

VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF GREENE

**IN RE: JUDICIAL EMERGENCY RELATING TO THE CORONAVIRUS
(COVID-19)**

**Order Regarding Updated Response, Procedures, and Protocol
To Prevent or Minimize The Spread Of COVID-19**

On May 6, 2020, the Virginia Supreme Court entered its Fourth Order Modifying and Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency, extending the Judicial Emergency to June 7, 2020. That order made reference to the three previous Judicial Emergency orders (entered March 16 and 27, and April 22, 2020) and a Clarification Order (May 1), as well as two Executive Orders entered by Governor Northam regarding the coronavirus.

In accordance with that most recent Judicial Emergency order, this Court will continue to operate but on a restricted basis, and with continued precautions remaining in place and additional measures being taken.

As directed in that Order, no one will be allowed to enter the courtroom, but will be required and ordered to leave the building, if they have, within the previous 14 days

1. Travelled outside of Virginia or the United States,
2. Been directed, instructed, or required by any medical professional or agency or any governmental authority to quarantine, isolate, or self-monitor,
3. Been diagnosed with, or had contact with anyone who has been diagnosed with, COVID-19/coronavirus,
4. Experienced a fever, cough, or shortness of breath or
5. Resided with or been in close contact with any person in any of the above four categories.

The bailiff shall ask each person questions to determine their status with regard to the above before allowing them to enter the courtroom.

In addition no one who is feeling ill at the time (whether diagnosed or not), or who within the previous 14 days has experienced a persistent headache, sore throat, other body aches, or respiratory problems, shall be allowed in the courtroom unless they have been examined by a physician or tested negative for the coronavirus. The bailiff is also authorized to turn away anyone who appears to be ill or is exhibiting any of the above symptoms (in this paragraph and #4 above), even if the person indicates that he or she is feeling well. If the Court or Clerk's Office staff becomes aware of such a person they shall bring that to the attention of the bailiff immediately. All such excluded persons shall be excused from appearing for their cases, and if they are parties or necessary witnesses, continuances will be granted.

If any person is not allowed in the courtroom because of the above restrictions, they shall be directed by the bailiff to contact their attorney or, if the individual is representing himself or herself, the other party's attorney or the Clerk's Office, by telephone, text, or email, before the end of the day (or by 9:30 the next morning if after close of business), to reschedule their case or to receive instructions as to alternative arrangements for court access or appearances.

Furthermore, only court staff, attorneys (including necessary staff), the parties, necessary witnesses, and members of the press, are allowed in the courtroom during a case.

Those who are allowed to enter the courtroom, and whose cases are going to be heard, shall not enter before using hand sanitizer supplied by the bailiff, and they are not to sit within ten (10) feet of anyone else in the courtroom. They also are to have no physical contact with anyone else in the courtroom and are not speak to anyone but the Court, their attorney, an attorney asking them a question, or to whom the Court directs or permits.

Individuals entering the courtroom will wear a mask or other appropriate cloth face covering.

The bailiffs shall clean and wipe down with a disinfectant all tables and lecterns at the beginning of the day, and shall re-clean them whenever a different party is going to be using the table or lectern. In addition, the bailiffs shall wipe down the area of a seat or bench (pew) where anyone has been sitting before

anyone else is allowed to sit there. The bailiffs are authorized to mark places for persons to sit, or direct them where to sit, if they deem that helpful or appropriate.

The bailiffs are also authorized to limit the number of people in the courtroom at any given time in order to maintain the requisite or recommended spacing and social distancing.

The Court will continue to operate on an emergency basis, and will continue to hear emergency, urgent, and essential matters, as well as statutory priority cases. These shall include, but are not limited to, any matters regarding quarantine or isolation issues relating to COVID-19, criminal arraignments including the entry of guilty pleas, bail reviews and bond hearings, protective order cases, emergency child custody or visitation cases, termination of parental rights, civil involuntary commitment hearings, petitions for temporary injunctive relief (irreparable harm), emergency protection of elderly, incapacitated, or other vulnerable individuals, petitions for appointment of a guardian or conservator, or other proceedings to safeguard constitutional protections and important statutory rights.

The Court will continue to hear as many matters as it can by video and attempt to minimize in-person, in-court, contact, and the parties and counsel are granted leave to appear by video (Polycom or WebEx) when that can be arranged, but the Court may allow and conduct such in-person proceedings, as can be done safely and where such is requested by or consented to by the parties and counsel (including non-emergency non-essential matters beginning May 18). The Court will also allow telephonic appearance where appropriate or necessary. No criminal case will proceed by video or telephone appearance of the defendant or counsel on a non-pretrial matter unless the defendant agrees or consents to such appearance.

There will be no jury trials before June 7, 2020. Continuances will be liberally granted, and excuses for not appearing, if related to COVID-19, will be looked upon favorably.

As set forth in the Judicial Emergency orders, read together, statutory speedy trial time under Va. Code §19.2-243, and all statutes of limitation and case filing deadlines, excluding discovery deadlines, shall continue to be tolled through June 7, 2020. In civil cases, any tolling of such deadlines or obligations arising out of Part Four of the Rules of the Supreme Court of Virginia, shall terminate as of May

18, 2020. Litigants are encouraged to resolve as many pretrial matters as possible without the need for assistance from the courts.

The Clerk's Office shall remain open and accessible to the public during this period, but may, for reasons of protection of the health and safety of the public and staff, operate on an appointment basis and/or limit the number of persons allowed in the Clerk's Office at one time, or take other appropriate measures.

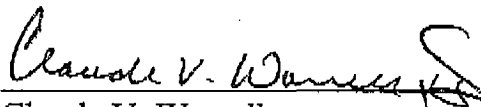
The Clerk's Office may accept and file signed pleadings (Complaints, Petitions, Answers, etc.), orders, motions, and other documents, by scanned email attachments or by fax, when such actual signature is apparent on the scanned or faxed copy, or if such signature is affixed electronically from a trusted source.

The purpose of this Order and these precautions and restrictions is to protect the health and safety of the public, litigants, witnesses, jurors, court staff, attorneys, and judges, and it shall remain in full force and effect until further order of this Court, or until June 7, 2020, whichever occurs first.

The Court further orders that all of the previous Judicial Emergency orders of the Virginia Supreme Court be spread upon the Common Law Order Book of this Court so that the public may have access to them, since they affect the operation of this Court and are referred to in this Order, and they are adopted by, and shall be deemed to be an order of, this Court.

The Clerk of this Court shall post a copy of this order at the entrance to the courthouse and outside the courtroom, and provide a copy of it to anyone whose case is continued or otherwise affected by this Order as well as to anyone who requests a copy.

Entered this 13th day of May, 2020.


Claude V. Worrell