

Order

Michigan Supreme Court
Lansing, Michigan

March 24, 2021

Bridget M. McCormack,
Chief Justice

ADM File No. 2020-20

Amendment of Rule
2.105 of the Michigan
Court Rules

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 2.105 of the Michigan Court Rules is adopted, effective May 1, 2021.

[Additions to the text are indicated in underlining and
deleted text is shown by strikeover.]

Rule 2.105 Process; Manner of Service

(A)-(G) [Unchanged.]

(H) Limited Liability Company. Service of process on a limited liability company may be made by:

- (1) serving a summons and a copy of the complaint on the managing member, the non-member manager, or the resident agent;
- (2) serving a summons and a copy of the complaint on a member or other person in charge of an office or business establishment of the limited liability company and sending a summons and a copy of the complaint by registered mail, addressed to the registered office of the limited liability company.
- (3) If a limited liability company fails to appoint or maintain an agent for service of process, or service under subsections (1) and (2) cannot be accomplished through the exercise of reasonable diligence, service of process may be made by delivering or mailing by registered mail to the administrator (pursuant to MCL 450.4102[2][a]) a summons and copy of the complaint.

(H)-(K) [Relettered (I)-(L) but otherwise unchanged.]

Staff comment: The amendment of MCR 2.105 establishes the manner of service on limited liability companies.

The staff comment is not an authoritative construction by the Court. In addition, adoption of an amendment in no way reflects a substantive determination by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 24, 2021

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk