

Act 401 of the 1989 Regular Session.

Act 401

HB1229

By: Representative M. Wilson

"AN ACT TO AMEND RULE 4 (i) OF THE ARKANSAS RULES OF CIVIL PROCEDURE PERTAINING TO THE TIME LIMIT FOR SERVICE; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Rule 4 (i) of the Arkansas Rules of Civil Procedure is hereby amended to read as follows:

"(i) Time Limit for Service: If service of the summons is not made upon a defendant within 120 days after the filing of the complaint, the action may be dismissed as to that defendant without prejudice upon motion or upon the court's initiative. If a motion to extend is made anytime before the court enters a dismissal without prejudice, the time for service may be extended by the court upon a showing of good cause. If service is made by mail pursuant to this rule, service shall be deemed to have been made for the purpose of this provision as of the date on which the process was accepted or refused. This paragraph shall not apply to service in a foreign country pursuant to Rule 4 (e) or to complaints filed against unknown tortfeasors."

APPROVED: March 8, 1989

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