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SENATE BILL NO. 625

Offered January 16, 2014

A *BILL to amend the Code of Virginia by adding a section numbered 16.1-279.2 and by adding in Chapter 9.1 of Title 19.2 a section numbered 19.2-152.12, relating to protective orders; hearing to be held simultaneously with pending criminal action.*

Patron—Stanley

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 16.1-279.2 and by adding in Chapter 9.1 of Title 19.2 a section numbered 19.2-152.12 as follows:

§ 16.1-279.2. *Hearing to grant protective order to be heard simultaneously with pending criminal action.*

Whenever practical, a court having jurisdiction over both a petition for a preliminary protective order pursuant to § 16.1-253.1 or a protective order pursuant to § 16.1-279.1 and a pending criminal action in which the defendant is also the respondent to the protective order and the victim of the crime is also the petitioner for the protective order shall hear both actions simultaneously.

To achieve the purposes of this section, a preliminary protective order may be extended until the conclusion of the criminal action.

Upon request of any party or upon its own motion, the court may bifurcate the actions for good cause shown.

§ 19.2-152.12. *Hearing to grant protective order to be heard simultaneously with pending criminal action.*

Whenever practical, a court having jurisdiction over both a petition for a preliminary protective order pursuant to § 19.2-152.9 or a protective order pursuant to § 19.2-152.10 and a pending criminal action in which the defendant is also the respondent to the protective order and the victim of the crime is also the petitioner for the protective order shall hear both actions simultaneously.

To achieve the purposes of this section, a preliminary protective order may be extended until the conclusion of the criminal action.

Upon request of any party or upon its own motion, the court may bifurcate the actions for good cause shown.

INTRODUCED

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