

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF NORFOLK
ORDER CONCERNING JUDICIAL EMERGENCY

The Chief Justice of the Supreme Court of Virginia having declared a judicial emergency throughout the Commonwealth from March 16 through April 6, 2020, it is hereby ORDERED that, except as explicitly provided below, all civil, traffic, and criminal trials, whether by judge or by jury, that are presently set to be tried in this Court on or before April 6, 2020, are hereby CONTINUED.

The Court finds the Novel Coronavirus COVID-19 is a “natural disaster” as defined in *Code* §§ 44-146.16, 19.2-243. During the period of the judicial emergency the Court will only conduct trials or hearings in these classes of cases, whether presently docketed or hereafter docketed:

CRIMINAL CASES

1. Appointments of counsel for in-custody defendants, by videoconference only. *Code* § 19.2-157.
2. Bond appeals, with defendants appearing by videoconference only. *Code* § 19.2-124.
3. Requests for bond modification or revocation, by videoconference or telephonic hearing, if practicable. *Code* § 19.2-132.
4. Revocations of conditional release for those found not guilty by reason of insanity. *Code* § 19.2-182.8.
5. Such other matters or motions, non-trial, as may be brought to the attention of the Court that can be conducted by telephone conference or videoconference or by a courtroom appearance not requiring the assembly of more than ten people.

CIVIL CASES

6. Quarantine or isolation matters. *Code* §§ 32.1-48.09 to 32.1-48.013.
7. Appeals of protective orders in cases of family abuse issued by the Norfolk Juvenile and Domestic Relations District Court. *Code* §§ 16.1-279.1; 16.1-296 (F).
8. Applications for preliminary injunctions. (This does not include *pendente lite* hearings in suits for divorce.)
9. Revocations of conditional release for those having previously been declared to be sexually violent predators. *Code* § 37.1-913.
10. Appeals of orders of the Norfolk Juvenile and Domestic Relations District Court involuntarily committing a minor for inpatient psychiatric treatment or ordering a minor to outpatient psychiatric treatment. *Code* § 16.1-345.6 (B).
11. Appeals of orders involuntarily committing a person for inpatient psychiatric treatment. *Code* § 37.2-821.
12. Petitions for writs of habeas corpus (other than for persons in the custody of a sheriff or the Department of Corrections), mandamus, prohibition, or quo warranto.
13. Appeals of orders of the Clerk of this Court concerning probate of a will. *Code* § 64.2-445.
14. Petitions for the appointment of guardians or conservators for incapacitated persons. *Code* § 64.2-2000 *et seq.*

The Court will also hear such other matters as a judge of this Court may allow, compelling cause being shown.

The Court requires that trials and hearings on these matters and motions now docketed will be conducted by telephonic hearing or video conference to the extent practicable. To request a

telephone hearing, counsel should contact the Clerk's Office Civil Docket Clerk at civildocket@circuitcourtva.us or call the civil docket clerk at (757)-793-3641.

If the Court approves the use of a courtroom for a matter that cannot practicably be heard via telephone or videoconference, access will be limited to attorneys, parties, necessary witnesses, deputy clerks, bailiffs, court reporters and members of the press. In no event shall the Court approve any in-court hearing requiring the assembly of more than ten people in one room.

The Grand Jury scheduled for April 1, 2020, and the criminal scheduling conferences set for 2:30 p.m. that day are cancelled. Criminal jury and non-jury trials may continue to be set with the criminal docket clerk for dates beginning April 7, 2020.

The civil scheduling conferences set on March 20, 2020, at 2:30 p.m. are cancelled. Civil jury and non-jury trials may continue to be set with the civil docket clerk for dates beginning April 9, 2020.

Juror show causes to be heard through April 6, 2020 are cancelled.

The Bar is requested not to ask for hearings on motions not yet docketed unless the resolution of the matter is urgent.

Attorneys with access are required to use e-filing for all civil matters. If attorneys do not have access to e-filing they will use the U.S. Postal Service first class mail for all filings.

The Court requests members of the Bar appearing in pending cases with *pro se* parties to advise such parties of the content of this order.

To the extent it may be inconsistent, the General Order Regarding Coronavirus Disease of March 13, 2020, as it relates to this Court, is hereby SUPERSEDED.

As conditions change and other issues are brought to the Court's attention, revisions of this order may be issued.

The Clerk is ORDERED to post a copy of this order on his website and at the entrance to the Courthouse. The Court has sent a copy of this order to the Norfolk-Portsmouth Bar Association for distribution to its members.

ENTER: March 17, 2020



Chief Judge