



Risk Manager

Codified Rules of Virginia Evidence on the Horizon?

By: Erin McNeill. Tuesday, October 4th, 2011



Image via Wikipedia

This encouraging news certainly brightened my day as a practicing Virginia litigator:

Virginia Lawyer's Weekly has posted an article indicating movement to codify Virginia Rules of Evidence.

Virginia has long considered codification of its rules of evidence, but previously, the proposed rules never made it past Virginia's Supreme Court. As discussed in the Virginia Lawyer's Weekly article, codified rules would make it far easier to argue objections to evidence in real time during a trial or **plea in bar** (link goes to a case explaining Virginia's plea in bar). Plus, key evidentiary considerations, such as whether a piece of favorable evidence will be admissible and why, will rely more on codified rules and less on hours of expensive legal research to find just the right case, allowing parties more certainty and less expense as they evaluate cases set to go trial.

This news definitely will give me something to look forward to in the 2012 legislative session of Virginia's General Assembly.

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