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HOUSE BILL NO. 867

Offered January 22, 1996

A BILL to amend and reenact § 8.01-325 of the Code of Virginia, relating to service of process by private servers.

Patrons—Cunningham, Almand, Guest and Woodrum; Senator: Howell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-325 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-325. Return by person serving process.

Unless otherwise directed by the court, the person serving process shall make return thereof promptly to the clerk's office stating thereon the date and manner of service and the name of the party served. Such proof of service shall be in the following manner:

1. If service by sheriff, the return of such sheriff as provided by the Rules of the Supreme Court; or

2. If service by any other person qualified under § 8.01-293, whether service made in or out of the Commonwealth, his affidavit of such qualifications as well as ; the date and manner of service and the name of the party served; *and stamped or printed on the return of service, an annotation that service was by a private server and the name, telephone number and address of the server;* or

3. In case of service by publication, the affidavit of the publisher or his agent giving the dates of publication and an accompanying copy of the published order.

INTRODUCED

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