

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF VIRGINIA BEACH

In re: PERIOD OF JUDICIAL EMERGENCY DUE TO COVID-19
CIRCUIT COURT PROCEEDINGS-EIGHTH ORDER

Order

During the period of judicial emergency due to the COVID-19 emergency, the Court enters this Order to advise court users of the operations of this Court.

- 1) The Court shall hear all non-jury civil cases scheduled for trial on the current docket. No civil jury trials shall occur until further notice. The tentative restart date for civil jury trials is June 1, 2021. However, such resumption is subject to further Court review and approval. Counsel may schedule a new trial date for a civil jury trial case by submitting an agreed continuance order with a date approved by the court or by submission of a praecipe for the setting of a trial date at docket call.
- 2) The Court will hear non-jury criminal cases using in-person and video conferencing. The resumption of criminal jury trials was scheduled for November 2020. However, due to prevailing COVID-19 pandemic conditions and the recommendation of the local Department of Public Health, and upon consideration of the Governor's Executive Order of Public Health Emergency dated November 13, 2020 tightening restrictions due to the novel coronavirus (COVID-19), criminal jury trials have been suspended through December 2020. The planned resumption date is January 11, 2021 and is subject to further court review and approval. The docketing of criminal matters shall be on a schedule established and approved by the Court.
- 3) Judicial Settlement Conferences may be scheduled to be heard in-person in a courtroom.
- 4) Matters set on the Duty Judge Docket shall be heard by use of a two-way electronic audio-visual communication system using WebEx unless an in-person hearing is approved by a Judge. The regular Friday Motion Docket has resumed.
- 5) Grand Jury proceedings will be held subject to safety, social and physical distancing protocols.
- 6) Civil Docket Call shall be held subject to social and physical distancing restrictions in the courtroom.
- 7) All in-person proceedings shall be subject to precautions taken by the presiding judge to comply with social distancing and safety requirements. All in-person proceedings may be limited to the minimum number of necessary participants, and the number of observers permitted in the courtroom at any given time may be limited by the presiding judge while preserving public access to the Court. For in-person proceedings, the parties and counsel shall wear a face covering that covers the nose and mouth except for those who cannot safely wear a face mask because of a health-related condition or medical issue. The presiding judge may authorize removal of a face mask to facilitate a proceeding and when the wearing of a face mask may inhibit the ability to communicate.

ENTER: December 1, 2020


CHIEF JUDGE LESLIE L. LILLEY