

RULE 29

JOINDER OF PERSONS NEEDED FOR JUST ADJUDICATION

(Possible elimination of 29 D., subject to research by committee staff)

* * * *

RULE 34

SUBSTITUTION OF PARTIES

A. through C. unchanged.

D. Death of a party; surviving parties. In the event of the death of one or more of the plaintiffs or of one or more of the defendants in an action in which the right sought to be enforced survives only to the surviving plaintiffs or only against the surviving defendants, the action does not abate. The death shall be shown upon the record by a written statement of a party signed in conformance with Rule 17 and the action shall proceed in favor of or against the surviving parties.

E. through G. unchanged.

* * * *

3/1/79

Rule 29

[D. State agencies as parties in governmental administration actions. In any action arising out of county administration of functions delegated or contracted to the county by a state agency, the state agency must be made a party to the action.]

Rule 34

D. Death of a party; surviving parties. In the event of the death of one or more of the plaintiffs or of one or more of the defendants in an action in which the right sought to be enforced survives only to the surviving plaintiffs or only against the surviving defendants, the action does not abate. The death shall be shown upon the record by a written statement of a party signed in conformance with Rule 17 and the action shall proceed in favor of or against the surviving parties.

4-5-79

Rule 34

D. Death of a party; surviving parties. In the event of the death of one or more of the plaintiffs or of one or more of the defendants in an action in which the right sought to be enforced survives only to the surviving plaintiffs or only against the surviving defendants, the action does not abate. The death shall be shown upon the record by a written statement of a party signed in conformance with Rule 17 and the action shall proceed in favor of or against the surviving parties.