

## JUDICIAL COUNCIL INVITES INPUT ON IMPEACHMENT RULE OF EVIDENCE

The Advisory Committee on Rules of Court, of the Judicial Council of Virginia, invites comment on a possible revision of Evidence Rule 2:607. The Rule currently provides that "[s]ubject to the provisions of Rule 2:403, the credibility of a witness may be impeached by any party other than the one calling the witness, with any proof that is relevant to the witness's credibility." At an upcoming meeting the Committee wishes to consider whether to recommend revision of this rule to allow any party, including the party that has called the witness, to impeach the witness (as is permitted in federal court and a majority of the states). As in the past, calling a witness solely or primarily to impeach would not be allowed. All of the statutory provisions on impeachment, leading questions, use of prior statements and adverse witnesses, as well as the Rules of Evidence implementing those principles, would remain unchanged.

No rule change has been considered or approved by the Judicial Council or the Supreme Court of Virginia on the issue being explored by the Advisory Committee on Rules of Court.

Comments may be submitted by September 15, 2016 to:

Advisory Committee on Rules of Court  
c/o Steven DalleMura  
Office of the Executive Secretary  
Supreme Court of Virginia  
100 North Ninth St.  
Richmond, VA 23219

OR via email with the subject line "Evidence Rule 2:607" to:

[proposedrules@courts.state.va.us](mailto:proposedrules@courts.state.va.us)