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**HOUSE BILL NO. 3099**

Offered January 17, 2007

A *BILL to amend the Code of Virginia by adding in Chapter 5 of Title 17.1 an article numbered 2, consisting of sections numbered 17.1-525 through 17.1-529, relating to business case divisions within the circuit courts.*

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Patron—Iaquinto

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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 in Chapter 5 of Title 17.1 an article numbered 2, consisting of sections numbered 17.1-525 through 17.1-529, as follows:**

*Article 2.**Business Case Division.*

§ 17.1-525. *Business case division; designated.*

*On or before January 1, 2008, each circuit court shall establish, using existing facilities, a business case division. Such divisions shall not have jurisdiction over suits against the Commonwealth under the Virginia Tort Claims Act (§ 8.01-195.1 et seq.) or suits against any officer or employee of the Commonwealth for claims arising out of the performance of their official duties or responsibilities.*

§ 17.1-526. *Jurisdiction; transfer.*

*A. Notwithstanding any other provision of law to the contrary, the business case division shall have jurisdiction, concurrent with that of the circuit court, over any matter filed in the circuit court in which the amount in controversy exceeds \$250,000 and which is brought pursuant to:*

*(i) Uniform Commercial Code (§ 8.1A-101 et seq.);*

*(ii) Virginia Securities Act (§ 13.1-501 et seq.);*

*(iii) Virginia Stock Corporation Act (§ 13.1-601 et seq.);*

*(iv) Virginia Uniform Partnership Act (§ 50-73.79 et seq.);*

*(v) Virginia Revised Uniform Limited Partnership Act (§ 50-73.1 et seq.);*

*(vi) Virginia Limited Liability Company Act (§ 13.1-1000 et seq.); and*

*(vii) Any other action, upon motion of all parties, the court finds warrants consideration by the business case division.*

*B. Upon motion of each party to a matter filed in a circuit court alleging a cause of action under any law listed in subsection A and which exceeds the amount in controversy under subsection A, the circuit court may transfer such case for trial in the business case division. Such motions shall be filed by each plaintiff concurrent with the filing of the action and by each defendant named in the suit within 10 days of receipt of service upon such defendant. Service of process upon each defendant shall include the motion for transfer in addition to all other papers required to be served.*

§ 17.1-527. *Composition.*

*The Chief Justice shall appoint no more than three active or retired circuit court judges to serve as the judge or judges of the business case division in each judicial circuit. The provisions of § 17.1-103 shall apply to any active circuit court judge appointed to serve. The appointment of any retired judge shall be governed by the provisions of § 17.1-106.*

§ 17.1-528. *Rules.*

*The Supreme Court of Virginia shall adopt rules of practice and procedure for use in the business case divisions. Such rules may provide for streamlined procedures, special case management systems, mandatory mediation, and expedited pretrial processes, in addition to the regular rules of practice in civil cases. Nothing herein shall allow the adoption of special local rules in any business case division in any circuit court.*

§ 17.1-529. *Appeals.*

*Appeals from the business division shall be as in other civil cases from the circuit court.*

INTRODUCED

HB3099