

MICHIGAN STATUTES OF LIMITATIONS

<u>Claim Type/Section</u>	<u>Statute Period</u>
Libel, Defamation, or Slander M.C.L.A. § 600.5805(9)	One year for an action charging libel or slander.
Disability of Infancy or Insanity at Accrual of Claim M.C.L.A. § 600.5851	If the person entitled to bring an action is under eighteen years of age or not mentally competent at the time the claim accrues, the person shall have one year after the disability is removed, through death or otherwise, to make the entry or bring the action.
Actions for Personal or Property Protection Benefits; Notice of Injury M.C.L.A. § 500.3145	<p>An action for recovery of personal protection insurance benefits for accidental bodily injury may not be commenced later than one year after the date of the automobile accident causing the injury unless written notice of injury has been given to the insurer within one year after the accident or unless the insurer has previously made a payment of personal protection insurance benefits for the injury.</p> <p>An action for recovery of property protection insurance benefits shall not be commenced later than one year after the accident.</p>

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<u>Claim Type/Section</u>	<u>Statute Period</u>
Assault, Battery, or False Imprisonment M.C.L.A. § 600.5805(2)-(4)	<p>Two years for a person charging assault, battery, or false imprisonment.</p> <p>Five years for a person charging assault or battery against: his or her spouse or former spouse, an individual with whom he or she has a child in common, an individual with whom he or she has had a dating relationship, or a person with whom he or she resides or formerly resided.</p>
Malicious Prosecution M.C.L.A. § 600.5805(5)	Two years from the date of the underlying criminal action being terminated in favor of the accused.

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Medical Malpractice
M.C.L.A. § 600.5805(6),
§ 600.5838(a)

Two years for an action charging malpractice, or within six months after the plaintiff discovers, or should have discovered, the existence of the claim, whichever is later. However, except as otherwise provided in section 600.5851(7) or (8) regarding minors, the claim shall not be commenced later than six years after the date of the act or omission that is the basis of the claim.

Fraudulent Concealment
of Claim or Identity of
Person Liable, Discovery
M.C.L.A. § 600.5856

If a person who is or may be liable for any claim fraudulently conceals the existence of the claim from the knowledge of the person entitled to sue on the claim, the action may be commenced at any time within two years after the person who is entitled to bring the action discovers, or should have discovered, the existence of the claim, although the action would otherwise be barred by the period of limitations.

Claim Type/Section

Statute Period

Bodily Injuries for Claims
Not Otherwise Specified
by Statute
M.C.L.A. § 600.5805(10)

Actions to recover damages for injuries to person or property must be brought within three years from the time of accrual.

Wrongful Death
M.C.L.A. § 600.5805(10)

Three years after the time of the death for all actions to recover damages for the death of a person.

Product Liability Claims
M.C.L.A. § 600.5805(13)

Three years from when the cause of action accrues. The cause of action accrues when a plaintiff by exercise of reasonable diligence discovers, or should have discovered, that he or she has a possible cause of action. However, in the case of a product that has been in use for not less than ten years, the plaintiff, in proving a prima facie case, shall be required to do so without benefit of any presumption.

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Claim Type/Section

Statute Period

Breach of Contract for
Written or Oral Sale
M.C.L.A. § 440.2725

Four years from when the cause of action has accrued. A cause of action accrues when the breach occurs, regardless of the aggrieved party's lack of knowledge of the breach. By the original agreement the parties may reduce the period of limitation to not less than one year, but may not extend it.

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Claim Type/Section

Statute Period

Damages for Breach of
Contract
M.C.L.A. § 600.5807(8)

Six years for actions to recover damages or sums due for breach of contract, starting from the date that the claim accrued.

Damage to Property by
Engineers, Contractors,
Architects
M.C.L.A. § 600.5839(1)

Six years for actions against architects, professional engineers, or contractors arising from improvements to real property.

Death or Injury Arising
from Improvements to
Real Property
M.C.L.A. § 600.5839

Six years after the time of occupancy of the completed improvement, use, or acceptance of the improvement, or one year after the defect is discovered, or should have been discovered, provided the defect constitutes the proximate cause of the injury or damage and is the result of gross negligence. No such action shall be maintained for more than ten years after the time of occupancy of the completed improvement, use or acceptance of the improvement.

Uninsured/
Underinsured Motorist
Coverage
M.C.L.A. § 600.5807(8)

In the absence of a contractual limitations provision, suit for UM/UIM benefits is governed by the six-year statute of limitations applicable to contract actions, not the three-year period applicable to claims for injury to person or property.

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Claim Type/Section

Statute Period

Foreclosure of
Mortgages
M.C.L.A. § 600.5803

No person shall bring or maintain any action or proceeding to foreclose a mortgage on real estate unless he commences the action or proceeding within fifteen years after the mortgage becomes due or within fifteen years after the last payment was made on the mortgage.

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