

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

600.2315 Defects not affecting judgment.

Sec. 2315.

When a verdict has been rendered in a cause, the judgment thereon shall not be stayed, nor shall any judgment upon confession, or default, be reversed, impaired, or in any way affected, by reason of the following imperfections, omissions, defects, matters or things, or any of them, in the pleadings, process, record or proceedings, namely:

(1) For any default or defect in process; or for misconceiving any process, or awarding the same to a wrong officer; or for the want of a suggestion for awarding process, or for an insufficient suggestion.

(2) For an imperfect or insufficient return of a sheriff or other officer or that the name of the officer is not set to a return actually made by him.

(3) For mispleading, miscontinuance or discontinuance, insufficient pleading, or misjoining of issue.

(4) For the want of warrant of attorney by either party; except in cases of judgment by confession, where the warrant is expressly required by law.

(5) For a party under 18 years of age, having appeared by attorney, if the verdict or judgment be for him.

(6) For the want of an allegation or averment, on account of which a motion to dismiss could have been maintained.

(7) For omitting an allegation or averment of matter, without proving which the jury ought not to have given the verdict.

(8) For a mistake in the name of a party or person, or in a sum of money; or in the description of property; or in reciting or stating a day, month or year, when the correct name, time, sum or description shall have been once rightly alleged in any of the pleadings or proceedings.

(9) For a mistake in the name of a juror or officer.

(10) For an informality in entering a judgment, or making up the record thereof; or in a continuance or other entry upon the record.

(11) For any other default or negligence of a clerk or officer of the court, or of the parties, or their counselors or attorneys, by which neither party shall have been prejudiced.

History: 1961, Act 236, Eff. Jan. 1, 1963 ;-- Am. 1972, Act 87, Imd. Eff. Mar. 20, 1972