**Section 171.70 Service of Process**

a) For the purposes of the ULPA, the procedures set forth in this Section shall apply.

b) Any process, notice or demand to be served under this Part shall be made upon the Secretary, or the Director, or any employee of the Department designated by the Director to accept such service for him or her, in the following manner:

1) Service shall comply with the provisions of Part 2 of the Code of Civil Procedure [735 ILCS 5/Art. II, Part 2], the Federal Rules of Civil Procedure (FRCP Rule 4), or any administrative rules of service, as may be appropriate.

2) The affidavit of compliance required by Section 117 of the ULPA to be appended to the process, notice or demand to be served, containing the information described in subsection (b), shall be signed by the person instituting the action, suit or proceeding or by an attorney of record, and the signature of the affiant, without more, shall constitute the affirmation or acknowledgement, under penalties of perjury, that the affidavit is the act or deed of the affiant and that the facts stated in the affidavit are true.

c) The affidavit of compliance shall state:

1) the title of the court or administrative agency;

2) the title of the case, showing the names of the first named plaintiff and the first named defendant;

3) the number of the case;

4) the title of the instrument;

5) the title of the limited partnership to be served;

6) the basis for service on the Secretary;

7) the address to which the instrument is to be sent (by registered or certified mail) by the affiant;

8) the name, address and telephone number of the attorney of record for the plaintiff or other affiant.

d) Service of any process, notice or demand made under this Part shall be made with the Department at the address set forth in Section 171.35.

e) At the time of any service under this Part, there shall be paid a fee of $50 (see Section 1302 of the ULPA), payable by check or money order to the "Secretary of State". Each process, notice or demand shall be submitted with separate payment.

f) The Department shall maintain original file copies, which shall be in paper form or an acceptable archival medium, and originals may be discarded upon verification of archival medium (microfilm or electronic imaging) and upon approval by the State Records Commission (see 5 ILCS 160/16).

(Source: Added at 32 Ill. Reg. 346, effective January 7, 2008)