

**Last amended by Order dated March 1, 2011; effective May 2, 2011.**

RULES OF SUPREME COURT OF VIRGINIA  
PART THREE A  
CRIMINAL PRACTICE AND PROCEDURE

**Rule 3A:2. Purpose and Interpretation; Definitions.**

(a) *Purpose and Interpretation.* These Rules are intended to provide for the just determination of criminal proceedings. They shall be interpreted so as to promote uniformity and simplicity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay. Errors, defects, irregularities or variances that do not affect substantive rights shall not constitute reversible error.

(b) *Definitions.* Except as otherwise expressly provided in this Part Three A or unless the context otherwise requires:

(1) "Clerk" includes deputy clerk.

(2) "Commonwealth's attorney" includes assistant or acting Commonwealth's attorney.

(3) "Continuance" includes adjournment or recess.

(4) "Indictment" includes presentment and information filed upon presentment.

(5) "Magistrate" means a judicial or quasi-judicial officer authorized to issue arrest and search warrants, commit arrested persons to jail or admit them to bail, or conduct preliminary hearings.

(6) "Recognizance" means an undertaking, with or without surety or other security, made before a magistrate to perform one or more acts - for example, to appear in court. A recognizance may be written or oral but, if oral, shall be evidenced by a memorandum signed by the magistrate.

(7) Writings or memoranda under these Rules, and any required signatures or sworn verifications, shall be valid in the form of electronic files or digital images as provided in Rule 1:17.