DILIGENCIAS LEGALES DE PUERTO RICO

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SERVICE OF PROCESS IN PUERTO RICO

A Treatise on the Constitutional Foundations, the Rules Framework, and the Jurisprudence Governing the Service of Process in the Courts of the Commonwealth of Puerto Rico and in the Federal Forum

Prepared for the Attorneys and Private Clients of

Diligencias Legales de Puerto Rico

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First Edition · September 2026

San Juan, Puerto Rico

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Preface

Every civil action begins with a summons, and every judgment ultimately rests upon it. Between the filing of the complaint and the court's decree lies a discrete and indispensable act: that of bringing the defendant before the forum in a manner the law recognizes. That act is the emplazamiento and its diligenciamiento, the summons and its service. It is at once the most mechanical and the most consequential step in litigation: mechanical because it is governed by rules of striking specificity, and consequential because a misstep at this threshold can void everything that follows, however meritorious the claim and however diligent the advocacy.

This treatise has been prepared by Diligencias Legales de Puerto Rico for the attorneys, paralegals, corporate legal departments, and private clients who rely upon the firm. Its purpose is to set out, in a single authoritative volume, the law governing service of process in the Commonwealth of Puerto Rico: the constitutional foundations; the framework of Rule 4 of the Puerto Rico Rules of Civil Procedure of 2009; the special statutory provisions that complement it; Rule 4 of the Federal Rules of Civil Procedure as it operates in the United States District Court for the District of Puerto Rico; and the jurisprudence of the Supreme Court of Puerto Rico that has interpreted all of this across more than a century of reported decisions, against the background of a procedural tradition that reaches back to the Spanish Ley de Enjuiciamiento Civil of the nineteenth century. Where the older decisions speak to principles that endure, they are cited alongside their modern successors, for the law of service in Puerto Rico is, to an unusual degree, a continuous conversation between the present and the past.

The work is intended to be both scholarly and practical. Each chapter proceeds from principle to rule to application, and each concludes with observations drawn from the daily experience of a professional process serving firm. The reader who requires only a quick answer will find it in the headings and the summary tables; the reader who requires the full reasoning will find that as well. Citations follow the conventions of Puerto Rico legal authority and are collected in a Table of Authorities at the close of the volume. Where a Spanish term of art has no exact English equivalent, the Spanish term is given and explained; counsel practicing in Puerto Rico will encounter these terms daily and should be at ease with them.

Nothing in this publication constitutes legal advice to any particular person or in respect of any particular matter. The rules discussed here are amended with some regularity, and the decisions interpreting them continue to accumulate. Counsel should verify the current text of every rule and statute before relying upon it, and should consult the reported decisions in full. Diligencias Legales de Puerto Rico is pleased to assist in the practical execution of service under any of the methods described, and welcomes inquiries concerning unusual or difficult matters.

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San Juan, Puerto Rico

September 2026

PART I

Foundations

Chapter 1. The Constitutional Office of Service of Process

1.1 The Summons as the Instrument of Jurisdiction

A court speaks only through its judgments, and a judgment binds only those over whom the court has acquired jurisdiction. In the procedural tradition of Puerto Rico, heir to both the Spanish civil law and the Anglo American common law, jurisdiction over the person of the defendant is not presumed from the mere pendency of the suit; it is acquired by an affirmative act of the court, executed through its officers or through the persons the law authorizes, by which the defendant is commanded to appear and answer. That act is the service of the summons. The Supreme Court of Puerto Rico has stated the proposition in the plainest terms for more than a century: a judgment rendered against a defendant who has neither been served according to law nor voluntarily appeared is not merely erroneous but void, a nullity that may be attacked directly or collaterally at any time. So the Court reiterated in *Rivera v. Jaume*, 157 D.P.R. 562 (2002), and in *Quiñones Román v. Compañía ABC*, 152 D.P.R. 367 (2000), decisions that in turn rest upon an unbroken line of precedent.

Rule 4 of the Rules of Civil Procedure of 2009, 32 L.P.R.A. App. V, R. 4, expresses the modern form of this rule. It prescribes how the summons issues, what it must contain, who may serve it, within what period, and by which methods. The Rule is not a mere vehicle for information; it is the jurisdictional act itself. The Supreme Court has explained that the summons is the procedural mechanism by which the court acquires jurisdiction over the person of the defendant, so that the defendant is bound by the decree eventually entered, and that defective service deprives the court of that jurisdiction regardless of how much the defendant knows about the suit. *Márquez v. Barreto*, 143 D.P.R. 137 (1997); *Acosta v. ABC, Inc.*, 142 D.P.R. 927 (1997).

1.2 Due Process and the Federal Overlay

The Puerto Rico law of service does not operate in a vacuum. The Fourteenth Amendment to the Constitution of the United States, applicable to Puerto Rico, forbids depriving any person of life, liberty, or property without due process of law, and the Supreme Court of the United States has long held that the assertion of judicial power over an absent defendant is such a deprivation unless attended by adequate notice and a legitimate basis for jurisdiction. *Pennoyer v. Neff*, 95 U.S. 714 (1878), established the territorial theory of personal jurisdiction that governed American courts for nearly seventy years. *International Shoe Co. v. Washington*, 326 U.S. 310 (1945), replaced it with the "minimum contacts" inquiry that governs today, asking whether the defendant has such contacts with the forum that the maintenance of the suit does not offend traditional notions of fair play and substantial justice.

On the specific question of notice, the controlling authority remains *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950). *Mullane* holds that due process requires notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. The standard is one of reasonableness rather than perfection, measured against the practical alternatives available to the plaintiff at the time. Notice by publication, the Court explained, is constitutionally tolerable only where the names and addresses of interested persons are unknown and cannot with reasonable diligence be ascertained; where a person's whereabouts are known or readily discoverable, publication alone will not suffice. Rule 4.6 of the Rules of Civil Procedure and the jurisprudence requiring concrete prior efforts before service by publication is authorized are the direct response of Puerto Rico law to *Mullane*.

The Constitution of the Commonwealth adds its own guarantee. Article II, Section 7, provides that no person shall be deprived of liberty or property without due process of law, and the Supreme Court of Puerto Rico has construed this clause as an autonomous source of protection, broader in certain respects than its federal counterpart. These provisions operate as an independent constitutional floor beneath the statutory law of service, and they explain why the courts of Puerto Rico have consistently refused to treat defective service as a mere technicality curable by proof that the defendant learned of the suit through other channels.

1.3 Strict Compliance and Its Rationale

The courts of Puerto Rico have adopted, and repeatedly reaffirmed, a rule of strict compliance with the requirements of service. The formulation most often cited is that the requirements of Rule 4 are of strict compliance, that their observance may not be relaxed by the court, and that the defendant's actual knowledge of the existence of the suit does not substitute for service in the form the Rule prescribes. In *Quiñones Román v. Compañía ABC*, the Supreme Court held that defectively served process confers no jurisdiction, and that a judgment entered on such a basis is void even though the defendant had notice of the suit. The reasoning is that the Rule defines the moment at which the court's authority is perfected and the defendant's obligation to respond begins; substituting for that moment a case by case inquiry into what the defendant knew and when would destroy precisely the certainty the Rule exists to provide.

The rationale for strict compliance is threefold. First, it protects the defendant, who is entitled to know with certainty when the period to answer began to run. Second, it protects the plaintiff, who is entitled to know with certainty that the judgment eventually obtained will withstand attack. Third, it protects the integrity of the judicial system itself, which cannot function if the validity of its judgments depends upon after the fact inquiries into the defendant's state of knowledge. A rule that is easy to satisfy and hard to evade serves all three interests, and that is what Rule 4 aspires to be.

Strict compliance is not, however, hypertechnicality. The same courts that refuse to excuse a failure to follow the Rule have declined to void service for immaterial variances in form that mislead no one and affect no substantial right. The distinction between substance and form is not always easy to draw, and much of the jurisprudence discussed in this treatise consists of the courts drawing it.

Chapter 2. The Statutory and Regulatory Architecture

2.1 The Rules of Civil Procedure of 2009

The Rules of Civil Procedure now in force were adopted by the Supreme Court of Puerto Rico in the exercise of the authority conferred upon it by Article V, Section 6, of the Constitution, submitted to the Legislative Assembly under the constitutional procedure, and took effect on July 1, 2010, replacing the Rules of 1979. They are codified in Appendix V of Title 32 of the Laws of Puerto Rico Annotated. Unlike the rules of most state jurisdictions in the United States, which are ordinary statutes, the Puerto Rico Rules are the product of the Supreme Court's constitutional rulemaking power, subject to legislative intervention, and they are construed in light of the jurisprudence of the Court that promulgated them.

The rules bearing directly upon service are these. Rule 3 governs the commencement of the action. Rule 4 governs the issuance, form, service, and proof of the summons, and it is the central subject of this treatise. Rule 10 governs the defenses of lack of personal jurisdiction, insufficiency of process, and insufficiency of service of process, and the waiver of those defenses. Rule 40 governs subpoenas to witnesses. Rule 45 governs entry of default and default judgment. Rule 49.2 governs relief from judgments, including judgments void for want of service. Rule 67 governs the service of papers subsequent to the complaint.

2.2 The Structure of Rule 4

Rule 4 is divided into subrules that follow the life of the summons in logical order. Rule 4.1 provides for its issuance by the Clerk of the court upon the filing of the complaint. Rule 4.2 prescribes its form and content. Rule 4.3 determines who may serve it and fixes the period for doing so. Rule 4.4 regulates personal service in its several modalities, according to the nature of the defendant. Rule 4.5 regulates waiver of service, for which the Office of Court Administration provides form OAT 1579. Rule 4.6 regulates service by publication, the emplazamiento por edicto. Rule 4.7 regulates service upon persons outside Puerto Rico and jurisdiction over nonresidents. The provisions on the record of service are integrated within Rule 4 itself. The practitioner must know the precise numbering of the current version, because the 2009 Rules reorganized and renumbered several provisions of the 1979 Rules, and much of the earlier jurisprudence cites the old numbering.

The interplay of Rule 4 and jurisdiction over nonresidents is the subject of a considerable body of case law. The Supreme Court established in *A.H. Thomas Co. v. Tribunal Superior*, 98 D.P.R. 883 (1970), and reiterated in *Industrial Siderúrgica v. Thyssen*, 114 D.P.R. 548 (1983), the two step analysis that continues to govern: the court first asks whether the long arm provision of Rule 4 authorizes the exercise of jurisdiction over the defendant, and then whether that exercise comports with the due process standard of *International Shoe*. Because the Puerto Rico provision extends the jurisdiction of the Commonwealth's courts to the limit the Constitution permits, the two inquiries in practice tend to merge. But the rule based inquiry is not a formality: it requires that the defendant have been served under Rule 4, and it is the service, not the contacts, that makes the jurisdiction effective.

2.3 Commencement of the Action and Issuance of the Summons

Rule 3.1 provides that a civil action is commenced by filing the complaint with the Clerk of the court. Rule 4.1 provides that, upon the filing of the complaint, the Clerk shall immediately issue the corresponding summonses. Rule 4.3(c) adds that the Clerk shall issue the summonses on the same day the complaint is filed, and that if the Clerk does not, the period of delay shall constitute additional time that the court will grant for service once the plaintiff has timely requested an extension. The provision recognizes a practical reality of the Clerk's office and protects the plaintiff against a delay not attributable to it, but conditions that protection upon a timely request. Counsel who receives the summonses days after filing should document the date of issuance and file the request before the original period expires.

The summons issues in the name of the Commonwealth of Puerto Rico, under the seal of the court and the signature of the Clerk, and is delivered to the plaintiff or plaintiff's counsel for service. Unlike the system in many states, in Puerto Rico the summons is not delivered to a marshal for service in the ordinary course; responsibility for serving it rests upon the plaintiff, who does so through a process server meeting the qualifications of Rule 4.3(a), the subject of Chapter 6.

Chapter 3. Historical Development of Service of Process in Puerto Rico

3.1 The Spanish Period

The procedural law of Puerto Rico begins with the reception of Castilian law. Under Spanish sovereignty, the administration of justice on the island was governed by the Laws of the Indies, the Novísima Recopilación, and, in matters of procedure, by the Partidas and the royal ordinances, until the codifications of the nineteenth century. The Ley de Enjuiciamiento Civil of 1855, Spain's first modern procedural code, and its successor, the Ley de Enjuiciamiento Civil of 1881, were extended to Puerto Rico by Royal Decree, the latter taking effect on the island in 1886. Under that regime, the emplazamiento was a formal act of the court, performed by the escribano or the alguacil, which required the defendant to appear and answer within a fixed period upon warning of being declared in default. The law distinguished between service in person, service by cédula left at the domicile with a relative, household member, or neighbor, and service by edictos upon a defendant of unknown whereabouts, categories of which the first and third survive, in renewed vocabulary, in Rule 4 today, while the cédula left at the domicile with a third person was not carried into the Rules of 1943 or their successors.

The Spanish tradition left a lasting imprint on the vocabulary and sensibility of the Puerto Rico law of service. The term itself, emplazamiento, with its root in the plazo, the period granted to the defendant, is of Castilian lineage; the figure of the emplazador and the requirement of a sworn record of service derive from the escribano's diligencia; and the insistence of the Puerto Rico courts upon strict observance of the forms of service has its antecedent in the protective formalism of the Ley de Enjuiciamiento, which conceived of the citation in due form as a guarantee of the right of defense.

3.2 The Code of Civil Procedure of 1904

The change of sovereignty in 1898 and the Foraker Act of 1900 opened a transitional period during which the Spanish Ley de Enjuiciamiento Civil remained in force while reform was prepared. In 1904, the Legislative Assembly adopted the Code of Civil Procedure, modeled largely on the codes of civil procedure of California and Idaho, which in turn descended from the Field Code of New York. The 1904 Code replaced the emplazamiento of Spanish tradition with the Anglo American summons, an instrument directed to the defendant, issued by the clerk of the court, notifying the defendant of the action and requiring an answer within a fixed period. It provided for personal service, for service upon corporations by delivery to designated officers, for service upon minors and incompetents through their representatives, and for service by publication upon the absent defendant or the defendant of unknown whereabouts, with the requirement of a prior affidavit attesting to the efforts made to locate the defendant.

The 1904 Code's provisions on service generated an extensive jurisprudence of the Supreme Court, then newly reorganized, concerning who might be served on behalf of a corporation, what constituted a sufficient return of service, when publication was permissible and what it must contain, and when the defendant's conduct amounted to a general appearance curing defects in service. Much of that jurisprudence was carried forward by the drafters of the later Rules, and the courts continue to cite decisions predating 1958 as authority where the language of the old provision and the new is materially the same.

3.3 The Rules of Civil Procedure of 1943, 1958, 1979, and 2009

In 1943, Puerto Rico adopted Rules of Civil Procedure inspired by the Federal Rules of 1938, becoming one of the first jurisdictions to do so. The Rules of 1958 refined the model, and the Rules of 1979 restructured it in the form that, with amendments, persisted for three decades. Each revision preserved Rule 4 as the seat of service and each gradually expanded the available methods. The Rules of 2009, product of an extensive revision process entrusted by the Supreme Court to its Secretariat of the Judicial and Notarial Conference, introduced the most significant changes in decades: the non extendable one hundred twenty day period for service with automatic dismissal upon noncompliance; the shortening of the period for service by publication and the requirement of a single publication; the expansion of waiver of service; and the express incorporation of service by certified mail upon persons outside Puerto Rico.

The trajectory of reform has been toward greater speed and greater rigor simultaneously. The 2009 Rules gave the plaintiff faster methods but imposed a peremptory period and withdrew judicial discretion to extend it. That policy choice explains the shape of the modern rule and should inform the practitioner's approach to every service decision: time is today the plaintiff's scarcest resource, and the professional process server is the instrument for managing it.

PART II

The Summons and Its Life

Chapter 4. Form, Content, and Issuance of the Summons

4.1 Contents Required by Rule 4.2

Rule 4.2 prescribes the contents of the summons. It must issue in the name of the Commonwealth of Puerto Rico, under the seal of the court and the signature of the Clerk. It must contain the name of the court, the courtroom, the case number, and the title of the action. It must be directed to the defendant. It must contain the name, address, telephone number, and bar number of plaintiff's counsel, or the particulars of the plaintiff if self represented. It must warn the defendant that, upon failure to appear and answer the complaint within thirty days following service, default will be entered and judgment rendered against the defendant granting the relief demanded without further notice or hearing. The Office of Court Administration has promulgated an official form that satisfies each of these requirements when properly completed, and its use is practically universal.

The summons must issue in the name of the defendant to be served. Where there are multiple defendants, a separate summons issues for each, and each must be served with a copy of the complaint. Where the defendant is a corporation or other entity, the summons should name the entity as it appears in the complaint; the practice of naming the resident agent in the summons rather than the corporation invites needless dispute and should be avoided.

4.2 Defects in Form and Their Cure

The case law distinguishes between defects that render the summons void and defects that render it merely irregular. A void summons, for example one never issued by the Clerk, or one lacking the court's seal, or one directed to no one, cannot be cured, because there is nothing to cure. An irregular summons, for example one containing a typographical error in a party's name, or omitting counsel's telephone number, may be corrected, and the correction relates back to the original issuance. The Supreme Court has treated the question of prejudice as central: where the defendant was in fact served with a document identifying the action and the court, and where the defect is one of description rather than identity, cure is available. Where the defect goes to identity itself, as where the summons names a different person or entity from the one the plaintiff intended to sue, the courts have been far more reluctant, and the plaintiff is generally relegated to amendment of the complaint and the doctrine of relation back, with the attendant risk that the limitations period has expired.

The lesson for the practitioner is that the summons should be prepared with the same care as the complaint. The process server can execute service flawlessly and still produce a void judgment if the document served was itself defective. Diligencias Legales de Puerto Rico reviews every summons upon receipt, before attempting service, and returns to counsel any summons presenting defects of form that could compromise the validity of the act.

4.3 What Must Accompany the Summons

Rule 4.4 requires that the summons be served together with a copy of the complaint. Service of the summons alone, or of the complaint alone, is not service of process. In practice the two documents are joined and delivered as a unit, and the proof of service should recite that both were delivered.

Where the complaint is accompanied by exhibits, the exhibits should be included. Where other documents are to be served at the same time, such as a motion for preliminary injunction, an order to show cause, or a discovery request, they may be delivered with the summons and complaint, and it is good practice to itemize every document in the proof of service. A process server's affidavit that recites delivery of "the summons and complaint" when in fact a dozen additional papers were delivered creates an avoidable evidentiary gap.

Chapter 5. The One Hundred Twenty Day Period

5.1 Rule 4.3(c) and Automatic Dismissal

Rule 4.3(c) provides that the summons shall be served within one hundred twenty days from the filing of the complaint or from the date of issuance of the summons by publication. It further provides that, once that period has elapsed without service, the court shall enter judgment dismissing the action without prejudice. The provision replaced the six month period of the 1979 Rules, which was extendable for good cause, with a shorter period that, as the Supreme Court has construed it, cannot be extended.

The Supreme Court applied the provision in *Sánchez Rivera v. Malavé Rivera*, 192 D.P.R. 854 (2015), and definitively fixed its scope in *Bernier González v. Rodríguez Becerra*, 200 D.P.R. 637 (2018), where it held that the one hundred twenty day period is not extendable, that the court lacks discretion to extend it even for good cause, and that its expiration without service compels dismissal. The Court itself, in *Bonilla Sánchez* (2026), has identified *Bernier González* as the decision that settled the question. The Court explained that the wording of the Rule, with its mandate that the court "shall" enter dismissal, and the deliberate elimination of the reference to extension contained in the prior rule, reflect the drafter's intent to end the practice of successive extensions that had prolonged litigation under the earlier regime. The only exception the Rule itself recognizes is the Clerk's delay in issuing the summons, which is granted as additional time provided the plaintiff timely requests it.

Dismissal is without prejudice, so the plaintiff may file a new complaint. But the new complaint is filed on the date of its filing, not that of the original, and if the limitations period has expired in the interval, the claim is lost. The Supreme Court has so confirmed, noting that dismissal without prejudice does not retroactively toll limitations and that the plaintiff who let the service period lapse assumes the risk that the cause of action has prescribed. For the practitioner, the one hundred twentieth day is, in effect, a limitations deadline, and it should be calendared as one.

5.2 The Period and Service by Publication

Rule 4.3(c) runs the one hundred twenty day period, in the case of service by publication, from the date of issuance of the summons by publication, that is, from the court's authorization of the edicto and the Clerk's issuance of the corresponding summons. The Supreme Court clarified the interaction of the two periods in *Sánchez Ruiz v. Higuera Pérez*, 203 D.P.R. 982 (2020), building on the foundation laid in *Bernier González*. From those decisions it follows that the plaintiff who cannot accomplish personal service must file the motion for service by publication within the original one hundred twenty days, accompanied by the sworn statement Rule 4.6 requires, and that, once publication is authorized, the plaintiff has a new one hundred twenty day period from the issuance of the summons by publication to complete publication and mailing. The plaintiff who files the motion for publication after the original period has expired cannot rely upon the issuance of the edicto to revive the action.

5.3 The Prior Regime and Its Case Law

Under the 1979 Rules, Rule 4.3(b) allowed six months for service, extendable at the court's discretion for good cause. The jurisprudence of that period, led by *Monell v. Municipio de Carolina*, 146 D.P.R. 20 (1998), and *Banco Metropolitano v. Berríos*, 110 D.P.R. 721 (1981), developed the concept of good cause and held that dismissal for noncompliance with the period was proper only after an opportunity to show cause. That jurisprudence retains historical and interpretive value, but its doctrine of discretionary extension has been displaced by the 2009 Rule and by *Bernier González*. The practitioner who finds citations to *Monell* or its companions in contemporary filings should verify that they are not being invoked for a proposition the current Rule no longer supports.

5.4 Summary Table: Critical Deadlines in the Life of a Summons

Event	Time Limit	Authority	Consequence of Failure
Issuance of summons by the Clerk	Same day as filing	Rule 4.3(c)	Delay granted as additional time if timely requested
Personal service of the summons	120 days from filing of complaint	Rule 4.3(c)	Dismissal without prejudice; no extension (*Bernier González*)
Motion for service by publication	Within the original 120 days	Rules 4.3(c), 4.6; *Sánchez Ruiz*	Action cannot be revived by late publication
Publication and mailing after authorization	120 days from issuance of summons by publication	Rule 4.3(c)	Dismissal without prejudice
Mailing after publication of edicto	10 days from publication	Rule 4.6	Service by publication defective
Answer after personal service	30 days from service	Rules 4.2, 10.1	Entry of default (Rule 45)
Answer after service by publication	30 days from publication	Rule 4.6	Entry of default (Rule 45)
Relief from void judgment	No fixed limit	Rule 49.2	Void judgment remains subject to attack

PART III

The Process Server

Chapter 6. Who May Serve Process in Puerto Rico

6.1 Rule 4.3(a): A Private Process Server Regime

Unlike most states of the Union, where the sheriff or marshal retains primacy in the service of original process, Puerto Rico has entrusted that function, since the Rules of 1943, to the plaintiff and to the persons the plaintiff designates. Rule 4.3(a) provides that the summons shall be served by any person over eighteen years of age who knows how to read and write and who is neither a party to nor interested in the suit. No license, registration, bond, or judicial appointment is required. No prior attempt at service by the marshal is required. The private process server is, in Puerto Rico, the ordinary instrument rather than the exception.

The breadth of the Rule carries a consequence the practitioner should appreciate: the quality of service depends entirely upon the competence and integrity of the process server the plaintiff chooses. The court marshal, the alguacil, remains available, and the marshal's return enjoys the presumption of regularity attaching to the acts of a public officer, but the marshal's workload and focus on court orders make that route impractical for ordinary service. In practice, nearly all summonses in the courts of Puerto Rico are served by private process servers, and the case law on defective service is, in large measure, case law about process servers who did not know the Rule or did not observe it.

6.2 Qualifications and Disqualifications

The three requirements of Rule 4.3(a) are mandatory. Majority is established by the server's date of birth. Literacy is a functional requirement, since the server must read the summons to identify it and prepare the sworn record of service. Not being a party to nor interested in the suit is the requirement of greatest practical consequence. Plaintiff's counsel is not a party, but counsel's personal service of the summons, though not prohibited by the text of the Rule, is inadvisable because of the conflict it creates between the role of advocate and the role of witness to service. The plaintiff's employee, partner, relative, or creditor has an interest in the suit in a sense the courts have been willing to recognize, and service by such a person exposes the validity of the summons to challenge. The professional practice is that the server be a person with no relationship to the parties or to the outcome, and that the affidavit so state.

6.3 The Marshal and Service upon Governmental Entities

The marshal of the Court of First Instance retains authority to serve summonses, and certain proceedings, in particular eviction actions and those involving orders of entry or attachment, are preferably served through the marshal. Service by the marshal is proved by the marshal's certification on the summons itself, without oath, and enjoys a presumption of correctness that the defendant must rebut with clear and convincing evidence. When the server is a private person, proof is made by a statement signed under oath or under penalty of perjury in the form the Rule and the official return permit, the subject of Chapter 15.

6.4 Subpoenas: Rule 40

Subpoenas to witnesses are governed by Rule 40, whose service requirements are analogous to those of the summons but less demanding. A subpoena may be served by any person over eighteen who is not a party, by personal delivery to the witness, and the Rule additionally admits service by certified mail with return receipt in certain circumstances. A subpoena commanding a witness to appear for deposition or trial must be accompanied by the witness fee and mileage the law provides, and the witness may disregard a subpoena that does not include them. Proof of service is by the server's certificate. Because a subpoena is process of the court and its disobedience is punishable as contempt, the professional server should serve subpoenas with the same care as the summons and be prepared to testify to service if the witness fails to appear.

6.5 The Professional Standard

Puerto Rico does not license or register private process servers, and there is no statutory code of conduct governing them. The absence of regulation places a corresponding weight upon the professional standards the serving firm adopts for itself. Diligencias Legales de Puerto Rico adheres to the following principles, which it commends to every practitioner: the server personally performs the act of service and personally executes the affidavit, never delegating either; the affidavit recites facts within the server's personal knowledge and nothing else; the server records the date, time, address, and physical description of every person served or encountered at the time of the event, not afterward; the server never leaves papers with anyone other than the defendant or an authorized agent, because Rule 4.4(a) does not permit abode service; and the server retains contemporaneous field notes and, where lawful and appropriate, photographic documentation. These practices are not required by the Rule, but they are what transforms an affidavit from a conclusory recital into persuasive evidence when service is challenged.

The process servers of Diligencias Legales de Puerto Rico carry badged identification identifying them as civil process servers in the service of the court. The identification confers no law enforcement authority and suggests none; its purpose is that the person approached understand at once the official nature of the act and the seriousness of the document delivered, which in the firm's experience reduces refusals and facilitates identification of the defendant. The firm's servers are, for the most part, former law enforcement officers and former marshals of the Court of First Instance, trained in the identification of persons, the contemporaneous documentation of their acts, and testimony before the courts, and their returns of service are signed under penalty of perjury with that training behind them. The firm is a member of the National Association of Professional Process Servers and the Florida Association of Professional Process Servers, and is governed by their codes of ethics.

PART IV

The Methods of Service

Chapter 7. Personal Service upon Natural Persons

7.1 Rule 4.4(a)

Rule 4.4(a) provides that the summons and complaint shall be served upon a natural person of legal age by delivering a copy of both to the person personally, or to an agent authorized by the person or designated by law to receive process. The Rule thus admits two modalities, and only two: personal delivery to the defendant, the oldest and most reliable method, and delivery to the defendant's authorized agent. What the Rule does not admit, and the practitioner trained in a state jurisdiction must grasp this at the outset, is substituted or abode service, that is, leaving the papers at the defendant's residence with a family member or cohabitant of suitable age and discretion. That method, which Rule 4(e)(2)(B) of the Federal Rules of Civil Procedure authorizes in the federal District Court, was never incorporated into Puerto Rico Rule 4, and papers left with the defendant's spouse, adult child, or housemate in an action before the Court of First Instance do not constitute service. A judgment entered upon such a delivery is void.

7.2 Personal Delivery

Personal delivery is accomplished by placing the summons and complaint in the defendant's hands. The defendant's cooperation is not required. If the defendant refuses to take the papers, the server may leave them in the defendant's immediate presence, informing the defendant of their nature, and service is complete. The courts of Puerto Rico and of the American jurisdictions agree that a defendant cannot defeat service by declining to extend a hand, and that papers placed at the feet of one who has closed the door, or on the seat of a vehicle whose driver has raised the window, have been delivered. The server should record the circumstances with particularity, because a refusal is precisely the situation in which the defendant later denies that service occurred.

Personal delivery may be made anywhere in Puerto Rico: at the defendant's home, at the workplace, on a public street, at the courthouse, or at any other place where the defendant is found. The server should identify the defendant with reasonable certainty before service, by asking the defendant's name, by comparison to a photograph or description, or by other reliable means, and the affidavit should state the basis of identification.

7.3 The Absence of Abode Service and the Federal Contrast

The omission of abode service from Rule 4.4(a) is not a drafting oversight but a deliberate choice that dates to the Rules of 1943 and that the Rules of 2009 knowingly preserved. The practical consequence is that, in the courts of the Commonwealth, the server must reach the defendant in person, or an agent whose authorization can be proved, and that the question whether the recipient was of suitable age and discretion and resided at the premises, so heavily litigated in the state jurisdictions, simply does not arise. The server who leaves the papers with the defendant's spouse or child at the residence has not effected defective service; the server has effected no service at all, and a return reciting such a delivery as service is at best an error and at worst a falsehood.

The contrast with the federal forum is stark. Rule 4(e)(2)(B) of the Federal Rules of Civil Procedure permits leaving a copy of the summons and complaint at the defendant's dwelling or usual place of abode with someone of suitable age and discretion who resides there, and the District Court for the District of Puerto Rico applies that provision. The same server, with the same papers, at the same door, may thus validly complete service in a federal action and complete nothing in a Commonwealth action. Diligencias Legales de Puerto Rico verifies on every assignment the court in which the action is pending precisely for this reason, and its servers are instructed not to employ abode service in any action before the Court of First Instance, whatever the client's insistence.

The absence of abode service raises the importance of location work and persistence. Because the defendant must be found in person, the server must know the defendant's schedule, workplace, vehicles, and routines, and must be willing to attempt service in early, late, and weekend hours. In Puerto Rico, where a significant portion of the population divides its time between the island and the continental United States, the server must further determine whether the defendant is on the island, because a defendant who is off island may be served by certified mail under Rule 4.7 or, upon a showing of efforts, by publication under Rule 4.6, the subjects of Chapters 12 and 13. Diligencias Legales de Puerto Rico verifies the defendant's whereabouts through multiple independent sources before the first attempt, and documents every unsuccessful attempt with date, time, and circumstances, so that the file will support a motion for service by publication if one becomes necessary.

7.4 Service through an Agent

Rule 4.4 admits service by delivery to an agent authorized by the defendant to receive process, or designated by law for that purpose. Two categories of agent are contemplated. An agent by appointment is one whom the defendant has named for the purpose, commonly by a contractual clause, a power of attorney, or a written authorization to counsel to accept service. An agent by operation of law is one upon whom a statute confers the authority, such as the Secretary of State with respect to corporations lacking a resident agent, or the Insurance Commissioner with respect to insurers, subjects of Chapter 11.

The scope of an appointed agent's authority is construed strictly. An attorney who represents the defendant in other matters, or who has corresponded on the defendant's behalf concerning the dispute, is not thereby an agent authorized to receive process; the authorization must be specific to acceptance of service in the action. The defendant's employee, partner, or relative is not an agent by appointment absent proof of actual authorization. The plaintiff who relies on service upon an agent must be prepared to prove the agency, and the server who serves an agent should obtain, where possible, a written acknowledgment of the agent's authority.

7.5 Waiver of Service

Rule 4.5 governs waiver of service, which the 2009 Rules expanded, permitting the defendant, personally or through counsel, to waive service by a signed writing filed with the court. The Office of Court Administration provides form OAT 1579 for the purpose. The waiver is equivalent to service on the date of its execution, and the period to answer runs from that date. Where the defendant has counsel and is disposed to cooperate, waiver is the most efficient course, and plaintiff's counsel should request it in the first communication. Waiver of service does not entail waiver of the defense of lack of personal jurisdiction on other grounds unless so expressly provided, and the defendant who waives retains the right to challenge minimum contacts or the competence of the court.

7.6 Service by Mail

Rule 4 does not authorize, as a general method within Puerto Rico, service upon natural persons by certified mail. This is an important difference from many states of the Union, where certified mail with return receipt is the most frequent method. In Puerto Rico, certified mail is authorized by Rule 4 only for service upon persons located outside Puerto Rico, the subject of Chapter 13, and as a mandatory complement to service by publication, the subject of Chapter 12. The practitioner arriving from a state jurisdiction must abandon the reflex of mailing the summons to a defendant resident on the island; such a mailing is not service, and a judgment entered upon it will be void.

Chapter 8. Service upon Minors and Incompetent Persons

Rule 4.4 provides that service upon a minor shall be made by delivering a copy of the summons and complaint to the minor and also to the minor's father, mother, guardian, or the person having custody; and that service upon a person adjudicated incompetent shall be made by delivering copies to the person and also to the person's guardian. The Rule thus requires dual service: upon the minor or incompetent and upon the representative. The rationale is protective. A minor or incompetent may be unable to appreciate the significance of the summons or to protect his or her interests, and the requirement of dual service ensures that a competent adult with responsibility for the person receives notice.

The courts have treated the requirement as mandatory, and a judgment against a minor served only individually, without service upon a parent or guardian, is subject to attack. The protective purpose is reinforced by Rule 15.2, which requires the appointment of a defensor judicial, a guardian ad litem, to represent a minor or incompetent defendant lacking a representative, and by Rule 45, which bars default judgment against such a defendant absent representation. The server should ascertain the age and capacity of every individual defendant before service, and where the defendant is or may be a minor or incompetent, should serve both the defendant and the appropriate representative and document each delivery separately.

Chapter 9. Service upon Corporations, Limited Liability Companies, Partnerships, and Associations

9.1 Domestic and Foreign Corporations

Rule 4.4 provides that service upon a corporation, company, or association shall be made by delivering a copy of the summons and complaint to an officer, managing agent, general agent, or any other agent authorized by appointment or designated by law to receive process. The provision is construed in harmony with the General Corporations Act, Act No. 164 of December 16, 2009, as amended, which requires every domestic corporation and every foreign corporation authorized to do business in Puerto Rico to maintain a resident agent on the island, and which designates that agent as the person upon whom process directed to the corporation may be served.

The category of "managing agent" has been construed functionally. A managing agent is one who exercises general supervisory authority over the corporation's business, or over a substantial part of it, so that service upon that person may reasonably be expected to result in notice to the corporation. A store manager, plant manager, branch manager, or regional manager ordinarily qualifies; a salesperson, receptionist, security guard, or line employee ordinarily does not. The question is one of fact, and the server should record the title and apparent responsibilities of the person served. The Supreme Court has been demanding on this point, and has voided judgments against corporations served through employees without managerial authority. *First Bank of P.R. v. Inmobiliaria Nacional, Inc.*, 144 D.P.R. 901 (1998).

9.2 The Resident Agent and Service through the Secretary of State

The resident agent is the corporation's agent for service of process by operation of law, and delivery to the resident agent is the most secure method of serving a corporation, because the agent's authority is a matter of public record at the Department of State and cannot be disputed. The name and address of the resident agent are available in the Department of State's Registry of Corporations and Entities, and the server should consult that registry, not a commercial database, immediately before service, because agents change.

Where the corporation has no resident agent, or the agent cannot with reasonable diligence be located at the registered address, the General Corporations Act provides that service may be made by delivery to the Secretary of State, who forwards it by certified mail to the corporation at its last known address. Service is perfected upon delivery to the Secretary of State, and the statute prescribes the fee and the manner of obtaining the corresponding certificate. The provision is the modern successor to the ancient rule that a corporation failing to maintain the statutory agent thereby consents to be served through the State, and it is an invaluable tool for reaching inactive, delinquent, or evasive entities. Its use requires that the plaintiff first attempt service upon the resident agent and document the failure, and the server's affidavit of that attempt is the foundation for the filing with the Department of State.

9.3 Limited Liability Companies

The General Corporations Act likewise regulates limited liability companies and imposes upon them the obligation to maintain a resident agent. Service upon a limited liability company is made in the manner provided for corporations, with members and managers standing in the place of directors and officers. Service upon a manager of a manager managed company, or upon a member of a member managed company, or upon the resident agent, satisfies the Rule. Service upon a member without management authority in a manager managed company is of doubtful validity, and the server should verify the management structure in the certificate of organization on file with the Department of State before serving an individual member.

9.4 Partnerships and Unincorporated Associations

Service upon a partnership is made by delivery to any general partner, or to an authorized agent, and service upon an unincorporated association by delivery to an officer, director, or agent. The practitioner should note that service upon the partnership is not service upon the partners in their individual capacities, and that a judgment against the partnership binds partnership assets but not the separate property of a partner who was not individually served. Where the plaintiff seeks the personal liability of the partners, each must be named and served as a natural person under Rule 4.4(a).

9.5 Misnomer and Misidentification

Entity defendants are frequently misdescribed in pleadings and process. The corporation's legal name may differ from its trade name; a parent may be named where the subsidiary is the proper defendant; a dissolved corporation may be named where its successor now holds the liability. The courts distinguish between misnomer, in which the correct entity is served under an incorrect name, and misidentification, in which the wrong entity is served. Misnomer is curable by amendment, and the amendment relates back, because the entity actually served had notice of the action. Misidentification is not curable by amendment, because the entity the plaintiff now seeks to sue was never served; the plaintiff must begin anew, and the limitations period is measured from the new commencement. The server can assist by recording, at the time of service, exactly what entity name appears on the premises, on the signage, and on the identification of the person served.

Chapter 10. Service upon Governmental Entities

10.1 The Commonwealth and Its Agencies

Rule 4.4 provides that service upon the Commonwealth of Puerto Rico shall be made by delivering a copy of the summons and complaint to the Secretary of Justice or the person the Secretary designates. Service upon an agency, instrumentality, or public corporation of the Commonwealth is made, under the applicable provision, upon the head of the agency or its designated agent, and, where the action is directed against the Commonwealth itself or claims against its funds, also upon the Secretary of Justice. The distinction between claims against an officer in official capacity and in personal capacity has jurisdictional consequences under the doctrine of sovereign immunity and under the Claims Against the Commonwealth Act, Act No. 104 of June 29, 1955, as amended, and must be resolved before the summons is prepared.

Service upon a Commonwealth officer in official capacity, as distinguished from an agency, is made upon the officer in the manner provided for natural persons, and, where the action seeks relief against the Commonwealth, also upon the Secretary of Justice. The plaintiff who serves the Litigation Division of the Department of Justice, or the agency's attorney, rather than the officer the Rule designates, has not complied with the Rule, even though such attorney is the person who will in fact defend the action, unless expressly authorized to accept service.

10.2 Municipalities

Service upon a municipality is made by delivery to the mayor, or to the official the Municipal Code designates to receive process in the municipality's name, and the prudent practice is to serve the mayor and simultaneously notify the municipality's Office of Legal Affairs. The Municipal Code of Puerto Rico, Act No. 107 of August 14, 2020, as amended, further contains prior notice requirements for certain damages claims against municipalities, whose breach may defeat the action regardless of the validity of service. The server should verify the identity of the sitting mayor and the address of the municipal hall before service, and record in the affidavit to whom delivery was made and in what capacity.

10.3 The United States and Foreign Sovereign States

Service upon the United States, its agencies, and its officers in official capacity in an action before the courts of Puerto Rico is governed by the applicable federal provisions, and ordinarily results in removal of the action to the federal District Court. Service upon a foreign state, or its political subdivisions, agencies, or instrumentalities, is governed by the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608, which prescribes a hierarchy of methods: any special arrangement for service between the plaintiff and the foreign state; service under an applicable international convention; mailing from the Clerk of the court to the foreign ministry; and, finally, service through the United States Department of State by diplomatic channels. Service upon a foreign sovereign is a specialized undertaking requiring coordination with the Clerk's office and, frequently, with federal authorities, and should not be attempted without counsel experienced in the field.

Chapter 11. Statutory Agents and Special Statutes

11.1 Insurers: The Insurance Commissioner

Every insurer authorized to do business in Puerto Rico is required, as a condition of its authorization, to appoint the Insurance Commissioner as its attorney for service of process, and the Puerto Rico Insurance Code, 26 L.P.R.A., prescribes the manner in which such service is made. Process is served by delivering the corresponding copies to the Commissioner, who forwards one to the insurer by certified mail. Service is perfected upon delivery to the Commissioner, and the insurer's time to answer runs from the date the Commissioner forwards the copy. The provision applies to domestic and foreign insurers alike and furnishes a reliable method of reaching an insurer whose resident agent or home office is difficult to identify. Surplus lines and unauthorized insurers are subject to distinct provisions of the Code designating the Commissioner as attorney under differing conditions, and the practitioner should consult the applicable chapter before proceeding.

11.2 Nonresident Motorists

The Puerto Rico Vehicle and Traffic Act, Act No. 22 of January 7, 2000, as amended, contains an implied consent provision under which a nonresident who operates a motor vehicle on the public highways of Puerto Rico thereby designates the Secretary of Transportation and Public Works as agent for service of process in any action arising from an accident in which the nonresident is involved. The statute descends from the nonresident motorist acts upheld by the Supreme Court of the United States in *Hess v. Pawloski*, 274 U.S. 352 (1927). Service is made by delivery to the Secretary, with the corresponding fee, and by sending the defendant, by certified mail with return receipt, notice of the service and a copy of the summons, with the filing in court of an affidavit of compliance to which the return receipt is attached. Each step is mandatory, and the omission of the notice to the defendant, or of the affidavit, or of the return receipt, has been held sufficient to defeat service.

11.3 Other Statutory Agents

The Laws of Puerto Rico Annotated contain numerous other provisions designating a public officer as agent for service upon a class of defendants: nonresidents who engage in specified activities within Puerto Rico, such as the sale of securities or the practice of certain professions; foreign financial institutions; operators of aircraft and vessels. Executors, administrators, and trustees are served under the provisions of the Civil Code of 2020 and the trust statutes in addition to Rule 4. Each statute prescribes its own procedure, and each is a trap for the plaintiff who assumes that Rule 4 is exhaustive. The server presented with an unusual defendant should ask whether a special statute applies before selecting a method.

11.4 Eviction and Summary Proceedings

The action of desahucio, or eviction, governed by Articles 620 through 634 of the Code of Civil Procedure, 32 L.P.R.A. §§ 2821 through 2838, is a summary proceeding with its own rules of citation. The defendant is cited to a hearing with the warning that failure to appear will result in judgment against the defendant, and the citation is served personally or, where the defendant cannot be found, in the manner the court directs, including posting on the premises. The practitioner should note that an eviction judgment obtained on citation posted at the premises may sustain restitution of possession, but that a claim for unpaid rent or damages in the same proceeding requires service under Rule 4, and that a money judgment entered upon mere posting is subject to attack.

Chapter 12. Service by Publication

12.1 The Constitutional Setting

Service by publication is the method of last resort. It is a fiction, in the sense that the defendant is presumed to have read a legal notice in a newspaper that, in the ordinary course, the defendant will never see. The Supreme Court of the United States has tolerated the fiction, in *Mullane* and its successors, only because there is no alternative when a defendant's whereabouts cannot be ascertained, and only on condition that the plaintiff has first exhausted the reasonable means of finding the defendant. Rule 4.6 embodies both the tolerance and the condition, and the Supreme Court of Puerto Rico has policed the condition with notable rigor.

12.2 The Elements of Rule 4.6

Rule 4.6 provides that when the person to be served is outside Puerto Rico, or is in Puerto Rico but cannot be located after the pertinent efforts have been made, or conceals himself or herself to avoid service, or is a foreign corporation without a resident agent, and this is shown to the court's satisfaction by a sworn statement setting forth those efforts, and it also appears from that statement or from the complaint that a claim exists justifying relief against the person to be served, or that such person is a proper party to the suit, the court may enter an order directing that service be made by publication.

The elements are these. First, one of the enabling circumstances must exist: absence from Puerto Rico, inability to locate after pertinent efforts, concealment, or a foreign corporation without a resident agent. Second, the plaintiff must establish the circumstance by a sworn statement setting forth the efforts made. Third, it must appear from the statement or the complaint that a claim exists justifying relief against the defendant. Fourth, the court must enter an order authorizing publication; the plaintiff may not publish on its own initiative. Fifth, the notice must be published once in a newspaper of general daily circulation in Puerto Rico. Sixth, within ten days after publication, the plaintiff must send the defendant, by certified mail with return receipt, a copy of the summons and complaint at the defendant's last known address, unless it is shown that the address is unknown. Seventh, the notice must contain the name of the court, the title of the case, the name of the party served, the nature of the claim, the name and address of plaintiff's counsel, and the warning that the defendant must answer within thirty days following publication, failing which default will be entered and judgment rendered. Eighth, proof of service is made by the sworn statement of the newspaper's administrator or authorized agent attesting to the publication and its date, together with the plaintiff's sworn statement attesting to the mailing.

Each element is mandatory and the omission of any one is fatal. Publication without a prior court order, publication in a newspaper that is not of general daily circulation, a notice omitting the nature of the claim or fixing a period shorter than thirty days, or failure to mail where the address was known, has each been held sufficient to void the service and the judgment entered upon it. *Banco Popular v. S.L.G. Negrón*, 164 D.P.R. 855 (2005).

12.3 The Prior Efforts Requirement

The requirement that the sworn statement set forth the efforts made to locate the defendant has generated the most substantial body of publication case law. The Supreme Court established in *Reyes v. Oriental Federal Savings Bank*, 133 D.P.R. 15 (1993), and *Lanzó Llanos v. Banco de la Vivienda*, 133 D.P.R. 507 (1993), that the sworn statement cannot be limited to general or conclusory assertions that efforts were made, but must set forth with particularity what steps were taken, when, with whom, and with what result, so that the court can evaluate for itself whether the efforts were reasonable. The Court explained that the sworn statement is the sole foundation upon which the court authorizes the fiction of publication, and that a statement that does not permit the court to exercise its judgment does not perform its function. The doctrine was reiterated and applied with rigor in *Global Gas, Inc. v. Salaam Realty Corp.*, 164 D.P.R. 474 (2005), and *Datiz v. Hospital*

Episcopal San Lucas, 163 D.P.R. 10 (2004), where the Court voided service by publication founded on statements reciting generic efforts without detail.

The courts have declined to prescribe a fixed list of steps, holding instead that what constitutes a pertinent effort depends upon the circumstances of each case. But the decisions reveal a consistent pattern of inquiries the courts expect. They include: attempted personal service at the last known address, with dates, times, and results; inquiry of the defendant's relatives, neighbors, employers, and acquaintances; examination of telephone and online directories; examination of public records, including the Demographic Registry, the electoral registry, the Department of Transportation and Public Works, the Property Registry, and court files; inquiry of the Postal Service for a forwarding address; and, in the modern era, examination of commercial locator databases and social media. The plaintiff need not exhaust every conceivable step, but must perform those a reasonable person in the plaintiff's position would perform, and must be able to describe each in the statement.

The sworn statement of efforts is the single most important document in a service by publication, and it is the document most often prepared carelessly. A statement reciting in conclusory terms that "efforts have been made to locate the defendant" is insufficient. The statement must set forth the specific steps, the dates on which they were taken, the persons contacted, and the results. It should be executed by the person who actually performed the search, not by counsel on information and belief. Diligencias Legales de Puerto Rico prepares statements of efforts as a matter of routine, supported by a documented skip tracing file, and the firm's experience is that such a statement will withstand a motion for relief from judgment years after entry, where a conclusory one will not.

12.4 The Newspaper and the Notice

The Rule requires publication in a newspaper of general daily circulation in Puerto Rico. Free distribution publications, specialized magazines, regional weeklies, and exclusively digital media do not qualify. The Clerk of the court can advise as to newspapers meeting the requirement, and the server should confirm it before publication, because publication in a non qualifying medium is no publication at all. The form of the notice is prescribed by the Rule and the Office of Court Administration provides a model. The notice should track the Rule's language precisely. In particular, the statement of the nature of the claim should be specific enough to inform the defendant of what is at stake, without reproducing the complaint; "action for collection of money for breach of a lease agreement" is adequate, while "civil action" is not. The date from which the thirty days run must be that of publication, and the newspaper's statement must establish it.

12.5 Publication in Actions In Rem and Quasi In Rem

Publication is most frequently employed in actions affecting title to real property, in mortgage foreclosures, in boundary and partition actions, in divorce and family actions where the spouse cannot be located, and in proceedings for termination of parental rights and adoption. In actions in rem and quasi in rem, the presence of the property within Puerto Rico substitutes for the presence of the defendant as the basis of jurisdiction. But the notice requirements of *Mullane* apply with full force, and where the defendant's address is known or ascertainable, the plaintiff must mail as well as publish. The Supreme Court of the United States in *Mennonite Board of Missions v. Adams*, 462

U.S. 791 (1983), held that publication alone is constitutionally inadequate to notify a mortgagee of record whose address is reasonably ascertainable, and the courts of Puerto Rico have applied the same principle to creditors, heirs, and other interested persons in proceedings affecting property.

Chapter 13. Service outside Puerto Rico and Abroad

13.1 The Long Arm Provision and Service in the United States

Rule 4.7 contains Puerto Rico's long arm provision, enumerating the circumstances in which the courts of the Commonwealth may exercise jurisdiction over a person not domiciled in Puerto Rico: transacting business in Puerto Rico personally or through an agent; participating in acts or omissions within Puerto Rico causing injury; liability for injury caused in Puerto Rico by acts outside the island where the defendant does business in or derives revenue from Puerto Rico; owning, using, or possessing property in Puerto Rico; contracting to insure persons, property, or risks in Puerto Rico; and other analogous grounds. A defendant falling within any of these grounds may be served outside Puerto Rico, and service so made confers jurisdiction over the person.

Rule 4.7 provides that service upon a person outside Puerto Rico is made in the same manner as within the island, that is, under Rule 4.4, or by certified mail with return receipt, or by publication under Rule 4.6. The certified mail modality, expressly incorporated by the 2009 Rules, is the most frequent for defendants in the continental United States, and is proved by the plaintiff's sworn statement with the return receipt signed by the defendant attached. Where the receipt is signed by someone other than the defendant, the plaintiff must be prepared to prove that the signatory was authorized to receive the defendant's mail. Personal service in another state may be made by any person qualified under Rule 4.3(a), and Diligencias Legales de Puerto Rico coordinates it through its affiliate Poindexter & Associates, Inc., a licensed investigative firm operating in the continental United States.

Service outside Puerto Rico must be accompanied by a basis for personal jurisdiction under the long arm provision, and both steps of the *A.H. Thomas* analysis must be satisfied. The complaint should plead the jurisdictional facts, and the proof of service should establish the method. A nonresident defendant who appears to contest jurisdiction for want of minimum contacts does not thereby waive the defense, provided it is raised in the first appearance under Rule 10.

13.2 The Hague Service Convention

Service upon a defendant in a foreign country that is a party to the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, the Hague Service Convention of 1965, must comply with the Convention. The Supreme Court of the United States held in *Volkswagenwerk Aktiengesellschaft v. Schlunk*, 486 U.S. 694 (1988), that the Convention is mandatory whenever the law of the forum requires the transmission of documents abroad for service, and the courts of Puerto Rico apply the Convention as supreme law under the Supremacy Clause. The Convention establishes a Central Authority in each contracting state to receive requests for service and execute them under local law. The plaintiff transmits the request, with the documents translated into the official language of the receiving state where required, to the Central Authority, which effects service and returns a certificate. Article 10 of the Convention permits service by mail and through judicial officers of the receiving state unless that state has objected, and many have. The plaintiff must determine the receiving state's declarations and reservations before selecting a method.

The Supreme Court of the United States in *Water Splash, Inc. v. Menon*, 581 U.S. 271 (2017), resolved a long standing division among the lower courts by holding that Article 10(a) permits service by mail where the receiving state has not objected and where the law of the forum authorizes mail service. Because Rule 4 authorizes service by certified mail upon persons outside Puerto Rico, a Puerto Rico plaintiff may serve by that method a defendant in a Convention state that has not objected to Article 10(a), provided delivery to the addressee can be established. Where the receiving state has objected, service must proceed through the Central Authority, a process that in many jurisdictions takes several months. The interaction of the one hundred twenty day period of Rule 4.3(c) with the delay inherent in the Convention is a serious problem, and the practitioner serving abroad must timely file whatever motions are necessary to preserve the action.

13.3 The Inter American Convention and Letters Rogatory

The Inter American Convention on Letters Rogatory of 1975 and its Additional Protocol of 1979, to which the United States and numerous Latin American states are parties, provide a parallel mechanism for service in those states through designated Central Authorities using a prescribed form. For countries party to neither convention, service is made by letters rogatory, a formal request from the Puerto Rico court to the courts of the foreign state transmitted through diplomatic channels, or by any method permitted by the law of the foreign state that is reasonably calculated to give notice. The practitioner should obtain advice from counsel in the foreign jurisdiction as to what is permitted, because some states treat the service of foreign judicial documents by private persons within their territory as an offense.

The Dominican Republic, a frequent destination for service from Puerto Rico given the family and commercial ties between the two countries, is a party to the Inter American Convention and additionally admits service by alguacil under its Code of Civil Procedure. Diligencias Legales de Puerto Rico coordinates service in the Dominican Republic through its affiliate Poindexter Global Intelligence, with compliance supervision by VSP Consultores Legales, S.A., so that service simultaneously satisfies Dominican law and the requirements of the Puerto Rico court. The firm's experience is that the success of international service depends almost entirely upon the accuracy of the initial documentation: a request properly translated, correctly addressed, and accompanied by the required number of copies will be executed; one that is not will be returned months later unexecuted.

13.4 Service in Puerto Rico for Foreign Proceedings

Requests from foreign courts for service within Puerto Rico under the conventions are transmitted through the Central Authority designated by the United States and executed on the island under the Rules. Summonses and subpoenas issued by courts of other states of the Union for service in Puerto

Rico are served by any person qualified under Rule 4.3(a), and the server must comply with both the issuing court's requirements and Puerto Rico's concerning who may serve and how service is proved, because the issuing court will scrutinize the affidavit under its own law and the Puerto Rico court may be called upon to enforce the resulting judgment. This is the most numerous portion of the practice of Diligencias Legales de Puerto Rico: service on the island of process issued by state and federal courts of the continental United States, whose attorneys frequently know no one in Puerto Rico to whom to entrust the assignment.

Chapter 14. The Federal Forum: Rule 4 of the Federal Rules of Civil Procedure

The United States District Court for the District of Puerto Rico applies Rule 4 of the Federal Rules of Civil Procedure, not the Puerto Rico Rule 4. The differences are significant and the practitioner who divides a practice between the two forums must keep them in mind. The federal rule permits service by any person at least eighteen years old who is not a party, without the literacy requirement. It contains an elaborate waiver mechanism, under which the plaintiff may request by mail that the defendant waive formal service, and the defendant who refuses without good cause bears the costs of subsequent service. It allows ninety days from the filing of the complaint for service, extendable for good cause at the court's discretion, in contrast to the non extendable one hundred twenty days of the Puerto Rico rule. And, crucially, federal Rule 4(e)(1) permits service upon an individual by following the law of the state in which the district court sits or in which service is made, so that the methods of Puerto Rico Rule 4.4 are available in the federal forum by incorporation.

The District Court further requires, by its Local Rule 5, that every document filed be in English or accompanied by a certified English translation, a requirement extending to the documents to be served with the summons. Counsel litigating in the federal forum from Puerto Rico must prepare the summons and complaint in English, and the server who serves federal process on the island must be prepared to execute the affidavit of service in that language. Diligencias Legales de Puerto Rico operates in both languages and prepares its affidavits in the language of the issuing court.

A server who serves a summons in a federal action is governed by the federal rule as to who may serve and as to the period; the same server in a Commonwealth action is governed by Rule 4.3. Counsel who removes an action from Commonwealth to federal court after defective Commonwealth service may find that the federal court, under Rule 4(m), grants a fresh opportunity to serve; counsel who remands may find the Puerto Rico rules reasserted. The professional process serving firm should ask, at intake, in which court the action is pending, and apply the corresponding rule.

PART V

Proof, Defects, Waiver, and Consequences

Chapter 15. Proof of Service

15.1 The Record of Service

Rule 4 provides that the person serving the summons shall record the service on the summons itself or on a document attached to it, and that, where the server is not the marshal or another authorized officer, the record shall be made by sworn statement. The statement must set forth the place, date, time, and manner of service, the person to whom the documents were delivered, and, in the case of delivery to an agent, the facts establishing the agent's authorization to receive process on the defendant's behalf. The statement must further establish that the server meets the qualifications of Rule 4.3(a). The served summons, with its record, is filed with the court, and its filing is the foundation upon which the Clerk enters default and the court renders judgment against a defendant who does not appear.

The proof of service is not the service; it is the evidence of it. Service properly made but improperly proved may be re proved by a corrected statement, and the courts have permitted the filing of supplemental statements curing omissions in the original. Conversely, a perfect statement does not validate service that was not made in accordance with the Rule. The distinction matters when service is challenged: the defendant who attacks the statement attacks the evidence, and the plaintiff may respond with better evidence; the defendant who attacks the service itself attacks the jurisdictional act, and no amount of evidence cures a method that did not comply with the Rule.

15.2 The Evidentiary Weight of the Record

The marshal's certification enjoys a presumption of correctness grounded in the officer's official duty, in the criminal and civil liability attending a false certification, and in the public interest in the stability of judgments. The defendant seeking to impeach it must do so by clear, strong, and convincing evidence; a bare denial of having been served, contradicting the certification, does not meet the standard. The private server's sworn statement enjoys an analogous, though somewhat less robust, presumption: it is prima facie proof of service, and shifts to the defendant the burden of producing evidence to controvert it. The strength of the presumption depends, in practice, on the particularity of the statement. A detailed statement, with dates, times, physical descriptions, and circumstances, is hard to impeach; a conclusory one is impeached with regularity.

The statement should be complete. It should identify the server, the summons served, the person to whom delivery was made, the manner of service, the date and time, and the address. A statement reciting only "served" without particulars invites challenge and, if challenged, leaves the server reconstructing the event from memory. The Office of Court Administration provides a return form printed on the reverse of the summons, and the server should complete it in full and, where space does not suffice, attach a supplemental statement.

15.3 The Private Server's Statement

The private server's statement is signed under oath or under penalty of perjury, in the form the Rule and the Office of Court Administration's return form permit; a notary's participation is not a requirement of service, and a statement under penalty of perjury carries the same evidentiary weight and exposes the declarant to the same liability. The statement must set forth facts, not conclusions. It should recite the server's name, age, and address; the server's ability to read and write; the server's relationship, if any, to the parties, and the absence of any interest in the suit; the documents served; the date, time, and address of service; the name and physical description of the person served; the manner of service, whether personal delivery to the defendant or to an authorized agent; and, for delivery to an agent, the facts establishing the authorization. The statement should be signed and dated.

Diligencias Legales de Puerto Rico prepares its statements in this form as a matter of routine and retains the underlying field notes, geolocation records, and photographic documentation in its file for a period well beyond any deadline for attacking the judgment. The firm's experience, consistent with the reported decisions, is that a detailed and contemporaneously supported statement is very rarely successfully impeached, while a conclusory one is impeached with regularity.

15.4 Judgment against a Defendant Who Has Not Appeared

Rule 45.1 provides that when the party against whom judgment is sought has failed to plead or otherwise defend, and that fact is shown by sworn statement or otherwise, the Clerk shall enter default. Rule 45.2 provides for default judgment, which the Clerk may enter where the claim is for a sum certain and the court in all other cases, and requires the court to hold such hearings as it deems necessary to determine the amount of damages or establish the truth of any averment. In both cases, the Clerk and the court must verify, before proceeding, that the record contains proof of service under Rule 4. A default judgment entered without the required record on file is subject to being set aside, and the server's statement is thus the foundation of the plaintiff's judgment as well as of the court's jurisdiction.

Chapter 16. Defects in Service, Waiver, and Void Judgments

16.1 The Defenses of Rule 10.2

Rule 10.2 enumerates among the defenses that may be raised by motion the lack of jurisdiction over the person, insufficiency of process, and insufficiency of service of process. The three are distinct. Lack of personal jurisdiction is the absence of a constitutional and rule based basis for the court's authority over the defendant, typically the absence of minimum contacts. Insufficiency of process is a defect in the summons itself: it was not issued by the Clerk, it was not directed to the defendant, it omitted a required element. Insufficiency of service is a defect in the manner of service: it was left with a family member at the defendant's residence instead of being delivered to the defendant, delivered to an employee without managerial authority, served after the period expired. The motion should identify which defense is invoked, and the defendant who invokes the wrong one may find that the right one has been waived.

The burden of proof on a motion challenging service rests initially on the plaintiff, who must show that service was made in a manner the Rule authorizes; but where the plaintiff produces proof of service under Rule 4, the presumption of validity arises and the burden shifts to the defendant to rebut it. The court decides the motion on the sworn statements, and may hold an evidentiary hearing where they conflict. Findings of fact on service are entitled to deference on appeal; conclusions of law are reviewed de novo.

16.2 Waiver under Rule 10.8 and Voluntary Submission

Rule 10.8 provides that the defenses of lack of personal jurisdiction, insufficiency of process, and insufficiency of service are waived if omitted from a motion under Rule 10 raising other defenses, or if neither raised by motion nor included in the responsive pleading. The rule is strict. A defendant who answers the complaint without raising the defense, or who moves to dismiss for failure to state a claim without joining the service defense, has waived it, and the court acquires jurisdiction over the person notwithstanding that service was defective.

Independently of Rule 10.8, the case law recognizes that the defendant's voluntary appearance, or submission to the court's jurisdiction, confers jurisdiction over the person. Submission occurs when the defendant performs any act by which the defendant invokes the court's authority or seeks relief from it on a matter other than jurisdiction over the person. The doctrine rests on the elementary proposition that a party may not invoke the court's power and simultaneously deny that the court has power over it. Under the 2009 Rules, the special appearance in its old form has been abolished, and the defendant may raise the service defense together with defenses on the merits in the same pleading without waiver, provided the defense is included. What the defendant may not do is litigate the merits first and raise service later.

16.3 Actual Notice and the Rejection of Substantial Compliance

The defendant's actual knowledge of the action, however acquired, confers no jurisdiction and cures no defective service. The courts of Puerto Rico have adhered to this rule with notable consistency, and the practitioner should not expect a court to be persuaded that a defendant who "obviously knew about the suit" should be bound by the judgment despite the failure of service. The rule is sometimes criticized as elevating form over substance. The criticism misunderstands the function of Rule 4. The Rule does not exist merely to convey information; it exists to define the moment at which the court's authority is perfected and the defendant's obligation to respond begins. A regime in which that moment depended on proof of the defendant's subjective knowledge would be a regime of endless litigation about what the defendant knew and when, and the certainty the Rule provides would be lost. The plaintiff with a cooperative defendant should obtain a waiver of service under Rule 4.5; the plaintiff with an evasive defendant should serve in strict compliance with the Rule; and the plaintiff with neither should not rely on the defendant's knowledge.

16.4 Void Judgments and Rule 49.2

A judgment entered against a defendant who was not served and who did not appear is void for want of jurisdiction. Rule 49.2 authorizes the court to relieve a party from a void judgment upon motion, and the courts have held that a void judgment may be attacked at any time, the six month limit that Rule 49.2 fixes for the other grounds of relief not applying, because a void judgment does not become final by the passage of time. The Supreme Court in *Rivera v. Jaume* addressed the distinction between the void and the merely voidable judgment, holding that where the court lacked jurisdiction over the defendant the judgment was a nullity subject to attack in a subsequent proceeding, and that the trial court has no discretion to deny relief from a void judgment. A void judgment may also be attacked collaterally, in a separate action or in the proceeding to enforce it, and may be disregarded by a court asked to give it effect.

The consequences for the plaintiff are severe. A plaintiff who obtains a default judgment on defective service, executes upon it, and sells the defendant's property, may be liable in damages to the defendant when the judgment is set aside, and the purchaser at the judicial sale may take nothing. A plaintiff who obtains a divorce judgment on defective service may discover, upon remarriage, that the first marriage was never dissolved. A plaintiff who obtains a foreclosure judgment on defective publication may find the title unmarketable a decade later. The law of service is, in this sense, the law of the security of judgments, and every dollar spent on careful service is insurance against these outcomes.

16.5 Relief from Judgment on Other Grounds

Distinct from the void judgment is the judgment validly entered on proper service against a defendant who, through mistake, inadvertence, surprise, or excusable neglect, failed to appear. Such a judgment is voidable, not void, and relief lies under the first subsections of Rule 49.2, by motion filed within a reasonable time not exceeding six months from the entry of judgment, and upon a showing that the defendant has a meritorious defense. The distinction is frequently confused. A defendant to whom the server personally delivered the papers, and who mislaid or ignored them, was served; the remedy, if any, is relief for excusable neglect, within six months and with a meritorious defense. A defendant who was never served, because the papers were left with a family member at the residence or with a stranger at a wrong address, was not served; the remedy is relief for nullity, without time limit and without regard to the merits.

Chapter 17. Service of Subsequent Papers and Subpoenas

17.1 Rule 67

Once the defendant has been served or has appeared, subsequent pleadings and papers are served under Rule 67, not Rule 4. Rule 67.2 provides that service upon a party represented by counsel shall be made upon counsel unless the court orders otherwise, and that it shall be made by delivering a copy to counsel or the party, or by mailing it to the last known address, or by the electronic means the court authorizes, including the Unified Case Management and Administration System. Service by mail is complete upon deposit, and Rule 68 adds three days to any period running from service by mail. Proof is by a certificate of service signed by counsel or the person serving.

The distinction between Rule 4 and Rule 67 is jurisdictional in one direction and not in the other. A paper requiring Rule 4 service, such as an amended complaint adding a new party, a third party complaint, or a contempt motion initiating a new proceeding against a person not yet before the court, is not effectively served under Rule 67. Conversely, an ordinary pleading or motion in a pending suit does not require Rule 4 service or its formalities. Where an amended complaint adds a claim against a party already served, Rule 67 suffices; where it adds a party, Rule 4 governs as to that party.

17.2 Special Proceedings, Estates, and Family Matters

Ex parte proceedings and matters of voluntary jurisdiction before the Court of First Instance, including declarations of heirs, guardianships, and adoptions, are processed under their special statutes as to notice, with the Rules of Civil Procedure applying supplementarily. Succession proceedings under the Civil Code of 2020 contain their own provisions on notice to heirs and creditors, and the notice to creditors in the administration of an estate is governed by them. Family actions, including divorce, custody, and liquidation of the community property, are civil actions commenced by complaint and summons served under Rule 4, and divorce actions in particular are frequently the occasion for service by publication upon a spouse of unknown whereabouts. The prior efforts requirement applies with full force, and the courts of Puerto Rico have set aside divorce judgments obtained on publication authorized without adequate efforts.

17.3 Subpoenas in Practice

The service of subpoenas, governed by Rule 40 and discussed in Chapter 6, is the area of practice in which the professional process server is least encumbered and most frequently engaged. A subpoena to a witness to testify at trial or deposition, or to produce documents, may be served by any person over eighteen who is not a party, by personal delivery, and the Rule admits certified mail in certain circumstances. The subpoena must be accompanied, where it commands attendance, by the fees and mileage the law provides, and a subpoena served without them may be disregarded by the witness. Proof is the server's certificate. Because a subpoena is process of the court and its disobedience is punishable as contempt, the server should serve it with the same care as original process, record the circumstances with the same particularity, and be prepared to testify to service if the witness fails to appear and the court is asked to issue an order to show cause.

Chapter 18. Practice Standards for the Professional Process Server

18.1 Intake and Verification

Every engagement begins with verification. The firm should confirm that the summons has been issued by the Clerk and bears the Clerk's signature and the court's seal, that it is directed to the defendant to be served, that it is within the one hundred twenty day period, with the exact date of filing of the complaint noted, and that a copy of the complaint and every other document to be served is in the file. The firm should further confirm the court in which the action is pending, because abode service is available in the federal forum and not in the Commonwealth courts. Where publication is requested, the firm should confirm that the client has attempted personal service and should undertake or document the search for the statement of efforts. Where the action is pending in federal court, the firm should confirm that the documents are in English or accompanied by certified translation.

18.2 Locating the Defendant

Skip tracing is the professional term for the systematic effort to locate a person who cannot be found at a known address. It is both an investigative discipline and a legal necessity, because it is the substance of the efforts Rule 4.6 requires. The firm's standard search proceeds from the most reliable and least intrusive sources outward: the client's own records; the public records of the Commonwealth, including the Property Registry, the electoral registry, the Department of Transportation and Public Works, and court files; the Postal Service; commercial locator databases integrating credit header, utility, and consumer records; professional licensing records; social media and open sources; and, where warranted, field inquiry of neighbors, employers, and relatives. Each step is dated and documented, and the resulting file supports both the choice of method and the statement that proves it. Poindexter & Associates, Inc. and Poindexter Global Intelligence, the firm's investigative affiliates, perform this work for matters in which the defendant is in the continental United States, in the Dominican Republic, or abroad, or is actively evading.

18.3 Conduct in the Field

The process server is an officer of the court in function if not in title, and conduct in the field should reflect that. The server should identify himself or herself truthfully; should not impersonate a law enforcement officer, courier, or other official; should not use force, threats, or deception to gain entry to premises; should not enter closed property without invitation; and should not serve at hours or in places a court would regard as harassment. The server should be courteous but not deterred by hostility, and should understand that refusal to receive the papers does not defeat personal delivery. The server should carry identification, the summons, and the means to record the event contemporaneously. Where the defendant is represented by counsel who has agreed to accept service, the server should coordinate with counsel rather than surprise the defendant at home.

18.4 Documentation and Testimony

The return of service is a statement under oath or under penalty of perjury, and a false statement is perjury. The practice described in other jurisdictions as "sewer service," in which a server executes an affidavit of service that was never made, is a crime, a fraud upon the court, and the single greatest source of void judgments in the jurisdictions where it has flourished. No reputable firm tolerates it, and every client should insist upon a firm whose servers personally perform the service they swear to. The affidavit should be prepared from field notes made at the time of service, reviewed by the server before execution, and signed by the server personally, never by another on the server's behalf. The firm should retain the file, including field notes, photographs, geolocation data, and correspondence, for at least ten years, and should be prepared to produce the server as a witness at any hearing on a challenge to service. Diligencias Legales de Puerto Rico regards the willingness of its servers to testify, and the quality of the record they bring to the witness stand, as the ultimate measure of its work.

18.5 A Checklist for Counsel

- Confirm that the summons was issued by the Clerk on the day the complaint was filed and bears the Clerk's signature and the court's seal; if there was delay, timely request the additional time.
- Calendar the one hundred twentieth day from filing of the complaint as a limitations deadline, because in effect it is one.
- Verify the defendant's legal name and, for entities, the resident agent, in the Department of State's Registry of Corporations immediately before service.
- Request a waiver of service in the first communication with defendant's counsel.
- Do not mail the summons to a defendant resident in Puerto Rico; certified mail is authorized only for persons outside the island and as a complement to publication.
- Do not permit abode service in any action before the Court of First Instance; Rule 4.4(a) admits only personal delivery to the defendant or to an authorized agent, and delivery to a family member at the residence is void.
- For publication, file the motion within the original one hundred twenty days, with a sworn statement detailing each effort with dates; publish once in a newspaper of general daily circulation; mail by certified mail within ten days; and file both sworn statements.
- For minor or incompetent defendants, serve both the defendant and the parent, guardian, or representative, and document each delivery separately.
- For governmental entities, serve the officer the Rule designates, not the entity's attorney, and comply with the prior notice requirements of the Claims Against the Commonwealth Act and the Municipal Code.
- For defendants outside Puerto Rico, plead the jurisdictional facts of the long arm provision and comply with the Hague Service Convention or the applicable treaty, calculating the one hundred twenty day period against the Convention's delay.
- For actions in federal court, prepare the summons and complaint in English and apply federal Rule 4 as to who may serve and the period.
- Before moving for entry of default, confirm that the proof of service on file satisfies Rule 4 and will support the judgment.

Conclusion

The law of service of process in Puerto Rico is the product of more than a century and a half of continuous development, from the Spanish Ley de Enjuiciamiento Civil, through the Code of Civil Procedure of 1904 and the Rules of 1943, 1958, and 1979, to the Rules of 2009 and their jurisprudence. Its animating principle has never changed: a court may bind only those it has reached, and it reaches the defendant only by an act the law recognizes. What has changed is the range of acts the law recognizes, which has widened from the escribano's cédula to the written waiver, certified mail abroad, and the Central Authority of a foreign state, and the rigor with which time is administered, which has narrowed to the non extendable one hundred twenty day period. Each expansion has been accompanied by a corresponding insistence upon proof, and the modern practitioner who understands that insistence, and who builds the record the courts expect, will find that the law of service is not an obstacle but an instrument.

Diligencias Legales de Puerto Rico exists to provide that instrument. The firm serves process throughout the island under every method the Rules permit, executes certified mail service abroad with the documentation the courts require, performs the skip tracing and the efforts that publication demands, coordinates service in the continental United States, the Dominican Republic, and abroad through its affiliates, and stands behind every sworn statement with a server who will testify to it. Attorneys and private clients who require service of process in Puerto Rico, or who face a challenge to service already made, are invited to contact the firm through Emplazador.com. Investigative and out of jurisdiction needs may be directed to Poindexter & Associates, Inc. at poindexter-associates.com and to Poindexter Global Intelligence at PoindexterGlobalIntelligence.com.

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About Diligencias Legales de Puerto Rico

Diligencias Legales de Puerto Rico is a San Juan based professional process serving firm providing the service of summonses, subpoenas, and legal notices throughout Puerto Rico, together with service in the continental United States, the Dominican Republic, and abroad under the Hague Service Convention, the Inter American Convention, and letters rogatory. The firm executes every method of service the Puerto Rico Rules of Civil Procedure and the Federal Rules permit, prepares sworn statements and statements of efforts to the standard the courts expect, and stands behind its work with servers who personally perform every service they swear to and who will testify to it. Diligencias Legales de Puerto Rico is a Poindexter Legal Group property and a member of the National Association of Professional Process Servers and the Florida Association of Professional Process Servers. The firm may be reached at Emplazador.com, by telephone at (787) 333-0222, by email at DetectiveOne@Poindexter-Associates.com, or by post at P.O. Box 16451, San Juan, Puerto Rico 00901.