

Tuesday            28th            February, 2006.

It is ordered that the Rules heretofore adopted and promulgated by this Court and now in effect be and they hereby are amended to become effective May 1, 2006.

**PART THREE**  
**PRACTICE AND PROCEDURE IN CIVIL ACTIONS**

Amend Rule 3:4 to read as follows:

**Rule 3:4. Copies of Complaint.**

*(a) Copies for Service.* – Except in cases where service is waived pursuant to Code §8.01-286.1, the plaintiff shall furnish the clerk when the complaint is filed with as many copies thereof as there are defendants upon whom it is to be served.

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Amend Rule 3:8 to read as follows:

**Rule 3:8. Answers, Pleas, Demurrers and Motions.**

*(a) Response Requirement.* – A defendant shall file pleadings in response within 21 days after service of the summons and complaint upon that defendant, or if service of the summons has been timely waived on request under Code § 8.01-286.1, within 60 days after the date when the request for waiver was sent, or within 90 days after that date if the defendant was addressed outside the Commonwealth. A demurrer, plea, motion to dismiss, and motion for a bill of

particulars shall each be deemed a pleading in response for the count or counts addressed therein. If a defendant files no other pleading than the answer, it shall be filed within said time. An answer shall respond to the paragraphs of the complaint. A general denial of the entire complaint or plea of the general issue shall not be permitted.

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Amend Rule 3:9 to read as follows:

**Rule 3:9. Counterclaims.**

\* \* \*

*(b) Time for initiation.* – A counterclaim shall, subject to the provisions of Rule 1:9, be filed within 21 days after service of the summons and complaint upon the defendant asserting the counterclaim, or if service of the summons has been timely waived on request under Code §8.01-286.1, within 60 days after the date when the request for waiver was sent, or within 90 days after that date if the defendant was addressed outside the Commonwealth.

\* \* \*

Amend Rule 3:10 to read as follows:

**Rule 3:10. Cross-Claims.**

\* \* \*

(b) *Time for initiation.* - A cross-claim shall, subject to the provisions of Rule 1:9, be filed within 21 days after service of the summons and complaint on the defendant asserting the cross-claim, or if service of the summons has been timely waived on request under Code § 8.01-286.1, within 60 days after the date when the request for waiver was sent, or within 90 days after that date if the defendant was addressed outside the Commonwealth.

\* \* \*

A Copy,

Teste:

Clerk