1979

Notes on Virginia Civil Procedure

William Hamilton Bryson

University of Richmond, hbryson@richmond.edu

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NOTES
ON
VIRGINIA CIVIL PROCEDURE

BY

WILLIAM HAMILTON BRYSON
This book is an outline of the procedure which I teach. The purpose of this publication is to give an introduction to the subject which can be used as a basis. It is a very brief sketch of the law as it appears in the footnotes to cases and is not designed to give case references.

The scope of my course covered in this book is criminal law and habeas corpus, summary and probate proceedings, and appeals and examinations. Furthermore, this book does not deal with trial strategy; it is a brief guide to the jurisdiction, parties, pleadings, and procedure. It requires me to make grants of assumptions. I hope you will be wary of generalizing.

I would like to thank Mrs. McVey, III, and Mrs. L. Rolle for reading the manuscript and making many suggestions. I am grateful for the help of the staff of the Michie Company and for the errors that remain, of course, I am responsible. I am especially grateful to Mrs. Edward L. Rolle and Mrs. Imogene L. Rolle for their encouragement.

Richmond, Virginia
September 1, 1978
PREFACE

This book is an outline of the introductory course on Virginia civil procedure which I teach at the University of Richmond. The purpose of this publication is to give the students an introduction to the subject which can be read prior to the classroom discussion. It is a very brief sketch of the subject, but there are references in the footnotes to cases and statutes or to secondary works which give case references.

The scope of my course and of this book excludes all federal law, criminal law and habeas corpus, evidence, creditors' rights, and probate proceedings; these matters are covered in other courses. Furthermore, this book does not deal with problems of tactics or trial strategy; it is a book on theory, and the emphasis is on jurisdiction, parties, pleading, and discovery. The size of this work requires me to make grand generalizations, and one must always be wary of generalizing.

I would like to thank Senator Frederick T. Gray, Henry H. McVey, III, and Mrs. Evelyn G. Skaltsounis who read my manuscript and made many suggestions for improvements; the errors that remain are, of course, my own. My appreciation is also due to Mrs. Edward L. Robinson who typed the manuscript for me.

W.H.B.

Richmond, Virginia
September 1, 1978