6-07/530.40 Limited Liability Partnership

Service on a Limited Liability Partnership may be made by delivery to:

The person designated as an agent for service as indicated by the Secretary of State,

A general partner,

A general manager,

Any natural person designated by it as an agent, or

Any person named in the latest certificate of the corporate agent filed pursuant to Section 1505 at the office of that corporate agent if a corporate agent has been designated.

1. The person designated as an agent for service with Secretary of State, (CORP 16309 (a)).
2. A general partner, (CORP 15901.16 (b)),
3. Secretary of State if Foreign Limited Liability Partnership (CORP 16959 (k))
4. To the party designated by court order. (CORP 18200), (CCP 413.30)
5. Secretary of State or any employee of the Secretary of the State by court order (CORP 16962 (f))
6. General Manager. (CCP 416.40 (c))

The court may make an order that the service be made upon the registered limited liability partnership or foreign limited liability partnership by delivering by hand to the Secretary of State, or to any person employed in the Secretary of State's office in the capacity of assistant or deputy, one copy of the process for each defendant to be served, together with a copy of the order authorizing that service. The Secretary of State who receives the process, or the person employed in the Secretary of State's office in the capacity of assistant or deputy who receives the process, is required to accept such process. (CORP 16962 (f))

Notice of the capacity in which a person is served on behalf of a partnership or other unincorporated association in the manner prescribed by CCP 412.30 must appear on the copy of the summons that is served. No default in a case may be taken against any partnership or other such association unless the certificate of service of the summons recites that such notice appeared on the copy of the summons. (CCP 412.30) When service is intended to be made upon the person as an individual as well as on behalf of the limited liability partnership, the notice must so indicate.

Before a summons against a limited liability partnership is assigned out for service, the “Notice to the Person Served” at the bottom of the summons shall be completed by (1) inserting the name of the defendant limited liability partnership after the words “on behalf of,” (2) checking the box “CCP 416.40 (Association or Partnership)” and, (3) when applicable, checking the box “as an individual defendant.” This shall be done on the copy of the summons that is left with the defendant. If the summons is served using the substitute method, both copies of the summons shall be completed in this manner. Use 6-07/530.20

General or Limited Partnership as an example in completing the Summons.

When completing the Proof of Service, follow the examples provided in 6-07/530.20 General or Limited Partnership.