

2009 SESSION

INTRODUCED

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HOUSE BILL NO. 2365

Offered January 14, 2009

Prefiled January 14, 2009

A BILL to amend and reenact § 54.1-3915 of the Code of Virginia, relating to restriction on Supreme Court rules; attorneys for the Commonwealth.

Patron—Gilbert

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3915 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3915. Restrictions as to rules and regulations.

Notwithstanding the foregoing provisions of this article, the Supreme Court shall not promulgate rules or regulations prescribing a code of ethics governing the professional conduct of attorneys which are inconsistent with any statute; nor shall it promulgate any rule or regulation or method of procedure which eliminates the jurisdiction of the courts to deal with the discipline of attorneys. *No rule or regulation promulgated by the Supreme Court shall prohibit any conduct of an attorney for the Commonwealth that is permitted by the Constitution of Virginia or the Constitution of the United States or prohibit an attorney for the Commonwealth from, in good faith, advising a law-enforcement officer as to investigative conduct permitted by the Constitution of Virginia or the Constitution of the United States.* In no case shall an attorney who demands to be tried by a court of competent jurisdiction for the violation of any rule or regulation adopted under this article be tried in any other manner.

INTRODUCED

HB2365