

Service of Legal Papers by an Indifferent Person

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Issue

Summarize the types of legal papers an indifferent person is permitted to serve.

Summary

By law, a proper officer (e.g., a state marshal or constable) and, under limited circumstances, an indifferent person may serve legal process in a civil action ([CGS § 52-50\(b\)](#)). An “indifferent person” is someone who is not a proper officer and is not involved in the case.

An indifferent person may serve legal process in a civil action if:

1. the case involves multiple defendants who live in different counties in the state or
2. in the case of a writ of attachment (i.e., an order to seize or attach property), one of the plaintiffs, or his or her agent or attorney, makes a sworn statement before the authority signing the order stating that the plaintiff is in danger of losing the debt or demand unless an indifferent person is authorized to serve process immediately ([CGS §§ 1-25](#) and [52-50\(b\)](#)).

There are at least 50 other statutes that authorize indifferent persons to serve specific types of legal papers or carry out specific legal orders. Table 1 provides some examples of some of these statutes and the actions they authorize. Links to the remaining statutes can be found at the end of this report.

Table 1: Examples of Actions an Indifferent Person is Authorized to Take

Statute	Authorized Actions
CGS § 2-7	Deliver notice of special and reconvened sessions to legislators
CGS § 4-12	Serve a copy of the statement and citation if the governor wishes to remove an officer, commissioner, or deputy for misconduct
CGS § 4-183	Serve a copy of an appeal on each party listed in a final agency decision (a person may appeal a preliminary, procedural, or intermediate agency action or ruling to the Superior Court)
CGS § 7-146	Serve notice of an assessment appeal to the town, city, or borough (a person may appeal to the Superior Court to object to an assessment imposed to clear a waterway)
CGS § 8-129	Serve notice and a copy of a statement of compensation to each owner and mortgage holder of a property that a redevelopment agency acquired by eminent domain
CGS § 13b-304	Serve the transportation commissioner's orders to trustees or receivers who operate railroads in Connecticut
CGS § 16a-5	Serve subpoenas on behalf of the Office of Policy Management (OPM) to compel attendance and testimony of a witness or the production of requested material in connection with the investigation of violations of laws that govern fuel supply businesses (the OPM secretary has the power to hold hearings, issue subpoenas, and summon and examine witnesses)
CGS § 17a-685	Serve a copy of an application for involuntary confinement, physician's certificate, and notice of a hearing to the respondent (anyone, including a relative, a conservator, or a physician may apply to the probate court to commit someone (the respondent) to an inpatient facility for alcohol or drug dependency treatment)
CGS § 19a-220	Carry out the enforcement of health authorities' orders (e.g., when a person refuses to obey a legal order given by a director of health, health committee, or board of health)
CGS § 20-325a	Serve a copy of a broker's claim for lien on the owner of the real property in an action to recover real estate commission
CGS § 22-329a	Serve an order to show cause in cases related to the seizure and custody of neglected or cruelly treated animals
CGS § 22a-155	Serve orders issued by the energy and environmental protection commissioner to correct or abate any violation regarding radiation and radioactive materials
CGS § 45a-186	Serve a copy of the appeal of certain probate court decisions to each interested party
CGS § 46b-144	Serve process when a child or youth is being committed to a custodial agency
CGS § 46b-150	In matters related to the emancipation of a minor, serve the citation and notice to the minor and the minor's parent, if the parent is not the petitioner
CGS § 47a-23(c)	Serve notice to quit possession or occupancy of premises
CGS § 52-143(a)	Serve subpoenas for witnesses in any criminal case in which a defendant is represented by a public defender, Division of Public Defender Services assigned counsel, or an investigator of the Division of Public Defender Services
CGS § 52-148b	Serve notice of the time and place for a deposition to each adverse party or his known agent or attorney
CGS § 52-325(c)	Serve a lis pendens notice on a property owner, where service to the property owner is required (i.e., notice that a lawsuit has been filed concerning real estate)
CGS § 54-64b	Carry out a bench warrant of arrest
CGS § 54-82j	Serve warrants for the arrest of a material witness in a criminal proceeding pending before or returnable to the Superior Court in which (1) a person is or may be charged with an offense punishable by death or imprisonment for more than one year and (2) the state's attorney believes that such witness is likely to disappear from the state, secrete himself or herself, or otherwise avoid the service of a subpoena, or refuse or fail to appear as a witness when desired

Other Statutes

The remaining statutes that authorize an indifferent person to serve specific types of legal papers or carry out specific legal orders are [CGS §§ 19a-228](#), [19a-343a](#), [20-325e](#), [22a-178](#), [22a-225](#), [22a-626](#), [27-189](#), [29-108e](#), [31-7](#), [42-133f](#), [45a-649](#), [45a-654](#), [45a-671](#), [45a-693](#), [46b-128](#), [46b-129](#), [49-2](#), [49-4a](#), [49-35](#), [49-35a](#), [51-15](#), [52-50](#), [52-144](#), [52-246](#), [52-278c](#), [52-293](#), [52-325a](#), [52-356a](#), [52-357](#), [54-2a](#), [54-63c](#), [54-65](#), and [54-69a](#).

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