

§48.197 FS | SERVICE IN A FOREIGN COUNTRY

(1) Service of process may be effectuated in a foreign country upon a party, other than a minor or an incompetent person, as provided in any of the following:

(a) By any internationally agreed-upon means of service reasonably calculated to give actual notice of the proceedings, such as those authorized by the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

(b) If there is no internationally agreed-upon means of service, or if an international agreement allows but does not specify other means, by a method reasonably calculated to give actual notice of the proceedings:

1. As prescribed by the foreign country's law for service in that country in an action in its courts of general jurisdiction;
2. As the foreign authority directs in response to a letter rogatory or letter of request; or
3. Unless prohibited by the foreign country's law, by:
 - a. If serving an individual, delivering a copy of the summons and of the complaint to the individual personally; or
 - b. Using any form of mail that the clerk addresses and sends to the party and which requires a signed receipt.

(c) Pursuant to motion and order by the court, by other means, including electronically by e-mail or other technology, which the party seeking service shows is reasonably calculated to give actual notice of the proceedings and is not prohibited by international agreement, as the court orders.

(2) Service of process may be effectuated in a foreign country upon a minor or an incompetent person in the manner prescribed by subparagraph (1) (b) 1., subparagraph (1) (b) 2., or paragraph (1) (c).

History - (s. 15, ch. 2022-190.)

