

10101549D

**HOUSE BILL NO. 825**

Offered January 13, 2010

Prefiled January 13, 2010

*A BILL to amend and reenact § 17.1-258.3 of the Code of Virginia, relating to electronic filing in civil or criminal actions.*

Patrons—Surovell, Englin and Scott, J.M.

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 17.1-258.3 of the Code of Virginia is amended and reenacted as follows:**

§ 17.1-258.3. Electronic filing in civil or criminal actions.

A clerk of circuit court may establish a system for electronic filing in civil or criminal actions ~~that shall be governed by Rule 1:17 of the Rules of Supreme Court of Virginia.~~ The circuit court clerk shall enter into an agreement with each person whom the clerk authorizes to file documents electronically, specifying the electronic filing procedures to be followed, including, but not limited to, security procedures, as defined in the Uniform Electronic Transactions Act, for transmitting notarized documents. *The clerk may charge up to \$50 for each civil case filed, up to \$25 for each criminal case filed, and an annual fee of up to \$100 per user for remote access to the system. All fees shall be paid to the clerk's office and deposited by the clerk into a special nonreverting local fund to be used to cover operational expenses of such system. The fund may be the same as that established under § 17.1-258.3:1 if the clerk has established a network or system for electronic filing of land records.*

INTRODUCED

HB825