

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the  
City of Richmond on Thursday the 1st day of November, 2012.*

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 January 1, 2013.

Add Rule 3:22A to read as follows:

**Rule 3:22A. Examination of Prospective Trial Jurors (Voir Dire).**

(a) *Examination.* After the prospective jurors are sworn on the voir dire, the court shall question them individually or collectively to determine whether anyone:

- (1) Is related by blood, adoption, or marriage to the accused or to the Plaintiff or Defendant;
- (2) Is an officer, director, agent or employee of the Plaintiff or Defendant;
- (3) Has any interest in the trial or the outcome of the case;
- (4) Has acquired any information about the case or the parties from the news media or other sources and, if so, whether such information would affect the juror's impartiality in the case;
- (5) Has expressed or formed any opinion about the case;
- (6) Has a bias or prejudice against the Plaintiff or Defendant; or
- (7) Has any reason to believe the juror might not give a fair and impartial trial to the Plaintiff and Defendant based solely on the law and the evidence.

Thereafter, the court, and counsel as of right, may examine on oath the venire, and any prospective juror, and ask questions relevant to the qualifications as an impartial juror. A party objecting to a juror may introduce competent evidence in support of the objection.

(b) *Challenge for Cause.* The court, on its own motion or following a challenge for cause, may excuse a prospective juror if it appears the juror is not qualified, and another shall be drawn or called and placed in the juror's stead for the trial of that case.

Amend portions of Rule 3C:2 to read as follows:

**Rule 3C:2. Uniform Fine Schedule.**

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Description of Offense	Statute or Regulation	Fine	Processing Fee	Total
Drinking alcoholic beverage while driving motor vehicle	18.2-323.1	\$75	\$61	\$136
Improper Identification of Crabbing Gear	PRFC Reg VII 3 b <sup>1</sup>		<sup>2</sup>	\$125
Crab Pots without Decal/Tag - 300 Pot License # pots without decal/tag				
1 to 15	PRFC Reg VII 3 b <sup>1</sup>		<sup>2</sup>	\$250
16 to 30	PRFC Reg VII 3 b <sup>1</sup>		<sup>2</sup>	\$500

Crab Pots without Decal/Tag

- 400 Pot License

# pots without decal/tag

1 to 20	PRFC Reg VII 3 b <sup>1</sup>	2	\$250
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21 to 40	PRFC Reg VII 3 b <sup>1</sup>	2	\$500
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Crab Pots without Decal/Tag

- 500 Pot License

# pots without decal/tag

1 to 25	PRFC Reg VII 3 b <sup>1</sup>	2	\$250
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26-50	PRFC Reg VII 3 b <sup>1</sup>	2	\$500
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Crabbing/Possession of Crabs During Closed Season	PRFC Reg VII 4 a <sup>1</sup>	2	\$250
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Amend a portion of Rule 4:5 to read as follows:

**Rule 4:5. Depositions Upon Oral Examination.**

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(c) *Examination and Cross-Examination; Record of Examination; Oath; Objections.* Examination and cross-examination of witnesses may proceed as permitted at the trial. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally, or by someone acting under his direction and in his presence, record the testimony of the witness. If requested by one of the parties, the testimony shall be transcribed.

All objections made at time of the examination to the

qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Any objection must be stated concisely in a nonargumentative and nonsuggestive manner. Evidence objected to shall be taken subject to the objections. In lieu of participating in the oral examination, parties may serve written questions in a sealed envelope on the party taking the deposition and he shall transmit them to the officer, who shall propound them to the witness and record the answers verbatim.

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Amend a portion of Rule 5:21 to read as follows:

**Rule 5:21. Special Rules Applicable to Certain Appeals of Right**

(a) *Appeals from the State Corporation Commission.*

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(9) **Assignments of Error.** Within 10 days after the issuance by the clerk of this Court of the certificate pursuant to Rule 5:23, each party appellant shall file assignments of error in the office of the clerk of this Court and mail a copy thereof to every other party to the appeal. Under a heading entitled "Assignments of Error" shall be listed, clearly and concisely and without extraneous argument, the specific errors in the rulings below upon which the party intends to rely. A clear and exact reference to the pages of the transcript, written statement of facts, or record where the alleged error has been preserved shall

be included with each assignment of error. Only errors so assigned will be noticed by this Court and no error not so assigned will be considered as grounds for reversal of the decision below. No ruling by the Commission will be considered as a basis for reversal unless an objection was stated with reasonable certainty at the time of the ruling, except for good cause shown or to enable this Court to attain the ends of justice. An assignment of error which merely states that the judgment is contrary to the law and the evidence is not sufficient.

A Copy,

Teste:

*Oscar L. Harrington*

Clerk