

March 10, 1999

S 311. MODIFY SUMMONS UNDER RULE 4. TO MODIFY RULE 4 OF THE RULES OF CIVIL PROCEDURE TO EXTEND THE LENGTH OF THE LIFE OF A SUMMONS AND TO ABOLISH ENDORSEMENT AS A MEANS OF REVIVING A SUMMONS. Amends GS 1A-1, Rule 4(c) to increase the time for service from 30 days to 90 days, and for tax and assessment foreclosures, from 60 days to 120 days. Deletes 4(d)(1), which provided for endorsement for an extension of time to complete service, and revises other provisions of the statute to provide for extension only by suing out an alias and pluries summons. Makes other technical and conforming changes. Effective for causes of action filed on or after Oct. 1, 1999.

Intro. by Miller.

Ref. to Judiciary II

GS 1A