

CONCILIATION COURT SERVICE INSTRUCTIONS

You, the Plaintiff, received this notice because the amount of your claim is greater than \$2,500.

It is your responsibility to serve *each* Defendant with these papers: (1) Statement of Claim and (2) Conciliation Court Summons

1. How do I serve a Defendant Who Lives in Minnesota?

- Certified Mail, or
- Personal Service

Steps to Serve the Papers by Certified Mail:

- You can serve the papers yourself.
- Go to the post office. Send the papers to the Defendant by certified mail.
- What is certified mail?
 - Certified mail gives the sender a mailing receipt and you can also request electronic verification that an item was delivered or that a delivery attempt was made.
- After you pay for the certified mail, you will get a white and green mailing receipt, similar to the picture below. Keep the receipt with your records.



- You have the option of purchasing Return Receipt Service at the time of mailing. When the Defendant picks up the certified mail, they will sign a “return receipt green card.” It is proof of delivery to the Defendant. You can get the return receipt by mail (see picture at right) or email (Electronic Return Receipt)
- Go to <https://faq.usps.com/s/article/What-is-Certified-Mail> for more certified mailing options.
- After the mailing is done, fill out the Conciliation Court Affidavit of Service (Form CCT103).
- File the Affidavit of Service with court administration.



How Do You Prove Service by Certified Mail?

- The Conciliation Court Affidavit of Service is proof that you served the Defendant. You must always file the Affidavit of Service with court administration.
- Do you need to file the certified mail receipt and/or the return receipt green card?
 - It depends.
 - Some judges prefer additional proof Defendant was served and may require the certified mail receipt and/or the return receipt green card. These judges prefer that you file the receipts with court administration before your hearing.
 - Other judges do not ask for additional proof of service.
- Until you go to your hearing, you won't know if the judge wants these receipts or not.
- If you file the receipts before your hearing, there is a better chance that the judge won't continue the hearing if the Defendant does not appear.

Steps for serving the papers personally:

- You cannot personally serve the Defendant yourself. You must find someone else to serve the Defendant.
- Options for service:
 - (1) The sheriff (for a fee),
 - (2) A private process server (for a fee) or
 - (3) A third party (who is at least 18 years of age).
- Once service is done, make sure the sheriff/process server/third party gives you the Affidavit of Service.
- File the Affidavit of Service with court administration.

2. How Do I Serve a Defendant Who Does Not Live in Minnesota?

- Personal service is required. See the steps above for serving the papers personally.

3. Complete Service and File the Affidavit of Service

- *Within 60 days of the date the summons is issued AND at least 14 days before the hearing:*
 - *The papers must be served on the Defendant, and*
 - *You must file the Affidavit of Service with court administration.*
- To figure out the date the summons was issued, look at your Conciliation Court Summons.
- Count 60 days from the issued date.
 - Example: Conciliation Court Summons was issued on January 3, 2020.
 - 60 days from January 3, 2020 would be March 3, 2020.

4. Unable to Serve the Defendant?

- Before the court date, ask court administration for a continuance to give you more time to serve. Contact court administration to see if they require the continuance request to be in writing.
- You will get a new Conciliation Court Summons with a new hearing date.