Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

PUBLISHED: 2/18/2025 8:43 AM **ORIGINAL**

Bill Number: SB1010 H1 **Patron:** Surovell
Bill Title: Subpoenas duces tecum; attorney-issued subpoena duces tecum.

Bill Summary: Under current law, if the time for compliance with a subpoena duces tecum issued by an attorney is less than 14 days after service of the subpoena, the person to whom it is directed may serve upon the party issuing the subpoena a written objection setting forth any grounds upon which such production, inspection or testing should not be had. If objection is made, the party on whose behalf the subpoena was issued and served shall not be entitled to the requested production, inspection or testing, except pursuant to an order of the court, but may, upon notice to the person to whom the subpoena was directed, move for an order to compel production, inspection or testing. Upon such timely motion, the court may quash, modify or sustain the subpoena.

In addition to the person to whom the subpoena was issued, the substitute bill extends the current provisions to include the person whose records are being sought.

An enactment clause directs the Supreme Court of Virginia to amend its rules as necessary to be consistent with the provisions of the bill.

Budget Amendment Necessary: No **Items Impacted:** N/A
Explanation: N/A

Fiscal Summary: According to the Office of the Executive Secretary of the Supreme Court (OES) and the Virginia State Bar (VSB) this bill is not expected to have a fiscal impact on agency operations.

Fiscal Analysis: None required

Other: None