

1 H.776

2 Introduced by Representative Buxton of Tunbridge

3 Referred to Committee on

4 Date:

5 Subject: Court procedure; service of process

6 Statement of purpose of bill as introduced: This bill proposes to permit service
7 of process in court proceedings by any person who is not a party and is not less
8 than 18 years of age.

9 An act relating to service of process

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 12 V.S.A. § 731 is amended to read:

12 § 731. ~~INDIFFERENT PERSON, APPOINTMENT OF~~ PERSONS

13 AUTHORIZED TO SERVE PROCESS

14 When a summons, writ, or other process is not specially required by law to
15 be served by an officer, ~~any superior or district judge or any judge of the court~~
16 ~~to which the process is returnable, may appoint an indifferent person to serve~~
17 ~~the process if it appears that service by that person will be more economical or~~
18 ~~efficient than service by an officer~~ process may be served by any person who is
19 not a party and is not less than 18 years of age.

1 Sec. 2. 12 V.S.A. § 732 is amended to read:

2 § 732. POWER OF SPECIALLY APPOINTED PERSON

3 ~~The~~ A person so appointed who serves process pursuant to this subchapter
4 shall have the power of a sheriff in the service and return of the process and ~~he~~
5 shall make proof of the service by affidavit.

6 Sec. 3. 12 V.S.A. § 733 is amended to read:

7 § 733. FEES

8 ~~When the service of any process is made for a party by a person specially~~
9 ~~appointed for that purpose~~ served pursuant to this subchapter, fees for the
10 service shall not be recoverable of or taxed against the opposite party in excess
11 of ~~half~~ one-half of the taxable fees of a proper officer, had the process been
12 served by that officer.

13 Sec. 4. EFFECTIVE DATE

14 This act shall take effect on passage.