

CERTIFICATION OF WAIVER OF SERVICE OF PROCESS - DIVORCE, LEGAL SEPARATION, ANNULMENT

JD-FM-249 Rev. 10-17
C.G.S. § 46b-45

STATE OF CONNECTICUT
**SUPERIOR COURT
JUDICIAL BRANCH**
www.jud.ct.gov



Instructions to Defendant:

Generally, before the court issues a decree of divorce, legal separation or annulment, you (the defendant) must be served (given) the Summons, Complaint and Notice of Automatic Orders by a proper officer. This is called "service of process." (See note on Page 2.) You may waive your right to service of process by completing and filing this Certification of Waiver of Service of Process and an Appearance (form JD-CL-12) with the court clerk.

For Court Use only
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Waiver of Service

I, _____, the defendant in this case for divorce (dissolution of marriage or civil union), legal separation or annulment, waive service as required under Section 52-57 of the Connecticut General Statutes and accept copies of the Summons, Complaint and Notice of Automatic Orders.

Signed (Defendant)	Print name	Date signed
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STATE OF CONNECTICUT

County of _____ on this _____ day of _____, _____, before me, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is signed in the above document, and acknowledged that she/he executed the document for the purposes stated therein.

Clerk/Commissioner of the Superior Court/Notary Public

If Notary, My Commission Expires _____

ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

Note on “Service of Process”:

“Service of Process” is the way that a defendant is notified that a legal case has been started against them. The court tells a proper officer (usually a state marshal) to deliver certain papers to the defendant. In a divorce (dissolution of marriage or civil union) legal separation or annulment case, the officer must deliver a Summons, Family Actions (form JD-FM-3), Divorce Complaint (Dissolution of Marriage) (form JD-FM-159) or Dissolution of Civil Union Complaint (form JD-FM-159A) a Legal Separation Complaint (form JD-FM-237) or Annulment Complaint (form JD-FM-240), and Notice of Automatic Orders (form JD-FM-158). The officer must deliver the papers to the defendant in person or at the defendant's home.

If service of process has not been done, the defendant may file a motion to dismiss the case because the court does not have jurisdiction (the ability to issue a ruling) over them.

However, the following are ways that a defendant may accept that the court has jurisdiction over them and waive (give up) their right to be properly served.

- If the defendant files a pleading with the court that responds to the plaintiff's complaint; **or**
- If the defendant does not file a motion to dismiss the case within 30 days of the date when they file an Appearance (form JD-CL-12) with the court.

The defendant may waive their right to service of process, if the defendant:

- **Completes and files the Certification of Waiver of Service of Process - Divorce, Legal Separation, Annulment, on Page 1 of this form (form JD-FM-249), and**
- **Completes and files an Appearance (form JD-CL-12)**

with the court clerk.