

## SERVICE OF PROCESS FREQUENTLY ASKED QUESTIONS

**What is the Kansas statute authorizing service of process on licensed insurance companies in the State of Kansas?**

[Kansas Statutes Annotated \(K.S.A.\) 40-218.](#)

**What is the fee for service of process?**

\$25.00 per set of papers/defendant served.

**How many copies do you need?**

3 copies of the summons and 1 copy of the petition/complaint.  
3 copies of the orders and instructions, and answer of garnishment.

**Do you serve insurance agencies as well as insurance companies?**

No, we do **not** serve insurance agencies. Please contact the Kansas Secretary of State's Office at (785) 296-4564 with regard to serving incorporated insurance agencies. You may also visit their website at <https://sos.ks.gov/general-services/service-of-process.html>.

**What are the reasons for service to be rejected?**

- A. If 40 days are not provided for service on the Summons (except Federal).
- B. If \$25.00 service fee is not included with papers.
- C. If the name of the defendant insurance company is not properly named on the Summons (e.g. State Farm, Allstate, Farmers, etc., are not full proper names of insurance companies.) To determine the proper name of an insurance company, visit <https://sbs.naic.org/solar-external-lookup/>.
- D. If the defendant insurance company named on the Summons is not licensed in Kansas.

**Where can I find out the registered agent for a licensed insurance company?**

The Commissioner of Insurance is appointed as the agent to receive service on behalf of all licensed domestic and foreign insurance companies in Kansas for any action filed in any Kansas court.

**How do I find out if an insurance company is licensed in Kansas?**

By either calling the Kansas Insurance Department at (785) 296-7811 or by looking up the name of the insurance company on the Kansas Insurance Department website at <https://sbs.naic.org/solar-external-lookup/>.

**How will I know if service was processed or rejected?**

You will receive either a Proof of Service or Service Not Made document in the mail.

**If service is rejected, where will the papers be returned to?**

All documents will be returned to the Clerk of the District Court of the county in which the action was filed.

**I am with an insurance company. How can I update my registered agent online?**

You can update your registered agent by visiting [www.statebasedsystems.com](http://www.statebasedsystems.com) and select "Kansas" from the jurisdiction dropdown. Options for insurance companies are under "SBS For Organizations".

**What is the address for service of process?**

Commissioner of Insurance  
Kansas Insurance Department  
1300 SW Arrowhead Road  
Topeka, Kansas 66604-4073

**What documents other than Summons and Petition do you accept?**

We accept service of Orders of Garnishment, Subpoenas, Liens, Complaints, and any other type of court document to which K.S.A. 40-218 applies.

**What other types of service of process do you handle?**

We will accept service on Excess & Surplus Lines companies listed in Kansas and to unauthorized insurers. However, you must provide us with their address and specifically request service pursuant to K.S.A. 40-2002, et seq., which should be prominently displayed on the Summons.