6-03/260.00 Service of Process

GC 26608. The sheriff shall serve all process and notices in the manner prescribed by law.

GC 26665. All writs, notices, or other process issued by superior courts in civil actions or proceedings may be served by any duly qualified and acting marshal or sheriff of any county in the state, subject to the Code of Civil Procedure.

The Sheriff shall attempt service of process without delay. “Without delay” does not mean the instant it is received. Rather, it is a matter of reasonableness in his actions to serve process “without delay”. What constitutes this varies with the circumstances and the process. Civil process may legally be served at any time of the day or night. However, it has been held that an officer serving civil process at midnight by pounding on the door was liable to an action for damages for extreme emotional distress (but not for abuse of process). (Golden v Dungan, 20 CA 3 295) The Los Angeles County Sheriff may serve process between 5:00 a.m. and 10:00 p.m.