

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 629
Committee Substitute Favorable 3/30/09
Senate Judiciary II Committee Substitute Adopted 6/22/09

Short Title: Small Claims Court/Trials.

(Public)

Sponsors:

Referred to:

March 18, 2009

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT THE TRIAL OF A SMALL CLAIMS ACTION MAY
COMMENCE NOT SOONER THAN FIVE DAYS AFTER SERVICE OF THE
MAGISTRATE SUMMONS ON THE DEFENDANT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-214 reads as rewritten:

"§ 7A-214. **Time within which trial is set.**

The time for trial of a small claim action is set not later than 30 days after the action is commenced. Except in an action demanding summary ejection, if the time set for trial is earlier than five days after service of the magistrate summons, the magistrate shall order a continuance. By consent of all parties the time for trial may be changed from the time set. For good cause shown, the magistrate to whom the action is assigned may grant continuances from time to time."

SECTION 2. This act becomes effective October 1, 2009, and applies to actions filed on or after that date.

