

## Bailiffs and Process Servers

If you require assistance to serve a legal document in a civil matter, you can choose to pay a fee to have the documents served by a bailiff or process server (Licenced Field Agent).

### **What is a Bailiff**

Bailiffs (also known as enforcement officers) are appointed by the Court to serve and execute the process, judgments, and orders authorised by law.

Each bailiff performs the following functions:

- service of documents on people or corporations at nominated addresses.
- the execution of enforcement warrants, which may involve the seizure of property and organising the sale of property at auction.
- the execution of enforcement hearing warrants, which may involve the apprehension of a person with assistance of police.

A bailiff must exercise these functions in accordance with legislation, court policy and procedure. The bailiff is required to follow the lawful direction of the Court, must remain impartial and must not provide legal advice.

The court registry is not involved in the process of serving filed court documents on parties within a proceeding for the purposes of meeting service requirements under the *Uniform Civil Procedure Rules* (UCPR). Parties engaging a bailiff to serve initiating proceedings and other documents other than warrants, or to inquire as to service, must deal directly with the bailiff.

Many bailiffs in Queensland are also accredited in a private capacity as a process server (Licenced Field Agent). If you choose to engage a bailiff, please ensure you establish which capacity they will be acting in on your behalf - bailiff or process server.

### **What is a process server**

A process server (Licenced Field Agent) is a person who is responsible for serving legal documents to parties involved in a legal proceeding. Process servers operate in a private capacity – they do not work for a court.

### **It is up to you to decide whose services to engage**

You (the party) must decide if you want the bailiff or a private process server to serve a document.

**If you wish to engage a bailiff**, your local court registry will provide their details upon request. For a list of bailiffs and locations they service, go to [courts.qld.gov.au/going-to-court/money-disputes/bailiffs-and-process-servers](https://courts.qld.gov.au/going-to-court/money-disputes/bailiffs-and-process-servers) or search “Queensland court bailiffs” on your web browser.

**If you wish to engage a private process server**, search for “process servers” in your web browser.

For more information on fees that may be charged, search for “[Bailiff service and execution fees](#)” on the Queensland Government “Your rights, crime and the law” website.