



## Attorney Quick Reference

Oklahoma Service of Process

v1.0 | April 20, 2026 | Verify before relying on procedural details

### 1. Key Statutes Quick Reference

Statute	Topic	Key Provision
12 O.S. § 2004	Process - Summons, service methods, time limits	Issuance upon filing; personal service, mail, publication; 180-day service deadline; proof by affidavit
12 O.S. § 2004.1	Subpoena service	Any person 18+ may serve subpoena; certified mail with return receipt
12 O.S. § 2004.3	Alternate delivery methods	Commercial courier, overnight delivery, other reliable personal delivery with written/electronic receipt
12 O.S. § 2005	Service of pleadings and papers	All subsequent pleadings, discovery, motions must be served; mail/commercial carrier/electronic with consent
12 O.S. § 158.1	Private process server licensing	Age 18+, good moral character, 6-month OK residency, \$150 fee, \$5,000 bond, statewide authority
12 O.S. § 2005.1	Post-judgment motions in divorce	Must be served per 12 O.S. § 2004(C) (summons service methods)
12 O.S. § 1148.4 12 O.S. § 1148.5	FED (forcible entry & detainer)	Trial 5-15 days after summons; service 3-7 days before trial (SB 128, 2025); posting + certified mail if personal service fails
12 O.S. §§ 3250-3257	UIDDA (interstate discovery)	Effective Nov. 1, 2021; submit foreign subpoena to OK clerk for issuance of local subpoena
50 U.S.C. § 3931	SCRA - default judgments	Military affidavit required before default judgment; DMDC verification at <a href="http://scra.dmdc.osd.mil">scra.dmdc.osd.mil</a>
Okla. Dist. Ct. Rule 2	Service and proof of service	20-day answer deadline; proof states name served, date, place, method
Okla. Dist. Ct. Rule 2.1	Electronic filing & service	E-filing authorized; e-service by consent; includes email as 'mail'

### 2. Deadlines at a Glance

Deadline	Statute/Rule	Trigger	Extension
180 days	12 O.S. § 2004(I)	Service of process after petition filed	Good cause shown to court; action deemed dismissed without prejudice
20 days	Dist. Ct. Rule 2(b)(i)	Defendant answer after service of process	Motion to dismiss or other motion extends time
Promptly / within response time	12 O.S. § 2004(G)(1)	Proof of service due	Failure does not affect validity of service
3 days after filing	12 O.S. § 2004(G)(2)	Court clerk sends copy of return to plaintiff's attorney	N/A
200 days	12 O.S. § 2004(I)	Court must dismiss if no service on any defendant	Court order on own motion
90 days	FRCP Rule 4(m)	Federal court service deadline (contrast)	Good cause extends; dismiss without prejudice
3 consecutive weeks	12 O.S. § 2004(C)(3)	Publication service - 1 day/week for 3 weeks	N/A - statutory minimum
Per statute	12 O.S. § 2005(D)	Post-petition papers filed before or within reasonable time after service	Statement of names served + date/place/method required



### 3. Service Methods Matrix

Method	When to Use	Cost	Pros / Cons
Personal Delivery	Primary method; individual service at home, work, or public place	\$50-\$100+ (private server); \$50 in-county sheriff	Most reliable; establishes personal jurisdiction; requires locate effort / Cost varies by county and server
Certified Mail	When defendant address known; cooperative defendant	\$10 via clerk; higher if attorney-handled	Low cost; documented receipt / Refusal = effective service; cannot serve evasive defendant
Publication	Due diligence fails; cannot locate defendant	Newspaper rates vary; ~\$50-\$200 typical	Last resort; satisfies statutory requirement / Jurisdiction limited to relief sought; no money judgment
Substituted (Dwelling)	Leave copy at dwelling with person 15+ residing therein	Same as personal delivery	Equivalent to personal service / Must verify age and residency of recipient
Commercial Courier / Overnight	12 O.S. § 2004.3 alternate delivery; written/electronic receipt required	\$15-\$50 depending on carrier	Faster than certified mail; tracking available / Addressee must sign receipt

### 4. Who Can Serve Process

Server Type	License Required	Cost	Best For
Sheriff / Deputy	No (elected office)	\$50 in-county; \$60 out-of-county (typical)	Routine service; court-familiar; affordable for in-county
Licensed Private Process Server	Yes - 12 O.S. § 158.1 statewide	\$150 license + \$5,000 bond; ~\$50-\$150 per serve	Speed; flexibility; skip-tracing; multiple attempts; rush service
Specially Appointed Person	Court appointment per 12 O.S. § 2004(C)(1)(a)	Fee set by court	Unique circumstances; court discretion
Any Person 18+ (Subpoenas)	No - 12 O.S. § 2004.1(B)(1)	Free if self/paralegal; mileage + day's fees	Subpoenas only; cost-effective for in-house
Attorney / Staff (Pleadings)	Bar license for attorney; 18+ for staff	No additional fee	Post-petition pleadings, motions, discovery per 12 O.S. § 2005

### 5. Process Server Designation Requirements

#### Tulsa County Rule 17 Requirements:

- Designate process server on face of summons or order with name and license number
- Sign the designation as attorney of record
- Server must carry license at all times; badges prohibited
- Server must show license and identify self as process server when serving
- Weapons prohibited unless officer commission or concealed carry certification

#### Statewide vs. County-Specific:

- Statewide license (\$150): valid in all 77 counties; issued under 12 O.S. § 158.1
- County license: limited to issuing county; lower fee but restricted jurisdiction
- Verify current license via AOC statewide registry before designating server

#### Licensing Requirements (12 O.S. § 158.1):

Age 18+ | OK resident 6+ months | County resident 30+ days | Good moral character | \$5,000 bond | No violent felony convictions

Initial license: 1 year | Renewal: 3 years at \$15 per renewal | Revocation: 5-year bar, \$1,000 fee if once revoked, permanent after second revocation



## 6. Special Situations Checklist

Situation	Requirements / Notes
<input type="checkbox"/> Military Defendant	SCRA affidavit required before default judgment (50 U.S.C. § 3931(b)(1)). Verify status via DMDC (scra.dmdc.osd.mil). If active duty: court must appoint attorney; minimum 90-day stay. If status unknown: may require bond.
<input type="checkbox"/> Out-of-State Defendant	UIDDA (12 O.S. §§ 3250-3257) for discovery subpoenas. For service of summons: long-arm statute or service in defendant's home state per FRCP/foreign state rules. Foreign subpoena to OK clerk for local issuance.
<input type="checkbox"/> Minor Defendant	Service on guardian ad litem or as directed by court. Under 15: cannot accept substituted service at dwelling. Verify guardian appointment with court clerk.
<input type="checkbox"/> Business Entity	Serve registered agent (listed with OK Secretary of State). If no registered agent: serve Secretary of State as statutory agent (12 O.S. § 2004(C)(4)). SOS forwards certified mail within 3 working days.
<input type="checkbox"/> Tribal Court / Tribal Land	Separate sovereign procedures. Contact tribal court clerk directly. Cross-deputization agreements may facilitate service. Cherokee Nation: (918) 207-3900. Choctaw Nation: (580) 920-7027. Muscogee (Creek): (918) 758-1400. Permission often required to enter tribal land.
<input type="checkbox"/> E-Service Consent	Written consent required per 12 O.S. § 2005(B). File Notice of Consent to Accept Service by Email. E-service effective on transmission (EFS Rule 8). Not for service of summons or docs requiring personal service. Automatic OUCMS notices do NOT constitute service.
<input type="checkbox"/> DOC Inmate	Serve warden/superintendent, not inmate directly (12 O.S. § 2004). Warden must reject service if inmate not present. Warden delivers documents to inmate.
<input type="checkbox"/> Service by Publication	Affidavit of due diligence required. One day per week for three consecutive weeks in newspaper authorized to publish legal notices. Clerk-signed notice. Limited jurisdiction - only relief sought in petition.

## 7. OSCN Links & Resources

Resource	URL	Purpose
OSCN Court Dockets	<a href="http://www.oscn.net/dockets">www.oscn.net/dockets</a>	Search case records, view filings, track service returns
OSCN Court Forms	<a href="http://oksc.oscn.net/forms/">oksc.oscn.net/forms/</a>	Entry of Appearance, IFP Affidavit, Notice of Change of Address
Process Server Forms (AOC)	<a href="http://www.oscn.net/static/forms/aoc_forms/processserver.asp">www.oscn.net/static/forms/aoc_forms/processserver.asp</a>	Application, Public Notice, Proof of Posting, Order, License
E-Filing Portal	<a href="http://efile.oscn.net">efile.oscn.net</a>	Electronic filing for attorneys and process servers
E-Filing Quick Start Guide	<a href="http://efile.oscn.net/docs/">efile.oscn.net/docs/</a>	Document prep: text PDF, 2-inch top margin, filing deadlines
OK Court Directory (77 counties)	<a href="http://www.oscn.net/courts/directory">www.oscn.net/courts/directory</a>	Court clerk contact info for all 77 counties
SCRA Military Verification (DMDC)	<a href="http://scra.dmdc.osd.mil">scra.dmdc.osd.mil</a>	Verify defendant active duty status; single record request
OK Secretary of State - Business Entity	<a href="http://www.sos.ok.gov">www.sos.ok.gov</a>	Registered agent lookup for corporate service
OK Legislature - Statutes	<a href="http://www.oklegislature.gov">www.oklegislature.gov</a>	Search OK statutes including Title 12

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Resource	URL	Purpose
<p>sources before relying on any procedural detail.</p> <p>Sources: CITATIONS.json   All claims sourced from official statutes and court rules as of 2026-04-20.</p>		