

## LEGISLATIVE BILL 230

Approved by the Governor February 14, 1989

Introduced by Chizek, 31

AN ACT relating to forcible entry and detainer actions; to amend section 24-573, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to the summons; to provide a trial date; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 24-573, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

24-573. The summons shall be issued and directed, shall state the cause of the complaint, and the time and place of trial, and shall be served and returned as in other cases. The summons shall be issued and directed with a copy of the petition attached to the summons, shall state the cause of the complaint, the time and place of trial of the action for possession, and the answer day for other causes of action, and shall notify the defendant that if he or she fails to appear judgment shall be entered against him or her. The summons may be served and returned as in other cases or by any person, except that the summons shall be served within three days, excluding Saturdays, Sundays, and holidays, from the date of its issuance and shall be returnable within five days, excluding Saturdays, Sundays, and holidays, from the date of its issuance. The person making the service shall file with the court an affidavit stating with particularity the manner in which he or she made the service. Trial of the action for possession shall be held not less than ten nor more than fourteen days after the date of issuance of the summons.

Sec. 2. That original section 24-573, Reissue Revised Statutes of Nebraska, 1943, is repealed.