

Rule 13. Requirement to Provide Notice of Current Address**Rule 13.01 Duty to Provide Notice**

In all actions, it is the responsibility of the parties, or their counsel of record, to provide notice to all other parties and to the court administrator of their current address for delivery of notices, orders, and other documents in the case. Where a party or a party's attorney has provided an e-mail address for the purpose of allowing service or filing, this rule also requires that the party advise the court and all parties of any change in that e-mail address. Failure to provide this notice constitutes waiver of the right to notice until a current address is provided.

(Added effective January 1, 2010; amended effective September 1, 2012.)

Rule 13.02 Elimination of Requirement to Provide Notice to Lapsed Address

In the event notices, pleadings or other documents are returned by the postal service or noted as undelivered or unopened by the e-mail system after the court administrator's mailing (or e-mailing where authorized by rule) to a party or attorney's address of record on two separate occasions, the administrator should make reasonable efforts to obtain a valid, current address. If those efforts are not successful, the administrator may omit making further United States Mail transmissions to that party or attorney in that action, and shall place appropriate notice in the court file or docket indicating that notices are not being mailed to all parties.

(Added effective January 1, 2010; amended effective September 1, 2012.)

Advisory Committee Comment - 2009 Amendment

Rule 13 is a new rule intended to make explicit what has heretofore been expected of parties and their counsel: to keep the court apprised of a current address for mailing notices, orders, and other papers routinely mailed by the administrator to all parties. Where the court does not have a valid address, evidenced by two returned mailings, and cannot readily determine the correct address, the rule makes it unnecessary for the administrator to continue the futile mailing of additional papers until the party or attorney provides a current address.

The purpose of this rule is to require meaningful notice. If a party is a participant in the Secretary of State's address confidentiality program, there is no reason not to permit the use of that address to satisfy the requirement of this rule. See Minnesota Statutes 2008, sections 5B.01 to 5B.09.

Advisory Committee Comment - 2012 Amendment

Rule 13.01 is amended to add the requirement that a party or attorney provide an updated e-mail address any time an attorney or party has submitted an e-mail address to the court. This change is intended to ensure that e-noticing under Minn. R. Civ. P. 77.04 and electronic filing and service under the rules will function and provide meaningful notice. Rule 13.02 is amended to make it clear that the giving of e-mail notice will not be ended upon two unsuccessful attempts to serve or notify by e-mail. The committee believes that there is no compelling reason to stop e-mailed notices given the minimal additional cost of continuing them.