

**260B.151 SUMMONS; NOTICE.**

Subdivision 1. **Issuance of summons.** After a petition has been filed and unless the parties hereinafter named voluntarily appear, the court shall set a time for a hearing and shall issue a summons requiring the person who has custody or control of the child to appear with the child before the court at a time and place stated. The summons shall have a copy of the petition attached and shall advise the parties of the right to counsel and of the consequences of failure to obey the summons. The court shall give docket priority to any delinquency petition that contains allegations of child abuse over any other case except those delinquency matters where a child is being held in a secure detention facility. As used in this subdivision, "child abuse" has the meaning given it in section 630.36, subdivision 2.

Subd. 2. **Notice of pendency of case.** The court shall have notice of the pendency of the case and of the time and place of the hearing served upon a parent, guardian, or spouse of the child, who has not been summoned as provided in subdivision 1. For an Indian child, notice of all proceedings must comply with the Indian Child Welfare Act of 1978, United States Code, title 25, section 1901, et seq., and section 260.765.

Subd. 3. **Subpoena issuance.** The court may issue a subpoena requiring the appearance of any other person whose presence, in the opinion of the court, is necessary.

**History:** 1999 c 139 art 2 s 15