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HOUSE BILL NO. 2624

Offered January 8, 2003

A BILL to amend and reenact § 16.1-88.03 of the Code of Virginia, relating to pleadings and other papers by parties not represented by attorneys.

Patron—Marrs

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-88.03 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-88.03. Pleadings and other papers by certain parties not represented by attorneys.

A. Any corporation ~~or~~, partnership, *limited liability company, limited partnership, professional corporation, professional limited liability company, registered limited liability partnership, registered limited liability limited partnership, business trust, or other legal entity*, when the amount claimed in any civil action pursuant to subsection (1) or (3) of § 16.1-77 does not exceed the jurisdictional amounts authorized in such subsections, exclusive of interest, may prepare, execute, file, and have served on other parties in any proceeding in a general district court a warrant in debt, motion for judgment, warrant in detinue, distress warrant, summons for unlawful detainer, counterclaim, crossclaim, suggestion for summons in garnishment, garnishment summons, writ of possession, writ of fieri facias, interpleader and civil appeal notice without the intervention of an attorney. ~~A partnership shall sign such pleadings by a general partner, and a corporation shall sign such pleadings by its president, vice-president, treasurer, or other officer or full-time bona fide employee authorized to do so by its board of directors. Such papers may be signed by a bona fide agent of the party.~~ However, this section shall not apply to an action under § 16.1-77 (1) or (3) which was assigned to a corporation, partnership, *limited liability company, limited partnership, professional corporation, professional limited liability company, registered limited liability partnership, registered limited liability limited partnership, business trust, other legal entity*, or individual solely for the purpose of enforcing an obligation owed or right inuring to another.

B. Nothing in this section shall allow a nonlawyer to file a bill of particulars or grounds of defense or to argue motions, issue a subpoena, rule to show cause, or capias; file or interrogate at debtor interrogatories; or to file, issue or argue any other paper, pleading or proceeding not set forth in subsection A.

C. The provisions of § 8.01-271.1 shall apply to any pleading, motion or other paper filed or made pursuant to this section.

INTRODUCED

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