

2004 SESSION

INTRODUCED

041427252

HOUSE BILL NO. 1172

Offered January 14, 2004

Prefiled January 14, 2004

A BILL to amend and reenact § 17.1-278 of the Code of Virginia, relating to additional fees in certain courts; use by the Virginia State Bar.

Patron—Kilgore

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-278 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-278. Additional fees in certain courts; use by Virginia State Bar.

In addition to the fees prescribed by §§ 16.1-69.48:2 and 17.1-275 A 13 and to be collected by the clerk of the circuit or general district court upon the filing of papers for the commencement of civil actions in such courts, the following additional fees shall be collected in all cities and counties in which civil legal representation is provided for the poor, without charge, by a nonprofit legal aid program organized under the auspices of the Virginia State Bar: (i) upon commencement of an action whether at law or in chancery in such circuit court, an additional fee of ~~four dollars~~ \$5 and (ii) upon commencement of a civil action in such general district court, an additional fee of ~~four dollars~~ \$5.

The additional fees prescribed by this action shall be collected by the clerk at the time of the filing. The amounts so collected shall be paid by the clerk to the state treasury and credited as follows: (i) ~~three dollars~~ \$4 to a special fund within the Virginia State Bar fund to be designated the Legal Aid Services Fund, and (ii) one dollar to the general fund for funding of the district courts of the Commonwealth. Such amount for the district courts shall be used to assist indigent litigants. Such amounts credited to the Legal Aid Services Fund shall be disbursed by the Virginia State Bar by check from the State Treasurer upon a warrant of the Comptroller to nonprofit legal aid programs organized under the auspices of the Virginia State Bar through the Legal Services Corporation of Virginia to assist in defraying the costs of such programs. However, the additional fees prescribed by this section shall not be collected in actions initiated by any local government or by the Commonwealth.

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HB1172