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HOUSE BILL NO. 44

House Amendments in [] — February 5, 2004

A BILL to amend and reenact § 16.1-94 of the Code of Virginia, relating to orders of judgment in courts not of record.

Patron Prior to Engrossment—Delegate Reese

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-94 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-94. Judgment to be noted on papers; formal orders may be entered.

Whenever a judgment is rendered in a court not of record the judgment shall be entered on the warrant, motion for judgment, counterclaim, cross-claim or other pleading and signed by the judge, or the signature of the judge may be affixed by a facsimile stamp, in which event the judge shall initial a notation of the judgment made on the warrant or other paper. If the action is on a note, bond or other written obligation, the date and amount of the judgment rendered shall be noted thereon, to which notation the judge or clerk shall affix his name or his initials. Nothing in this section shall be construed to prevent the judge from entering a formal order in any case in which he deems such order to be appropriate, *including but not limited to settlement and installment orders endorsed by counsel*, or to affect the validity of any formal order so entered. If such action is on a lease for the recovery of rent or possession of property this section shall not operate to require marking of such lease unless the judge deems such marking necessary.

[2. That this act is declarative of existing law.]

ENGROSSED

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