

May 23, 1967



OPINION NO. 264  
Answered by letter-Mansur

Honorable Raymond Howard  
State Representative - District 54  
Missouri House of Representatives  
Capitol Building  
Jefferson City, Missouri

Dear Representative Howard:

This is in reference to your letter of May 5, 1967, requesting an opinion from this department on whether under House Committee Substitute for House Bill No. 616, (74th General Assembly) a copy of which you enclosed, a judgment can be legally rendered when the summons is served on the defendant by certified mail (if such bill becomes law).

Under Section 517.115 of said Bill, a method is provided by which a plaintiff may request the Magistrate Court to have the summons served on the defendant by certified mail by mailing the same to the last known address of the defendant, and if the return receipt shows it was delivered to the defendant and the receipt is signed by him, such service constitutes service of the summons for all purposes.

It is our opinion that a summons served by certified mail as provided by said Bill as now written will support any judgment rendered by the Magistrate Court that could be rendered when the service of process is served by personal service and would be as effective as personal service in supporting the judgment provided it is served within this state.

Very truly yours,

NORMAN H. ANDERSON  
Attorney General

MM:db