

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.2051 Capacity to sue or be sued; assumed name; partnerships; unincorporated voluntary associations; corporations; state; governmental units; officers.

Sec. 2051.

(1) Any natural person may sue or be sued in his own name. A person conducting a business under a name subject to certification pursuant to the assumed name statute may be sued in such name in an action arising out of the conduct of such business.

(2) A partnership, partnership association, or any unincorporated voluntary association having a distinguishing name may sue or be sued in its partnership or association name, or in the names of any of its members designated as such or both.

(3) A corporation, either domestic or foreign, may sue or be sued in its corporate name, except as otherwise provided by statute.

(4) Actions to which this state or any governmental unit, including but not limited to a public, municipal, quasi-municipal, or governmental corporation, unincorporated board, public body, or political subdivision is a party may be brought by or against such party in its own name, or in the official capacity of an officer authorized to sue or be sued in its behalf, except that an officer of the state or any such unit shall be sued in his official capacity for the purpose of enforcing the performance by him of an official duty. Whenever any officer sues or is sued in his official capacity, he may be described as a party by his official title and not by name, subject to the discretion of the court, upon its own motion or that of any party, to require his name to be added.

History: 1961, Act 236, Eff. Jan. 1, 1963