

1998 SESSION

INTRODUCED

983703176

HOUSE BILL NO. 325

Offered January 15, 1998

A BILL to amend and reenact §§ 14.1-178 and 14.1-181 of the Code of Virginia, relating to costs recoverable by prevailing party in a lawsuit.

Patron—Cranwell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 14.1-178 and 14.1-181 of the Code of Virginia are amended and reenacted as follows:

§ 14.1-178. General rule as to recovery of costs on final judgment.

A. Except when it is otherwise provided, the party for whom final judgment is given in an action or motion, whether he be is a plaintiff or defendant, shall recover his costs against the opposite party; and when. When the action is against two or more and there is a judgment for, or discontinuance as to, some, but not all of the defendants, unless the court enter enters of record that there was reasonable cause for making defendants those for whom there is such judgment, or as to whom there is such discontinuance and shall order otherwise, they shall recover their costs.

B. Costs recoverable hereunder shall include (i) filing fees, fees for service of process, and fees for issuance of subpoenas and (ii) in the discretion of the court, costs of the taking and transcribing of depositions, either or both.

§ 14.1-181. Costs in appellate courts.

A. In every case in the Supreme Court or the Court of Appeals, costs shall be recovered in such court by the party substantially prevailing and shall be awarded by the court concurrent with its decision in the case without action or motion by the parties.

B. Costs recoverable hereunder shall include the costs of copies of transcripts, briefs, appendices and petitions for rehearing.

INTRODUCED

HB325