

SERVICE OF PROCESS

The procedure for serving a formal legal “process” (e.g. a summons and complaint, a notice of claim, writ of garnishment or a subpoena) is governed by state and Federal statutes and rules of civil procedure. Failure to serve process properly can have serious consequences, adversely affecting the interests of the party who issued it.

- A. **Maricopa County Community College District Can Provide Information, but not Assistance or Advice** - It is the responsibility of the party seeking to serve legal process to comply with the applicable rules. Parties who seek to serve legal process on The Maricopa County Community College District (MCCCD) and its employees are encouraged to seek their own legal counsel, at their own expense, to answer questions as to how service must be accomplished. MCCCD and its employees cannot and will not provide legal advice or assistance about service of process. The purpose of this page is to provide information a party may use to determine how to serve legal process on MCCCD as an entity. It is not, and cannot be construed as, legal advice.

- B. **Official Designated to Receive Service on MCCCD Pursuant to ARS 15-1444** - The MCCCD Governing Board has an office in the District Office Building, located at 2411 West 14th Street, Tempe, AZ. The Board’s assistant is located at that address. The Board and its Secretary have designated this assistant as the person to receive service upon MCCCD as a legal entity. Process servers may make appointments to serve the Board’s assistant by calling 480.731.8125.

- C. **No Acceptance or Waiver of Service is Authorized** - MCCCD employees are not authorized to accept or waive service of process for MCCCD or any other party, and will not sign documents to that effect. If asked, they will identify themselves by name and title when you hand your document to them.

- D. **MCCCD Cannot and Will Not Accept, Assist in, or Facilitate Service on Individual Employees** - Service of a summons and complaint or notice of claim on individual employees in their personal capacity cannot be accomplished through delivery to MCCCD. Personal delivery to the individual is required. MCCCD does not facilitate such service by delivering the process for the third party, making appointments, calling employees to the front desk, communicating on behalf of the party serving process, or other means.

- E. **Subpoenas for Testimony** - Generally, subpoenas compelling a person to attend and give testimony at a deposition, hearing or trial must be delivered to the named individual witness. MCCCD is not authorized by any individuals to accept, waive, or facilitate such service. However, if the anticipated testimony involves information the employee is believed to have acquired or witnessed in his or her official capacity, or if the employee is expected to speak as a witness representative of MCCCD, the party issuing the subpoena is encouraged to contact the Office of General Counsel at [480.731.8876](tel:480.731.8876) in advance of any attempt to serve the subpoena. Advance discussion may help avoid undue delays, burdens, and costs.

F. **Subpoenas for Records** – Please refer to Paragraph B above.

G. **Subpoenas Outside of Arizona** - Subpoenas from state courts outside Arizona must be issued and served in accordance with Arizona rules. Subpoenas issued by the courts and agencies of states other than the state of Arizona are not enforceable in Arizona unless they are issued in accordance with an Arizona procedure, and will not receive a response.