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## Notes on Virginia Civil Procedure By W. Hamilton Bryson

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# BOOK REVIEW

NOTES ON VIRGINIA CIVIL PROCEDURE. W. Hamilton Bryson. Charlottesville: The Michie Company. 1979. pp. 274. \$25.00

*Reviewed by Lewis T. Booker\**

Although W. Hamilton Bryson modestly describes his *Notes on Virginia Civil Procedure*, the Michie Company, 1979, as "little more than an outline," he has in fact made a significant contribution to practical jurisprudence in his handbook on Virginia civil procedure. Mr. Bryson is a professor of law at the T. C. Williams School of Law of the University of Richmond and teaches Virginia Procedure there.

Professor Bryson's introduction reminds us that it has been nearly twenty years since there has been any new comprehensive treatment of civil procedure in Virginia courts of law and of equity. The changes that have occurred in Virginia procedure over that period of time, particularly in the field of discovery, call for a completely new and comprehensive retreatment of the subject.

Professor Bryson begins with a fascinating and illuminating discussion of jurisdiction with many historical allusions. It serves as an excellent basic introduction to the common law.

The book treats, in order, extra-judicial procedures, jurisdiction, parties, pleading, evidence in equity, discovery, the pretrial conference, trials at common law, final judgments and decrees, costs and appeals. The handbook does not purport to be an essay on evidence and contains no extensive discussion of the rules of evidence. Without explicitly doing so it emphasizes the very real differences which still exist between Virginia civil procedure and federal civil procedure except in the area of discovery. The chapter on trials at common law is an exceptionally clear road map as to the procedural pitfalls which may still befall an attorney in such a trial. The handbook properly identifies and relegates to their well earned place in obscurity such arcane procedural devices as the demurrer to the evidence, motions for repleader and motions for venire facias de novo. The handbook is extensively annotated with references to the Virginia Code, cases and many secondary authorities. Rare for a publication of The Michie Company, it even contains a useful index. The handbook also contains a place

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for insertion of pocket parts, and one may hope that Professor Bryson will supplement his work periodically.

The handbook will be invaluable to one whose practice carries him or her frequently into Virginia civil courts. It will be useful to any active practitioner. It is written so clearly and succinctly that it will surely make helpful reading for non-legal law office personnel as well.