

Senator Rosalyn Baker, Chair Senator Brian Taniguchi, Vice Chair Senate Committee on Commerce and Consumer Protection

February 4, 2015; 9:00 AM Hawaii State Capitol, Room 229

## **RE:** SB 758 – Relating to Service by Publication – IN OPPOSITION

Chair Baker, Vice Chair Taniguchi and members of the committee:

The Honolulu Star-Advertiser opposes SB 758, which, if enacted, amends the method of service of process for all civil cases when a personal service is unsuccessful.

Whenever a lawsuit is filed and one of the defendants cannot be found after sufficient effort is made to locate them, the attorney attempting to serve the defendant can apply to court for an order permitting the attorney to serve the person by publication (filing the summons and a description of the lawsuit in a newspaper of general circulation in the state).

Offering the option to post the summons on a state website and only publishing the summons once in a newspaper, significantly diminishes the ability to reach the largest audience. A summons on a website will not generate the readership that a printed summons in a daily newspaper will receive. We see this first hand with our own website.

StarAdvertiser.com is one of the most visited websites in the State. Last month (January 2015) we had over 1.8 million unique users view 15 million pages of content on our site. In the same month we had only 596 unique users view 2,106 legal notice pages. All legal notices that run in our paper are automatically posted to our site.

When it comes to service by publication, there should be a strong desire to make sure that the service of a summons by publication is distributed to the largest possible audience. The Honolulu Star-Advertiser reaches over 516,000 readers every week.

Thank you for the opportunity to provide comments on this measure.

Dennis E. Francis President & Publisher