession as a whole.

II. Professional Standards

- A. Members shall keep current and knowledgeable of the laws and rules on service of process.
- B. Members should never give legal advice. Members shall handle all legal documents with care and safeguard their preservation.
- C. Members shall never attempt to decide the merits of a lawsuit.
- D. Members should never use profanity, vulgarity, or violence in the performance of their duties.
- E. Members are encouraged to promote in a positive manner the profession and encourage membership, education, participation and fellowship within the Association.
- F. Members shall treat each other in a courteous, professional, and ethical manner.
- G. Members are expected to report any unethical or illegal conduct by any process server or any company engaged in the service of process.

III. Certification & Other Requirements

Each member agrees to comply with and keep current during the tenure of his membership all necessary certifications, court orders, business licenses, bonds, permits and any other requirements mandated by law and the Supreme Court of Texas for delivering process in this state.

IV. Representation of the Association

No member shall make any representation or speak on behalf of this Association without prior authorization from its President or Board of Directors.

V. Exchange Work

- A. **General:** Each member agrees to handle work sent to him by another member in a professional and ethical manner. Each member shall comply with all instructions given by the member or agency. All documents shall be returned as requested in a timely manner upon completion of each job.
- B. **Contacting Clients:** It is unethical for a member to contact another member's client unless specifically directed to do so. Should a member be asked to contact another member's client,

he/she shall not solicit future business, quote their rates, or offer payment arrangements to the other member's client.

- C. Affidavits/Proofs of Service:** If a proof of service is provided by the sending party, it is mandatory that the serving party use that proof and fill it out in the manner requested.
- D. Payment:** Each member agrees to promptly pay for services rendered by another member unless other specific arrangements have been made. A member, whether or not an owner of the firm or business for which he or she works, is responsible for the lawful, professional and ethical conduct of that firm or business, and its employees.

VI. Agreements & Contracts

Each member agrees to honor all agreements and contracts, written or verbal, made with other members of this association.