

2014 SESSION

INTRODUCED

14100842D

HOUSE BILL NO. 269

Offered January 8, 2014

Prefiled December 30, 2013

A *BILL to amend and reenact § 17.1-107 of the Code of Virginia, relating to holding cases under advisement.*

Patron—Habeeb

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-107 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-107. Designation of judge to assist regular judge holding case under advisement for unreasonable length of time.

A. ~~A~~ *In any civil action, a judge of a circuit court in a civil case who fails to act on any matter, claim, motion, or issue that has been submitted to the court for a decision or render a final decision in the action shall report, in writing, to the parties or their counsel on any ~~cause~~ such matter, claim, motion, issue, or action held under advisement for more than 90 60 days after final such submission stating an expected time of a decision. In any civil case action in which a judge holds any cause under advisement for more than 90 days after final submission, fails to report as required by this section, or fails to render a decision within the expected time stated in the report, any party or their counsel may notify the Chief Justice of the Supreme Court. Whenever the Chief Justice of the Supreme Court, or any justice designated by him, has reasonable cause to believe that any judge of a court of record may be holding one or more civil cases any matter, claim, motion, issue, or case under advisement for an unreasonable length of time, he shall inquire into the cause of such delay, and if he finds it necessary in order to expedite the administration of justice, he shall designate a judge or retired judge of a court of record to assist the regular judge in the performance of his duties.*

B. Complaints made hereunder shall be absolutely privileged and the name of the complainant shall not be disclosed without his consent.

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