



Process Server vs. Sheriff

A Comparison for Oklahoma Service of Process

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Introduction

When you need to serve court papers in Oklahoma, you have two main choices: a sheriff or deputy sheriff, or a licensed private process server. Both are authorized by Oklahoma law. This guide compares them on facts you can verify.

Oklahoma law says that process can be served by a sheriff or deputy sheriff, a licensed private process server, or a person specially appointed by the court. The court shall freely make special appointments. (12 O.S. §2004(C)(1)(a))

This comparison looks at cost, licensing, coverage, hours, and other real differences. It does not include success rates or response time claims. Those vary too much to report fairly.

Side-by-Side Comparison

This table compares a licensed private process server and a sheriff's deputy on factors you can check.

Factor	Private Process Server	Sheriff's Deputy
Who may serve	Licensed by Oklahoma court; statewide authority (12 O.S. §158.1)	Any sheriff or deputy in their county (12 O.S. §2004)
Licensing	Age 18+, good moral character, 6 months OK residency, 30 days county residency, \$5,000 bond (12 O.S. §158.1)	Elected or employed by county; no separate process server license
License fee	\$150 statewide license (12 O.S. §158.1)	None (part of sheriff's office duties)
Geographic range	Statewide; can serve in any Oklahoma county	Typically limited to own county; out-of-county may cost more
Hours of work	Varies by server; many offer evening and weekend service	Typically during regular business hours; may vary by county
Speed	Varies by server and workload; often starts within 24-48 hours	Varies by county workload and staffing



Factor	Private Process Server	Sheriff's Deputy
Tracking/tech	Many use GPS, photo proof, and real-time status updates	Varies by county; some offer online tracking
Specialization	Process serving is primary job; often serves papers daily	Process serving is one duty among many law enforcement tasks
Volume capacity	Individual or small team; handles personal caseload	County-wide department; serves all court papers for the county
Proof of service	Must make affidavit; return includes date, place, method (12 O.S. §2004(G)(2))	Return filed with court clerk; copy sent to plaintiff's attorney

Cost Comparison

Fees vary by county and by server. The table below shows typical ranges. Always verify current fees with your county sheriff's office or your chosen process server.

Service Type	Sheriff Cost	Private Server Cost	Notes
In-county service	~\$50 per serve (varies by county)	\$50 - \$150+	Creek County: \$50 in-county; verify with your county
Out-of-county service	~\$60 per serve (varies by county)	\$75 - \$200+	Creek County: \$60 out-of-county; travel fees may apply
Rush or expedited	May not be available	\$25 - \$75 extra	Depends on server availability
Multiple attempts	Usually included in base fee	\$15 - \$40 per extra attempt	Ask your server for their attempt policy
Skip tracing	Not typically offered	\$50 - \$200+	Used when recipient's location is unknown
Stake-out / wait time	Not typically offered	Hourly rate varies	Some servers offer this; ask upfront

Note: Sheriff fees vary by county. Tulsa County, Oklahoma County, and Cleveland County may have different rates. Call your county sheriff's office to confirm current fees. Private server fees also vary. Get a written quote before hiring.



When to Choose Which

This table suggests which option may fit your situation better. These are guidelines, not rules.

Situation	Best Choice	Why
Simple in-county serve	Either	Both can handle this; compare cost and speed
Serve in another county	Private process server	Statewide license means one server can cover any county
Evening or weekend needed	Private process server	Many offer flexible hours
Recipient avoids service	Private process server	May offer more attempts and creative strategies
Tight deadline (180-day limit)	Private process server	Often start faster; check their availability
Low budget, simple case	Sheriff or certified mail	Sheriff may be cheaper; certified mail is \$10 through clerk
Need GPS or photo proof	Private process server	Many provide digital proof of attempt
FED / eviction notice	Either	Both can serve FED papers (12 O.S. §1148.5)
Small claims case	Either	Sheriff \$50 in-county; certified mail \$10; private server variable

Pros and Cons Checklist

Use this checklist to think through the pros and cons of each option.

Private Process Server

Pros

- Can serve anywhere in Oklahoma with one license
- Often offers evening, weekend, and rush service
- May provide GPS tracking and photo proof
- Specializes in process serving; does it daily
- May offer skip tracing for hard-to-find people
- Can give more personal attention to each case



Cons

- Fees vary widely; may cost more than sheriff
- Not all servers offer the same services
- Quality varies; check references and reviews
- Must verify license is current (12 O.S. §158.1)

Sheriff's Deputy

Pros

- Set fee schedule; predictable cost
- Government office with established procedures
- No need to verify a private license
- Handles all court papers for the county
- Fee may be lower for simple in-county service

Cons

- Limited to county jurisdiction (higher fee out-of-county)
- Typically only during business hours
- Process serving is one duty among many
- May not offer rush or weekend service
- No skip tracing or stake-out services

Making Your Decision

Ask yourself these questions before choosing who will serve your papers.

Questions to Ask

Question	What to Consider
Where does the person live?	If out-of-county, a private server with statewide license may be easier.
When is the person usually home?	If evenings or weekends work better, ask if your server can accommodate.
What is my budget?	Sheriff may be cheaper for simple serves; private server may add value for



Question	What to Consider
	complex cases.
How soon must service be completed?	Remember the 180-day deadline (12 O.S. §2004(I)). Factor in time for multiple attempts.
Has this person avoided service before?	If yes, a specialized server with skip tracing may help.
Do I need proof beyond an affidavit?	Some servers offer GPS, photos, and real-time updates.
Did I verify current fees?	Call your county sheriff's office. Get a written quote from any private server.
Is the server's license current?	Check the statewide registry maintained by the Administrative Office of the Courts (12 O.S. §158.1(K)).

Key Legal References

12 O.S. §2004(C)(1)(a): Process shall be served by a sheriff or deputy sheriff, a person licensed to make service of process in civil cases, or a person specially appointed for that purpose. The court shall freely make special appointments.

12 O.S. §158.1: Establishes licensing for private process servers: age 18+, good moral character, 6 months Oklahoma residency, 30 days county residency, \$5,000 bond, and \$150 license fee. Authority is statewide.

12 O.S. §2004(G)(2): If service is made by a person other than a sheriff or deputy sheriff, the licensed process server shall make affidavit thereof. The return shall set forth the county of issuance, the name of the person served, and the date, place, and method of service.

12 O.S. §2004(I): If service of process is not made upon a defendant within 180 days after the filing of the petition and the plaintiff has not shown good cause, the action shall be deemed dismissed as to that defendant without prejudice.

12 O.S. §1764: If service is by sheriff or licensed private process server in small claims, the fee paid shall be taxed as costs in the case.

Important Disclaimer

Not a law firm. This document provides procedural information only. It is not legal advice. Verify all fees and procedures with your local court before relying on this information.



This document was prepared by Just Legal Solutions for educational purposes. Joseph Iannazzi is a licensed private process server in Oklahoma, NAPPS member #14801.

Fees and procedures change. Always verify current information with your county court clerk or sheriff's office before making decisions.

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