

D. Service on Corporations

Non-resident or foreign corporations are required to register a resident agent with the Maryland State Department of Assessments and Taxation. *See* Md. Code Cts. & Jud. Proc. §§ 1-208, 7-205(a)(1), Corporations and Associations. Service will be made on a resident agent of a foreign corporation in the manner provided for resident or local corporations. *See* Md. Code Cts. & Jud. Proc. § 1-401, Corporations and Associations.

1) METHODS OF SERVICE

A local or foreign corporation may be served in any of these 2 ways:

- a) Delivery in person to a person authorized to receive service for the corporate defendant (e.g., a resident agent or legally proper corporate employee); or
- b) By mailing the process to a person authorized to receive service for the corporate defendant by certified United States mail requesting “Restricted Delivery.” The certified mailing paperwork documenting the service must show to whom the process was delivered, the delivery date, and the delivery address.

See Md. Rules 2-121(a), 3-121(a), 2-124(d), 3-124(d). Service by certified mail, delivery restricted to a senior officer of a foreign corporation, return receipt requested, is sanctioned by the Maryland Court of Appeals so long as this service is reasonably calculated to apprise this corporate defendant of the pendency of the civil action.

2) WHO MAY RECEIVE SERVICE

The Maryland Rules set forth which persons are authorized to receive service (in person or by certified mail) for the corporate defendant, whether it is a local or foreign corporation.

a) Preferred Persons to Receive Service

They are the corporation’s “resident agent, president, secretary, or treasurer.” *See* Md. Rules 2-124(d), 3-124(d).

b) Alternate Persons to Receive Service

If, the corporation lacks a resident agent, or plaintiff’s “good faith attempt[s] to serve the president, secretary, or treasurer” have failed, service may be made to the corporation’s “manager, any director, vice president, assistant secretary, assistant treasurer or other person expressly or impliedly authorized to receive service of process” *Id.*

c) Substituted Service