

# VIRGINIA: IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT OF THE CITY OF VIRGINIA BEACH

## ORDER

Upon a State of Emergency declared by both the President of the United States and the Governor of Virginia, the Supreme Court of Virginia's Orders of Judicial Emergency, and upon consideration of guidelines issued relative to public safety by Federal, State and Local agencies due to the COVID-19 pandemic including the Office of the Executive Secretary's "Guide to Transitioning from Emergency to Routine Operations", it is

ORDERED pursuant to the Supreme Court of Virginia's Orders of Judicial Emergency and §16.1-69.35(5), limited access to the court will continue through June 28, 2020 as outlined below.

All cases are hereby continued with the exception of the following cases:

- a. Arraignments and bond motions for incarcerated adults on criminal cases and contempt proceedings;
- b. Detention hearings for juveniles securely detained and in less secure facilities;
- c. Abuse & Neglect hearings requesting Emergency Removal Orders and Preliminary Child Protective Orders and 5-day hearings for these cases;
- d. Preliminary Protective Order requests and two-year Protective Order hearings;
- e. Emergency and expedited motions;
- f. Guilty pleas, no contest pleas or where the disposition or sentencing is agreed to by all parties. The parties shall submit a written plea agreement signed by the Commonwealth Attorney, defense counsel and defendant along with a Notice of Hearing. If the defendant is being held in jail, the plea agreement shall include language that the defendant consents to entering a plea via video. The Notice shall include an agreed upon date for the hearing;
- g. Any agreements or consent orders for civil cases may be submitted to the Court for entry;
- h. Any agreements or consent orders for motions to nolle prosequere, dismiss, or dismiss due to compliance may be submitted to the Court for entry;

- i. Motions for Remote Hearing may be filed for any initial civil case and/or civil motion scheduled between March 17, 2020 and June 19, 2020. This does not include contested cases or motions that involve witnesses other than the parties and the attorneys. The Motion for Remote Hearing must be completed in its entirety and is found on the court's website;
- j. Beginning June 8, the court will resume the DHS docket. If consent orders are submitted to the court prior to the hearing, only persons subject to a protective order need to appear;
- k. Beginning June 12, the court will resume the Traffic docket; and
- l. Beginning June 22, the court will resume all remaining dockets.

All adjudicatory, preliminary or dispositional hearings scheduled June 8, 2020 through June 19, 2020 for any incarcerated defendant or juvenile in detention or less secure will be held as a review of bond or detention status hearing.

Whenever possible these hearings will be conducted by video or telephonically or based on the pleadings alone.

Agreed or consent orders may be filed with an electronic signature.

The Court will notice parties on contested cases scheduled March 17, 2020 through June 19, 2020 that have yet to be rescheduled and certain contested cases scheduled after June 22, 2020 that will be rescheduled to provide docket time for criminal matters for a docket call on June 10, 12 or 19, 2020. Parties must submit available dates or appear in person for the docket call date.

The Court will notice parties of rescheduled court dates for all cases scheduled between March 17, 2020 and June 19, 2020 that were or are not heard due to the Judicial Emergency Orders. The Clerk shall continue these cases pursuant to the "Virginia Beach Juvenile and Domestic Relations District Court Phase I Transitional Plan for Returning to Normal Operations".

The Driver's License Ceremony is suspended until further order of the court. Until then, the Clerk's Office will mail licenses as they are received.

Pursuant to the Supreme Court of Virginia's order, all persons aged 10 or over entering the courthouse must wear a face covering that covers the nose and mouth unless they have

difficulty breathing, cannot remove a face mask without help or have other medical issues that make the wearing of a face covering unsafe.

Only necessary parties should come inside the courthouse and the courtroom. Necessary parties are defined as the parties to a case and one parent/guardian in the case of a juvenile criminal or traffic matter. Any witnesses, other than police officers, DHS workers and probation officers, are to wait in their cars to be called into the courtroom when their testimony is needed. A party who intends to call a non-police officer or non-agency witness will be responsible for obtaining that witness' phone number to give to the courtroom clerk.

No one can sit inside of a courtroom until a case is called except attorneys waiting for cases, but the attorneys must exit the courtroom if their case is not being heard and there are 10 people in the courtroom including the judge, clerk and bailiff. If an attorney is asked to leave the courtroom before their case is called due to social distancing issues, they shall provide their cell phone number to the clerk.

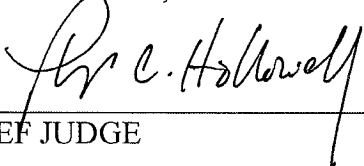
When clerks check in cases, they may obtain cell phone numbers from the parties and ask them to go back to their car until they are notified that their case will be called.

It is important that all attorneys and litigants are prepared and ready to proceed when their case is called. In order to avoid delays and to minimize the number of people in the waiting area, attorneys should make every effort to meet with clients, witnesses and to have settlement/plea negotiations away from the courthouse and not on the morning of court.

Any party who is not permitted entry into the courthouse, should immediately contact the Clerk's Office for further instruction.

The Clerk's Office will be accessible by telephone (757-385-4391) and email ([vabjdr@vacourts.gov](mailto:vabjdr@vacourts.gov)) Monday through Friday, 8:00 a.m. to 4:00 p.m. Emails will be replied to within one (1) business day.

ENTER: JUNE 3, 2020

  
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CHIEF JUDGE