

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB1996ER

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Herring

3. Committee: Passed Both Houses

4. Title: Summons for Unlawful Detainer form; report.

5. Summary: The bill establishes that the Forms and Efilng Subcommittee of the Committee on Self-Represented Litigants of the Supreme Court of Virginia's Access to Justice Commission must develop plain English instructions that explain to defendants how to interpret Form DC-421 (Summons for Unlawful Detainer/Civil Claim for Eviction).

Subject to the approval of the Supreme Court of Virginia, such instructions must be posted by the Office of the Executive Secretary of the Supreme Court of Virginia on the Virginia Courts website and made available to the public at the clerks' offices of the local general district courts and may be attached to the Summons for Unlawful Detainer served upon defendants at the direction of the chief judge of the general district court. Such instructions must (i) be printed in no less than 14 point type; (ii) be understandable to persons whose literacy level matches the Virginia literacy level for fourth grade; (iii) explain that failure to appear in court on the hearing date may result in eviction from the defendant's household; and (iv) provide the statewide Legal Aid and Virginia Eviction Reduction Pilot program websites and, if applicable, telephone numbers, directing defendants to contact those programs for more information and assistance. Such instructions may be translated by the local general district courts into languages other than English as necessary. For purposes of this legislation, "plain English" means written in nontechnical, readily understandable language using words of common everyday usage and avoiding legal terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to a particular field or profession.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Final (see Item 8 below)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court ("OES"), the bill is not expected to have a material fiscal impact on the resources of the court system.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: None