

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

CHAPTER 7
BASES OF JURISDICTION

600.701 General personal jurisdiction over individuals.

Sec. 701. The existence of any of the following relationships between an individual and the state shall constitute a sufficient basis of jurisdiction to enable the courts of record of this state to exercise general personal jurisdiction over the individual or his representative and to enable such courts to render personal judgments against the individual or representative.

- (1) Presence in the state at the time when process is served.
- (2) Domicile in the state at the time when process is served.
- (3) Consent, to the extent authorized by the consent and subject to the limitations provided in section 745.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1974, Act 88, Eff. Apr. 1, 1975.

Compiler's note: Section 2 of Act 88 of 1974 provides: "This 1974 amendatory act shall apply to actions commenced after its effective date, even if the cause of action arose prior thereto. Actions commenced prior to the effective date of this act shall not be affected thereby."

600.705 Limited personal jurisdiction over individuals.

Sec. 705. The existence of any of the following relationships between an individual or his agent and the state shall constitute a sufficient basis of jurisdiction to enable a court of record of this state to exercise limited personal jurisdiction over the individual and to enable the court to render personal judgments against the individual or his representative arising out of an act which creates any of the following relationships:

- (1) The transaction of any business within the state.
- (2) The doing or causing an act to be done, or consequences to occur, in the state resulting in an action for tort.
- (3) The ownership, use, or possession of real or tangible personal property situated within the state.
- (4) Contracting to insure a person, property, or risk located within this state at the time of contracting.
- (5) Entering into a contract for services to be rendered or for materials to be furnished in the state by the defendant.
- (6) Acting as a director, manager, trustee, or other officer of a corporation incorporated under the laws of, or having its principal place of business within this state.
- (7) Maintaining a domicile in this state while subject to a marital or family relationship which is the basis of the claim for divorce, alimony, separate maintenance, property settlement, child support, or child custody.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1974, Act 90, Eff. Apr. 1, 1975.

Compiler's note: Section 2 of Act 90 of 1974 provides: "This amendatory act shall apply to an action commenced on or after the effective date of this act regardless of whether or not the cause of action arose prior to the effective date of this act or thereafter."

600.711 General personal jurisdiction over corporations.

Sec. 711. The existence of any of the following relationships between a corporation and the state shall constitute a sufficient basis of jurisdiction to enable the courts of record of this state to exercise general personal jurisdiction over the corporation and to enable such courts to render personal judgments against the corporation.

- (1) Incorporation under the laws of this state.
- (2) Consent, to the extent authorized by the consent and subject to the limitations provided in section 745.
- (3) The carrying on of a continuous and systematic part of its general business within the state.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1974, Act 88, Eff. Apr. 1, 1975.

Compiler's note: Section 2 of Act 88 of 1974 provides: "This 1974 amendatory act shall apply to actions commenced after its effective date, even if the cause of action arose prior thereto. Actions commenced prior to the effective date of this act shall not be affected thereby."

600.715 Corporations; limited personal jurisdiction.

Sec. 715. The existence of any of the following relationships between a corporation or its agent and the state shall constitute a sufficient basis of jurisdiction to enable the courts of record of this state to exercise limited personal jurisdiction over such corporation and to enable such courts to render personal judgments against such corporation arising out of the act or acts which create any of the following relationships:

- (1) The transaction of any business within the state.
- (2) The doing or causing any act to be done, or consequences to occur, in the state resulting in an action for

tort.

(3) The ownership, use, or possession of any real or tangible personal property situated within the state.

(4) Contracting to insure any person, property, or risk located within this state at the time of contracting.

(5) Entering into a contract for services to be performed or for materials to be furnished in the state by the defendant.

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

600.721 General personal jurisdiction over partnerships and limited partnerships.

Sec. 721. The existence of any of the following relationships between a partnership or limited partnership and the state shall constitute a sufficient basis of jurisdiction to enable the courts of record of this state to exercise general personal jurisdiction over the partnership or limited partnership and to enable such courts to render personal judgments against the partnership or limited partnership.

(1) Formation under the laws of this state.

(2) Consent, to the extent authorized by the consent and subject to the limitations provided in section 745.

(3) The carrying on of a continuous and systematic part of its general business within the state.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1974, Act 88, Eff. Apr. 1, 1975.

Compiler's note: Section 2 of Act 88 of 1974 provides: "This 1974 amendatory act shall apply to actions commenced after its effective date, even if the cause of action arose prior thereto. Actions commenced prior to the effective date of this act shall not be affected thereby."

600.725 Partnerships; limited personal jurisdiction.

Sec. 725. The existence of any of the following relationships between a partnership or limited partnership or an agent thereof and the state shall constitute a sufficient basis of jurisdiction to enable the courts of record of this state to exercise limited personal jurisdiction over such partnership or limited partnership and to enable such courts to render personal judgments against such partnership or limited partnership arising out of the act or acts which create any of the following relationships:

(1) The transaction of any business within the state.

(2) The doing or causing any act to be done, or consequences to occur, in the state resulting in an action for tort.

(3) The ownership, use, or possession of any real or tangible personal property situated within the state.

(4) Contracting to insure any person, property, or risk located within this state at the time of contracting.

(5) Entering into a contract for services to be performed or for materials to be furnished in the state by the defendant.

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

600.731 General personal jurisdiction over partnership associations or unincorporated voluntary associations.

Sec. 731. The existence of any of the following relationships between a partnership association or unincorporated voluntary association and the state shall constitute a sufficient basis of jurisdiction to enable the courts of record of this state to exercise general personal jurisdiction over the partnership association or unincorporated voluntary association and to enable such courts to render personal judgments against the partnership association or unincorporated voluntary association.

(1) Formation under the laws of this state.

(2) Consent, to the extent authorized by the consent and subject to the limitations provided in section 745.

(3) The carrying on of a continuous and systematic part of its general business within the state.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1974, Act 88, Eff. Apr. 1, 1975.

Compiler's note: Section 2 of Act 88 of 1974 provides: "This 1974 amendatory act shall apply to actions commenced after its effective date, even if the cause of action arose prior thereto. Actions commenced prior to the effective date of this act shall not be affected thereby."

600.735 Partnership association or unincorporated voluntary association; limited personal jurisdiction.

Sec. 735. The existence of any of the following relationships between a partnership association or unincorporated voluntary association or an agent thereof and the state shall constitute a sufficient basis of jurisdiction to enable the courts of record of this state to exercise limited personal jurisdiction over such partnership association or unincorporated voluntary association and to enable such courts to render personal judgments against such partnership association or unincorporated voluntary association arising out of the act or acts which create any of the following relationships:

(1) The transaction of any business within the state.

- (2) The doing or causing any act to be done, or consequences to occur, in the state resulting in an action for tort.
- (3) The ownership, use or possession of any real or tangible personal property situated within the state.
- (4) Contracting to insure any person, property, or risk located within this state at the time of contracting.
- (5) Entering into a contract for services to be rendered or for materials to be furnished in the state by the defendant.

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

600.741 Limited jurisdiction; bond by plaintiff.

Sec. 741. In all civil actions where sections 705, 715, 725 or 735 constitute the basis of jurisdiction of a defendant, on such defendant's motion the court shall require the plaintiff to post a bond to such defendant with 2 or more sureties to be approved by the judge or clerk of court, or with a surety company authorized to do business in this state, in the sum to be fixed by the court conditioned that in the event judgment is not rendered in favor of such plaintiff, so much of the penalty of said bond as may be required shall be applied to the satisfaction of any judgment for court costs and to defray the actual expenses of such defendant incurred in defending the action (but not to include attorney's fees). If plaintiff prevails in the action, he may tax as costs in the case his reasonable expense in procuring the bond furnished.

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

600.745 "State" defined; agreement of parties as basis for jurisdiction; conditions.

Sec. 745. (1) As used in this section, "state" means any foreign nation, and any state, district, commonwealth, territory, or insular possession of the United States.

(2) If the parties agreed in writing that an action on a controversy may be brought in this state and the agreement provides the only basis for the exercise of jurisdiction, a court of this state shall entertain the action if all the following occur:

(a) The court has power under the law of this state to entertain the action.

(b) This state is a reasonably convenient place for the trial of the action.

(c) The agreement as to the place of the action is not obtained by misrepresentation, duress, the abuse of economic power, or other unconscionable means.

(d) The defendant is served with process as provided by court rules.

(3) If the parties agreed in writing that an action on a controversy shall be brought only in another state and it is brought in a court of this state, the court shall dismiss or stay the action, as appropriate, unless any of the following occur:

(a) The court is required by statute to entertain the action.

(b) The plaintiff cannot secure effective relief in the other state for reasons other than delay in bringing the action.

(c) The other state would be a substantially less convenient place for the trial of the action than this state.

(d) The agreement as to the place of the action is obtained by misrepresentation, duress, the abuse of economic power, or other unconscionable means.

(e) It would for some other reason be unfair or unreasonable to enforce the agreement.

History: Add. 1974, Act 88, Eff. Apr. 1, 1975.

Compiler's note: Section 2 of Act 88 of 1974 provides: "This 1974 amendatory act shall apply to actions commenced after its effective date, even if the cause of action arose prior thereto. Actions commenced prior to the effective date of this act shall not be affected thereby."

600.751 Jurisdiction over land irrespective of ownership.

Sec. 751. The courts of record of this state shall have jurisdiction over land situated within the state whether or not the persons owning or claiming interests therein are subject to the jurisdiction of the courts of this state.

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

600.755 Jurisdiction over chattels irrespective of ownership.

Sec. 755. The courts of record of this state shall have jurisdiction over chattels situated within the state whether or not the persons owning or claiming interests therein are subject to the jurisdiction of the courts of the state.

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

600.761 Jurisdiction over documents irrespective of ownership.

Sec. 761. The courts of record of this state shall have jurisdiction over documents which are within the

state whether or not the persons owning or claiming interests therein are subject to the jurisdiction of the courts of the state.

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

600.765 Jurisdiction over corporate shares irrespective of ownership.

Sec. 765. The courts of record of this state shall have jurisdiction

(1) over the shares in a corporation incorporated in the state (subject to the limitations in the uniform stock transfer act),

(2) over share certificates which are located within the territory of the state,

(3) over shares in a corporation represented by share certificates located within the state if the law of the state of incorporation embodies the share in the share certificates, whether or not the persons owning or claiming an interest in the shares or share certificates are subject to the jurisdiction of the courts of the state.

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

600.771 Jurisdiction over obligations irrespective of creditor.

Sec. 771. The courts of record of this state shall have jurisdiction over obligations owed by persons who are subject to the judicial jurisdiction of the state whether or not the persons to whom the obligations are owed are subject to the jurisdiction of the state.

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

600.775 Jurisdiction over status.

Sec. 775. The judicial jurisdiction over status granted to the courts of record of this state by the state's constitution, laws, and court rules may be exercised:

(1) to the extent permitted by the constitution of the United States, except as limited by the constitution, court rules, and laws of this state, and

(2) in the manner permitted by the court rules and laws of this state.

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