

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 129

An Act to amend and reenact § 17.1-258.6 of the Code of Virginia, relating to acceptability of electronic medium; record of criminal proceedings to appellate court.

[S 180]

Approved March 2, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-258.6 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-258.6. Acceptability of electronic medium; submission of trial court record to appellate court.

A. In connection with civil *or criminal* proceedings in circuit court, any statutory requirement for an original, original paper, paper, record, document, facsimile, memorandum, exhibit, certification, or transcript shall be satisfied if such is in an electronic form approved for filing under the Rules of Supreme Court of Virginia. However, this section shall not apply to documents the form of which is specified in any statute governing the creation and execution of wills, codicils, testamentary trusts, premarital agreements, and negotiable instruments.

B. Notwithstanding any other provision of law, any statutory authorization for the use of copies or reproductions in civil *or criminal* proceedings in circuit court shall be satisfied by use of such copies or reproductions in hard copy or electronic form approved for filing under the Rules of Supreme Court of Virginia.

C. Any clerk of a circuit court with an electronic filing system that complies with the Rules of Supreme Court of Virginia may provide the trial court record in electronic form to the appropriate clerk of any appellate court. The clerk of the Supreme Court and the clerk of the Court of Appeals shall accept the official civil or criminal record in electronic form as otherwise required by law.

D. The Rules of Supreme Court of Virginia shall not prohibit the use of a private vendor electronic filing system if such system is in compliance with the filing standards established by the Court.