



State of New Jersey
DEPARTMENT OF BANKING AND INSURANCE
OFFICE OF THE COMMISSIONER

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JAMES E. MCGREEVEY
Governor

HOLLY C. BAKKE
Commissioner

BULLETIN NO. 02-19

TO: ALL ADMITTED FOREIGN INSURERS

FROM: HOLLY C. BAKKE, COMMISSIONER

RE: DESIGNATION OF AN INDIVIDUAL TO RECEIVE SERVICE OF PROCESS

New Jersey law requires each admitted foreign insurer to designate the Commissioner of Banking and Insurance as agent for service of process. See N.J.S.A. 17:32-2 (property and casualty insurers) and N.J.S.A. 17:B-23-2c (life and health insurers). Authorizing the Commissioner to accept service assures that New Jersey citizens have an accessible location, in State, where they can serve initial process papers in New Jersey court actions involving foreign insurers.

When the Commissioner is served, the Department's current procedure has been to mail all papers to the attention of the "Company Secretary" pursuant to N.J.A.C. 11:1-25. Several insurers have requested that they be able to designate a specific individual in the company to whom such papers would be mailed. N.J.S.A. 17B:23-2c allows foreign life and health insurers to make such a specific designation. Accordingly, we have enclosed a form on which life and health insurers may designate a particular individual to whom the Department shall forward the papers.

Although the statutes for property and casualty insurers do not contain a similar authorization to designate a specific individual, the Department has determined to extend the same opportunity to that category of insurers. Therefore, property and casualty insurers are likewise now able to designate an individual by completing the enclosed form. Please access the Department's webpage at www.state.nj.us/dobi for additional copies of this form.

Completed forms should be mailed to:

New Jersey Department of Banking and Insurance
Office of Legislative and Regulatory Affairs
P O Box 325
Trenton, NJ 08625-0325

Email address: legsregs@dobi.state.nj.us

If an insurer does not designate a specific individual to receive papers served on the Commissioner, the Department will continue to mail papers to the "Company Secretary". All initial mailings to the company--whether to a designated individual or to the Company Secretary--will be made by certified mail, return receipt requested.

It is the responsibility of the insurer to notify the Department if the designated individual changes. The Department realizes that some insurers may fail to make changes in a timely manner, causing the Department's initial mailing to be returned undelivered. In that case, the Department will re-mail the papers to the "Company Secretary" by regular mail.

The Department will be proposing rule amendments in the near future to implement this change. Any questions regarding service of process should be addressed to the Office of Legislative and Regulatory Affairs, at (609) 984-3602, Extension 50031.

9/27/02

Date

/s/ Holly C. Bakke

Holly C. Bakke
Commissioner

Serv802/WAITS