

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF NORFOLK

THIRD ORDER CONCERNING JUDICIAL EMERGENCY

The Chief Justice of the Supreme Court of Virginia having entered an Order dated March 27, 2020, extending the judicial emergency through April 26, 2020, it is hereby ORDERED that, except as herein modified, this Court's Order and Second Order Concerning Judicial Emergency of March 17 and 19, 2020, are extended through April 26, 2020.

Criminal and civil non-jury trials may continue to be set with the appropriate docket clerk for dates beginning April 29, 2020.

Criminal and civil jury trials may continue to be set with the appropriate docket clerk for dates beginning May 18, 2020.

The civil scheduling conferences set on April 24, 2020, at 2:30 p.m. are continued to May 22, 2020, at 2:30 p.m.

Juror show causes to be heard through April 26, 2020, are cancelled.

The Chief Justice's recent order provides: "Except as provided in this order, the courts and clerks' offices shall remain operational and provide services required by law while, at the same time, maintaining protections for the health and safety of court users and personnel." His order further provides:

15. If a court finds it necessary to limit access to the court clerk's office for any time during the scope of this order, the clerk's office shall, nonetheless remain accessible during regular business hours by telephone and email, with such contact information posted on the Internet and at any public entrance(s). If available, drop boxes should be used for any conventionally filed documents and clerks shall take steps to safely accommodate any individual(s) requiring access for important matters, including but not limited to, title or record searches and recordation of land records.

The current procedures enacted by the Clerk's Office in response to the Judicial Emergency may deprive some persons without access to e-filing to a procedure for filing time-

sensitive or other emergent documents with the Court. The Court finds that drop boxes are available here for “conventionally filed documents,” and the Clerk is directed to provide same, clearly identified, in the lobby of the Courthouse. The drop box will be checked no less frequently than daily, and filings will be processed promptly. The Court’s Order Concerning Judicial Emergency, entered March 17, 2020, provided, “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 modifies that provision: while attorneys without access to use e-filing are strongly encouraged to file via the U.S. Postal Service to reduce both the number of persons entering the Courthouse and the demand on the Clerk’s Office to handle such in-person filings, the Court does not require this method. Consistent with the Chief Justice’s Order, the Court authorizes filing by drop box both for attorneys without access to e-filing and for pro se litigants.

The Clerk has also agreed to make satisfactory arrangements to provide access to the public to review land records, consistent with paragraph 15 of the Chief Justice’s Order of March 27, 2020, either by appointment or some other method approved by the Court.

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 30, 2020



CHIEF JUDGE