

Rule 10. Orders**10.01 Written or Oral Orders**

Court orders may be written or stated on the record. An order stated on the record shall also be reduced to writing by the court. Except for orders issued following a trial pursuant to Rule 44.06, all orders shall be filed with the court administrator within fifteen (15) days of the conclusion of the hearing. An order shall remain in full force and effect pursuant to law or until the occurrence of any of the following:

- (a) issuance of an inconsistent order; or
- (b) the order ends pursuant to the terms of the order.

(Amended effective August 1, 2009; amended effective July 1, 2014.)

10.02 Immediate Effect of Oral Order

Unless otherwise ordered by the court, an order stated on the record shall be effective immediately.

10.03 Service

Subdivision 1. Court Orders - Persons to be Served and Method of Service. Service of court orders shall be made by the court administrator upon each party and such other persons as the court may direct. Service may be made personally at the hearing, by U.S. mail, through the E-Filing System, by e-mail or other electronic means agreed upon in writing by the person to be served, or as otherwise directed by the court. If a party is represented by counsel, service shall be upon such counsel. Filing and service of an order by the court administrator shall be accomplished within ten days of the date the judicial officer delivers the order to the court administrator.

Subd. 2. Adoption Decree - Persons to be Served and Method of Service. The findings of fact, conclusions of law, order for judgment, and adoption decree issued pursuant to Rule 45 shall be served by the court administrator personally at the hearing, by U.S. mail, through the E-Filing System, by e-mail or other electronic means agreed upon in writing by the person to be served, or as otherwise directed by the court upon:

- (a) each party;
- (b) the Commissioner of Human Services for children who are:
 - (i) under guardianship of the Commissioner or a licensed child-placing agency according to Minnesota Statutes, section 260C.201, subdivision 11, or 260C.317;
 - (ii) placed by the commissioner, commissioner's agent, or licensed child-placing agency after a consent to adopt according to Minnesota Statutes, section 259.24, or under an agreement conferring authority to place for adoption according to Minnesota Statutes, section 259.25; or
 - (iii) adopted after a direct adoptive placement approved by the district court under Minnesota Statutes, section 259.47;
- (c) the Secretary of the Interior and the child's tribal social services agency, if the child is an Indian child; and
- (d) such other persons as the court may direct.

If a party is represented by counsel, delivery or service shall be upon such counsel. Filing and service of the adoption decree by the court administrator shall be accomplished within five

days of the date the judicial officer delivers the adoption decree to the court administrator. Upon request and payment of the applicable fee, the court administrator shall provide a certified copy of the adoption decree to persons entitled to receive a copy as permitted by statute or these rules.

(Amended effective September 1, 2019.)

Subd. 3. Replacement Birth Record. Upon the court administrator's receipt of the fee for the replacement birth record made payable to the Department of Health or equivalent agency in another state, the court administrator shall complete the certificate of adoption and send it to the Commissioner of Health in Minnesota or to the equivalent agency in any other state so that a replacement birth record may be generated. Any fee required by the Department of Health or equivalent agency in another state for a replacement birth record shall be paid by the petitioner. Any such fee shall be submitted by the petitioner to the court administrator at the time the request for a replacement birth record is made and shall be forwarded by the court administrator to the Department of Health.

(Amended effective January 1, 2007; amended effective August 1, 2009; amended effective July 1, 2015.)

10.04 Notice of Filing of Order and Adoption Decree

Each order or adoption decree delivered or mailed pursuant to Rule 10.03 shall be accompanied by a notice of filing of order. The State Court Administrator shall develop a "notice of filing" form, which shall be used by court administrators.