

2004 SESSION

INTRODUCED

040104484

HOUSE BILL NO. 49

Offered January 14, 2004

Prefiled December 2, 2003

A BILL to amend and reenact § 8.01-417 of the Code of Virginia, relating to providing documents to opposing party.

Patron—Reese

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-417 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-417. Copies of written statements or transcriptions of verbal statements by injured person to be delivered to him, copies of subpoenaed documents to be provided to opposing party.

A. Any person who takes from a person who has sustained a personal injury a signed written statement or voice recording of any statement relative to such injury shall deliver to such injured person a copy of such written statement forthwith or a verified typed transcription of such recording within thirty days from the date such statement was given or recording made, when and if the statement or recording is transcribed or in all cases when requested by the injured person or his attorney.

B. When one party to a civil proceeding subpoenas documents concerning an opposing party that otherwise are not available to either party, the subpoenaing party shall, upon receipt of the subpoenaed documents, provide true and full copies of the same to the opposing party or the attorney for the opposing party. This provision does not apply where the subpoenaed documents are returnable to and maintained by the clerk of court in which the action is pending.

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