

VIRGINIA:

**IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURTS FOR
THE CITY OF ROANOKE, THE COUNTY OF ROANOKE AND THE CITY OF
SALEM**

COVID -19 ORDER #11

The Supreme Court of Virginia (“Supreme Court”), by order entered March 16, 2020, declared a state of judicial emergency in all district and circuit courts of the Commonwealth of Virginia, and by orders entered March 27, 2020 and April 22, 2020 the Supreme Court extended the judicial emergency through April 26, 2020 and through May 17, 2020 respectively;

And these Courts entered orders on March 16, 2020 (“First Order”), on March 30, 2020 (“Second Order”) and on April 10, 2020 (“Third Order”) to address the state of judicial emergency declared by the Supreme Court and to clarify these Courts’ response to said emergency;

And these Courts on April 23, 2020 entered an order (“Fourth Order”) extending the previous orders (First, Second and Third) through May 17, 2020;

Further, on May 6, 2020 the Supreme Court entered an order extending the state of judicial emergency from May 18, 2020 through June 7, 2020¹;

And, these Courts entered an order on May 12, 2020 (“Fifth Order”) extending the Courts’ First, Second, Third and Fourth orders through May 25, 2020;

¹ The May 6, 2020 order, in paragraph 4, permits courts to hear in-person, non-emergency matters if they determine that it is safe to do so, and provided that that they comply with guidance for transitioning from emergency to routine operations provided by the Office of the Executive Secretary. That guidance was provided on May 8, 2020.

NOW, THEREFORE, based on the foregoing, and in careful consideration of the guidance provided by the Office of the Executive Secretary, the guidance from the Centers for Disease Control, what other J&DR District Courts are doing across the Commonwealth, and input from the Courts' clerks and stakeholders, it is **ORDERED** as follows:

1. The provisions of these Courts' First, Second, Third, Fourth and Fifth Orders shall continue in full force and effect through June 7, 2020, as if fully set forth herein. Said orders shall continue thereafter until further court order, except as expressly modified herein.
2. Beginning June 8, 2020, these Courts will begin to hear in-person, non-essential cases in accordance with the Guidelines issued contemporaneously with this order.

ENTER: May 19, 2020



Frank W. Rogers, III
Chief Judge

VIRGINIA:

**IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURTS FOR THE
CITY OF ROANOKE, THE COUNTY OF ROANOKE AND THE CITY OF SALEM**

**GUIDELINES REGARDING RESUMPTION OF IN-PERSON,
NON-EMERGENCY HEARINGS**

In its Fourth Order Modifying and Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency, the Supreme Court of Virginia stated, in relevant part, that effective May 18, 2020, courts may expand their dockets to hear in-person, non-emergency matters under certain conditions. The J&DR District Courts for the City of Roanoke, the County of Roanoke, and the City of Salem (“these Courts”) offer the following guidelines, which shall be effective June 8, 2020:

1. These guidelines are intended to provide help and guidance to all who appear in these Courts. Ultimately, discretion as to how to proceed and under what conditions rests with each individual J&DR District Court judge, even if the exercise of such judgment conflicts with these guidelines.
2. Litigants and lawyers are encouraged to schedule all or portions of any proceedings 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 these Courts will be appropriately attired.
3. In-person, non-emergency matters may be heard in open court. All notice provisions required by statute or rule still apply. 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. Attendance in each courtroom should be limited to attorneys, parties, necessary witnesses, security officers, media (pursuant to appropriate order or statutory authority) and other necessary persons as determined by the presiding judge;

- b. Absent leave of court, no attorney should approach a witness or the court during examination of a witness;
 - c. The use of protective face covering is strongly encouraged; and,
 - d. The hearing will be continued in the presiding judge's discretion if he or she believes that the hearing may not be safely conducted in person.
4. While at the courthouse lawyers, litigants and necessary witnesses should:
- a. Strongly consider wearing protective face covering;
 - b. Observe posted signage;
 - c. Practice social distancing by staying at least six feet apart;
 - d. Follow marked directional and instructional signs;
 - e. Avoid grouping to socialize;
 - f. Obey all directions of court security personnel; and,
 - g. Observe safe health practices, including use of hand sanitizing stations.
5. Lawyers, litigants and necessary witnesses are strongly encouraged not to enter the courthouse until at or just before the appointed time for their hearing.
6. Do not bring children to the courthouse unless you are specifically asked to do so.
7. The Roanoke City Clerk will thin that Court's dockets to provide fifteen (15) minutes for each case regardless of type (except arraignments).
8. The Clerks' Offices windows will remain closed to face-to-face business, as provided in COVID-19 Order #6 entered April 10, 2020 (Third Order), but shall otherwise remain open for business as provided by said order.
9. Pursuant to Va. Code Ann. 32.1-48.013:1, these 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 Clerks' Offices;

10. These Courts will continue to liberally grant continuances for causes related to the COVID-19 crisis; and
11. All courthouse security personnel will continue to take reasonable measures to prohibit individuals from entering the courthouse if they have:
 - a. Recently returned from international travel;
 - b. Been asked to quarantine, self-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 abovementioned categories.

Persons fitting one of more of the above categories should contact the appropriate Clerk's Office for further instructions: Roanoke City- (540) 853-2389; Roanoke County- (540) 387-6160; and, Salem City- (540) 375-3044.

SIGNED THIS 19th DAY OF MAY, 2020:



Frank W. Rogers, III Chief Judge