



HOUSE BILL 679: Rules of Civ Procedure/E-Filing and Service.

2019-2020 General Assembly

Committee:		Date:	June 17, 2020
Introduced by:	Reps. Zachary, Rogers, John	Prepared by:	Tawanda F. Artis
Analysis of:	Fifth Edition		Staff Attorney

OVERVIEW: *House Bill 679 amends Rule 3 and Rule 5 of the Rules of Civil Procedure to allow for electronic filing and service.*

CURRENT LAW: Chapter 1A of the General Statutes sets forth the Rules of Civil Procedure. These rules govern the procedure in the superior and district courts of the State of North Carolina in all actions and proceedings of a civil nature except when a differing procedure is prescribed by statute. They also govern the procedure in tort actions brought before the Industrial Commission except when a differing procedure is prescribed by statute. Rule 3 of the Rules of Civil Procedure governs the commencement of civil actions. Rule 5 of the Rules of Civil Procedure governs service and filing of pleadings and other papers.

BILL ANALYSIS:

Section 1 amends Rule 3 of the Rules of Civil Procedure to allow electronic filing made in accordance with Rule 5 of the General Rules of Practice for the Superior and District Courts, if electronic filing is available in the county of filing.

Section 2 amends Rule 5 of the Rules of Civil Procedure to allow service by email and through the court's electronic filing system.

EFFECTIVE DATE: This act becomes effective October 1, 2020, and applies to filings and service effected on or after that date.

Karen Cochrane-Brown
Director



Legislative Analysis
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