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SENATE BILL NO. 442

Offered January 14, 2026

Prefiled January 13, 2026

A BILL to amend and reenact §§ 16.1-262 and 46.2-388 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 17.1 an article numbered 9, consisting of sections numbered 17.1-296 through 17.1-299, relating to Court Date Reminder Program established.

Patron—Bagby

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-262 and 46.2-388 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 2 of Title 17.1 an article numbered 9, consisting of sections numbered 17.1-296 through 17.1-299, as follows:

§ 16.1-262. Form and content of petition.

A. The petition shall contain the facts below indicated:

"Commonwealth of Virginia, In re \_\_\_\_\_ (name of child)" a child under eighteen years of age.

"In the Juvenile and Domestic Relations District Court of the county (or city) of \_\_\_\_\_ "

1. Statement of name, age, date of birth, phone number, if known, and residence of the child.

2. Statement of names and, residence, and phone numbers of his parents, guardian, legal custodian or other person standing in loco parentis and spouse, if any.

3. Statement of names and, residence, and phone numbers of the nearest known relatives if no parent or guardian can be found.

4. Statement of the specific facts which allegedly bring the child within the purview of this law. If the petition alleges a delinquent act, it shall make reference to the applicable sections of the Code which designate the act a crime.

5. Statement as to whether the child is in custody, and if so, the place of detention or shelter care, and the time the child was taken into custody, and the time the child was placed in detention or shelter care.

B. If the subject of the petition is an adult, the petition shall not state or include the name of or any information concerning the parents, guardians, legal custodian, or person standing in loco parentis of the adult subject of the petition except as may be necessary to state the conduct alleged in the petition.

C. If any of the facts herein required to be stated are not known by the petitioner, the petition shall so state. The petition shall be verified, except that petitions filed under § 63.2-1237 may be signed by the petitioner's counsel, and may be upon information. Any phone number collected or listed on a petition shall only be used for the Court Date Reminder Program established pursuant to § 17.1-296 if applicable to the subject of the petition. If no phone number is listed at the time such petition is filed, the court shall obtain such information at the first appearance of the subject of the petition.

In accordance with § 16.1-69.32, the Supreme Court may formulate rules for the form and content of petitions in the juvenile court concerning matters related to the custody, visitation or support of a child and the protection, support or maintenance of an adult where the provisions of this section are not appropriate.

Article 9.

Court Date Reminder Program.

§ 17.1-296. Court Date Reminder Program; purpose.

The Executive Secretary of the Supreme Court shall develop or procure a Court Date Reminder Program (the Program) to remind criminal defendants to appear at each of their scheduled court appearances and to provide any related information. The purpose of such reminders is to reduce the number of criminal defendants who are taken into custody solely as a result of their failure to appear in court.

§ 17.1-297. Program requirements.

A. The Program shall send a text message notification to any defendant with a criminal case or traffic infraction in general district court or circuit court. A defendant may opt out of participating in the Program at any time. When a defendant is unable to receive text messages, the Program administrator or his designee may use other communication methods to contact such defendant, including telephone, email, or other internet-based technology. In the case of a juvenile defendant, such notification shall be sent to the juvenile, if he is able to receive text messages, and his parent or legal guardian. If the juvenile is unable to receive text messages, the Program administrator or his designee may use other communication methods, including telephone, email, or other internet-based technology, to contact the juvenile and his parent or legal guardian.

B. The Program shall provide at least two reminder notifications for all scheduled court appearances or required payment dates. The first reminder shall be sent one week prior to a scheduled court appearance or

59 *required payment date. The second reminder shall be sent one day prior to a scheduled court appearance or*  
 60 *required payment date. Additional reminders may be sent at the discretion of the Executive Secretary of the*  
 61 *Supreme Court to ensure adequate notice is provided.*

62 *C. 1. A reminder shall include the following for a criminal matter:*

63 *a. A statement notifying the defendant that he may opt out of participating in the Program;*

64 *b. The date, time, and location of the scheduled court appearance;*

65 *c. Notice of any court closures affecting such court appearance;*

66 *d. The consequences of failing to appear at such court appearance;*

67 *e. Contact information or directions for inquiries relating to such court appearance; and*

68 *f. Instructions for how to resolve the matter online, if applicable.*

69 *2. A reminder shall include the following for a traffic infraction:*

70 *a. A statement notifying the defendant that he may opt out of participating in the Program;*

71 *b. Instructions on how to resolve the matter online or pay the ticket, if applicable;*

72 *c. The required payment date for the ticket or the date, time, and location of the scheduled court*  
 73 *appearance, if applicable;*

74 *d. The consequences of failing to pay the ticket by the required payment date or failing to appear at the*  
 75 *scheduled court appearance; and*

76 *e. Contact information or directions for inquiries relating to such traffic infraction.*

77 *D. Any defendant subject to this section who fails to appear at a scheduled court appearance or fails to*  
 78 *pay a ticket by the required payment date shall receive a notification within two days of the following actions*  
 79 *by the court: (i) issuance of a *habeas corpus*, (ii) entrance of a finding of guilt, or (iii) suspension of the driver's*  
 80 *license of the defendant.*

81 *E. All notifications shall be written in plain language and generally conform to best practices identified*  
 82 *by research on court reminder programs.*

83 **§ 17.1-298. Program collection and use of telephone numbers.**

84 *A. Law-enforcement officers, corrections personnel, and court staff shall, to the extent practicable, obtain*  
 85 *the telephone numbers of defendants at the time of issuing summonses, preparing charging documents,*  
 86 *completing intake forms, and executing booking and release forms, as well as on any other document deemed*  
 87 *relevant for the purposes of this article.*

88 *B. Refusal to provide a telephone number to a law-enforcement officer, corrections personnel, or court*  
 89 *staff shall not be held against the defendant for any purpose.*

90 *C. Telephone numbers collected pursuant to subsection A shall be transmitted to the Program for use*  
 91 *exclusively in accordance with its statutory mandate.*

92 *D. The Program shall include a publicly accessible website, or such other mechanism as the Executive*  
 93 *Secretary of the Supreme Court deems appropriate, by which individuals may update their telephone*  
 94 *numbers and other contact information and enroll in the Program.*

95 **§ 17.1-299. Data collection and reporting.**

96 *A. The Executive Secretary of the Supreme Court shall collect, maintain, and report data relevant to the*  
 97 *administration and effectiveness of the Program. Such data shall include:*

98 *1. The number of defendants enrolled in the Program;*

99 *2. The number of defendants who opt out of the Program;*

100 *3. The number of defendants for whom the Program does not have a telephone number; and*

101 *4. The number of enrolled defendants who fail to appear for a scheduled court appearance or fail to pay a*  
 102 *ticket.*

103 *B. The Executive Secretary of the Supreme Court shall make such data publicly available or provide such*  
 104 *data to the General Assembly on an annual basis.*

105 **§ 46.2-388. Uniform summons to be used for reportable motor vehicle law violations; citations.**

106 *A. The Attorney General, after consultation with the Committee on District Courts, the Superintendent of*  
 107 *State Police and the Commissioner, shall approve a form for the summons to be issued in either an electronic*  
 108 *or paper format and all revisions to the form to be used by all law-enforcement officers throughout the*  
 109 *Commonwealth in cases of motor vehicle law violations reportable to the Department under the provisions of*  
 110 *§§ 46.2-382 and 46.2-383 and for other offenses charged on a summons pursuant to § 19.2-74. The*  
 111 *commencement and termination date for the use of the form and each revised version of the form shall be*  
 112 *made by the Attorney General after consultation with the Committee on District Courts, the Superintendent*  
 113 *of State Police and the Commissioner. The law-enforcement agency issuing the summons shall determine*  
 114 *whether to use an electronic or paper format.*

115 *The form of the summons shall include multiple copies with the original to be used for court records and*  
 116 *other copies in sufficient number to permit the use of one copy by the courts for purposes of filing abstracts*  
 117 *of records with the Department as required by § 46.2-383 and shall be a form prepared by the Department*  
 118 *within the meaning of § 46.2-386. The form of the summons shall also include (i) appropriate space for use in*  
 119 *cases of violation of either state laws or local ordinances and (ii) a field for the telephone number of the*  
 120 *person receiving the summons to be used for the Court Date Reminder Program established pursuant to*

121 § 17.1-296.

122 B. A separate citation which has been approved in the manner prescribed in subsection A shall be used for  
123 violations of §§ 46.2-1122 through 46.2-1127 and 46.2-1130. The citation shall be directed to the owner,  
124 operator or other person responsible for the overweight violation, and shall advise him of:

125 1. The nature of the violation charged against him;

126 2. The amount of monetary fees, penalties, and damages that may be assessed for violations;

127 3. The requirement that he either pay the fees, penalties, and damages in full or deliver a notice of his  
128 intent to contest the charge to the Department;

129 4. The procedures and time limits for making the payments or contesting such charge, which shall include  
130 the trial date, which shall in no event be earlier than 60 days after the violation; and

131 5. The consequences of a failure to timely pay or contest the charge.

132 C. A separate citation that has been approved in the manner prescribed in subsection A shall be used for  
133 violations of § 46.2-613.1. The citation shall be directed to the owner, operator, or other person responsible  
134 for the violation and shall advise him of:

135 1. The nature of the violation charged against him;

136 2. The amount of monetary fees and penalties that may be assessed for violations;

137 3. The requirement that he either pay the fee and penalties in full or deliver a notice of his intent to contest  
138 the charge to the Department;

139 4. The procedures and time limits for making the payments or contesting such charge which shall include  
140 the trial date, which shall in no event be earlier than 60 days after the violation; and

141 5. The consequences of a failure to timely pay or contest the charge.

**INTRODUCED**

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