

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 12.
RIGHT TO REMEDY.

CHAPTER 1.
ABATEMENT AND REVIVOR.

2001 Edition

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CHAPTER 1. ABATEMENT AND REVIVOR.

§ 12-101. SURVIVAL OF RIGHTS OF ACTION.

On the death of a person in whose favor or against whom a right of action has accrued for any cause prior to his death, the right of action, for all such cases, survives in favor of or against the legal representative of the deceased.

(Dec. 23, 1963, 77 Stat. 509, Pub. L. 88-241, § 1; Aug. 2, 1978, D.C. Law 2-95, § 2, 25 DCR 1270.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 12-101.

1973 Ed., § 12-101.

Legislative History of Laws

Law 2-95, the "District of Columbia General Survival of Tort Act," was introduced in Council and assigned Bill No. 2-52, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on April 18, 1978 and May 2, 1978, respectively. There being no action by the Mayor, it was assigned Act No. 2-199 and transmitted to both Houses of Congress for its review.

Miscellaneous Notes

Section 24 of D.C. Law 15-354 provides that Title 12 is designated Title 12 of the District of Columbia Official Code.

§ 12-102. SUBSTITUTION OF PARTIES.

The substitution of parties in civil actions in the United States District Court for the District of Columbia and the Superior Court of the District of Columbia is governed by the Federal Rules of Civil Procedure.

(Dec. 23, 1963, 77 Stat. 509, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 551, Pub. L. 91-358, title I, § 141(1).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 12-102.

1973 Ed., § 12-102.

§ 12-103. JUDGMENT AND COSTS IN CASE OF NEW PARTY.

In all cases where a new party is made to an action, the costs which accrued before the new party was made to the action shall be taxed as part of the costs in the action, and the judgment rendered shall be the same as if the action had been originally commenced between persons who are parties to the action. A defendant who is made a new party to the action may not be burdened with debts, damages, or costs beyond the amount of property or assets that have descended or come to his hands from the deceased.

(Dec. 23, 1963, 77 Stat. 509, Pub. L. 88-241, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 12-103.

1973 Ed., § 12-103.

§ 12-104. MARRIAGE OF PARTY.

An action does not abate by the marriage of a party. On application of a party the court may, on such terms and notice as it deems proper, allow and order any amendment in the pleadings and the making of any new or additional parties that the marriage may render necessary or proper.

(Dec. 23, 1963, 77 Stat. 510, Pub. L. 88-241, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 12-104.

1973 Ed., § 12-104.