

2005 SESSION

INTRODUCED

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SENATE BILL NO. 827

Offered January 12, 2005

Prefiled January 10, 2005

A *BILL to amend and reenact § 8.01-417 of the Code of Virginia, relating to copies of subpoenaed documents.*

Patrons—Mims; Delegates: Black, Marshall, R.G. and Rust

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 other 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 30 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~~ *Unless otherwise ordered for good cause shown, when* one party to a civil proceeding subpoenas documents ~~concerning another party~~, the subpoenaing party, upon receipt of the subpoenaed documents, shall, if requested *in writing*, provide true and full copies of the same to any other party or to the attorney for any other party, provided the other party or attorney for the other party pays the reasonable cost of copying or reproducing the subpoenaed documents. 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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