

Amended by Order dated November 1, 2012; effective January 1, 2013.

RULES OF SUPREME COURT OF VIRGINIA
PART THREE
PRACTICE AND PROCEDURE IN CIVIL ACTIONS

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 paper copies thereof as there are defendants upon whom it is to be served. In an Electronically Filed Case, the plaintiff shall file the complaint electronically and furnish paper copies to the clerk as provided in this Rule.

(b) *Exhibits.* It is not required that physical copies of exhibits filed with the complaint be furnished or served. Unless an individual case is exempted by order of the court for good cause shown, an electronic or digitally imaged copy of all exhibits that are incorporated by reference in the pleading shall be filed with the complaint. Upon the adoption of standards for the preparation of electronic or digital records for use in appeals, exhibits under this Rule shall comply with such standards.

(c) *Additional copies.* A deficiency in the number of copies of the complaint shall not affect the pendency of the action.

(1) If the plaintiff fails to furnish the required number of copies, the clerk shall request that additional copies be furnished by the plaintiff as needed, and if the plaintiff fails to do so promptly, the clerk shall bring the fact to the attention of the judge, who shall notify the plaintiff's counsel, or the plaintiff personally if no counsel has appeared for plaintiff, to furnish them by a specified date. If the required copies are not furnished on or before that date, the court may enter an order dismissing the suit.

(2) Additionally, in an Electronically Filed Case, if the clerk has been provided by the plaintiff with a credit or payment account through which to obtain payment of fees for duplication of required copies of filings, the clerk shall promptly prepare additional copies of the pleading as needed, and process payment through such credit or payment account; or, if processing by the clerk of the proper payment for duplication of additional copies of the pleading through a credit or payment account authorized by the filing party is not feasible, the clerk shall proceed as provided in subpart (c)(1) of this Rule.