CHAPTER 543

SUMMONS, JURISDICTION; CERTAIN CASES

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543.05 MS 1949 [Repealed, 1974 c 394 s 12]

543.06 MS 1949 [Repealed, 1974 c 394 s 12]

543.07 MS 1949 [Repealed, 1974 c 394 s 12]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 according to section 5.25.

If the defendant is a foreign insurance corporation, the summons may be served in compliance with section 45.028, subdivision 2.

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; 1992 c 564 art 2 s 19; 1995 c 128 art 1 s 19*

543.09 MS 1949 [Repealed, 1974 c 394 s 12]

543.10 MS 1949 [Repealed, 1974 c 394 s 12]

543.11 MS 1949 [Repealed, 1974 c 394 s 12]

543.12 MS 1949 [Repealed, 1974 c 394 s 12]

543.13 MS 1949 [Repealed, 1974 c 394 s 12]

543.14 MS 1949 [Repealed, 1974 c 394 s 12]

543.15 MS 1949 [Repealed, 1974 c 394 s 12]

543.16 MS 1949 [Repealed, 1974 c 394 s 12]

543.17 MS 1949 [Repealed, 1974 c 394 s 12]

543.18 MS 1949 [Repealed, 1974 c 394 s 12]

543.19 PERSONAL JURISDICTION OVER NONRESIDENTS.

Subdivision 1. **Personal jurisdiction.** 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:

(1) owns, uses, or possesses any real or personal property situated in this state; or

(2) transacts any business within the state; or

(3) commits any act in Minnesota causing injury or property damage; or

(4) commits any act outside Minnesota causing injury or property damage in Minnesota, subject to the following exceptions when no jurisdiction shall be found:

(i) Minnesota has no substantial interest in providing a forum; or

(ii) the burden placed on the defendant by being brought under the state's jurisdiction would violate fairness and substantial justice.

[See Note.]

Subd. 2. **Service of process.** 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. **Acts enumerated.** 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. **No limit right to serve process.** 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. **Definition.** "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; 2008 c 185 s 1*

NOTE: Subdivision 1 was found preempted by the federal Uniformed Services Former Spouses' Protection Act to the extent that it authorizes broader personal jurisdiction for military pension benefits than under federal law in *Mortenson v. Mortenson*, 409 N.W.2d 20 (Minn. Ct. App. 1987).

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 postsecondary education institution in which the individual is enrolled. The employer shall make the individual available for the purpose of delivering a copy. The postsecondary 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 postsecondary education institution shall deny a process server admittance to the employer's or postsecondary 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 postsecondary education institution applies only to: (a) a summons in an action for dissolution, annulment, legal separation, or under the Parentage Act and under section 518A.82; (b) orders to show cause under both section 518A.82 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 postsecondary education institution dismiss or discipline a student as a result of service under this section.

Subd. 4. **Definition.** For purposes of this section "postsecondary education institution" means any state university, community college, technical college, private college, private postsecondary 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; 2024 c 80 art 8 s 68*

543.21 SERVICE OF CERTAIN GOVERNMENT ENTITIES.

If a writ is to be issued to, or a complaint is to be served on, a board or agency created by statute or home rule charter, the writ or complaint shall be captioned in the name of the board or agency and served on the chair or an officer of the board or agency.

History: *1996 c 307 s 1*

543.22 CIVIL ACTION SUMMONS NOTICE; ALTERNATIVE DISPUTE RESOLUTION PROCESS.

When a civil case is commenced against a party, the summons must include a statement that provides the opposing party with information about the alternative dispute resolution process as set forth in the Minnesota General Rules of Practice.

History: *1999 c 104 s 2*

543.23 UNENFORCEABLE SUBPOENAS.

(a) No subpoena shall be issued and no foreign subpoena shall be recognized in this state in a criminal or civil matter if the subpoena is related to a violation of another state's laws when the other state's laws are designed to interfere with an individual's right to receive gender-affirming health care. Failure to comply with a subpoena seeking information related to a person or entity allowing or assisting a child or an adult to receive gender-affirming health care when the information is being requested to enforce another state's laws that allow a civil or criminal action to be brought against a person for allowing or providing gender-affirming health care must not be the basis for contempt under section 588.01.

(b) "Gender-affirming health care" means medically necessary health care or mental health care that respects the gender identity of the patient, as experienced and defined by the patient, and that may include but is not limited to:

(1) interventions to suppress the development of endogenous secondary sex characteristics;

(2) interventions to align the patient's appearance or physical body with the patient's gender identity;

(3) interventions to alleviate the patient's symptoms of clinically significant distress resulting from gender dysphoria as defined in the current version of the Diagnostic and Statistical Manual of Mental Disorders; and

(4) developmentally appropriate exploration and integration of the patient's gender identity, reduction of the patient's distress, adaptive coping, and strategies to increase family acceptance of the patient's gender identity.

History: *2023 c 29 s 5*