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SENATE BILL NO. 189
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee for Courts of Justice
on _____)
(Patron Prior to Substitute—Senator Williams Graves)

A BILL to amend the Code of Virginia by adding a section numbered 8.01-271.2, relating to consumer debt collection proceedings; signing of pleadings, motions, and other papers.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.01-271.2 as follows:

§ 8.01-271.2. *Signing of pleadings, motions, and other papers in consumer debt collection proceedings.*

In addition to any other requirement set forth in § 8.01-271.1, in any civil action to collect or enforce a consumer debt, the attorney of record shall include in the initial pleading and any subsequent filing the name of the attorney of record, the attorney's business address, and the attorney's business telephone number where such attorney can be reached directly by the court and the consumer or the consumer's attorney. If such pleading, motion, or other paper is not signed in compliance with this section, it is defective. Such a defect shall render the pleading, motion, or other paper voidable. If a signature defect is not timely and properly cured after it is brought to the attention of the pleader or movant, the pleading, motion, or other paper is invalid and shall be stricken. A signature defect shall be cured within 21 days after it is brought to the attention of the pleader or movant. If a signature defect is timely and properly cured, the pleading, motion, or other paper shall be valid and relate back to the date it was originally served or filed. For purposes of this section, the summons shall not be deemed an initial pleading.