

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 2.706/08*

IN RE: GRIEVANCE REVIEW COMMITTEE

Florida Statute section 48.31(1), The Florida Certified Process Server Act, provides that the "[a] certified process server may be removed from the list of certified process servers for any malfeasance, misfeasance, neglect of duty, or incompetence, as provided by court rule". Florida Statute section 48.29 provides that "[t]he chief judge of the circuit may, from time to time by administrative order, prescribe additional rules and requirements regarding the eligibility of a person to become a certified process server or to have his name maintained on the list of certified process servers". The chief judge may receive written complaints alleging malfeasance, misfeasance, neglect of duty or incompetence by certified process servers. The Chief Judge is unable to investigate each of these complaints personally, and a collegial body of volunteer attorneys appointed to sit as a review committee, pursuant to the inherent powers of this Court, could provide a neutral forum for investigating and making recommendations about alleged malfeasance, misfeasance, neglect of duty or incompetence by certified process servers.

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. The Chief Judge shall appoint, from time to time, at least three attorneys to serve as voting committee members **and two process servers to serve as advisory committee members for addressing process server complaints.**
2. These volunteer attorneys shall constitute a grievance review committee to review written complaints about alleged acts of malfeasance, misfeasance, neglect of duty or incompetence by a certified process server for this judicial circuit. **The grievance review committee members can seek advisory opinions from the process server(s) appointed by the Chief Judge or the Fifteenth Circuit's General Counsel.**
3. The volunteer attorneys, acting as a collegial body, are authorized to conduct fact gathering proceedings, make findings of fact and, as deemed appropriate, make recommendations to the Chief Judge. The volunteer attorneys shall adhere to procedural guidelines set forth in Administrative Order No. **2.707-9/08** (as amended). Any party appearing before them shall have the right to a *de novo* review before the Chief Judge.
4. **To the extent granted by law**, the volunteer attorneys shall be immune from the

subpoena power or otherwise from any requirement to testify concerning power or otherwise from any requirement to testify concerning matters related to or within the course and scope their responsibilities as committee members. No matter which occurs during any hearing or fact finding by the volunteer attorneys shall be admissible in evidence in any subsequent hearing or proceeding.

29 **DONE** and **SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this day of September, 2008.



Kathleen J. Kröll
Chief Judge

*supersedes admin. order no. 2.020 – 7/02