

**CHAPTER 2000. ACTIONS BY REAL PARTIES
IN INTEREST**

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Rule 2001. Definitions.

As used in this chapter

“action” means any civil action or proceeding brought in or appealed to any court of record which is subject to these rules.

Source

The provisions of this Rule 2001 adopted February 14, 1939, effective September 4, 1939; amended January 4, 1952, effective July 1, 1952; amended April 18, 1975, effective immediately, 5 Pa.B. 1820; amended December 16, 2003, effective July 1, 2004, 34 Pa.B. 9. Immediately preceding text appears at serial page (255291).

**Rule 2002. Prosecution of Actions by Real Parties in Interest.
Exceptions.**

(a) Except as otherwise provided in clauses (b), (c) and (d) of this rule, all actions shall be prosecuted by and in the name of the real party in interest, without distinction between contracts under seal and parol contracts.

(b) A plaintiff may sue in his or her own name without joining as plaintiff or use-plaintiff any person beneficially interested when such plaintiff

(1) is acting in a fiduciary or representative capacity, which capacity is disclosed in the caption and in the plaintiff's initial pleading; or

(2) is a person with whom or in whose name a contract has been made for the benefit of another.

(c) Clause (a) of this rule shall not apply to actions where a statute or ordinance provides otherwise.

(d) Clause (a) of this rule shall not be mandatory where a subrogee is a real party in interest.

Source

The provisions of this Rule 2002 adopted February 14, 1939, effective September 4, 1939; amended October 29, 1941; amended April 18, 1975, effective immediately, 5 Pa.B. 1820; amended April 12, 1999, effective July 1, 1999, 29 Pa.B. 2274. Immediately preceding text appears at serial page (190553).

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Rule 2003. Defenses, Counterclaims and Setoffs.

The prosecution of any action in the name of the real party in interest shall not affect any defense, counterclaim or setoff which might otherwise be asserted against the claim or demand thus prosecuted.

Source

The provisions of this Rule 2003 adopted February 14, 1939, effective September 4, 1939; amended April 18, 1975, effective immediately, 5 Pa.B. 1820.

Rule 2004. Transfer of Interest in Pending Action.

If a plaintiff has commenced an action in his or her own name and thereafter transfers the interest therein, in whole or in part, the action may continue in the name of the original plaintiff, or upon petition of the original plaintiff or of the transferee or of any other party in interest in the action, the court may direct the transferee to be substituted as plaintiff or joined with the original plaintiff.

Source

The provisions of this Rule 2004 adopted February 14, 1939, effective September 4, 1939; amended April 18, 1975, effective immediately, 5 Pa.B. 1820; amended April 12, 1999, effective July 1, 1999, 29 Pa.B. 2274. Immediately preceding text appears at serial page (190554).

Rule 2024. Effective Date. Pending Actions.

These rules shall become effective on the fourth day of September, 1939, but shall not apply to actions pending at that time.

Source

The provisions of this Rule 2024 adopted February 14, 1939, effective September 4, 1939.

Rule 2025. [Rescinded].

Source

The provisions of this Rule 2025 adopted February 14, 1939, effective September 4, 1939; rescinded June 3, 1994, effective July 1, 1994, 24 Pa.B. 3010. Immediately preceding text appears at serial pages (159480) to (159481).

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