

2000 SESSION

INTRODUCED

001501788

HOUSE BILL NO. 813

Offered January 21, 2000

A BILL to amend and reenact § 8.01-4, as it shall become effective, of the Code of Virginia, relating to district court and circuit court rules.

Patrons—Joannou and Griffith

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-4, as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 8.01-4. (Effective July 1, 2000) District courts and circuit courts may prescribe certain rules.

The district courts and circuit courts may, from time to time, prescribe rules for their respective districts and circuits. Such rules shall be ~~strictly~~ limited to ~~only~~ those rules ~~absolutely~~ necessary to promote proper order and decorum and the efficient *and safe* use of courthouse facilities and clerks' offices. No rule of any such court shall be prescribed or enforced which is inconsistent with this statute or any other statutory provision, or contrary to the decided cases, or which has the effect of abridging substantive rights of persons before such *court*. Any rule of court which violates the provisions of this section shall be invalid.

The courts may prescribe certain docket control procedures which shall not abridge the substantive rights of the parties nor deprive any party the opportunity to present its position as to the merits of a case solely due to the unfamiliarity of counsel of record with any such docket control procedures.

INTRODUCED

HB813