

VIRGINIA: HAMPTON GENERAL DISTRICT COURT
AMENDED ORDER OF COURTHOUSE OPERATIONS IN RESPONSE TO THE
COVID-19 EMERGENCY

On March 12, 2020, Governor Northam entered Executive Order Number Fifty-One (2020) Declaration of a State of Emergency Due to Novel Coronavirus “COVID-19”. This state of emergency became effective March 12, 2020, and is to remain in full force and effect until June 10, 2020, unless sooner amended or rescinded by further Executive Order. In light of the foregoing and Chief Justice Lemons having received on March 16, 2020, a request from the Governor for a declaration of a judicial emergency in all district and circuit courts of the Commonwealth of Virginia, pursuant to Va. Code § 17.1-330, the Chief Justice entered an order on March 16, 2020, and subsequent orders of extension on March 27, 2020, April 22, 2020, and May 6, 2020, declaring a judicial emergency for all district and circuit courts of the Commonwealth to protect the health and safety of court employees, litigants, judges, and the general public. **This Order shall become effective May 18, 2020.**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously hereby MODIFIES and EXTENDS all previous COVID-19 Emergency Orders and ORDERS the following:

1. As provided in the First, Second, Third, and Clarification Orders, for all cases in district courts the statues of limitation and all other case-related deadlines, excluding discovery deadlines, shall continue to be tolled during the ongoing Period of Judicial Emergency (now March 17, 2020, through June 7, 2020) pursuant to Va. Code § 17.1-330. In all civil cases, any tolling of deadlines and obligations arising out of Part Four of the Rules of the Supreme Court of Virginia shall terminate as of May 18, 2020. All discovery issued with a deadline to respond during the judicial emergency shall be due within twenty-one (21) days of this Order (May 18, 2020). Parties are encouraged to resolve as many pretrial matters as possible with or without the assistance of the court.
2. Court will continue to prioritize emergency matters including, but not limited to, quarantine or isolation matters, criminal arraignments, bail reviews, protective order

- cases, civil commitment hearings, petitions for temporary injunctive relief, and proceedings necessary to safeguard applicable constitutional protections.
3. Continuances and excuses for failure to appear shall be liberally granted for any cause resulting from the impact of the ongoing COVID-19 crisis.
 4. The Court is hereby authorized to accept pleadings, orders, and other documents that are electronically signed, including those where the electronic signature is accomplished by scanning.
 5. Court attendance may be limited to protect the health and safety of court employees, litigants, judges, and the general public.
 6. Excluding attorneys and law enforcement, courtroom seating shall be limited to thirty-four (34) people.
 7. Individuals shall only enter courtrooms after receiving specific instruction from court security.
 8. All persons shall practice social distancing while inside the courthouse;
 - a. please pay close attention to all signage and floor markings.
 9. Court will conduct as much business as possible by means other than in-person proceedings.
 10. It is preferred, but not required, that all civil and criminal matters proceed using video conferencing, telephone, teleconferencing, or other means that do not involve in-person contact.
 - a. please keep in mind that the court cannot provide technical support to any participants that wish to use this service.
 11. Impacted individuals are encouraged to contact the Clerk's Office (Traffic and Criminal Division) (757) 727-6260 or Clerk's Office (Civil Division) (757) 727-6480, Commonwealth's Attorney Office, City's Attorney Office, Public Defenders' Office, and/or Private Counsel's Office for additional information regarding their case(s).
 12. Court forms are available to the public at www.vacourts.gov.
 13. Additional information is also available on Virginia's Judicial System website: www.vacourts.gov.

14. The following pertains to **Criminal Matters**:

- a. The default appearance for individuals in-custody will be by secured two-way electronic audio-visual communication;
- b. Until further notice, Hampton Sheriff's Department will only transport individuals by order of the court;
 - i. only those individuals in the custody of the Hampton Sheriff's Department may be transported.
- c. Effective June 1, 2020, all criminal dockets will be segmented into thirty (30) minute increments beginning at 9:30am and ending at 11:30am;
 - i. if, for any reason, matters scheduled cannot be resolved during the appointed increments, parties may be directed to the Clerk of the Criminal Division to select an alternate date and time for a protracted trial.

15. The following pertains to all **Traffic Matters**:

- a. All traffic cases will proceed as scheduled;
- b. Until further notice, Hampton Sheriff's Department will only transport individuals by order of the court;
 - i. only those individuals in the custody of the Hampton Sheriff's Department may be transported.
- c. To minimize large gatherings, some cases may be moved to a courtroom different than the one you were originally summonsed;
- d. Please pay careful attention to Court hallway monitors to ensure you arrive at the correct courtroom;
- e. All traffic infractions may be paid, in advance:
 - i. online at www.vacourts.gov;
 - ii. by mail to: HAMPTON GENERAL DISTRICT COURT, 236 N. King Street, 2nd Floor, Hampton, VA 23669;
 - iii. by drop box in front of courthouse security; and
 - iv. you must include your Name and Case Number on every check and/or money order you mail or drop off.

- f. If you wish to set up a payment plan, contact the Clerk of the Criminal and Traffic Division at (757)727-6260; and
- g. All payments are due in full within forty (40) days of your trial;
 - i. After forty (40) days, interest will begin to accrue, and your case will be sent to collections.

16. The following applies to **Civil Matters**:

- a. Preliminary Protective Order Petitions will be handled by affidavit only;
- b. Parties wishing to file paperwork with the Court shall do so by mailing to the Clerk of Court, Civil Division, 236 N. King Street, 2nd Floor, Hampton, Virginia 23669, or by placing them in the drop box provided at the front security area of the courthouse.
 - i. all motions or other pleadings/requests shall be completed in full with accurate information and signed by the party filing same.
- c. Everyone seeking to initiate the process of eviction must comply with Virginia House Bill 340 and Federal Coronavirus Aid, Relief, & Economic Security “CARES” Act.
- d. All contested trials will be scheduled to a specific time slot;
 - i. if it is determined by the court that a civil matter is protracted, the parties may be directed to the Clerk of the Civil Division to select an alternate date and time for a protracted trial.
- e. A [Motion for Remote Hearing Form](#) may be filed in advance of every hearing conducted by two-way video conferencing;
 - i. the court, at its discretion, may conduct trials by secured two-way electronic audio-visual communication.
- f. Everyone that seeks to initiate a civil case(s) shall first contact the Clerk of the Civil Division at (757) 727-6480 to obtain dates and times for the first return.

IT IS SO ORDERED.

ENTERED: May 17, 2020

Corry N. Smith, Chief Judge Hampton General District Court