

**VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF ORANGE
AND MADISON**

**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 declaring or extending the Judicial Emergency in Virginia regarding COVID-19. That order extended the Judicial Emergency to June 7, 2020. It referenced the three previous Judicial Emergency orders (entered March 16 and 27, and April 22, 2020), a Clarification Order (May 1), and two Executive Orders entered by Governor Northam regarding the coronavirus.

Consistent with the recent Supreme Court order, this Court will continue to operate but on a restricted basis, and with continued and additional precautions.

Consistent with the Order of the Virginia Supreme Court, no one will be allowed to enter the courtroom, and will be required and ordered to leave the building, if they have, within the previous fourteen (14) days

1. Travelled outside of 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.

A sign shall be posted outside the courtroom with these questions

Additionally, no one who is feeling ill, whether diagnosed with Covid-19, or who within the previous fourteen (14) days has experienced a persistent headache,

sore throat, other body aches, or respiratory problems, shall be allowed in the courtroom.

The bailiff is also authorized to turn away anyone who appears to be ill or is exhibiting any of the above symptoms. If the Court or Clerk's Office staff becomes aware of such person they shall bring that to the attention of the bailiff immediately. Such 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 contact their attorney, or the other party's attorney if the individual is pro se, or the Clerk's Office, by telephone 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.

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, shall not enter before using hand sanitizer supplied by the bailiff, and they are not to sit within six (6) feet of anyone else in the courtroom. They also are to have no physical contact with anyone else in the courtroom.

Individuals entering the courtroom may wear a mask if they so wish, and the court recommends the wearing of a mask in any event, as a precaution against the possibility of coming within six (6) feet of someone else while in the courthouse.

The bailiffs are authorized to mark places for persons to sit, or direct them where to sit.

The bailiffs are also authorized to limit the number of people in the courtroom at any given time when the above spacing and social/physical distancing cannot be maintained.

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, without limitation, any matters regarding quarantine or

isolation 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, ZOOM or WebEx) when that can be arranged, but the Court may allow and conduct such in-person proceedings (including non-emergency non-essential matters beginning May 18. The Court will also allow telephonic appearance on a case-by-case basis. No criminal case will proceed by video or telephone appearance on a non-pretrial matter unless the defendant agrees or consents to such appearance by himself or counsel.

Consistent with the Virginia Supreme Court Order, jury trials are suspended until further notice. Continuances will be liberally granted, and excuses for not appearing, if related to COVID-19, will be looked upon favorably.


Beginning May 18, 2020, 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 staffing constraints, operate on an appointment basis and/or limit the number of persons allowed in the Clerk's Office at one time or take other measures.

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 this order to anyone whose case is continued or otherwise affected by this Order as well as to anyone who requests a copy.

Entered this 14 day of May 2020.

A handwritten signature in black ink, appearing to read "Dale B. Durrer", written over a horizontal line.

Dale B. Durrer, Judge