

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 679
HOUSE BILL 436

AN ACT TO REVISE G.S. 1A-1, RULE 4(J1), RELATING TO SERVICE OF PROCESS BY NEWSPAPER PUBLICATION IN ORDER TO INCORPORATE COURT MANDATED REQUIREMENTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1A-1, Rule 4(j1) is hereby amended by rewriting the second sentence after the catch line to read as follows:

"Service of process by publication shall consist of publishing a notice of service of process by publication once a week for three successive weeks in a newspaper that is qualified for legal advertising in accordance with G.S. 1-597 and G.S. 1-598 and circulated in the area where the party to be served is believed by the serving party to be located, or if there is no reliable information concerning the location of the party then in a newspaper circulated in the county where the action is pending.", and is further amended by rewriting the last sentence thereof to read as follows: "Upon completion of such service there shall be filed with the court an affidavit showing the publication and mailing in accordance with the requirements of G.S. 1-75.10(2), the circumstances warranting the use of service by publication, and information, if any, regarding the location of the party served."

Sec. 2. G.S. 1A-1, Rule 4(j2)(3) is hereby amended on line 4 after the word "publication" by inserting the following:

", information, if any, regarding the location of the party served which was used in determining the area in which service by publication was printed".

Sec. 3. This act shall become effective January 1, 1984, and shall apply to actions and proceedings commenced on or after that date.

In the General Assembly read three times and ratified, this the 5th day of July, 1983.