

#### **49.4 Certificate of Service.**

- (a) **Form.** Unless the Federal Rules of Criminal Procedure, a court order, or a statute states otherwise, the certificate of service filed with a document required to be served must include: (1) an attorney's certificate; (2) a written receipt of the opposing attorney; (3) an affidavit of the person making service; (4) a marshal's return; or (5) other proof satisfactory to the court. The certificate of service must (1) show the name and address of each person served and (2) be signed by one attorney of record.
- (b) **Electronic Certificate of Service Required.** A certificate of service on all parties entitled to service or notice is required even when a party files a document electronically. The certificate of service on an electronically filed document must state the manner in which service or notice was accomplished on each party entitled to service.
- (c) **Filing of Certificate.** Failure to file the certificate of service at the same time as the served document does not affect the validity of the service. The clerk, however, may issue a deficiency notice to the filing party for any document that lacks a required certificate of service, and the court may strike the document if the deficiency is not corrected within 14 days of the notice.