

HB 2174 - Legal duty; action for damages for legal malpractice concerning estate planning; third parties to an attorney-client contract.

Chief Patron: Clark

Status: Committee Referral Pending

A BILL to amend and reenact § 64.2-520.1 of the Code of Virginia, relating to legal duty; action for damages for legal malpractice concerning estate planning; third parties to an attorney-client contract.

SUMMARY AS INTRODUCED:

Legal duty; action for damages for legal malpractice concerning estate planning; third parties to an attorney-client contract. Provides that an attorney does not owe a legal duty to a person other than the client for the purpose of the client's estate planning, including the provision of legal advice or the preparation of legal documents, unless the client and attorney enter into a signed, written agreement expressly allowing for such. The bill provides that its provisions are declarative of existing law. The bill also repeals the provisions under current law that specify the statute of limitations for legal malpractice actions relating to contracts for legal services concerning estate planning and the tolling of such statute of limitations. The bill is a recommendation of the Boyd-Graves Conference.

5 Last Events

01/07/2025	House	Prefiled and ordered printed; Offered 01-08-2025 25102767D
01/07/2025	House	Committee Referral Pending

HB 2259 - Personal injury action against health care provider; certain defenses prohibited.

Chief Patron: Delaney

Status: Committee Referral Pending

A BILL to amend the Code of Virginia by adding a section numbered 8.01-42.6, relating to personal injury action against health care provider; certain defenses prohibited.

SUMMARY AS INTRODUCED:

Personal injury action against health care provider; certain defenses prohibited. Prohibits a defendant health care provider from asserting a defense of medical malpractice in a civil action for personal injury arising out of such health care provider's act of criminal sexual assault.

5 Last Events

01/07/2025	House	Prefiled and ordered printed; Offered 01-08-2025 25101624D
01/07/2025	House	Committee Referral Pending

HB 2351 - Civil litigation; suspension bonds and irrevocable letters of credit upon appeal.

Chief Patron: Hernandez

Status: Committee Referral Pending

A BILL to amend and reenact § 8.01-676.1 of the Code of Virginia, relating to civil litigation; suspension bonds and irrevocable letters of credit upon appeal.

SUMMARY AS INTRODUCED:

Civil litigation; suspension bonds and irrevocable letters of credit upon appeal. Removes the \$25 million cap currently in place for suspension bonds and irrevocable letters of credit for appellants during the pendency of an appeal of a civil action.

5 Last Events

01/08/2025	House	Prefiled and ordered printed; Offered 01-08-2025 25101564D
01/08/2025	House	Committee Referral Pending

HB 2565 - Subpoena duces tecum; motions to quash or modify.

Chief Patron: Leftwich

Status: Committee Referral Pending

A BILL to amend and reenact § 16.1-89 of the Code of Virginia, relating to subpoena duces tecum; motions to quash or modify.

SUMMARY AS INTRODUCED:

Subpoena duces tecum; motions to quash or modify. Authorizes any person who is subject to or affected by an attorney-issued subpoena duces tecum to move to quash or modify such subpoena duces tecum. Under current law, only the person to whom the subpoena duces tecum is directed has standing to make such motion. The bill also directs the Supreme Court of Virginia to amend its rules as necessary to be consistent with the provisions of the bill.

5 Last Events

01/12/2025	House	Prefiled and ordered printed; Offered 01-13-2025 25100797D
01/12/2025	House	Committee Referral Pending

HB 2632 - Jurors; failure to return jury questionnaire.

Chief Patron: Wilt

Status: Committee Referral Pending

A BILL to amend and reenact § 8.01-356 of the Code of Virginia, relating to jurors; failure to return jury questionnaire.

SUMMARY AS INTRODUCED:

Jurors; failure to return jury questionnaire. Provides that the court may order any juror who has been issued a jury questionnaire and fails to return such questionnaire without good cause to appear in the office of the clerk to complete the questionnaire in a manner determined by such clerk.

5 Last Events

01/13/2025	House	Presented and ordered printed 25104775D
01/13/2025	House	Committee Referral Pending

HB 2636 - Assignment of causes of action.

Chief Patron: Webert

Status: Committee Referral Pending

A BILL to amend and reenact § 8.01-26 of the Code of Virginia, relating to assignment of causes of action.

SUMMARY AS INTRODUCED:

Assignment of causes of action. Provides that the limitations on assignable causes of action shall not prohibit any injured party or his estate from making a voluntary assignment of litigation claims into a self-settled trust for which the injured party is the beneficiary, including self-settled trusts for the charitable purpose of one or more charitable organizations.

5 Last Events

01/13/2025	House	Presented and ordered printed 25104150D
01/13/2025	House	Committee Referral Pending

SB 892 - Medical malpractice; certification of expert witness, written opinion.

Chief Patron: Sturtevant

Status: In Committee

A BILL to amend and reenact §§ 8.01-20.1, 8.01-50.1, and 16.1-83.1 of the Code of Virginia, relating to medical malpractice; certification of expert witness; written opinion.

SUMMARY AS INTRODUCED:

Medical malpractice; certification of expert witness; written opinion. Provides that at the time of service of process of every motion for judgment, counter claim, third party claim, or warrant in debt in a medical malpractice action or every motion for judgment, counter claim, or third party claim in an action for wrongful death against a health care provider, the plaintiff shall be deemed to have obtained a written opinion signed by an expert witness stating that the defendant in the action deviated from the applicable standard of care and the deviation was a proximate cause of the injuries claimed. The bill also provides that a plaintiff may have separate certifications for standard of care and causation.

5 Last Events

01/04/2025	Senate	Prefiled and ordered printed; Offered 01-08-2025 25102120D
01/04/2025	Senate	Referred to Committee on the Courts of Justice

SB 904 - Medical malpractice; limitation on recovery; certain actions.

Chief Patron: Stanley

Status: In Committee

A BILL to amend and reenact § 8.01-581.15 of the Code of Virginia, relating to medical malpractice; limitation on recovery; certain actions.

SUMMARY AS INTRODUCED:

Medical malpractice; limitation on recovery; certain actions. Eliminates the cap on the recovery in actions against health care providers for medical malpractice where the act or acts of malpractice occurred on or after July 1, 2025, and occurred against a patient age 10 or younger.

5 Last Events

01/05/2025	Senate	Prefiled and ordered printed; Offered 01-08-2025 25102053D
01/05/2025	Senate	Referred to Committee on the Courts of Justice

SB 1010 - Subpoenas duces tecum; financial records of nonparty.

Chief Patron: Surovell

Status: In Committee

A BILL to amend and reenact § 16.1-89 of the Code of Virginia and to amend the Code of Virginia by adding in Article 9 of Chapter 14 of Title 8.01 a section numbered 8.01-420.9, relating to subpoenas duces tecum; financial records of nonparty.

SUMMARY AS INTRODUCED:

Subpoenas duces tecum; financial records of nonparty. Provides that a party in a civil proceeding who requests or issues a subpoena duces tecum for the financial records of a person who is not a party to such proceeding is required to deliver to such nonparty a copy of the subpoena and notice informing such nonparty of his right to file a motion to quash or modify the subpoena if he objects to the disclosure of such financial records. The bill also prohibits an entity, as enumerated in the bill, from conditioning such entity's compliance with a valid subpoena for financial records upon the payment of fees or costs of producing such records. The bill directs the Supreme Court of Virginia to amend its rules as necessary to be consistent with the provisions of the bill. Finally, the bill directs the Boyd-Graves Conference to study whether the Code of Virginia should be amended further to grant standing to other nonparties to file a motion to quash or modify a subpoena duces tecum for other types of records requested by a party in a civil proceeding and to submit the findings of such study to the Chairmen of the Senate and House Committees for Courts of Justice by October 1, 2025.

5 Last Events

01/07/2025	Senate	Prefiled and ordered printed; Offered 01-08-2025 25103893D
01/07/2025	Senate	Referred to Committee on the Courts of Justice

Counts: HB: 6 HJ: 0 SB: 3 SJ: 0