

VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

CHAPTER 366

An Act to amend and reenact § 8.01-626 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 8.01-670.3, relating to orders closing a proceeding; petitions for review.

[H 185]

Approved April 8, 2026

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-626 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 8.01-670.3 as follows:

§ 8.01-626. Review of injunction and certain orders; petitions for review.

When a circuit court (i) grants a preliminary injunction, (ii) refuses such an injunction, (iii) having granted such an injunction, dissolves or refuses to enlarge it, or (iv) enters an order reviewable pursuant to § 8.01-670.2 *or* 8.01-670.3, an aggrieved party may file a petition for review with the clerk of the Supreme Court within 15 days of the circuit court's order.

The clerk shall assign the petition to a three-justice panel of the Supreme Court. The aggrieved party shall serve a copy of the petition for review on the counsel for the opposing party, which may file a response within 15 days from the date of service unless otherwise determined by the court. The petition for review shall be accompanied by a copy of the proceedings before the circuit court, including the original papers and the circuit court's order respecting the injunction. The Supreme Court may take such action thereon as it considers appropriate under the circumstances of the case.

Nothing in this section shall be construed to prevent the Supreme Court from resolving a petition for review by an order joined by more than three justices.

§ 8.01-670.3. Review of order closing a proceeding or sealing a record.

When a circuit court (i) grants or denies a motion to close any proceeding not otherwise authorized to be closed, (ii) issues sua sponte an order closing any proceeding not otherwise authorized to be closed, or (iii) affirms or reverses an order of any general district court or juvenile and domestic relations district court closing any proceeding not otherwise authorized to be closed, any such order is eligible for immediate appellate review. Any person aggrieved by any such order may, within 15 days of the entry of such an order, file a petition for review with the Supreme Court in accordance with the procedures set forth in § 8.01-626.