

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

D

HOUSE BILL 629
Committee Substitute Favorable 3/30/09
PROPOSED SENATE COMMITTEE SUBSTITUTE H629-PCS11005-RV-54

Short Title: Small Claims Court/Trials.

(Public)

Sponsors:

Referred to:

March 18, 2009

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING THAT THE TRIAL OF A SMALL CLAIMS ACTION MAY
3 COMMENCE NOT SOONER THAN FIVE DAYS AFTER SERVICE OF THE
4 MAGISTRATE SUMMONS ON THE DEFENDANT.
5 The General Assembly of North Carolina enacts:
6 SECTION 1. G.S. 7A-214 reads as rewritten:
7 "§ 7A-214. Time within which trial is set.
8 The time for trial of a small claim action is set not later than 30 days after the action is
9 commenced. Except in an action demanding summary ejectment, if the time set for trial is
10 earlier than five days after service of the magistrate summons, the magistrate shall order a
11 continuance. By consent of all parties the time for trial may be changed from the time set. For
12 good cause shown, the magistrate to whom the action is assigned may grant continuances from
13 time to time."
14 SECTION 2. This act becomes effective October 1, 2009, and applies to actions
15 filed on or after that date.



* H 6 2 9 - P C S 1 1 0 0 5 - R V - 5 4 *