

CHAPTER 543**SUMMONS, CERTAIN CORPORATIONS;
NONRESIDENT JURISDICTION**

543.08 Summons, service upon certain corporations.

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: 1989 c 335 art 1 s 259

CHAPTER 548

JUDGMENTS

548.09 Lien of judgment.

548.181 Discharge of judgments against
bankruptcy debtors.**548.09 LIEN OF JUDGMENT.***[For text of subd 1, see M.S.1988]*

Subd. 2. **Judgment creditor's affidavit.** No judgment, except for taxes, shall be docketed until the judgment creditor, or the creditor's agent or attorney, has filed with the court administrator an affidavit, stating the full name, occupation, place of residence, and post office address of the judgment debtor, to the best of affiant's information and belief. If the residence is within an incorporated place having more than 5,000 inhabitants, the street number of both the judgment debtor's place of residence and place of business, if the debtor has one, shall be stated.

*[For text of subd 3, see M.S.1988]***History:** 1989 c 209 art 1 s 43**548.181 DISCHARGE OF JUDGMENTS AGAINST BANKRUPTCY DEBTORS.**

Subdivision 1. **Application for discharge.** A judgment debtor who has received a discharge under United States Code, title 11, or an interested party, upon paying a filing fee of \$5 for each judgment, may apply to the court administrator of any court for the discharge of all judgments entered in that court against the judgment debtor that were ordered discharged by the bankruptcy discharge.

[For text of subd 2, see M.S.1988]

Subd. 3. **Objection to discharge.** The court administrator, without further notice or hearing, shall discharge each judgment except a judgment in favor of a judgment creditor who has filed an objection to discharge of the judgment within 20 days after service of the application on the judgment creditor. An objection to discharge of a judgment must be served on the judgment debtor in the same manner as an answer in a civil action.

Subd. 3a. **Certification of discharge.** Upon receipt of a filing fee of \$5, the court administrator shall certify to the judgment debtor or other interested party the judgments against a person that have been discharged by the administrator.

*[For text of subd 4, see M.S.1988]***History:** 1989 c 229 s 5-7