

## House Republican Press Release

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### Belden Seeks to Change Legal Service of Process



#### *Would Require Delivery of Legal Documents Directly to Defendant*

HARTFORD – State Representative Dick Belden (R-Shelton) has introduced legislation this session of the Connecticut General Assembly that would alter the requirements for service of process. Currently, the law considers delivery of court documents to the usual place of abode of a defendant in actions where personal property rights are at issue to be sufficient. Belden says current law isn't adequate.

Under Belden's bill, HB 5162, An Act Concerning Service of Process, court officials would be required to perform service of process personally on the defendant, and not at the defendant's usual place of abode.

“When an individual's personal or property rights are in jeopardy, the court needs to take that extra step in delivering notices and other sensitive legal documents to a defendant personally,” said Belden. “Dropping off sensitive legal papers at an address is something the U.S. Mail can accomplish, and isn't what service of process is all about. The intention of service of process is to be certain the defendant has received legal documents. It is unfair to the defendant to leave this much room for error.”

Belden cited the circumstances of an individual who lives in his district who had legal papers concerning a custody dispute delivered to his home, yet he had not actually been residing there for many years. As a result, the individual missed a court date which resulted in greater legal troubles for the individual, and jeopardized his standing in the proceedings.

“I think it is perfectly reasonable to expect that greater efforts be exerted when serving these documents,” said Belden. “When citizens have such a great stake in the outcome of whatever matter before the court that they are involved in, the stuffing of notices in someone's door doesn't cut it. The standard needs to be higher, and that's what this bill is about.”

The bill is currently before the legislature's Judiciary Committee awaiting action there.