

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 159

An Act to amend and reenact § 8.01-317 of the Code of Virginia, relating to order of publication; electronic notice.

[H 834]

Approved March 4, 2020

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-317 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-317. What order of publication to state; how published; when publication in newspaper dispensed with; electronic notice.

Except in condemnation actions, every order of publication shall give the abbreviated style of the suit, state briefly its object, and require the defendants, or unknown parties, against whom it is entered to appear and protect their interests on or before the date stated in the order which shall be no sooner than ~~fifty~~ 50 days after entry of the order of publication. Such order of publication shall be published once each week for four successive weeks in such newspaper as the court may prescribe, or, if none be so prescribed, as the clerk may direct, and shall be posted at the front door of the courthouse wherein the court is held; also a copy of such order of publication shall be mailed to each of the defendants at the post office address given in the affidavit required by § 8.01-316. The clerk shall cause copies of the order to be so posted, mailed, and transmitted to the designated newspaper within ~~twenty~~ 20 days after the entry of the order of publication. Upon completion of such publication, the clerk shall file a certificate in the papers of the case that the requirements of this section have been complied with. ~~Provided, the~~ The court may, in any case where deemed proper, dispense with such publication in a newspaper or may order that appropriate notice be given by electronic means, under such terms and conditions as the court may direct, either in addition to or in lieu of publication in a newspaper, provided that such electronic notice is reasonably calculated, under all circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. The cost of such publication or notice shall be paid by the petitioner or applicant.