

Senate Bill 2055
House Judiciary Committee
Testimony Presented by Sara Behrens
March 3, 2021

Good morning Chair Klemin, members of the committee. My name is Sara Behrens and I am a staff attorney with the State Court Administrator's Office. I am here today in support of Senate Bill No. 2055. This bill adds the requirement that small claims complaints be served by certified mail, restricted delivery rather than ordinary certified mail. It is important to ensure that in small claims cases, where no attorneys are required, the defendants actually receive the complaint. Certified mail provides tracking ability. If a return receipt is requested, that receipt will provide the signature of the individual who accepted the mailing. However, there is no requirement that it be accepted by the actual individual to whom the mail is addressed. Restricted delivery permits the person mailing the document to direct that delivery be only to the individual the mail is addressed to or that person's agent. This will make it less likely that default judgments will be entered against defendants who never received the complaint. Thank you for your consideration and we urge a do pass.