

Service of Process. No judgment may be rendered against a defendant unless the defendant has been properly served with process. Defendants may be individuals, or persons doing business in the form of sole proprietorships, partnerships, corporations, or limited liability companies. Any individual doing business under an assumed name, or any business operating in the form of a partnership or corporation, may sue or be sued in the business name, but service of process must be properly accomplished.

Service of process directed to an individual is effected by delivery directly to the person. Service of process on business entities is more difficult and must be accomplished by service on an agent or person authorized to accept service.

For example, if a defendant is a partnership, the citation is directed to at least one member of the partnership, and service effected on that one member authorizes a judgment against the partnership and the partner actually served. See Section 17.022, [Texas Civil Practice and Remedies Code](#).

If several partners are jointly indebted under a contract and the citation has been served on at least one but not all of the partners, judgment may be rendered only against the partnership and against the partners who were actually served. No personal judgment or execution may be had against any partner who was not served. See Section 31.003, [Texas Civil Practice and Remedies Code](#).

If the defendant is a corporation, citation may be served by serving the corporation's president or any vice-president, or the corporation's registered agent. If the corporation's registered agent cannot be found at the corporation's registered office, then service of process may be made on the Secretary of State, See Sec. 5.251, [Texas Business Organizations Code](#).

If the defendant is a limited liability company, the manager, if any, and the registered agent shall be agents upon whom citation may be served. See Sec. 5.255, Texas Business Organizations Code. See also Sec. 152.801(d)(3), [Texas Business Organizations Code](#).

To determine the legal nature of a business, you may:

- Go to the Assumed Names Records maintained by the County Clerk
- Contact the Corporation Division of the Office of the Secretary of State at 512-463-5555, or go to the Texas Secretary of State's web page, at <http://www.sos.state.tx.us/help.shtml> to find information and assistance.
- Contact the Office of the State Comptroller at 1-800-252-1386.