

VIRGINIA:

IN THE GENERAL DISTRICT COURT FOR THE CITY OF ALEXANDRIA

MISCELLANEOUS ORDER PERTAINING TO JAILABLE OFFENSES

The Supreme Court of Virginia has authorized courts to begin hearing in-person, non-emergency measures to the extent that it is safe to do so. However, the same order mandates that the Court take measures to minimize the risk of the spread of COVID-19, including limiting the number of people in the courtroom at any time. The Court order also mandates that continuances shall be liberally granted for, “any cause resulting from the impact of the ongoing COVID-19 crisis.”

This Court finds that in order to efficiently proceed with the processing of cases and to limit the number of witnesses that appear in Court, it is consistent with the ends of the Supreme Court’s directive to convert all cases prior to Labor Day, in which a defendant is not held in custody to a status date, to determine if the case can be resolved. For those cases which cannot be resolved by the parties, the trial or preliminary hearing should, as a general matter, occur after September 7, 2020. The Court recognizes that there are cases which might have unique circumstances to warrant exception from this order. Accordingly, the Court orders the following:

- (1) No later than May 25, 2020, the Attorney for the Commonwealth shall attempt to contact all attorneys who have pending offenses punishable by incarceration which are a) presently scheduled for a contested preliminary hearing or trial; and b) for which the defendant is not held without admission to bail. The

Commonwealth Attorney shall provide a copy of this order to those attorneys.

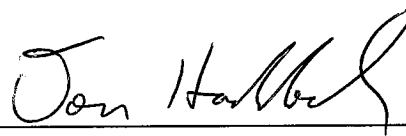
- (2) Unless an attorney for the defendant objects, the case will be converted to a status or set date to occur at the same time it is presently scheduled, unless otherwise altered by the Court. Should a defendant wish to object, believing that his or her case warrants deviation from this order, the attorney shall notify the Commonwealth's Attorney no later than 2:00 p.m. on May 31, 2020.
- (3) If the Commonwealth Attorney agrees that the case may remain scheduled for a contested hearing on its present date, no further action need be taken. If the Commonwealth and defense are not in agreement, the Court will hear the defense attorney's objection on Tuesday, June 2, 2020 at 10:00 a.m. The attorney may appear in person before the General District Court to argue this motion, may appear through telephonic means, or may submit his or her argument in writing. The Court will issue an expedient ruling.
- (4) All cases in which an objection is not received prior to 2:00 p.m. on May 31, 2020 at 2:00 p.m shall be converted to status or set date at the same time as the present hearing.
- (5) All *pro se* cases which can be punished by jail or similar cases in which an attorney has not entered an appearance but for which an advisement has already occurred, shall be converted to status/set-date at the same time as the present hearing.
- (6) Prior to the status or set date hearing, the Commonwealth will attempt to determine if the case can be resolved. In any case in which the parties reach an

agreement, the matter may be taken up at its present time or such other time as the parties mutually agree through an order submitted to the Court. For cases in which the resolution does not include active or suspended jailtime, the parties shall submit an agreed order to the Court disposing of the case.

(7) For all cases in which the parties cannot reach an agreement, they should endeavor to agree to a trial date or preliminary hearing after September 7, 2020.

The date may be set by agreed order without personal appearance by the parties or the agreed date may be proffered to the Court by the Commonwealth at the status hearing, without a requirement that the defense attorney or defendant be present. Should an agreed date not be reached by the parties, they shall appear at the status hearing either in person, through telephonic means, or by written pleading of their respective position.

ENTERED this 21st day of May, 2020

A handwritten signature in black ink, appearing to read "Jon Hall", written over a horizontal line.

JUDGE