

Form 2401 – General Information (Service of Process Forwarding Request)

The attached form is used to process a request for Service on the Office of the Secretary of State. *This form and the information provided is not a substitute for the advice and services of an attorney.*

Commentary

[A number of Texas statutes](#) designate the Secretary of State as a process agent, which authorizes the Secretary of State to accept service on behalf of another. Service of process on the Secretary of State may be accomplished by delivering to the Secretary of State or to any clerk so designated by the Secretary of State: a request for service inclusive of the required forwarding information, two exact copies of the process, and the appropriate fee. The name and appropriate address of the person named as defendant must be provided. It is the responsibility of the attorney or individual seeking service of process to determine when to obtain and to secure personal service of process upon the Secretary of State.

The procedures for serving a person through the Secretary of State are governed by Rule 71.21 of the Secretary of State's administrative rules, the Texas Rules of Civil Procedure, the local court rules, and any other applicable law.

Addresses for Service on the Secretary of State

The law generally requires service by hand delivery or by certified mail, return receipt requested. See Tex. R. Civ. Proc. Rule 106; Tex. Civ. Prac. & Rem. Code § 17.026. The Secretary of State also accepts service by regular mail. You should review the applicable laws to ensure your chosen delivery method accomplishes proper service.

Certified or Regular Mail:

Service of Process
Secretary of State
P.O. Box 12079
Austin, Texas 78711-2079

Delivery or Overnight Mail:

Service of Process
Secretary of State
James E. Rudder Building
1019 Brazos, Room 105
Austin, Texas 78701

What to Submit to the Secretary of State

- Service of Process Forwarding Request – Form 2401
- Two **exact** copies of the documents being served (Originals are not required or recommended)
- Payment of Fees

Fees

See Tex. Govt. Code § 405.031(a)(1), (4).

Maintenance of a record of the service of process, notice or demand and for forwarding the process, notice, or demand	\$40 per person or party served
Certificate of service	\$15
Total (payable to Secretary of State)	\$55

Certificate of Service

Upon request and payment of the \$15 certificate fee, the Secretary of State will issue a certificate showing:

- (1) that service was accomplished;
 - (2) that a copy of the process was forwarded to the named person at the specified address; and
 - (3) the disposition of the mailing shown on the postal return receipt.
- Certificates of service are typically issued upon completion of the Secretary of State's statutory mailing (i.e., upon receipt of return-receipt card or returned process).
 - If no response has been received after 60 days, a certificate will be issued reflecting that no response has been received.
 - Certificates are sent to the person requesting service; therefore, please provide this office with any change of address.

Questions?

If you need help determining what method of service is proper, the address to which the Secretary of State should deliver the documents being served, or answers to other legal questions, you should contact a private attorney.

Questions of the Secretary of State may be directed to the Service of Process Team by calling (512) 463-1662 or by emailing ServiceOfProcess@sos.texas.gov.

Revised 01/23

Submit to:
Secretary of State
Service of Process
P.O. Box 12079
Austin, TX 78711-2079
512-463-1662
FAX: (512) 463-0873
Filing Fee: \$40
Certificate Fee: \$15



This space reserved for office use.
Service Number.

**Service of Process
Forwarding Request**

IMPORTANT. The information requested must match the information on the Citation. The information below is entered into a database exactly as indicated below. Do not abbreviate or omit information that should be included for Service.

1) Case / Docket Number: _____

2) Court Number: (The court the case was filed in.) _____

2a) County: _____

3) Case Style:

PLAINTIFF/S (Name(s) as they appear on the Citation (including dba, aka, and fka)):

DEFENDANT/S (Name(s) as they appear on the Citation (including dba, aka and fka)):

4) Deliver Certificate Of Service To: (check appropriate box)

- ☐ Attorney
☐ Process Server
☐ Other: _____

☐ None Requested

Name (Individual): _____

Firm Name: _____

Address (Street, City, State, Zip Code):

Street

City

State

Zip Code

Bar card (if applicable): _____

Note: Certificate of service will be mailed to the address provided above, we do not email certificates

5) Type Of Document: (Check the appropriate box)

- ☐ Citation/Petition
☐ Notice of Hearing
☐ Subpoena
☐ Other: _____

☐ Summons/Complaint

6) ☐ I have included the 2 **exact** required copies of the documents requested for forwarding

7) Defendant Name and Address For Forwarding:

☐ Check here if there are multiple defendants and use attached addendum

Defendant Name for Forwarding (as it is on citation)

Registered Agent name if applicable

Street

City

State

Country

Zip Code

7a) Address For Forwarding (Outside Of US):

Street

City

State

Country

Zip Code

The Office will contact the submitter listed below with any questions.

Requestor's Name: _____

Phone: _____

Email: _____

Fees

Processing Fee \$40 per service

\$15 per certificate

Processing Fees are nonrefundable

Failure to include the required fee will result in a delay with forwarding

1) Defendant Name and Address For Forwarding:

Defendant Name for Forwarding (as it is on citation)

Registered Agent name if applicable

Street

City

State

Country

Zip Code

2) Defendant Name and Address For Forwarding:

Defendant Name for Forwarding (as it is on citation)

Registered Agent name if applicable

Street

City

State

Country

Zip Code

3) Defendant Name and Address For Forwarding:

Defendant Name for Forwarding (as it is on citation)

Registered Agent name if applicable

Street

City

State

Country

Zip Code

4) Defendant Name and Address For Forwarding:

Defendant Name for Forwarding (as it is on citation)

Registered Agent name if applicable

Street

City

State

Country

Zip Code

5) Defendant Name and Address For Forwarding:

Defendant Name for Forwarding (as it is on citation)

Registered Agent name if applicable

Street

City

State

Country

Zip Code