

3. printed on the aoc form to check the governing statute to determine what must be attached and served
4. enough copies included to be served on each of the parties named for service.

State how to properly serve the civil process on the different types of parties to a civil suit, beginning with an ordinary civil summons and then moving on to special items of civil process. - Answer 1. Ordinary civil summons: is personal service, leaving copy of the complaint and summons at the defendant's home with someone of suitable age and (mentally competent) or specified agent.

Demonstrate how to make a proper return of the civil process - Answer the sheriff must certify in his return that the process has been served, showing the place, time, and manner of service this answers the questions of who, where, why, what, how, when.

State the time limits for service of various types of civil process and demonstrate how to compute the time limit in which to serve civil process. - Answer 1. ordinary civil summons= 60 days from the date it is issued.

2. Magistrate summons= 60 days, served no later than 5 days before the date scheduled for hearing.

3. Magistrate summons in a summary ejectment action= 5 days from the issuance of the summons and at least 2 days before the date of the scheduled hearing

4. juvenile summons (undisciplined/ delinquent)= served not less than 5 days before the scheduled hearing. after 30 days if not served it should be immediately returned to the issuing clerk.

5. Juvenile summons (abuse/ neglect/ dependent)= served not less than 5 days before the scheduled hearing date.

6. Notice of hearing the foreclosure under power sale= served not less than 10 days, via posting must be done no later than 20 days.

7. domestic violence civil summons= expire after 60 days.

as provided in the lesson plan identify the following prejudgment remedies. - Answer

1. attachment= seizure of a debtor's real or personal property sufficient in amount to satisfy a judgment.

2. garnishment= proceeding is to discover and subject to attachment tangible personal property of the defendant, not in his/ her possession, but the possession of another person and any indebtedness

3. claim and delivery= is to claim the immediate delivery of certain specified personal property.

.

identify the post-judgment remedy of execution - Answer 1. executions against the property: the sheriff is to seize the personal property to sell to satisfy the outstanding judgment. 2. executions against the person: civil order for arrest and are very specific in nature and rare. issued when there is reason to believe the judgment debtor is about to flee the jurisdiction to avoid paying the judgment or has concealed assets to defraud

North Carolina Blet Study Guide

Jianjun Gao



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