

LEGISLATIVE BILL 48

Approved by the Governor March 3, 1999

Introduced by Brashear, 4

AN ACT relating to civil procedure; to amend section 25-301, Reissue Revised Statutes of Nebraska; to change provisions relating to real parties in interest; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 25-301, Reissue Revised Statutes of Nebraska, is amended to read:

25-301. Every action ~~must~~ shall be prosecuted in the name of the real party in interest, except as otherwise provided in section 25-304. An action shall not be dismissed on the ground that it is not prosecuted in the name of the real party in interest until a reasonable time has been allowed after objection for joinder or substitution of the real party in interest. Joinder or substitution of the real party in interest shall have the same effect as if the action had been commenced by the real party in interest.

Sec. 2. Original section 25-301, Reissue Revised Statutes of Nebraska, is repealed.