

International Committee, a Special Report



Fred Blum, Chair

U.S. Department of Justice Awards Contract for Service of International Process

On Friday, October 11, 2002, the United States Department of Justice finally awarded a contract for the service of documents coming into the United States from foreign countries. The contract was awarded to ABC Legal Services of Seattle, Washington. Although it is a five year contract, it is renewable annually.

The U.S. Marshals have had the duty of serving all incoming foreign documents for many years, but they have not always performed as fast as foreign litigants would like. That will now change. Additionally, ABC Legal Services will have the contractual right to serve those documents with personnel and agents of its own choosing.

There is an interesting history behind this contract. Almost a decade ago, several members of the UIHJ or Union Internationale des Huissiers de Justice et Officiers Judiciaires (*International Association of Bailiffs of Justice & Judicial Officers*) came to NAPPS and asked for help in speeding up the process of getting their papers served in the United States. After countless meetings with interested parties, including officials at the Department of Justice and the staff of the Permanent Bureau at The Hague, we pressed forward with a proposal to have the DOJ transfer the duty of serving these foreign documents to NAPPS. Our association would enjoy the prestige of acting as the Central Authority and our members

would serve the process and enjoy the financial benefits. Several years later, after even more meetings and a second proposal, the DOJ decided that our idea had merit, but such a government contract should probably be put out to public bid. It took an additional three years for the DOJ to actually get the Request for Proposal put together and into the hands of the interested parties. It was not until ten months after the bidding closed that the contract was finally awarded.

The contract involves the service of an estimated 7,000 to 8,000 documents. Most of the documents will be served in accordance with the Hague Service Convention, of which the United States and some 50 countries are signatories. It also involves serving documents from the 13 Central and South American countries that are signatories to the Inter-American Convention on Letters Rogatory, and documents from the remaining non-convention countries of the world which make letter rogatory requests for the service of its documents.

Obviously, we are disappointed that NAPPS was not awarded this contract. However, we are pleased that the award went to a company having a long-time affiliation with our association. We know that ABC Legal Services will make a valiant effort to perform on this contract and use NAPPS members whenever possible in the service of these foreign documents. After all, it was the membership of the National Association of Professional Process Servers who were the intended beneficiaries of our ten-year struggle.

We congratulate the principals at ABC Legal Services and wish them well.