



Rules of
Department of Insurance,
Financial Institutions and
Professional Registration
Division 800—Administrative Procedures under
the Insurance Laws
Chapter 2—Insurers’ Consent to Service of Process

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**Title 20—DEPARTMENT OF
INSURANCE, FINANCIAL
INSTITUTIONS AND
PROFESSIONAL REGISTRATION
Division 800—Administrative Procedures
under the Insurance Laws
Chapter 2—Insurers' Consent to Service
of Process**

20 CSR 800-2.010 Service of Process

PURPOSE: This rule specifies procedures for service of process on insurance companies. It was adopted pursuant to the provisions of section 374.045, RSMo and in order to implement sections 375.256, 375.261, 375.281, 375.906 and 379.680, RSMo.

(1) Service on Authorized Foreign and Alien Insurers.

(A) Service of process on foreign and alien insurance companies authorized to do business in this state is made by delivery to the director, deputy director or a designee of the director of two (2) copies of the summons and two (2) copies of the petition by the sheriff of Cole County, Missouri, the United States Marshal's Office or any other authorized individual (section 375.906, RSMo).

(B) Upon receipt of service, a designee of the director shall forward one (1) copy by first-class mail to the defendant insurer and retain one (1) copy for filing with the department. A designee of the director shall also forward an affidavit of service to the appropriate court.

(C) All service fees must be forwarded with the summons to the sheriff of Cole County, Missouri. The department will bill plaintiff's attorneys ten cents (\$.10) per page for copying the summons and petitions when an insufficient number of copies are received.

(2) Service on Unauthorized Foreign Companies.

(A) Service of process on foreign companies not authorized to do business in this state amenable to service in this state shall be made in the same manner as subsection (1)(A).

(B) Upon receipt of service, a designee of the director will forward one (1) copy to the insurer by certified mail, return receipt requested. Upon return of the receipt, a designee of the director will send the return receipt to the clerk of the court from which service was issued along with a certificate of service. The clerk will receive a statement of costs incurred by the department (sections 375.256 and 375.261, RSMo).

(C) The insurance company will be required to either post a bond or obtain a certificate of authority as required by section 375.281, RSMo. A Notice of Bond Requirement will be sent to the insurance company with a copy to the clerk of the court.

(3) Service on Reciprocal or Interinsurance Exchanges. Service of process on reciprocal or interinsurance exchanges organized under Missouri law shall be made by delivery of three (3) copies of the summons and petition to the director by the sheriff of Cole County, Missouri, the United States Marshal's Office or any other authorized individual. A designee of the director of the department shall forward one (1) copy to the company, retain one (1) copy and return one (1) copy with his/her admission of service to the clerk of the court (section 379.680, RSMo). The department will bill the plaintiff's attorney at the rate of ten cents (\$.10) for copying the summons and petition when an insufficient number of copies are submitted.

(4) Service on Domestic Companies and Health Service Corporations. Service on insurance companies incorporated under the laws of this state and all health service corporations (Chapter 354, RSMo), is made in the same manner as service on any other Missouri corporation pursuant to Missouri Supreme Court Rule 54.01.

(5) Fair Plan. Service on the Missouri Property Insurance Placement Facility is accomplished by service on the manager of the facility.

(6) Misstatement of Name of Insurer. Whenever the department is unable to determine the defendant in an action due to a misstatement of the name of the insurer, all papers will be returned to the clerk of the court issuing service. Attorneys should state the complete name of the insurer due to the similarity in names of many companies.

(7) Service of Supplementary Pleadings. Only initial service of process upon the director is provided for by statute. Service of supplementary pleadings such as answers, replies, motions, discovery and ancillary pleadings will not be accepted by the department.

AUTHORITY: sections 374.045, 375.256, 375.261, 375.281, 375.906 and 379.680, RSMo 2000. This rule was previously filed as 4 CSR 190-10.070. Original rule filed Aug. 5, 1974, effective Aug. 15, 1974.*

Amended: Filed Sept. 5, 1975, effective Sept. 15, 1975. Amended: Filed April 23, 1999, effective Nov. 30, 1999. Amended: Filed Sept. 5, 2007, effective May 30, 2008.

**Original authority: 374.045, RSMo 1967, amended 1993, 1995; 375.256, RSMo 1939, amended 1951, 1967; 375.261, RSMo 1951, amended 1967; 375.281, RSMo 1951, amended 1967; 375.906, RSMo 1939, amended 1967, 1978; 379.680, RSMo 1939, amended 1967.*