

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 21st day of November, 2023.

It is ordered that the Rules heretofore adopted and promulgated by this Court and now in effect are hereby amended, effective January 20, 2024.

Amend Rules 4:1(g), 4:8(d), and 4:9(b) as follows:

Rule 4:1. General Provisions Governing Discovery.

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(g) *Signing of Discovery Requests, Responses, and Objections.* — Every request for discovery or response or objection thereto made by a party represented by an attorney must be signed by at least one attorney of record in the attorney’s individual name, whose address must be stated. A party who is not represented by an attorney must sign the request, response, or objection, and state the party’s address. The signature of the attorney or party constitutes a certification that the signer has read the request, response, or objection, and that to the best of the signer’s knowledge, information, and belief formed after a reasonable inquiry it is: (1) consistent with these Rules and warranted by existing law or a good faith argument for extension, modification, or reversal of existing law; (2) not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation; and (3) not unreasonable or unduly burdensome or expensive, given the needs of the case, the discovery already had in the case, the amount in controversy and the importance of the issues at stake in the litigation. General or blanket objections to discovery requests are prohibited. If a request, response, or objection is not signed, it will be stricken unless it is signed no later than 21 days after the omission is called to the attention of the party making the request, response, or objection, and a party is not obligated to take any action with respect to it until it is signed.

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Rule 4:8. Interrogatories to Parties.

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(d) *Answers.* — Each interrogatory must be answered separately and fully in writing under oath, except to the extent it is objected to, in which event the reasons for any objection must be stated with specificity. Any part of an interrogatory that is not objected to must be answered. The answers must be signed by the person making them, and the objections signed by the attorney making them. The party upon whom the interrogatories have been served must serve a copy of the answers, and objections if any, within 21 days after the service of the interrogatories, except that a defendant may serve answers or objections within 28 days after service of the complaint upon that defendant. The court may allow a shorter or longer time. The party submitting the interrogatories may move for an order under Rule 4:12(a) with respect to any objection to or other failure to answer an interrogatory.

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Rule 4:9. Production by Parties of Documents, Electronically Stored Information, and Things; Entry on Land for Inspection and Other Purposes; Production at Trial.

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(b) *Procedure.* —

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(ii) *Response.* The party upon whom the request is served must serve a written response within 21 days after the service of the request, except that a defendant may serve a response within 28 days after service of the complaint upon that defendant. The court may allow a shorter or longer time. The response must state, with respect to each item or category, that inspection and related activities will be permitted as requested, unless the request is objected to, including an objection to the requested form or forms for producing electronically stored information, stating the reasons for the objection with specificity. If objection is made to part of an item or category, the part must be specified and production must be permitted as to the remaining parts. An objection must state whether any responsive materials are being withheld on the basis of that

objection. If objection is made to the requested form or forms for producing electronically stored information - or if no form was specified in the request - the responding party must state the form or forms it intends to use. The party submitting the request may move for an order under Rule 4:12(a) with respect to any objection to or other failure to respond to the request or any part thereof, or any failure to permit inspection as requested. A motion under this Rule must be accompanied by a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action.

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A Copy,

Teste:


Clerk