

# 1997 SESSION

INTRODUCED

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## HOUSE BILL NO. 2120

Offered January 15, 1997

A BILL to amend the Code of Virginia by adding a section numbered 17-7.3, relating to designation of circuit and district judges.

Patrons—Moran, Almand and Van Landingham; Senator: Ticer

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 17-7.3 as follows:

§ 17-7.3. Designation of circuit and district judges to assist one another.

A. Upon application from the chief judge of a judicial circuit or a judicial district, or upon his own, the Chief Justice may designate any circuit court judge to preside in any district court of that circuit or any district court judge to preside in any circuit court of that circuit. The designation may be for an individual case or to sit and hear cases for a period of not more than ninety days. Every judge so designated shall have the same powers and jurisdiction and be authorized to perform the same duties as a judge of the court for which he is designated. Only judges who have voluntarily consented in writing to so serve shall be designated by the Chief Justice.

B. Circuit court judges designated under this section shall hear cases in the district courts as though they were district court judges. A circuit court judge shall be prohibited from hearing any portion of any appeal from a decision made by him while sitting in the district court and from hearing any portion of a criminal case in which he conducted the preliminary hearing.

C. A district court judge designated under this section shall be allowed to hear all matters in the circuit court except jury trials, appeals from the particular district court in which he sits and criminal cases in which he conducted the preliminary hearing.

2. That the provisions of this act shall apply only to the Eighteenth Judicial Circuit and District.

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