

1 AN ACT relating to the judiciary.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 610.040 is amended to read as follows:

4 (1) After a public or status offense petition has been filed and after such further
5 investigation as the court may direct, unless the parties appear voluntarily, the court
6 shall issue a summons briefly reciting the substance of the petition and requiring the
7 person who has the custody or control of the child to appear personally and bring
8 the child before the court at a time and place stated. If the person so summoned is
9 other than a parent or guardian of the child, the parent or guardian or both shall also
10 be notified of the pendency of the proceeding and of the time and place appointed.
11 Summons may be issued requiring the appearance of any other person whose
12 presence, in the opinion of the judge, is necessary.

13 (2) The summons and notice provided for in subsection (1) of this section shall be
14 served personally by the delivery of a copy thereof to the person summoned, unless
15 the judge is satisfied that personal service would be impracticable, in which event
16 the judge may order service by mail addressed to the last known address. Service by
17 mail shall be deemed to be effected upon mailing. Notice by mail shall be presumed
18 sufficient if mailed at least forty-eight (48) hours before the time for appearance
19 specified in the summons or notice.

20 (3) Unless otherwise provided, service of summons or notice may be made by any
21 suitable person, other than an employee of the cabinet, under the direction of the
22 court, and upon request of the court shall be made by any peace officer.

23 (4) Any person summoned who, without reasonable cause, fails to appear, may be
24 proceeded against for contempt of court. In case the summons cannot be served, or
25 the parties served fail to appear, or in any case when it appears to the judge that the
26 service will be ineffectual, or that the welfare of the child requires that he ***or she*** be
27 brought forthwith before the court, a warrant may be issued for the parent, guardian,

1 person having custodial control or supervision of the child, or the child.