

### **Rule 5-I. Proof of Service**

(a) IN GENERAL. Except as provided in Rule 5-I(b) or as otherwise provided by statute, proof of service for filings served under Rule 5 must be filed before any other action is taken on that filing. The proof must show the date and manner of service on the parties and delivery to the judge, and may be made by:

- (1) written acknowledgment;
- (2) affidavit of the person making service or delivery;
- (3) certificate of a member of the Bar of this court; or
- (4) other proof satisfactory to the court.

(b) ELECTRONICALLY-FILED PAPER. No proof of service is required when a paper is served using the court's electronic-filing system.

(c) FAILURE TO MAKE PROOF; AMENDING PROOF. Failure to make proof will not affect the validity of service. The court may at any time allow the proof to be amended or supplied, unless to do so would result in material prejudice to a party.

### COMMENT TO 2019 AMENDMENTS

Consistent with the 2018 amendments to *Federal Rules of Civil Procedure 5*, this rule was amended to eliminate the proof of service requirement where a paper was served with the court's electronic-filing system.

### COMMENT TO 2017 AMENDMENTS

Stylistic changes were made to this rule to conform with the 2007 amendments to the Federal Rules of Civil Procedure.