

# SUPREME COURT OF VIRGINIA

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LEROY F. MILLETTE, JR.



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(804) 786-6455

## CLERK

MURIEL-THERESA PITNEY

## EXECUTIVE SECRETARY

KARL R. HADE

## CHIEF STAFF ATTORNEY

K. LORRAINE LORD

## REPORTER OF DECISIONS

KENT SINCLAIR

## STATE LAW LIBRARIAN

GAIL WARREN

Press Release: December 8, 2021

## THE SUPREME COURT OF VIRGINIA WILL RESUME ORAL ARGUMENT IN PERSON EFFECTIVE JANUARY 1, 2022

Effective January 1, 2022, the Supreme Court of Virginia will resume oral argument in person. All persons who are not employees entering the Supreme Court of Virginia building must comply with the following protocols.

**Entering the Court Building:** All members of the public must conduct a temperature self-screening at the building entrance. Anyone with a temperature of 100.4 degrees or higher will be denied entry into the building. By entering the building, all persons certify that:

- They do not have symptoms of COVID-19: temperature of 100.4 degrees or more, chills, cough, difficulty breathing, unusual fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion, nausea, vomiting, or diarrhea.
- They are not subject to isolation under CDC (Centers for Disease Control and Prevention) guidelines following a diagnosis of COVID-19 or probable COVID-19.
- They are not subject to quarantine under CDC guidelines following close contact with someone with COVID-19 or following international travel.

**Masking and Social Distancing:** All persons, regardless of vaccination status must wear a CDC compliant face covering that covers the nose and mouth and practice social distancing by maintaining six feet of distance whenever possible in all public and shared common areas.

**Masks in the Courtroom:** All persons shall remain masked in the courtrooms except that counsel may, at their discretion, remove their masks while presenting argument at the lectern and the Justices may remove their masks while listening to oral argument and questioning counsel.

**Seating:** All persons seated in the Courtroom must maintain a seated distance of at least six feet.

**Notification of Potential Exposure:** Any attorney or visitor who tests positive for COVID-19 within 5 days after being present in the Court Building must promptly notify the Clerk ((804) 786-2251).

**Remote Public Access to Oral Argument:** To preserve social distancing in the Courtroom, interested members of the public will access oral arguments through a live audio stream available at <http://www.vacourts.gov/courts/scv/home.html>. The link also is available through the Court's webpage at [www.vacourts.gov](http://www.vacourts.gov).

## **SESSION WEEK**

**Limited Attendance by Counsel at Oral Argument:** No more than two people may appear for argument on behalf of each litigant, including in consolidated civil and criminal cases. Arguing counsel must provide the name and contact information for any second person attending the argument. Persons not in compliance with these requirements may be denied entrance into the Courtroom. Any request for an exception to attendance limits must be made by written motion filed with the Clerk at least 14 days in advance of argument.

**Oral Argument Arrival and Departure:** Cases will be scheduled in sets of 3. Arrival times will be staggered for each set of cases to promote social distancing. Attorneys and attendees should:

- Arrive promptly;
- Check in with the Capitol Police;
- Proceed to the Courtroom or designated panel room as directed;
- Comply with Courthouse signage and instructions from Clerk's Office and security staff; and
- Depart when argument in their case is over.

**Requests for Oral Argument by Videoconference:** Although the Court's expectation is that cases will be argued in-person, rather than by videoconference, the Court recognizes that some videoconference arguments may be necessary. Attorneys seeking permission to appear virtually must advise the Clerk's Office within 5 days of receiving the schedule stating whether opposing counsel will appear in-person or by video.

**Intervening Events that Prevent In-Person Appearance for Oral Argument:** If intervening events occur that would prevent arguing counsel from appearing in-person on the day of argument counsel should obtain agreement of opposing counsel and notify the Clerk ((804) 786-2251).

## **WRIT PANELS**

Until further notice, all Writ Panels will be held in the Main Courtroom over two days. On the first day of argument two dockets will be heard from 9 a.m. to 12 p.m. (Morning Docket) and 1 p.m. to 4 p.m. (Afternoon Docket). The third panel will hear argument on Day 2 from 1 p.m. to 4 p.m. (Day 2 Docket).

**Limited Attendance by Counsel at Oral Argument:** No more than one person may appear for argument on behalf of the petitioner. Persons not in compliance with this requirement may be denied entrance into the Courtroom. Any request for an exception to attendance limits must be made by written motion filed with the Clerk at least 14 days in advance of argument.

**Oral Argument Arrival and Departure:** Attorneys should:

- Arrive promptly;
- Check in with the Capitol Police;
- Proceed to the Courtroom or designated panel room as directed;
- Comply with Courthouse signage and instructions from the Office of the Chief Staff Attorney and security staff; and
- Depart when argument in their case is over.

**Requests for Oral Argument by Teleconference:** These requests should be submitted to the Office of the Chief Staff Attorney.

**Intervening Events that Prevent In-Person Appearance for Oral Argument:** If intervening events occur that would prevent arguing counsel from appearing in-person counsel should notify the Office of the Chief Staff Attorney ((804) 786-2259).

Media Contact: Alisa W. Padden, Director of Legislative and Public Relations, Office of the Executive Secretary, Supreme Court of Virginia, (804) 786-6455.