

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE DRH11154-LU-59 (03/01)

Short Title: No In Person Service Required/50C Orders.

(Public)

Sponsors: Representative Stevens.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT ALLOWING A RESPONDENT IN AN ACTION FOR A CIVIL NO CONTACT
3 ORDER TO BE SERVED BY MEANS OTHER THAN SERVICE IN PERSON BY A
4 SHERIFF.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 50C-9 reads as rewritten:

7 "**§ 50C-9. Notice of orders.**

8 (a) The clerk of court shall deliver on the same day that a civil no-contact order is
9 issued, a certified copy of that order to the sheriff.

10 (b) ~~Unless-If~~ the respondent was not present in court when the order was issued, the
11 ~~sheriff shall serve the order on the respondent and file proof of service~~respondent may be
12 served in the manner provided for service of process in civil ~~proceedings~~proceedings in
13 accordance with Rule 4(j) of the Rules of Civil Procedure. If the summons has not yet been
14 served upon the respondent, it shall be served with the order.

15 (c) A copy of the order shall be issued promptly to and retained by the police
16 department of the municipality of the victim's residence. If the victim's residence is not located
17 in a municipality or in a municipality with no police department, copies shall be issued
18 promptly to and retained by the sheriff and the county police department, if any, of the county
19 in which the victim's residence is located.

20 (d) Any order extending, modifying, or revoking any civil no-contact order shall be
21 promptly delivered to the sheriff by the clerk and served ~~by the sheriff~~ in a manner provided for
22 service of process in accordance with the provisions of this section."

23 **SECTION 2.** This act is effective when it becomes law.

