

**PROGRAM DIVISION  
BULLETIN**

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**Service of Suit Clause**

As most of you know, surplus lines insurers are required by law to have a service of suit clause in policies issued to insureds in each of the 50 states of the United States and the District of Columbia. The purpose of the service of suit clause is to inform the insured how to bring suit against a surplus lines insurer. In Lexington and Landmark policies (in states where Landmark is nonadmitted and issues surplus lines policies), the service of suit clause is contained in the policy form (typically, in the conditions section) or added by separate endorsement.

For policies issued in Washington, Illinois, and California, we also have the practice of adding a state specific service of suit clause by endorsement to these policies. The state specific service of suit clause specifically names the resident agent for service of process in the applicable state as a party who will accept service on behalf of Lexington or Landmark.

After carefully reviewing the applicable law, it has been determined that we are ***no longer required to use a state specific service of suit clause in Washington, Illinois, or California.*** Thus, our standard service of suit clause will suffice for policies issued in each and every state of United States and the District of Columbia.

If you have any questions, please contact your Program Manager.

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