

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE
IN THE CIRCUIT COURT FOR THE CITY OF SALEM

**GUIDELINES REGARDING RESUMPTION OF IN-PERSON COURT
PROCEEDINGS IN THE CIRCUIT COURTS FOR THE CITY OF
ROANOKE AND THE CITY OF SALEM**

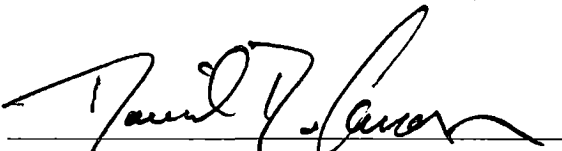
In its Fourth Order Modifying and Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency, the Virginia Supreme Court stated, in relevant part, that effective May 18, 2020, courts may expand their dockets to hear in-person non-emergency matters under certain conditions. Having considered the Court's Order and reviewed the "Guide to Transitioning from Emergency to Routine Operations" from the Office of the Executive Secretary, the Circuit Courts of the City of Roanoke and the City of Salem offer the following guidelines, which shall be effective May 18, 2020:

1. These guidelines apply solely to the Circuit Courts in the City of Roanoke and the City of Salem. They are intended to provide help and guidance to all who appear in those courts. Ultimately, discretion as to how to proceed and under what conditions rests with each individual circuit court judge, even if they conflict with these guidelines.
2. All civil and criminal jury trials are suspended, and will remain suspended until further order of the court;
3. All emergency matters shall continue to take precedence on the docket;
4. Litigants in all criminal and civil matters are encouraged to schedule all or portions of any proceeding by means other than in-court proceedings, which may include videoconferencing (Webex), teleconferencing, telephone, and/or e-mail. (It is expected that all participants in any video proceeding conducted with the court shall be appropriately attired);


5. Litigants may schedule in-person non-emergency matters to be heard in open court, including hearings, pre-trial motions, and bench trials. While remaining obligated to comply with all notice requirements or other duties under applicable rules and statutes, litigants are not required to secure the consent of other parties before contacting the court to schedule any such matter. To the extent a proceeding is conducted in open court, the presiding judge of each court shall determine the manner in which it will proceed. At a minimum, the following safeguards should be observed:
 - a. Courtroom capacities vary, but in general, attendance in courtrooms should be limited to no more than 20 persons total, or a greater number if appropriate social distancing can be maintained;
 - b. Attendance in each courtroom should be limited to attorneys, parties, necessary witnesses, security officers, media (pursuant to appropriate order), and other necessary persons as determined by the trial judge;
 - c. Absent leave of court, no in-person non-emergency hearing or trial should be scheduled for more than two hours;
 - d. While in court, all persons shall practice social distancing;
 - e. Absent leave of court, no attorney should approach a witness or the court during the examination of a witness; and
 - f. All areas occupied by attorneys, parties, and/or witnesses should be wiped down with disinfectant between proceedings.
6. Pursuant to Va. Code Ann. § 32.1-48.013:1, courts will continue to accept electronic or facsimile filing of petitions, notices, briefs, notices of appeal, or other legal documents, if available in the respective clerk's offices;
7. Litigants are expected to abide by pre-trial deadlines imposed by rule and/or order;

8. The courts will continue to liberally grant continuances for causes related to the COVID-19 crisis; and
9. All courthouse security personnel will continue to take reasonable measures to prohibit individuals from entering the courthouse if they have, within the previous 14 days:
 - a. Traveled internationally;
 - b. Been directed to quarantine, isolate, or self-monitor;
 - c. Been diagnosed with, or have had contact with anyone who has been diagnosed with, COVID-19;
 - d. Experienced a fever, cough, or shortness of breath; or
 - e. Resided with or been in close contact with any person in the above-mentioned categories.

SIGNED THIS 18th DAY OF MAY, 2020:



David B. Carson, Chief Judge



J. Christopher Clemens, Judge



Onzlee Ware, Judge