



News

McGrath and Newman Consider Potential Changes to New York's Service of Process Rules in Light of COVID-19 Pandemic

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Brian McGrath, Ashely Newman

Hinshaw attorneys Brian McGrath and Ashley Newman consider in a *New York Law Journal* article an issue of particular relevance to New Yorkers in the current COVID-19 pandemic: the state's strong policy preference for hand delivery for service of process.

The authors review New York's Civil Procedures Law and Rules §308, which provides for five methods of service of process upon a natural person. They note how the strong policy preference for hand delivery in §308 "squarely conflicts" with the public policy goals of social distancing to slow the spread of the highly infectious COVID-19 coronavirus. They compare the "more tempered" approach taken by the neighboring state of New Jersey, and suggest that expanding non-hand delivery substitute service options like registered or certified mail could strike a better public policy balance.

[Read the article on the *New York Law Journal* website \(subscription required\)](#)

"Hand Delivery Service of Process Challenges in a Socially Distant World" was published by *The New York Law Journal*, May 15, 2020.

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