

PROBATE CODE OF 1939 (EXCERPT)
Act 288 of 1939

712A.13 Service of summons.

Sec. 13.

Service of summons may be made anywhere in the state personally by the delivery of true copies thereof to the persons summoned: Provided, That if the judge is satisfied that it is impracticable to serve personally such summons or the notice provided for in the preceding section, he may order service by registered mail addressed to their last known addresses, or by publication thereof, or both, as he may direct. It shall be sufficient to confer jurisdiction if (1) personal service is effected at least 72 hours before the date of hearing; (2) registered mail is mailed at least 5 days before the date of hearing if within the state or 14 days if outside of the state; (3) publication is made once in some newspaper printed and circulated in the county in which said court is located at least 1 week before the time fixed in the summons or notice for the hearing.

Service of summons, notices or orders required by this chapter may be made by any peace officer or by any other suitable person designated by the judge. The judge may, in his discretion, authorize the payment of necessary traveling expenses incurred by any person summoned or otherwise required to appear at the time of hearing of any case coming within the provisions of this chapter, and such expenses and the expenses of making service as above provided, when approved by the judge, shall be paid by the county treasurer from the general fund of the county.

If any person so summoned, as herein provided, shall fail without reasonable cause to appear before said court, he may be proceeded against for contempt of court and punished accordingly.

History: Add. 1944, 1st Ex. Sess., Act 54, Imd. Eff. Mar. 6, 1944 ;-- CL 1948, 712A.13

Former Law: See section 17 of Ch. XII of Act 288 of 1939; section 5 of Act 6 of 1907, Ex. Sess.; Act 310 of 1909; Act 164 of 1911; Act 262 of 1911; Act 363 of 1913; Act 308 of 1915; CL 1915, Å§ 2015; Act 24 of 1921, 1st Ex. Sess.; Act 105 of 1923; Act 127 of 1927; and CL 1929, Å§ 12838.

Popular Name: Probate Code

Popular Name: Juvenile Code