

**CERTIFICATION OF WAIVER OF SERVICE  
OF PROCESS - CASES PROCEEDING  
UNDER SECTION 5 OF PUBLIC ACT 15-7**

JD-FM-249 Rev. 11-15  
P.A. 15-7 § 5

STATE OF CONNECTICUT  
**SUPERIOR COURT  
JUDICIAL BRANCH**  
[www.jud.ct.gov](http://www.jud.ct.gov)



**Instructions to Defendant:**

Generally, before the court issues a decree of divorce or legal separation, 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.) If you have not been served, but you would like your case to proceed immediately pursuant to Section 5 of Public Act 15-7, you may waive your right to service of process by completing this Certification of Waiver of Service of Process.

For Court Use only

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**Waiver of Service**

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

Signed (Defendant)	Print name	Date signed

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](http://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 legal separation case, the officer must deliver a Summons, Family Actions (form JD-FM-3), Divorce Complaint (Dissolution of Marriage) (form JD-FM-159), 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.

In cases where the defendant has not been served with process, but the parties have an agreement and want to proceed immediately to a decree of divorce (dissolution of marriage) or legal separation under Section 5 of Public Act 15-7, the defendant may waive their right to service of process, if:

- **The defendant completes and submits to the court the Certification of Waiver of Service of Process Cases Proceeding under Section 5 of Public Act 15-7, on Page 1 of this form (form JD-FM-249).**