

March 12, 2009

**H 581. PARTITION SALES/EXTEND REPORT & ANSWER TIMES.** Filed 3/12/09. *TO EXTEND THE DEADLINE FOR THE COMMISSIONERS IN A PARTITION ACTION TO REPORT BACK TO THE COURT ON THEIR PROPOSED DIVISION OF THE LAND, AND TO EXTEND THE DEADLINE FOR RESPONDING TO A SUMMONS IN A PARTITION ACTION FROM TEN DAYS TO THIRTY DAYS, AS RECOMMENDED BY THE PARTITION SALES STUDY COMMITTEE.*

Enacts a new GS 46-2.1, which sets the time period for answering a summons in partition proceedings as that provided in GS 1-394 (30 days). Makes a conforming change to GS 1-394. Amends GS 46-17 to increase the time for the filing of the commissioners' report concerning the division of land in a partition proceeding from 60 to 90 days after the notification of their appointment. Makes a technical change. Effective October 1, 2009.

**Intro. by Bryant, Spear, Stam.**

GS 1, 46

June 30, 2009

**H 581. PARTITION SALES/EXTEND REPORT & ANSWER TIMES.** Filed 3/12/09. Senate committee substitute makes the following changes to 1st edition. Amends GS 46-2.1 to require that a petition include written notice reasonably calculated to make the respondent aware that the respondent has the right to seek advice of an attorney and that free legal services may be available from Legal Aid of North Carolina or other legal services organizations and that the court has the discretion to order payment of reasonable attorneys' fees as costs. Amends GS 46-28.1 to provide that an order confirming the partition sale of real property becomes final and effective 15 days after entry of the order or when the clerk denies a motion for revocation, whichever occurs later. Also amends GS 46-28.1 to provide that an order confirming the partition or sale of real property may be appealed within 10 days of the date the order becomes final and effective. Makes additional conforming changes.

July 27, 2009

**SL 2009-362 (H 581). PARTITION SALES/EXTEND REPORT AND ANSWER TIMES. AN ACT TO EXTEND THE DEADLINE FOR THE COMMISSIONERS IN A PARTITION ACTION TO REPORT BACK TO THE COURT ON THEIR PROPOSED DIVISION OF THE LAND, TO EXTEND THE DEADLINE FOR RESPONDING TO A SUMMONS IN A PARTITION ACTION FROM TEN DAYS TO THIRTY DAYS, TO PROVIDE NOTICE OF RIGHT TO SEEK COUNSEL, AND TO CLARIFY THE TIME PERIOD FOR APPEALING A CONFIRMATION ORDER.**

Summarized in *Daily Bulletin* 3/12/09 and 6/30/09. Enacted July 27, 2009. Effective October 1, 2009.