

TWENTY-THIRD JUDICIAL DISTRICT
OF VIRGINIA



JACQUELINE F. WARD TALEVI, CHIEF JUDGE
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GENERAL DISTRICT COURT FOR THE CITY OF ROANOKE
GENERAL DISTRICT COURT FOR THE COUNTY OF ROANOKE
GENERAL DISTRICT COURT FOR THE CITY OF SALEM

COMMONWEALTH OF VIRGINIA

June 1, 2020

Roanoke Bar Association
Roanoke, VA

Dear Members of the Bar,

This letter is written to provide guidance in response to Governor Northam's Executive Order Number 63 issued on May 26, 2020 effective May 29, 2020 entitled *Requirement To Wear Face Covering While Inside Buildings*. The Executive Order requires persons aged ten and over to wear face coverings that cover the mouth and nose "when entering, exiting, traveling through and spending time inside a state or local government buildings when accessed for the purpose of securing public services" with certain exceptions. In my view, the Executive Order governs the courtrooms in the General District Courts of the 23rd Judicial District; therefore, all lawyers, litigants, witnesses, observers, court reporters, court interpreters, deputy clerks and judges shall wear masks when entering, exiting, traveling through and spending time inside the courtrooms in compliance with the Governor's Executive Order.

During the course of litigation, should the lawyer, litigant, witness, court reporter, court interpreter, deputy clerk or judge determine the face covering interferes with the ability to communicate effectively, then the court shall grant the person so affected permission to remove the face covering temporarily. Of course, persons with health conditions that prohibit wearing a face covering will not be required to do so.

Enforcement of the Executive Order shall be by the Virginia Department of Health not the Sheriff's Departments in the 23rd Judicial District. Moreover, if a litigant, witness, court reporter, court interpreter appears without a face covering for his/her court appearance, each locality has a limited supply of masks to provide the person. However, no one who is compelled to appear in court shall be denied entry to the courtroom because s/he is not wearing a face covering.

Thank you for your cooperation as we navigate these challenging times.

Sincerely,

Jacqueline F. Ward Talevi,
Chief Judge, General District Court