

**§ 35A-1109. Service of notice and petition.**

(a) Copies of the notice of rights required under G.S. 35A-1117 and the petition and initial notice of hearing shall be personally served on the respondent. Respondent's counsel or guardian ad litem shall be served pursuant to G.S. 1A-1, Rule 4, Rules of Civil Procedure. A sheriff who serves the notice and petition shall do so without demanding his fees in advance. The petitioner, within five days after filing the petition, shall mail or cause to be mailed, by first-class mail, copies of the notice of rights and the petition and initial notice of hearing to the respondent's next of kin alleged in the petition and any other persons the clerk may designate, unless such person has accepted notice. Proof of such mailing or acceptance shall be by affidavit or certificate of acceptance of notice filed with the clerk. The clerk shall mail, by first-class mail, copies of subsequent notices to the next of kin alleged in the petition and to such other persons as the clerk deems appropriate.

(b) Expired August 1, 2020, pursuant to Session Laws 2020-3, s. 4.11(b). (1987, c. 550, s. 1; 1989, c. 473, s. 18; 2020-3, s. 4.11(a); 2023-124, s. 7.5.)