



MISSOURI DEPARTMENT OF COMMERCE AND INSURANCE

APPOINTMENT OF DIRECTOR TO ACKNOWLEDGE OR RECEIVE SERVICE OF PROCESS

Know All Men by These Presents:

THAT WHEREAS, the \_\_\_\_\_

a corporation organized under the laws of \_\_\_\_\_

and thereby authorized to transact the business of \_\_\_\_\_

Insurance, desires to transact such business within the State of Missouri, pursuant to the laws thereof; and whereas, in and by Section 375.906, Revised Statutes of Missouri, 1978 it is provided as stated in said section, which is in words and figures as follows:

375.906. Foreign companies to appoint director to receive service—methods—penalty. 1. No insurance company or association not incorporated or organized under the laws of this state shall directly or indirectly issue policies, take risks, or transact business in this state, until it shall have first executed an irrevocable power of attorney in writing, appointing and authorizing the director of the department of insurance of this state to acknowledge or receive service of all lawful process, for and on behalf of the company, in any action against the company, instituted in any court of this state, or in any court of the United States in this state, and consenting that service upon the director shall be deemed personal service upon the company.

2. Service of process shall be made by delivery of a copy of the petition and summons to the director of the department of insurance, the deputy director of the department of insurance, or the chief clerk of the department of insurance at the office of the director of the department of insurance at Jefferson City, Missouri and service as aforesaid shall be valid and binding in all actions brought by residents of this state upon any policy issued or matured, or upon any liability accrued in this state, or on any policy issued in any other state in which the resident is named as beneficiary, and in all actions brought by nonresidents of this state upon any policy issued in this state in which the nonresident is named beneficiary or which has been assigned to the nonresident, and in all actions brought by nonresidents of this state on a cause of action, other than an action on a policy of insurance, which arises out of business transacted, acts done, or contracts made in this state.

3. In case the process is issued by an associate circuit judge, the same may be directed to and served by any officer authorized to serve process in the city or county where the director of the department of insurance has his office, at least 15 days before the return thereof.

4. Every instrument of appointment executed by the company shall be attested by the seal of the company and shall recite the whole of this section, and shall be accompanied by a copy of a resolution of the board of directors or trustees of the company similarly attested, showing that the president and secretary or other chief officers of the company are authorized to execute the instruments on behalf of the company; and if any company fails, neglects, or refuses to appoint and maintain within this state an attorney or agent in the manner herein described, it shall forfeit the right to do or continue business in this state.

5. Whenever process is served upon the director of the department of insurance, the deputy director of the department of insurance, or the chief clerk of the department of insurance under the provisions of this section, the process shall immediately be forwarded by first class mail prepaid and directed to the secretary of the company, or, in the case of an alien company, to the United States manager or last appointed general agent of the company in this country; provided, that there shall be kept in the office of the director of the department of insurance a permanent record showing for all process served the name of the plaintiff and defendant, the court from which the summons issued, the name and title of the officer serving same, and the day and hour of the service.

NOW, THEREFORE, in accordance with the terms and requirements of the Section set forth above, the said \_\_\_\_\_

Company does, by these presents, appoint and authorize the Director of the Department of Insurance of the State of Missouri (by whomsoever such office of Director may be held and exercised under the laws of the State of Missouri), for the purpose mentioned in the Section, recited above, to do any and all the things in said Section specified in its behalf to be done, by said Director, the Deputy Director, or the Chief Clerk, of the Department of Insurance of the State of Missouri, including receipt of service of process which shall be valid and binding, and be deemed personal service upon the company, so long as it shall have any policies or liabilities outstanding in the State of Missouri.

IN WITNESS WHEREOF, the said company (in accordance with a resolution of its Board of Directors duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_, a certified copy of which appears on reverse side), hath caused these presents to be subscribed by its President and its corporate seal to be hereto affixed, attested by its Secretary, at the city of \_\_\_\_\_, State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_.

Attest: \_\_\_\_\_ PRESIDENT

\_\_\_\_\_ SECRETARY

**COPY OF RESOLUTION**

I, \_\_\_\_\_, Secretary of the

\_\_\_\_\_ a corporation existing under the laws of \_\_\_\_\_, do hereby certify that the following is a true and correct copy, from corporate records of said corporation, of a resolution duly adopted by the Board of Directors thereof, at a \_\_\_\_\_ meeting of said Board, a quorum thereof present and acting, on the \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_, to wit:

“RESOLVED, That the president and secretary of this company are hereby authorized to execute in behalf of said company, under the corporate seal thereof, a written instrument in accordance with the insurance laws of the State of Missouri appointing and authorizing the Director of the Department of Insurance of the State of Missouri (by whomsoever such office of Director may be held and exercised under the laws of the State of Missouri), for the purpose mentioned in section 375.906 Revised Statutes of Missouri, 1978, to do any and all the things in behalf of this company specified in said section to be done by said Director, and further consenting that service of process as therein referred to shall be valid and binding, and be deemed personal service service upon this company so long as it shall have any policies or liabilities outstanding in the State of Missouri.”

*And I do further certify that the said resolution has never been rescinded or reconsidered and still remains in force.*

GIVEN AND CERTIFIED, at the principal office of said company in the city of \_\_\_\_\_

State of \_\_\_\_\_ with the common seal thereof hereto affixed by the undersigned, having custody of the same as secretary of said company, this \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_.

ATTEST:

\_\_\_\_\_ Secretary.