M26000281

VIRGINIA—IN THE CIRCUIT COURT OF CULPEPER COUNTY

ORDER REGARDING COURT APPEARANCES AND RESPONSIBILITIES OF DEFENDANTS RELEASED PENDING TRIAL

You are required to appear at all scheduled court hearings and to comply with all lawful orders of the Court.

The General Assembly of Virginia has recognized that circumstances such as illness, transportation difficulties, child-care or dependent-care obligations, and other events beyond a person's control may affect an individual's ability to appear in court. The Court respects and follows the public policy established by the legislature and will consider such circumstances as permitted by law. Under Virginia law, the legislature is the author of public policy. Vasquez v. Dotson, 303 Va. 97 (2024); Prease v. Clarke, 302 Va. 376 (2024); Taylor v. Northam, 300 Va. 230 (2021); In re Woodley, 290 Va. 482 (2015); Stokes v. Commonwealth, 61 Va. App. 388 (2013); Commonwealth v. Lee, 115 Va. Cir. 425 (Culpeper Cir. Ct. 2025).

However, every person released pending any hearing or trial is expected to take reasonable and proactive steps to ensure timely attendance at court proceedings.

You are expected to:

- Carefully record your court date and time;
- Arrange transportation well in advance;
- Arrange child care, dependent care, or other personal obligations well in advance;
- Anticipate delays caused by traffic, road construction, weather, parking, or courthouse security screening;
- Arrive early enough to be present in the **courtroom** before your case is called; and
- Maintain consistent communication with your attorney, including, without limitation, returning phone calls and responding to other means of communication.

If an unforeseen emergency arises that may prevent your appearance, you should immediately contact your attorney and the Clerk's Office. If you are not represented by counsel, you should promptly contact the Clerk's Office and immediately provide any available documentation concerning the emergency. Such documentation should minimally include a facsimile or electronic mail from the letterhead of a licensed health care provider or hospital indicating why, to a reasonable degree of medical certainty, you cannot appear at the court ordered date.

Court appearances are not optional. They are lawful orders of the Court. The judicial system depends upon the timely appearance of defendants, witnesses, victims, attorneys, jurors, law enforcement officers, and court staff. When a defendant fails to appear, hearings must often be postponed, jurors and witnesses are inconvenienced, public resources are wasted, and justice is delayed for other citizens whose cases are awaiting resolution. The orderly operation of courts is

the dominant and pressing requirement of the administration of justice. Estes v. Texas, 381 U.S. 532, 560 (1961) (citing Pennekamp v. Florida, 328 U.S. 331, 334 (1946)).

A courtroom is not simply a meeting between a judge and a litigant. Every court proceeding involves:

- Jurors who have taken time away from work and family;
- Witnesses who have complied with subpoenas;
- Victims awaiting resolution;
- Attorneys who have prepared for hearings and trials;
- Law enforcement officers;
- Clerks, deputies, interpreters, and court staff.

Courts exist to resolve disputes, protect constitutional rights, and provide remedies. When parties do not appear:

- Cases must be continued;
- Witness memories fade;
- Victims wait longer for closure;
- Other litigants experience delays;
- Public resources are consumed unnecessarily.

Non-appearance affects not merely the court but every other citizen seeking access to justice. If one participant fails to appear, the time and efforts of all those individuals are wasted. It makes a poor impression on summoned jurors when parties fail to appear because jurors have fulfilled a significant public duty of living in a free society while the person whose case is before the court has not fulfilled their obligation to appear.

Courts cannot effectively perform their constitutional duties if participants do not appear as directed. The orderly administration of justice requires every person released pending any trial or hearing to honor their commitment to appear. Respect for institutions requires recognition that court orders matter and that the judicial process deserves priority when a person has been summoned or ordered to appear.

Courts cannot fulfill their constitutional responsibilities unless parties appear as directed. Arriving early is one way of showing respect for the Court, the other participants, stakeholders, and the rule of law.

Failure to appear may result in the issuance of capias, bond forfeiture, contempt proceedings, additional criminal charges, or other sanctions authorized by Virginia law.

ENTERED this 16th day of June 2026

Dale Turner

JUDGE