

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

600.2601 Bonds; form; defect; amendment; new bond.

Sec. 2601.

(1) Whenever a bond is required by law to be given by any person in order to entitle him to any right or privilege conferred by law or to commence any proceeding, it is not necessary that the bond conform in all respects to the form prescribed by the statute. It is sufficient if it substantially conforms to the form prescribed by the statute and does not vary so as to prejudice the rights of the party to whom or for whose benefit the bond is given.

(2) Whenever a bond defective in any respect has been or is given, the court, officer, or body that would be authorized to receive the bond or to entertain any proceeding in consequence of the bond if it were perfect may amend the bond in any respect upon the application of the obligors of the bond or may allow a new bond bearing the date at which the earlier bond was required to be given to be substituted in the place of the defective bond upon the application of the person required to give the bond. The new bond shall then be deemed valid from the date of the execution of the earlier bond. When application is made to amend, the court, officer, or body is not limited to the particular amendment applied for but has power to amend the bond in any respect so as to make the defective bond meet the requirements that existed at the time it was given. When a new bond is allowed, it shall be substantially the same as might have been demanded when the defective bond was given.

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