Civil Protection Orders: Strategies for Safe and Effective Service of Process

CIVIL PROTECTION ORDER PROCESS

August 2022

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Strategy 1: Identify Gaps and Challenges

- Review data regarding frequency of postponements and/or dismissals due to lack of service
- Gather information from a review of return of service forms that document unsuccessful attempts to serve
- Hold listening sessions or conduct surveys of advocates and law enforcement officers to learn about their experience with service of process and challenges encountered

Strategy 2: Strengthen Service of Process Through Collaboration

- Engage the local coordinated community response team or other collaborative group in to identify and address gaps, challenges, and opportunities to strengthen service of process
- Convene regular meetings of judicial officers, court administrators, and serving law enforcement agencies to identify emerging issues and ensure effective use of return of service forms
- Collaborate with advocacy programs to develop user-friendly information regarding service of process for protection orders.
    - See, for example, *A SAFE Guide to Civil Protection Orders in D.C.*, Survivors and Advocates for Empowerment 9-10 (last visited April 29, 2022).
- Ensure collaboration among courts, law enforcement, corrections agencies, and probation/community supervision to support effective service of orders on respondents who are in custody

Strategy 3: Dedicate Resources and Personnel to Enhance Effectiveness

- Explore creation of dedicated units for service of protection orders
    - Examples of dedicated units: *Baltimore, MD*, Safer Families Safer Communities (last visited April 29, 2022); *Family Violence*, Union County Sheriff's Office (last visited April 29, 2022); *Domestic*

Violence Program, Gaston County Sheriff's Office (last visited April 29, 2022).

- Provide officers with focused training and support regarding domestic violence, the protection order process, and other relevant topics
- Ensure staffing to permit service outside of business hours
- Equip officers to conduct checks to identify respondents with unserved orders and to serve paperwork on the spot

Strategy 4: Gather Information to Equip Serving Officers for Success

- Designate advocates (which may be law enforcement agency personnel or community-based) to conduct interviews with petitioners after issuance of orders to facilitate safe service of process, addressing:
  - Safety planning
  - Information regarding risk/dangerousness posed by respondent
  - Respondent's access to firearms
  - Information to facilitate service of process
  - Note: petitioners should be informed about how the information will be used to enable them to make an informed choice about whether to provide it, especially if confidentiality does not apply
- Gather information regarding respondent into a service packet for serving officers, including (where available):
  - Information available from a National Crime Information Center (NCIC) check, including:
    - Outstanding warrants
    - Active civil and criminal protection orders
    - Denials of attempts to purchase firearms within the last six months (NCIC National Instant Criminal Background Check System (NICS) Denied Transaction File)
    - Violent offender status (from the NCIC Violent Person File)
  - Information available from an Interstate Identification Index (III) check, including:
    - Record of criminal convictions
    - Probation/supervised release status
    - Note: to conduct III check requires: (1) authorized purpose ("criminal justice") and (2) authorized person (e.g., officer serving RFA order)

    - Information available in law enforcement agency records, including through computer-aided dispatch systems, such as alerts related to violence and weapons
    - A supplemental law enforcement information sheet completed by the petitioner
    - Any lethality assessments conducted (e.g., Lethality Assessment Project lethality screen completed at the scene of a domestic violence incident)
    - Information regarding respondent's in-custody status
    - Information regarding firearms licenses/permits, including concealed carry, where applicable
  - Implement a process to ensure that service packet or other confidential information is not inadvertently given to the respondent
- Conduct a risk assessment regarding danger posed to victims and officers prior to service of process, using evidence-based risk factors
  - See *King County Model Policy: Domestic Violence Response, DV Related Court Orders & Extreme Risk Protection Orders*, at 15 (April 2019).

Strategy 5: Implement an Effective Service of Process Protocol

- Include guidance and required practices for service of process in departmental domestic violence protocols
- Prioritize service of civil protection orders above other responsibilities that do not have comparable safety consequences
- Implement practices by serving officers that support safe and effective service of process, including:
    - Implement a non-confrontational, low-key approach to serving respondents, using (where possible) officers in plainclothes and unmarked vehicles, and emphasizing treatment of respondents with empathy and respect. For a description of this approach, called the WARM approach in Butte County, CA, see *Firearm Removal/Retrieval in Cases of Domestic Violence*, Prosecutors Against Gun Violence and the Consortium for Risk-Based Firearms Policy (Feb. 2016).
    - Officers should read and explain all protection order provisions to the respondent

    - Officers should explain the applicable requirements regarding firearms surrender, and note that respondents may be eligible for return of firearms if a final order is not issued or upon expiration of that order
    - Language interpretation services should be used where necessary
    - Implement measures to protect the petitioner if they are present during service of a civil protection order; examples include remaining at the scene until the petitioner leaves (if service is at the respondent's residence) or the respondent leaves (if at the petitioner's residence). See *King County Model Policy,* at p. 16.
- Any return of service form should be completed and immediately conveyed to the issuing court
    - Officers should use the return of service form to provide the court with details regarding service, as appropriate (more information regarding return of service forms is provided under Strategy 10, below)
        - See *King County Model Policy,* at p.16.

Strategy 6: Address Evasion of Service

- Serving officers should document each service attempt (using the return of service form, where applicable), including information about efforts taken by the respondent to avoid service
- Courts should provide petitioners with information about their options when a respondent is avoiding service
    - For example, see *DV-205-INFO: What if the Person I Want Protection From is Avoiding (Evading) Service*, California Courts (Jan. 2020).
- Alternatives to personal service, described under Strategy 7, should be offered to petitioners when respondents are avoiding service; they are appropriate and may be necessary to provide access to justice
    - For example, see Jane K. Stoever, *Access to Safety and Justice: Service of Process in Domestic Violence Cases*, 94 Wash. L. Rev. 333 (2019).
- In recognition of the safety concerns involved, serving agencies should devote time and resources to gathering the information necessary to effect service as quickly as possible

Strategy 7: Employ Alternative Service of Process Where Appropriate

Personally serving Civil Protection Orders has proven to be challenging for law enforcement and survivors when respondents actively avoid service. This problem was exasperated by the COVID-19 Pandemic, which renewed discussions of alternative means of service, including electronic service. For more detailed information regarding the use of alternative service in civil protection order cases, see the *Technical Assistance Brief: Alternative Service of Process for Civil Protection Orders*.

Strategy 8: Address Firearms Access

- Clarify authority of serving officers to request immediate surrender of firearms upon service, as well as any applicable seizure or search authority
- Provide oral and written information (in multiple languages) to respondents regarding their responsibility to surrender firearms and the process for doing so
- Describe actions to be taken when respondents deny access to firearms, refuse to comply, or state that firearms are with third parties
    - Possible actions include requesting consent to search, applying for a search warrant, directing respondent to ensure that the third party surrenders the firearms (where third-party possession is not permitted or requires court approval), and explaining the consequences of failure to comply with the terms of the order
- Use return of service forms to document whether firearms were obtained at service and any other actions taken with respect to firearms

For examples of these approaches as incorporated in law enforcement protocols, see NCJFCJ, Firearms Technical Assistance Project, *Suggested Components of Law Enforcement Protocols* (2020).

Strategy 9: Incorporate Victim Safety Planning and Notification

- Upon issuance of protection orders, courts should provide referrals to advocacy organizations that can assist petitioners with safety planning regarding service of process and can provide comprehensive support
- Law enforcement agencies responsible for service should collaborate with victim advocacy organizations to ensure that victims obtain notice of service attempts (unsuccessful and successful), including information about respondents' reaction and behavior, and about the status of firearms surrender
- Consider using the VINE Protective Order service or an alternative to enable victims and others to obtain timely information about service status and hearing dates.
    - See *Vine Protective Order*, Appriss Insights (last visited April 29, 2022).
    - See *Order of Protection Notification System*, New York State (last visited April 29, 2022).

Strategy 10: Enhance Communication Between Courts and Law Enforcement

- Courts and law enforcement agencies responsible for service should collaborate to ensure that return of service forms are used effectively, including:
    - Implementation of rules for timely filing and entry of orders into court databases and case files
    - Standards for completing forms and information to include (e.g., respondent statements and behavior). See King/Snohomish protocol: "Document on the Return of Service form any behavior or pertinent evidence (e.g. belligerence at time of service, threats, avoidance of service, description of firearms seen at the time of service, as well as Respondent's statements regarding possession of the firearms. This kind of information will not be available to the court unless it is included on the Return of Service form."
    - Expectations regarding documentation of unsuccessful attempts to serve

Strategy 11: Ensure Effective Service in Cross-Jurisdictional Contexts

- Law enforcement agencies responsible for service should collaborate with local military installations to develop memoranda of understanding addressing, among other things, the procedures for serving civilian protection orders on military personnel
  - See DOD § 635.30.
  - See DOD Instruction 6400.06, "DoD Coordinated Community Response to Domestic Abuse Involving Military and Certain Affiliated Personnel," (Dec. 2021).
- Ensure compliance with requirements that protection orders be served without charging a fee, including in inter-jurisdictional service contexts
  - See Sara Henry and Monica Player, *VAWA Prohibition on Fees for Service of Protection Orders: Implications for Law Enforcement Agencies*, National Center on Protection Orders and Full Faith and Credit (last visited April 29, 2022).
- Develop memoranda of understanding among tribal and local/state courts and law enforcement, or incorporate in existing ones, agreements regarding service of protection orders across jurisdictional lines
  - See Jennifer Walter and Heather Valdez Freedman, *Emerging Strategies in Tribal-State Collaboration: Barriers and Solutions to Enforcing Tribal Protection Orders*, Tribal Law and Policy Institute, 8 (Dec. 2017).
  - See *Law Enforcement*, Walking On Common Ground (last visited April 29, 2022).

Technical Assistance Brief: Alternative Service of Process for Civil Protection Orders

The Challenge

- In the vast majority of cases, civil protection orders are not enforceable until they have been personally served on the respondent.
- Typically, this requirement means that the paperwork associated with the order must be handed to the respondent by an authorized person, most often a law enforcement officer charged with that responsibility.
- Unfortunately, law enforcement agencies responsible for serving CPOs are often under staffed and under resourced. They often do not have the means to make multiple attempts at service.
- While private process servers can and have been used by some petitioners to effectuate service on respondents actively evading service by investigating the whereabouts of respondents, this option is not available to all petitioners and can involve significant financial costs.
- As a consequence, in jurisdictions throughout the country many protection orders remain unserved, leading to long delays in holding hearings on final orders, inability to enforce the terms of orders, and, in some cases, dismissal of the orders for failure to effect service.
- Obviously, such delays and dismissals of protection orders endanger petitioners, deny them necessary relief, and create an incentive for respondents to attempt to evade service. This results in a denial of petitioner's rights under the Due Process Clause of the U.S. Constitution's Fourteenth Amendment, which has been held to protect the right to a hearing on the merits of the action at a "meaningful time and in a meaningful manner." (*Mathews v. Eldridge*, 424 U.S. 319, 333 (1976)(citing *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965)).

Potential Solutions: Alternatives to Personal Service

- While personal service of a protection order is ideal, the U.S. Constitution's Fourteenth Amendment generally does not require personal service of court orders. According to the U.S. Supreme Court (see Case Law Summaries below), the Due Process Clause

requires only that service be “reasonably calculated” under the circumstances to provide notice to the respondent and affords them the right to be heard on the matter.

- Some states allow for alternative service methods in CPOs when efforts to personally serve respondents fail—typically, service by publication.
- Service by publication rarely achieves actual notice and is generally not considered reasonably calculated to afford a respondent notice of their protection order compared to other methods. (For critiques of service by publication, see Andrew C. Budzinski, *Reforming Service of Process: An Access-to-Justice Framework*, 90 U. Colo. L. Rev. 167, 212 (2019); Annie Chen, *Electronic Service of Process: A Practical and Affordable Option*, Cornell Law School J.D. Student Research Papers. 39, 6 (2016); Jane K. Stoever, *Access to Safety and Justice: Service of Process in Domestic Violence Cases*, 94 Wash. L. Rev. 333, 398-99 (2019). See also, *Mullane v. Central Hanover Bank and Trust*, 339 U.S. 306, 315-16 (1950) (discussing how publication alone is not a reliable means of providing notice to an interested party)).
- One promising method of alternative service is electronic service, or service through email, text, or social media. As technology has evolved to be such a significant part of everyday life, notice by electronic service is cost efficient and more reasonably calculated to provide the petitioner with actual notice.
- While proof of service can be more challenging when not done in person by law enforcement, it is not impossible. Read receipts, requests for acknowledgements of service, messages to the petitioner referencing the order, and/or proof that the respondent regularly uses the email, sends texts from a phone number, or uses a social media account to communicate with others can provide significant circumstantial evidence that the respondent received notice. (For more information on proof of service, see Budzinski, 90 U. Colo. L. Rev. 218-20; Chen, Cornell Law School J.D. Student Research Papers. 6-8; Stoever, 94 Wash. L. Rev. 399-400.)
- The respondent also can challenge the sufficiency of service and any default judgment that follows. (Budzinki, 90 U. Colo. L. Rev. at 217.)

Continuing Challenges

- Even when States allow for alternative service methods after attempts to personally serve have failed, petitioners (who are overwhelmingly unrepresented) must seek permission from the court to use these methods.
- Often, these procedures require the petitioner to provide information/sign an affidavit regarding the diligent efforts to attempt to serve the order/petition or evidence that the respondent is attempting to evade service. For self-represented litigants who are dependent on law enforcement to serve orders and cannot afford private process servers, this can be a challenge.

Resources

Spotlight: Washington State's Revised Protection Order Law

Passed in 2021 and taking effect in July 2022, the Washington State Legislature has addressed alternative service methods for civil protection orders in House Bill 1320.

A summary of some of the key provisions related to service of process in Wash. Rev. Code § 7.105.150 (2022):

- Personal service remains required for safety reasons when the protection order requires surrender of weapons, transfer of the children from the respondent to the petitioner, or vacating the respondent from the parties' shared residence.
  - Once those are accomplished, subsequent motions may be served by electronic means.
- In all other cases, service by electronic means is to be prioritized at the ex parte order stage.
- Process for electronic service:
  - Service by transmitting necessary paperwork to the respondent's electronic address or electronic account associated with email, text messaging, social media applications, or other technologies.
  - Verification of receipt using read-receipt mechanisms, a response, a sworn statement from the person who effected service verifying transmission and any follow-up

communications such as email or telephone contact used to further verify, or an appearance by the respondent at a hearing.
    - Sworn proof of service must be filed with the court by the person who effected service.
- Service by mail is permitted when electronic service is not possible and two attempts at personal service have not been successful (or upon request in lieu of personal or electronic service).
- Service by publication is permitted only as a last resort: when all other options have been unsuccessful or there is no known physical address or electronic means.
- Respondents who are able to be served electronically must provide the court with the pertinent information to facilitate such service.
- The court is prohibited from dismissing a petition or motion to renew a protection order, over the objection of a petitioner, based on law enforcement's or the petitioner's inability to serve the respondent, unless the court determines that all available methods of service have been attempted unsuccessfully.

Some Pertinent Statutes, Rules, and Administrative Orders

Statutes in Minnesota (Minn. Stat. §518B.01 (8)) and Nevada (Nev. Rev. Stat. §33.065) provide for alternative means of service specifically for CPOs when service has been attempted but not effectuated, but do not mention e-service specifically as an option. Washington's statute prior to July 1, 2022 (Wash. Rev. Code § 26.50.050) also provided for alternative means other than e-service. Their new service statute (Wash. Rev. Code § 7.105.150) is outlined above.

Alaska (Rule 5.1) & Maine (Rule 4(g)) include electronic mail specifically as a form of alternative service available.

New York has allowed alternative service by electronic means based on case law.

- *Hollow v. Hollow*, 193 Misc.2d 691, 747 N.Y.S.2d 704, 2002 N.Y. Slip Op. 22646 (2002).
- *Baidoo v. Blood-Dzraku*, 48 Misc.3d 309, 5 N.Y.S.3d 709, 2015 N.Y. Slip Op. 25096 (N.Y. Sup. Ct. 2015).

- *In re J.T.,* 53 Misc.3d 888, 37 N.Y.S.3d 846, 2016 N.Y. Slip Op. 26286 (2016).

Other states have electronic service available either with the express consent of the opposing party, or for certain types of actions, such as garnishments.

- California expanded electronic service options during the COVID-19 pandemic by allowing for electronic service based on request of a party instead of consent of both parties through administrative order due to the state of emergency. Petitions for orders to prevent civil harassment, elder abuse, and workplace violence, however, were not covered by this emergency order because they often involve pro se litigants.
- Florida's Rule of Judicial Administration 2.516 requires electronic service of subsequent filings, but not initial filing. If electronic service is used as alternative/constructive service, relief may be limited (i.e. cannot grant alimony or child support). If the attorney or self-represented litigant does not have an email address, other methods of service may be used.
- South Carolina has electronic service available to those who are registered e-filers that consent. Like Florida, this is only available for subsequent filings.

Case Law Summaries

U.S. Supreme Court Cases

McDonald v. Mabee, 243 U.S. 90 (1917).

The Court determined that, while it is possible that under these circumstances a summons left at his last and usual place of abode could have provided actual notice, service by publication was not sufficient to provide notice to someone who had left the state and did not intend on returning. "To dispense with personal service the substitute that is most likely to reach the defendant is the least that ought to be required if substantial justice is to be done."

Milliken v. Meyer, 311 U.S. 457 (1940).

The Court reaffirmed its holding in *McDonald v. Mabee*, that “substituted service may be wholly adequate to meet the requirements of due process . . .despite earlier intimations to the contrary.” The Court further stated that, “[i]ts adequacy so far as due process is concerned is dependent on whether or not the form of substitute service provided for such cases and employed is reasonably calculated to give him actual notice of the proceedings and an opportunity to be heard. If it is, the traditional notions of fair play and substantial justice implicit in due process are satisfied.”

Mullane v. Central Hanover Bank and Trust, 339 U.S. 306 (1950).

The Court determined that while personal service is always adequate in any type of proceeding, “[a] construction of the Due Process Clause which would place impossible or impractical obstacles in the way could not be justified.” The Court further stated that “[a]n elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.” Finally, the Court concluded that service by publication is generally not alone a reliable means of service, stating that, “when notice is a person’s due, process which is a mere gesture is not due process.”

Greene v. Lindsey, 456 U.S. 444 (1982).

The Court reaffirmed its decision in *Mullane* that the right to be heard is of little use unless the individual is informed of the proceedings. The Court explained that while personal service guarantees actual notice, “[n]evertheless, certain less rigorous notice procedures have enjoyed substantial acceptance throughout our legal history; in light of this history and the practical obstacles to providing personal service in every instance, we have allowed judicial proceedings to be prosecuted in some situations on the basis of procedures that do not carry with them the same certainty of actual notice that inheres in personal service. But we have also clearly recognized that the Due Process Clause does not prescribe a constitutional minimum: ‘An elementary and fundamental requirement of due process in any proceedings which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the

pendency of the action and afford them the opportunity to present their objections.'" (citing *Mullane*, 339 U.S., at 314).

The Court further reasoned that they "need not go so far as to insist that in order to dispense with personal service the substitute that is mostly likely to reach the defendant is the least that ought to be required in order to recognize that where an inexpensive and efficient mechanism such as mail service is available to enhance the reliability of an otherwise unreliable notice procedure, the State's continued exclusive reliance on an ineffective means of service is not notice reasonably calculated to reach those who could easily be informed by other means at hand."

State Court Cases

Actual Notice, Not Actual Service Required:

MacDonald v. State, 997 P.2d 1187 (Alaska Ct. App. 2000).

The Court held that the defendant was subject to prosecution for violating the protective order even though he had not been personally served with a written copy of the order at the time of the violation; that such did not violate his due process rights; and that the Alaska service statute allowing law enforcement to use "every reasonable means" and the practitioner to use "other available means" to serve a domestic violence protection order was not unconstitutionally vague.

MacDonald admitted to having knowledge of the existence of the protection order (petitioner and petitioner's friend as well as law enforcement had notified him of the order). He also acknowledged to others that he knew of the order but had been avoiding service.

Courts have consistently held in criminal contempt proceedings that personal service is not required for a defendant to be bound to the order. Actual notice is all that is required. The Court further noted that the language of the statute is consistent with the "actual notice" language and is not unconstitutionally vague. Requirements for actual service encourage someone subject to an ex parte domestic violence protection order to evade service. Specifically, the Court agreed with the lower court's statement that "from a standpoint of the entire purpose of an ex parte restraining order to let it hinge on whether or not someone has been

actually served with the paper once one has knowledge of the existence of the order seems to defeat the entire purpose."

Attempted Personal Service Before Alternative Means:

Ayala v. Ayala, 749 N.W.2d 817 (Minn. Ct. App. 2008).

Respondent moved to vacate an ex parte protection order issued against him for lack of service. Petitioner filed for and obtained the ex parte order, denied knowing the respondent's address, and asked the district court to allow service by publication. On the affidavit form provided to the court, the petitioner checked the box indicating that she did not know the respondent's address, but did not check the box indicating that personal service was unsuccessful because the respondent had concealed himself to avoid service or the other box acknowledging that the petition and notice had been mailed to his address. Law enforcement had not attempted to serve respondent or to mail notice to his address.

The Minnesota statute required attempted personal service before notice by publication may be used. The statute said "any order issued under it shall be served on the respondent personally." It then listed general exceptions for notice by publication and specific exceptions that apply to ex parte orders, including authorizing service of notice by publication only after the petitioner files with the court an affidavit stating that an attempt at personal service by law enforcement was unsuccessful because the respondent was avoiding service by concealment or otherwise AND that a copy of the petition has been mailed to the respondent OR that the residence was not known to the petitioner. Because no attempt at personal service was ever made, based on a plain reading of the statute, service was defective.

Use of Electronic Service of Process and CPOs:

Searles v Archangel, 60 Cal. App. 5th 43 (2021).

Petitioner sought a civil harassment restraining order against respondent, who was homeless. Petitioner filed a motion to waive traditional service and for authorization to serve by social media. The court denied her motion and she appealed.

The respondent was described as an “unknown vagabond-stalker” and his address was listed as “unknown/homeless.” The petitioner repeatedly moved for a continuance, stating that she was unable to serve him, explaining to the court that he “is homeless and avoids the area when he is aware that someone is looking to bring charges against him.” She finally asked the court for an additional continuance and waiver of traditional service in favor of service by social media. She stated that respondent followed her public Facebook, YouTube, and Twitter postings and that he was intentionally making himself unavailable.

In her legal memorandum, petitioner quoted several out of state cases in which service of process by social media had been permitted. These cases found service by publication as no longer a viable option explaining that “it is almost guaranteed not to provide a defendant with notice of action for divorce, or any other lawsuit for that matter.” (citation omitted). She further argued that the court had discretion pursuant to statute to authorize service in a different manner if it was reasonably calculated to give actual notice to the party to be served.

The Court of Appeals acknowledged the practical merit of the petitioner’s request, noted a few important limitations that would have to be addressed to allow for service by social media, but ultimately held that the lower court properly concluded it was required to follow the express statutory requirements for personal service. The Court noted that the California legislature had not authorized the use of alternative methods of service in civil harassment restraining order cases, and it encouraged the legislature to consider developing a pilot program to test the efficacy of utilizing these new technologies.

Use of Electronic Service of Process Generally:

Hollow v. Hollow, 193 Misc.2d 691, 747 N.Y.S.2d 704, 2002 N.Y. Slip Op. 22646 (2002).

In a divorce action where respondent had moved to Saudi Arabia, service directed to the respondent’s last known email address as well as service by international registered air mail and international mail standard was sufficient under the circumstances to satisfy requirements of due process.

Rio Properties, Inc. v. Rio Intern. Interlink, 284 F.3d 1007 (9th Cir. 2002).

The Court determined that it was proper to leave it to “the discretion of the district court to balance the limitations of email service against its benefits in any particular case.”

Steward v. Kuettel, 2014 Ark 499 (2014).

The court determined that alternative service of process via a website email, under the circumstances of this case, was insufficient because it was not reasonably calculated to give actual notice to the respondent.

Baidoo v. Blood-Dzraku, 48 Misc.3d 309, 5 N.Y.S.3d 709, 2015 N.Y. Slip Op. 25096 (N.Y. Sup. Ct. 2015).

The court allowed petitioner in a divorce case to serve the respondent solely using private message to the spouse’s account on a social networking website, finding that such service was reasonably calculated to provide notice and would achieve actual delivery of the summons.

In re J.T., 53 Misc.3d 888, 37 N.Y.S.3d 846, 2016 N.Y. Slip Op. 26286 (2016).

In a child protection case, once the county had sufficiently demonstrated that, under the circumstances of this case, personal service was impractical to effectuate, the court had broad discretion in determining an alternative means of service, including e-mail service.

K.A. v. J.L., 450 N.J. Super. 247 (2016).

The court held that service of process through the social media platform Facebook was permitted after service through certified mail was ineffective.

Law Review Articles

- Andrew C. Budzinski, *Reforming Service of Process: An Access-to-Justice Framework*, 90 U. Colo. L. Rev. 167 (2019).
- Annie Chen, *Electronic Service of Process: A Practical and Affordable Option*, Cornell Law School J.D. Student Research Papers. 39 (2016).
- Ian Ayres et al., *The Impact of Student Assistance on the Granting and Service of Temporary Restraining Orders*, 53 Conn. L. Rev. 2 (2021).
- Jane K. Stoever, *Access to Safety and Justice: Service of Process in Domestic Violence Cases*, 94 Wash. L. Rev. 333 (2019).
- Kristina Coleman, *Beyond Baidoo v. Blood-Dzraku: Service of Process through Facebook and Other Social Media Platforms through an Indiana Lens*, 50 Ind. L. Rev. 645 (2017).
- Yvonne A. Tamayo, *Are You Being Served?: E-Mail and (Due) Service of Process*, 51 S.C. L. Rev. 227 (2000).

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