

HOUSE BILL 711

By Brooks H

AN ACT to amend Tennessee Code Annotated, Title 37,
Chapter 1, Part 1, relative to a petition and
summons in juvenile court.

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

SECTION 1. Tennessee Code Annotated Section 37-1-120(3), is amended by adding the word "legal" between "the" and "parents" and deleting "and" at the end of the subdivision.

SECTION 2. Tennessee Code Annotated Section 37-1-120, is amended by adding the following as a new subsection (4) and renumbering the remaining subsections accordingly:

(4) The names, and residence addresses, if known to the petitioner, of all persons, other than the legal father, alleged to be the biological father of the child; and

SECTION 3. Tennessee Code Annotated Section 37-1-121(a), is amended by adding the word "legal" between "the" and "parents" in the second sentence and adding the following sentence at the end of the subsection:

The summons shall also be directed to any person, other than the legal father, alleged to be the biological father of the child, if the child is alleged to be a dependent and neglected or abused child.

SECTION 4. Tennessee Code Annotated Section 37-1-123(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) If, after reasonable effort, the party cannot be found or such party's post office address ascertained, whether such party is within or without this state, the court may order service of the summons upon such party by publication. Publication shall be made for four (4) consecutive weeks in three (3) places reasonably calculated to reach the party, which may be via electronic means. The court shall note the publication dates

and locations. The hearing shall not be earlier than five (5) days after the end of the fourth consecutive week of publication.

SECTION 5. Tennessee Code Annotated Section 37-1-123, is amended by adding the following as new subsections (c) and (d) and redesignating the current subsections (c) and (d) accordingly:

(c) Service of a summons upon a party in a foreign country shall be pursuant to the Tennessee Rules of Civil Procedure.

(d) Service of a summons upon a party subject to the federal Soldiers and Sailors Civil Relief Act, 50 USCS Appx § 501, shall be made in accordance with that act.

SECTION 6. This act shall take effect on July 1, 2011, the public welfare requiring it.