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INTRODUCED

HB567

1 **HOUSE BILL NO. 567**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact §§ 16.1-69.54:1 and 17.1-208 of the Code of Virginia, relating to court*  
5 *records; aggregated case data; request by attorney for the Commonwealth exempted.*

6 Patrons—Carnegie and Carr

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That §§ 16.1-69.54:1 and 17.1-208 of the Code of Virginia are amended and reenacted as follows:**10 **§ 16.1-69.54:1. Request for district court records.**

11 A. For the purposes of this section, "confidential court records," "court records," and "nonconfidential" court records" shall have the same meaning as set forth in § 17.1-292.

12 B. Requests for copies of nonconfidential court records maintained in individual case files shall be made to the clerk of a district court.

13 C. Requests for reports of aggregated, nonconfidential case data fields that are viewable through the online case information systems maintained by the Executive Secretary of the Supreme Court shall be made to the Office of the Executive Secretary. Such reports of aggregated case data shall not include the name, date of birth, or social security number of any party and shall not include images of the individual records in the respective case files. However, nothing in this section shall be construed to permit any reports or aggregated case data to be sold or posted on any other website or in any way redistributed to any third party. The Executive Secretary, in his discretion, may deny such request to ensure compliance with these provisions. However, such data may be included in products or services provided to a third party, provided that such data is not made available to the general public. *Notwithstanding any other provision of law, if such request is made by an attorney for the Commonwealth, the Executive Secretary shall approve such request and such report of aggregated case data shall include the name, date of birth, and social security number of any party.*

14 D. Any clerk or the Executive Secretary, as applicable, may require that the request be in writing and that the requester provide his name and legal address. A request for nonconfidential court records or reports of aggregated nonconfidential case data shall identify the requested records with reasonable specificity. Any clerk or the Executive Secretary, as applicable, may determine the costs to provide the requested records to the requester, advise the requester of such costs, and, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination, which shall be credited to the final cost of supplying the requested records. No clerk, nor the Executive Secretary, shall be required to create a new record if the record does not already exist or provide a report of aggregated, nonconfidential case data in a format not regularly used by the clerk or the Executive Secretary; however, a clerk or the Executive Secretary, as applicable, may abstract or summarize information under such terms and conditions as agreed to by the requester and the clerk or Executive Secretary, as provided herein.

15 E. Except where the nature or size of the request would interfere with the business of the court or with its use by the general public, or as otherwise provided by law, the requested court records or reports of aggregated, nonconfidential case data shall be provided to the requester within a reasonable period of time, given the nature of the request and the availability of staff to respond to the request, but in no event longer than 30 days from the date of a complete request made by a requester that is fully compliant with the requirements of this section and other applicable law. Any objection or assertion of confidentiality shall be provided to the requester within a reasonable period of time, but in no event longer than 30 days from the date of a complete request made by a requester.

16 F. Any clerk, or the Executive Secretary, may require payment in advance of all reasonable costs, not to exceed the actual cost incurred in accessing, duplicating, reviewing, supplying, or searching for the requested court records or reports of aggregated, nonconfidential case data, including removing any confidential information contained in the court records from the nonconfidential court records being provided, excluding any extraneous, intermediary, or surplus fees or expenses to recoup the general overhead costs associated with creating or maintaining records or transacting the general business of the clerk or the Office of the Executive Secretary. Before processing a request for court records or reports of aggregated, nonconfidential case data, any clerk or the Executive Secretary may require the requester to pay any amounts owed to the clerk or the Office of the Executive Secretary for previous requests for court records or reports of aggregated, nonconfidential case data that remain unpaid 30 days or more after billing.

17 G. Any clerk and the Executive Secretary shall be immune from any suit arising from the production of court records or reports of aggregated nonconfidential case data in accordance with this section absent gross

59 negligence or willful misconduct.

60 **§ 17.1-208. Records, etc., open to inspection; copies; exception.**

61 A. For the purposes of this section, "confidential court records," "court records," and "nonconfidential  
62 court records" shall have the same meaning as set forth in § 17.1-292.

63 B. Except as otherwise provided by law, any records that are maintained by the clerks of the circuit courts  
64 shall be open to inspection in the office of the clerk by any person and the clerk shall, when requested,  
65 furnish copies thereof subject to any reasonable fee charged by the clerk pursuant to § 17.1-275. No person  
66 shall be permitted to use the clerk's office for the purpose of making copies of records in such manner, or to  
67 such extent, as will, in the determination of the clerk, interfere with the business of the office or with its  
68 reasonable use by the general public. The certificate of the clerk to copies furnished by the clerk shall, if the  
69 paper copied be recorded in a bound volume, contain the name and number of the volume and the page or  
70 folio at which the recordation of the paper begins, or the instrument number as applicable, and the clerk may  
71 charge a fee therefor pursuant to § 17.1-275. The certificate of the circuit court clerk to such copies may be  
72 provided electronically subject to the provisions of § 17.1-258.3:2. Such electronic certificate may reference  
73 an instrument number, bound volume, or other case number, but is not required to do so.

74 C. Requests for copies of nonconfidential court records maintained in individual case files shall be made  
75 to the clerk of the circuit court.

76 D. Requests for reports of aggregated, nonconfidential case data fields that are viewable through the  
77 online case information systems maintained by the Executive Secretary of the Supreme Court shall be made  
78 to the Office of the Executive Secretary. Such reports of aggregated case data shall not include the name, date  
79 of birth, or social security number of any party, and shall not include images of the individual records in the  
80 respective case files. However, nothing in this section shall be construed to permit any reports of aggregated  
81 case data to be sold or posted on any other website or in any way redistributed to any third party. The clerk or  
82 the Executive Secretary, in his discretion, may deny such request to ensure compliance with these provisions.  
83 However, such data may be included in products or services provided to a third party, provided that such data  
84 is not made available to the general public. *Notwithstanding any other provision of law, if such request is  
85 made by an attorney for the Commonwealth, the clerk or the Executive Secretary shall approve such request  
86 and such report of aggregated case data shall include the name, date of birth, and social security number of  
87 any party.*

88 E. Any clerk or the Executive Secretary, as applicable, may require that the request be in writing and that  
89 the requester provide his name and legal address. A request for nonconfidential court records or reports of  
90 aggregated, nonconfidential case data shall identify the requested records with reasonable specificity. Any  
91 clerk or the Executive Secretary, as applicable, may determine the costs for providing the requested records to  
92 the requester, advise the requester of such costs, and, before continuing to process the request, require the  
93 requester to agree to payment of a deposit not to exceed the amount of the advance determination, which shall  
94 be credited to the final cost of supplying the requested records. Neither a clerk nor the Executive Secretary  
95 shall be required to create a new record if the record does not already exist or provide a report of aggregated,  
96 nonconfidential case data in a format not regularly used by the clerk or the Executive Secretary; however, a  
97 clerk or the Executive Secretary, as applicable, may abstract or summarize information under such terms and  
98 conditions as agreed to by the requester and the clerk or Executive Secretary, as provided herein.

99 F. Except as otherwise provided by law, the requested court records or reports of aggregated,  
100 nonconfidential case data shall be provided to the requester within a reasonable period of time, given the  
101 nature of the request and the availability of staff to respond to the request, but in no event longer than 30 days  
102 from the date of a complete request made by a requester that is fully compliant with the requirements of this  
103 section and other applicable law. Any objection or assertion of confidentiality shall be provided to the  
104 requester within a reasonable period of time, but in no event longer than 30 days from the date of a complete  
105 request made by a requester.

106 G. Any clerk or the Executive Secretary may require payment in advance of all reasonable costs, not to  
107 exceed the actual cost incurred in accessing, duplicating, reviewing, supplying, or searching for the requested  
108 court records or reports of aggregated, nonconfidential case data, including removing any confidential  
109 information contained in the court records from the nonconfidential court records being provided, excluding  
110 any extraneous, intermediary, or surplus fees or expenses to recoup the general overhead costs associated  
111 with creating or maintaining records or transacting the general business of the clerk or the Office of the  
112 Executive Secretary. Before processing a request for court records or reports of aggregated, nonconfidential  
113 case data, any clerk or the Executive Secretary may require the requester to pay any amounts owed to the  
114 clerk or the Office of the Executive Secretary for previous requests for court records or reports of aggregated,  
115 nonconfidential case data that remain unpaid 30 days or more after billing.

116 H. Any clerk and the Executive Secretary shall be immune from any suit arising from the production of  
117 court records or reports of aggregated, nonconfidential case data in accordance with this section absent gross  
118 negligence or willful misconduct.

119 I. Nothing in this section shall be construed to apply to court records transferred to the Library of Virginia  
120 for permanent archiving pursuant to the duties imposed by the Virginia Public Records Act (§ 42.1-76 et

**121** seq.). In accordance with § 42.1-79, the Library of Virginia shall be the custodian of such permanently  
**122** archived records and shall be responsible for responding to requests for such records.

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