

**Rule 7. Proof of Service**

When a document has been conventionally served before filing, proof of service shall be affixed to the document so that the identity of the document is not obscured. If a document is filed before conventional service has been made, proof of service shall be filed within 7 days after service is made. When a document has been both eFiled and eServed together using the E-Filing System in accordance with Rule 14, the record of service on the E-Filing System shall constitute proof of service.

(Former Rule 103 adopted effective January 1, 1992; renumbered effective January 1, 1993; amended effective January 1, 1996; amended effective September 1, 2012; amended effective July 1, 2015; amended effective January 1, 2020; amended effective January 1, 2021.)

**Cross Reference:** Minn. R. Civ. P. 4.06, 5.04.

***Advisory Committee Comment - 1995 Amendment***

*This rule derived from Rule 13 of the Code of Rules for the District Courts.*

*The second sentence is new, drafted to provide for filing of documents where service is to be made after filing.*

*The Committee recommends amendment of the rule to require a specific rather than subjective standard for the filing of proof of service. Although the Committee heard requests to change the rule to require that all documents be filed with proof of service attached, the Committee believes that such a rule is neither helpful nor necessary. Such a rule would make it difficult to serve and file documents at the same time, and would probably result in greater problems relating to untimely service and filing. Nonetheless, there appear to be a number of situations where proof of service is not filed for a substantial period of time, resulting in confusion in the courts. The rule is accordingly amended to change the requirement from filing "promptly" after service to "within ten days" after service. The Committee believes this period is more than sufficient for filing a proof of service. The Committee is also sensitive to a potential problem that would arise with a requirement that proof of service accompany documents at the time of filing. The Committee continues to believe that documents, in whatever form, should not be rejected for filing by the court administrators. Rather, documents should be filed as submitted and the court should deal with any deficiencies or irregularities in the documents in an orderly way, having in mind the mandate of Minn. R. Civ. P. 1 that the rules be interpreted to advance the "just, speedy, and inexpensive" determination of every action.*

***Advisory Committee Comment - 2012 Amendment***

*Rule 7 is amended to make it clear that a separate proof of service is not required for documents served using the court's e-service system in cases where that method is authorized by the rules. Proof of service exists in the system's records and that record of service suffices to prove service for all purposes.*

***Advisory Committee Comment - 2015 Amendments***

*Rule 7 is amended to provide for proof of service for all methods of service allowed under the rules. E-service is proved by the record maintained by and available from the court's e-filing and e-service system, obviating any additional filings to prove service. All other means of service are defined as "conventional service" by Rule 14.01, which is proved by a written affidavit, certificate, or acknowledgment of service filed shortly after service is made.*