

CHAPTER 543

SUMMONS, CERTAIN CORPORATIONS;
NONRESIDENT JURISDICTION

543.08 Summons, service upon certain corporations.

543.19 Personal jurisdiction over nonresidents.

543.20 Personal jurisdiction in support enforcement cases and paternity suits.

NOTE: For rules of civil procedure, district court, see Volume 9.

- 543.01 [Repealed, 1974 c 394 s 12]
 543.02 [Repealed, 1974 c 394 s 12]
 543.03 [Repealed, 1974 c 394 s 12]
 543.04 [Repealed, 1974 c 394 s 12]
 543.05 [Repealed, 1974 c 394 s 12]
 543.06 [Repealed, 1974 c 394 s 12]
 543.07 [Repealed, 1974 c 394 s 12]

543.08 SUMMONS, SERVICE UPON CERTAIN CORPORATIONS.

If a private domestic corporation has no officer at the registered office of the corporation within the state upon whom service can be made, of which fact the return of the sheriff of the county in which that office is located, or the affidavit of a private person not a party, that none can be found in that county shall be conclusive evidence, service of the summons upon it may be made by depositing two copies, together with a fee of \$35 with the secretary of state, which shall be deemed personal service upon the corporation. One of the copies shall be filed by the secretary, and the other forthwith mailed by the secretary to the corporation by certified mail, if the place of its main office is known to the secretary or is disclosed by the files in the office.

If the defendant is a foreign insurance corporation, the summons may be served by two copies delivered to the commissioner of commerce, who shall file one in the commissioner's office and forthwith mail the other postage prepaid to the defendant at its home office.

History: (9231) *RL s 4109; 1913 c 218 s 1; 1955 c 820 s 48; 1971 c 25 s 90; 1980 c 541 s 9; 3Sp1981 c 2 art 1 s 73; 1983 c 289 s 114 subd 1; 1984 c 618 s 58; 1984 c 655 art 1 s 92; 1986 c 444; 1987 c 404 s 188; 1989 c 335 art 1 s 259*

- 543.09 [Repealed, 1974 c 394 s 12]
 543.10 [Repealed, 1974 c 394 s 12]
 543.11 [Repealed, 1974 c 394 s 12]
 543.12 [Repealed, 1974 c 394 s 12]
 543.13 [Repealed, 1974 c 394 s 12]
 543.14 [Repealed, 1974 c 394 s 12]
 543.15 [Repealed, 1974 c 394 s 12]
 543.16 [Repealed, 1974 c 394 s 12]
 543.17 [Repealed, 1974 c 394 s 12]
 543.18 [Repealed, 1974 c 394 s 12]

543.19 PERSONAL JURISDICTION OVER NONRESIDENTS.

Subdivision 1. As to a cause of action arising from any acts enumerated in this subdivision, a court of this state with jurisdiction of the subject matter may exercise personal jurisdiction over any foreign corporation or any nonresident individual, or the

individual's personal representative, in the same manner as if it were a domestic corporation or the individual were a resident of this state. This section applies if, in person or through an agent, the foreign corporation or nonresident individual:

- (a) Owns, uses, or possesses any real or personal property situated in this state, or
- (b) Transacts any business within the state, or
- (c) Commits any act in Minnesota causing injury or property damage, or
- (d) Commits any act outside Minnesota causing injury or property damage in Minnesota, subject to the following exceptions when no jurisdiction shall be found:
 - (1) Minnesota has no substantial interest in providing a forum; or
 - (2) the burden placed on the defendant by being brought under the state's jurisdiction would violate fairness and substantial justice; or
 - (3) the cause of action lies in defamation or privacy.

Subd. 2. The service of process on any person who is subject to the jurisdiction of the courts of this state, as provided in this section, may be made by personally serving the summons upon the defendant outside this state with the same effect as though the summons had been personally served within this state.

Subd. 3. Only causes of action arising from acts enumerated in subdivision 1 may be asserted against a defendant in an action in which jurisdiction over the defendant is based upon this section.

Subd. 4. Nothing contained in this section shall limit or affect the right to serve any process in any other manner now or hereafter provided by law or the Minnesota Rules of Civil Procedure.

Subd. 5. Nonresident individual, as used in this section, means any individual, or the individual's personal representative, who is not domiciled or residing in the state when suit is commenced.

History: 1967 c 427 s 1; 1978 c 780 s 2; 1986 c 444

543.20 PERSONAL JURISDICTION IN SUPPORT ENFORCEMENT CASES AND PATERNITY SUITS.

Subdivision 1. **Service.** In addition to the methods of service of process provided in the rules of civil procedure, service of a summons, an order to show cause, or an order or judgment within this state may also be made upon an individual by delivering a copy to the individual personally at the individual's place of employment or at a post-secondary education institution in which the individual is enrolled. The employer shall make the individual available for the purpose of delivering a copy. The post-secondary education institution must make the individual's class schedule available to the process server or make the individual available for the purpose of delivering a copy. No employer or post-secondary education institution shall deny a process server admittance to the employer's or post-secondary education institution's premises for the purpose of making service under this section.

No service shall be allowed under this section unless such service is made personally on the individual.

Subd. 2. **Applicability.** Service of an employee at a place of employment or of a student at a post-secondary education institution applies only to: (a) summons in an action for dissolution, annulment, legal separation, or under the parentage act and under section 256.87; (b) orders to show cause under both section 256.87 and the revised uniform Reciprocal Enforcement of Support Act as well as for contempt of court for failure to pay child support; (c) petitions under the Domestic Abuse Act; and (d) motions, orders and judgments for the payment of child support when the court orders personal service.

Subd. 3. **Retaliation prohibited.** An employer shall not discharge or otherwise discipline an employee, nor shall a post-secondary education institution dismiss or discipline a student as a result of service under this section.

Subd. 4. **Definition.** For purposes of this section "post-secondary education insti-

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tution" means any state university, community college, technical college, private college, private post-secondary school, or the University of Minnesota.

History: 1983 c 308 s 31; 1984 c 655 art 1 s 75; 1985 c 131 s 14; 1986 c 444; 1987 c 258 s 12; 1989 c 246 s 2