

10103293D

**HOUSE BILL NO. 1193**

Offered January 13, 2010

Prefiled January 13, 2010

A *BILL to amend the Code of Virginia by adding a section numbered 8.01-6.3, relating to actions or suits involving fiduciaries; style of the case; amendment of pleading.*

Patron—Griffith

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 a section numbered 8.01-6.3 as follows:**

*§ 8.01-6.3. Actions or suits against fiduciaries; style of the case; amendment of pleading.*

*A. In any action or suit required to be prosecuted or defended by or in the name of a fiduciary, including a personal representative, trustee, conservator, or guardian, the style of the case in regard to the fiduciary shall be substantially in the following form: "(Name of the subject of the fiduciary relationship) through (Name of fiduciary), (type of fiduciary relationship)."*

*B. Any failure to comply with the requirements of subsection A shall not affect the validity of any judgment or pleading. Any pleading filed that does not conform to the requirements of subsection A shall be amended on the motion of any party or by the court on its own motion. Such amendment relates back to the date of the original pleading.*

**2. That the provisions of this act shall apply to any action or suit pending as of the effective date of this act.**

INTRODUCED

HB1193