



# MINNESOTA JUDICIAL BRANCH

## Best Practices: eFile and eServe for Minnesota District Court Filers

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### Introduction

Odyssey File and Serve, referred to as eFS in Minnesota, is an electronic filing and service system by which registered users can file and/or serve documents electronically<sup>1</sup>. The filed documents become part of the official court record in MNCIS, the Minnesota Judicial Branch's case management system. Paper documents which are conventionally filed (by mail or in person) and are converted into electronic format by the court also become a part of the official court record in MNCIS.

This document provides best practice recommendations and resources for filers to ensure electronic transactions submitted through eFS proceed smoothly from submission to acceptance into the official court record.

### Registering a Firm

#### Firm Administrator

Every firm must designate at least one firm administrator, even if the firm only has one user. A firm may have multiple firm administrator accounts, each with their own username and password. The firm administrators are responsible for the ongoing management of firm user accounts and passwords, registered payment accounts, and user notifications and communications. The administrator also acts as a resource for firm users, and for keeping users current with eFS training, notifications, and processes.

#### Firm Name

The firm name serves as the common identifier of all users in the firm. Anyone at the firm can view and file transactions under the firm name. Firms with multiple locations may have a single firm name or multiple firm names. Because administrators can review everything filed within a firm name, multiple firm names are used to screen out attorneys who have conflicts of interest.

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<sup>1</sup> Minnesota General Rule of Practice 14 requires all attorneys, government agencies, and guardians ad litem to use the electronic filing and service system.

### User Accounts

Users include anyone within the firm that may file on behalf of the firm, including legal assistants, paralegals, or attorneys. The firm administrator is responsible for entering or approving new users and deleting users that are no longer with the firm. The firm administrator is also responsible for ensuring that the postal address, email address, telephone number, and other information for each attorney is correct. <sup>2</sup>The administrator may set up user accounts and passwords manually or allow users to self-register. It is recommended that the firm administrator require approval for new users when self-registration is allowed.

### Payment Accounts

Each firm must have at least one credit or debit card registered for payment in eFS. The card is used to pay filing fees and eFS system fees when filing court documents. Firm users do not have access to the card numbers. They will only see the name that is given to the payment account. If there are multiple payment accounts, users will select from a list of account names when filing. Do not use card numbers as payment account names; this information is available to firm users and court staff.

### Firm Contacts

The Firm Contacts List includes all firm contacts that the firm administrator or others have entered. It is available for all cases. Users included in the list can be added to receive eService on cases in eFS.

### eFS Best Practices

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<sup>2</sup> See Minn.Gen.R.Prac.14.03(g).

### Getting Started

#### Training and Resources

Training is available online. Details and written training materials can be found at <https://www.mncourts.gov/File-a-Case/File-in-A-District-Trial-Court.aspx> under the eFile and eServe Training tab. It is recommended that filers attend a training session and review the documents “Fast Facts: Getting Started with eFile and eServe” and the “Registered User Filing Guide” prior to filing in eFS. The Registered User Filing Guide contains mandatory information about legal requirements that apply to court filings. Links to additional resources and training materials are listed at the end of this document.

### Completing Filing Information

#### Filer ID

The Filer ID field is optional. When the Filer ID field is completed the remaining party details, such as middle name, address and phone number will automatically populate. This information is available to those with access to New MGA. In New MGA, the Person ID is the same as the Filer ID. The Filer ID does not change and can be used in every case.

#### Filing Description

This field is mandatory, and filers should be careful to use it appropriately. Filers should use the filing description to explain the purpose for the filing or supplemental details related to the filing code, which may easily distinguish like events on the Register of Actions. For example, if attorney Jane Smith and paralegal John Doe submit affidavits in support of attorney fees, the filer would select the filing code “Affidavit in Support of Attorney Fees” for each document. By entering “of Jane Smith” and “of John Doe” in the Filing Description field, the filer makes it much easier to distinguish between the two affidavits. The information in the Filing Description field will appear as an event comment once the document is accepted into MNCIS and may be publicly viewable. Therefore, filers should not include confidential, sealed, ex parte, or offensive information in this field. Filers should not duplicate the filing code in the Filing

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Description field. If no additional descriptive information is needed for the filing, the filer should enter a period in the Filing Description field.

### Filing Comments

The filing comments section is a mandatory field. Filers are responsible for designation if a document is Public, Confidential or Sealed when filing documents. Filers must type Public, Confidential, or Sealed in this field to indicate each document's security classification under the Rules of Public Access to Records of the Judicial Branch. Filers can locate additional information about document security classifications at [mncourts.gov/rules](https://mncourts.gov/rules), and in the Registered User Filing Guide. Filers should include a brief description of the reason why documents are Confidential or Sealed are designated (e.g. Confidential Information Form 11.1 or Case is Sealed). Information in the field does not become part of the court record in MNCIS, but is recorded in the eFS Filing Details and will be reviewed by court staff. Therefore, ex parte or offensive information should not be included in this field.

### Combination Documents

Combination documents (also called "combo docs," "bundling," lumping," or "monster docs") are filings submitted using a single case event, but consisting of multiple different documents. For example, Memorandum, Affidavit of Michael B. Smith, and Affidavit of James M. Smith filed as one document under the case event Memorandum. Filing combination documents under one case event makes it difficult for court staff and judges to locate individual documents in MNCIS. More important, it compromises the integrity of document security and access to court records. Distinct PDF documents should be filed separately, associated with the correct corresponding case event with appropriate document security classification.

Some filers may have historically used forms which combine a specific request with a proposed document for the judge's consideration and signature (e.g. Witness and Discovery List, Order to Show Cause and Probation Violation, Probation Violation and Warrant, Application and Order for Appearance on Pretrial Release). In an electronic court environment, these types of

combination documents also make it difficult to select the correct event and to apply the appropriate security level for each document. As above, it also creates difficulty in locating documents quickly.

Documents that have been frequently submitted together in the past should now be filed separately, associated with the corresponding case events.

### Large Documents

In some cases, documents can be many pages long. Some typical filing practices might include adding copies of a previously filed long document along with a new document. Rather than including a document that was previously filed as an appendix to a pleading in the same case, it is recommended that filers cite to the previously filed document as appropriate. Referring to the Appellate Document Index Number is one means of citation.

This practice reduces the chance of a document exceeding the document size limits in the eFS system. Exceeding size limits results in filing errors. Please refer to the Register User Filing Guide for additional requirements on file size limitations.

### Documents Filed in Multiple Cases

When the same document needs to be filed in multiple cases, the filer must file that document into each individual case. If a filer accidentally submits the document into the same case twice, rather than once in each case, it is recommended that the filer cancel one of the duplicate filings and then file the document in the intended case. It is not possible for a filer to cancel a filing once court administration staff have begun processing the document, and without a court order, it is not possible to “un-file” a document once it has been filed.

## Time Considerations

### Late and Time-Sensitive Filings

There will be times when a document needs to be filed into a case within hours or minutes of a scheduled court hearing for that case. Courts may establish local practices for ensuring that time-sensitive documents are processed in time and routed to judicial officers. Filers should make



sure they know and understand these parameters and the processing time by court staff. If a filer has a time-sensitive filing, the filer should contact local court administration to alert them of the filing and receive any additional instructions. Court staff may then take steps to ensure the filing is routed to the judicial officer as quickly as time allows.

There are limited circumstances under which it is acceptable to file documents within the courtroom. Communication is key to ensuring information is timely presented to a judicial officer; it is recommended that filers discuss this process with court staff to minimize delays in the receipt of important information.

### Filing Status

### Rejected Documents

The four reasons the court may reject a submission are<sup>3</sup>:

1. No or insufficient filing fee;
2. Submitted to the wrong court for filing;
3. Incorrect file number; or
4. Discovery submission not authorized by court.

### Failed Submissions

Occasionally, certain circumstances create a document conversion or other technical error that prevents an envelope from being processed in eFS. In these limited circumstances, envelopes will be returned to the filer with the status of Submission Failed, along with an email notification. Additional detail regarding the source of the technical issue may be provided in the comment section of the Filing Details. After identifying the issue and recreating the document, resubmit the envelope. If resubmission results in a similar failure, contact local court administration. Please see the Registered User Filing Guide for additional information.

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<sup>3</sup> Minn. R. Civ. P. 5.04 defines the authority that court administration can exercise to reject a new case or document.

### Notices of Deficiency or Discrepancy

When there are deficiencies or discrepancies in a document, but it does not otherwise meet rejection criteria, court staff will accept the filing and may send a Discrepancy Notice indicating that additional or corrected information is necessary to proceed. The filer may be contacted directly by court staff to be informed of the issue.

### Access to Filed Documents

The court's case management system (MNCIS) is for court use. Public access to the court record is limited through MCRO and MPA Courthouse. Government agencies (court partners) may be allowed access through Minnesota Government Access (MGA). These platforms should not be viewed as a replacement for an attorney's or agency's file.

Filed documents will only remain viewable in eFS for thirty days. Documents that are received through eService are also only viewable for thirty days. After thirty days filers will not be able to access filed or served documents through eFS. Therefore it is important that filers continue to maintain their personal files and retain copies of any filed documents that they may need to access in the future. After thirty days, filers will need to use MPA Courthouse or submit a copy request to court administration. Copies are available through MGA for government agencies.

### eService Best Practices

#### Service Information in MNCIS and eFS

Required and acceptable methods of service are defined by court rules<sup>4</sup>. Filers should verify that the correct service contacts are selected in eFS prior to eServing any document. Electronic service takes the place of service by mail or fax; it does not replace personal service. Proof of service is not required when a document is served using eFS<sup>5</sup>, however, an Affidavit of Personal Service *is* required when applicable. Filers in need of assistance registering for eService should

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<sup>4</sup> Court administration has discretion on how to provide copies under Minn. Gen. R. Prac. 14.03(f).

<sup>5</sup> Minn. Gen. R. Prac. 14.05

contact the eFile Support Service Center. Filers are responsible for adding themselves as service contacts to each case in which they will be eServed.

When documents are eFiled and eServed together the record of successful service will transfer to MNCIS and is viewable to the court when the filing is accepted in eFS. It will also appear on the case Register of Actions. A record of documents that are eServed only will not transfer to MNCIS. The record of eService on Other Service Contacts listed in eFS is also not recorded in MNCIS. This information is only available in the eFS application, and is viewable by the party performing the service and the parties served. If the court requires a record of service related to a “Service Only” filing, or performed by an “Other Service Contact,” the serving party will need to file an Affidavit of Service separately with the court, as this information does not automatically transfer to MNCIS.

### Maintaining Service Contact Information

A valid email address is required to register for eFS. It is the filer’s responsibility to update their email address if it changes<sup>6</sup>. Attorneys, government agencies and Guardians ad Litem are responsible for registering for eService on each case they are assigned to. Under no circumstance can court staff register on behalf of a filer for eService. Opposing parties/counsel also cannot register on behalf of a filer for eService. Filers have additional responsibilities regarding emails and service contacts set out in General Rule of Practice 14, and described in more detail in the Registered User Guide.

Filers can provide an alternate email address for service in their service contact information using the Administrative Copy field. This allows multiple authorized people within an office to receive the same served document without appearing as an additional service contact on a case they are not directly associated with. This helps keep service contacts more easily identifiable,

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<sup>6</sup> Minn. Gen. R. Prac. 14.02(b)(4)

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and multiple people within the same firm will not need to be individually selected and served each time. For example, lead attorney Mr. Jones may choose to enter the email address of his administrative assistant to receive an administrative copy. Only Mr. Jones will appear as the service contact on each case he has registered for service on. However each time Mr. Jones is eServed, the administrative assistant will also receive a copy. The additional contact information only needs to be added once as part of the Party Details.

### eFS System Maintenance

#### Scheduled System Maintenance

Regular system maintenance runs every Sunday from 10:00 a.m. to 4:00 p.m. Please note that during this time, if you are attempting to file into an existing case for the first time or you do not have the case number you may not be able to complete your filing until the system maintenance is complete.

From time to time it is necessary for eFS to be unavailable for other planned system maintenance. These instances are communicated via email to registered users and are noted in the eFS system. It is recommended that filers mark [mn\\_efile\\_support\\_announcement@lists.state.mn.us](mailto:mn_efile_support_announcement@lists.state.mn.us) as a safe sender and also regularly check the messages of the day on the eFS home page at <https://minnesota.tylerhost.net>.

#### Unscheduled System Maintenance

Occasionally there are system outages that are unplanned. If eFS is unavailable, please check back in a few minutes. If the system remains unavailable for a lengthier period of time and affects the filer's ability to electronically file time sensitive documents, the filer should contact local court administration for alternate filing methods. The process communicated may depend on the length of the outage.

Details regarding past outages can be found at <http://www.mncourts.gov/File-a-Case/File-in-A-District-Trial-Court/eFS-Outage-Log.aspx>.

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### Resources for Filers

Registered User Filing Guide

[http://www.mncourts.gov/mncourtsgov/media/scao\\_library/eFS/Minnesota-District-Court-Registered-User-Guide.pdf](http://www.mncourts.gov/mncourtsgov/media/scao_library/eFS/Minnesota-District-Court-Registered-User-Guide.pdf)

eFile and eServe Training and Resources

<http://www.mncourts.gov/File-a-Case/File-in-A-District-Trial-Court.aspx>

Live WebEx sessions: Click on eFile and eServe Training > Attend a Training Session

Training Materials: Click on eFile and eServe Training > Training Materials

Additional Resources: Click on eFile and eServe Resources

eFile Support Center

Email: [eCourtMN@courts.state.mn.us](mailto:ECourtMN@courts.state.mn.us)

<http://www.mncourts.gov/File-a-Case/File-in-A-District-Trial-Court/MN-eFile-Support-Center.aspx>

Court Rules <http://www.mncourts.gov/SupremeCourt/Court-Rules.aspx>