

STATE OF DELAWARE  
DEPARTMENT OF INSURANCE  
SERVICE OF PROCESS GUIDELINES

**Statutes Authorizing Service of Process**

Authorized Insurer: <http://delcode.delaware.gov/title18/c005/index.shtml#524>

Professional Insurance Personnel:  
<http://delcode.delaware.gov/title18/c017/index.shtml#1708>

Unauthorized Insurer: <http://delcode.delaware.gov/title18/c021/index.shtml#2104>

**In order to effectuate service on the Commissioner, the following items must be included:**

- (1) Two (2) copies of the Summons, Complaint or Subpoena with the exact name of the company to be served.
- (2) A check in the amount of \$25.00, for each company made payable to the Delaware Department of Insurance.

Please click on the following link for a list of admitted/approved/registered companies in the State of Delaware:

<http://delawareinsurance.gov/departments/berg/authorizedcompanies.shtml>

We are unable to accept Service of Process without the exact name of the insurance company. Since the Department does not license groups or corporations, we will not be able to properly forward the service unless the exact company is identified. If you only have a group name (taken from a letterhead, for example), please look through the insured's policy, or other available documentation for the correct name of the entity.

The following are examples of unacceptable entity names:

AIG  
CNA Insurance  
Progressive Group  
GEICO Direct  
Nationwide Insurance  
PMA Insurance  
Selective Insurance  
State Farm Insurance  
St. Paul Travelers  
Farmers Insurance Group  
The Hartford

Upon service, the Commissioner shall forthwith mail by certified mail one (1) copy of the summons, complaint or subpoena to the person currently designated by the insurer to receive the same, as provided in §524(e) of Title 18. Service of such process shall not be complete until three (3) days after the same has been so mailed. A copy of the letter sent to the company's designee is sent to the requesting party.

When requesting service for an **unauthorized insurer** of which the Department has no record, the requesting party must provide the address to forward service. Please submit the same items shown above, but the command line of the document should read as follows:

To: Name of Insurance Company  
Last known address of company  
City, State, Zip

The document information, such as the names of the plaintiff and defendant are entered in the Department's database. A document tracking number is assigned.

Service will be rejected (1) if the name is not the full and correct name of the company, (2) if the Commissioner does not have authority to accept service of process, (3) the service fee is not included or (3) if the service fee is the incorrect amount.

Service of Process is used to give notice to the insurance company of the commencement of a civil action. Once the initial Service of Process has been received by the Commissioner and forwarded, all subsequent pleadings or documents resulting from the legal action, should be sent directly to the insurance company's attorneys, AND NOT to the Department of Insurance.

Please do not send requests for copies of documents pertaining to a case to the Department of Insurance. All such requests are to be made directly to the insurance company.

Records for service of process are available to the public. If you need copies of service of process documents, please submit a Freedom of Information Request. Please click on the following link below to retrieve the form:

[http://delawareinsurance.gov/departments/consumer/FOIA\\_PolicyAndRequestForm.pdf](http://delawareinsurance.gov/departments/consumer/FOIA_PolicyAndRequestForm.pdf)

If you have any questions, please contact:

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(302)674-7338 [Toni.Handy@state.de.us](mailto:Toni.Handy@state.de.us)

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