

## Loudoun Circuit Court: Scheduling of Civil Cases by Telephone

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In order to increase access to the Court and decrease the delays and expense associated with the scheduling of cases, the Circuit Court of Loudoun will be temporarily offering attorneys the opportunity to schedule certain civil cases by telephone. The Court will be periodically reviewing the practicality and overall success of this method of scheduling in order to determine if modifications are required, and if the program should be made permanent. If you plan to use this method of scheduling, please make sure you are eligible and you have read the requirements.

1. **Eligibility:** Civil cases only may be scheduled by an attorney. Only an attorney of record in the case may call. An attorney appearing for another as a courtesy is not allowed. One attorney may call but this does not prevent one or more attorneys from participating in the call nor does it prevent a client from being on the line during the call; however an attorney must arrange the conference call. Only cases where all parties are represented by counsel may be scheduled by telephone. Cases where there are any self-represented (pro se) parties will not be scheduled.

2. **Pleadings:** No written pleading or notice is required to be filed in order to participate in the telephone scheduling. However, there must be an actual case that has been filed with the clerk before any matter may be scheduled. If counsel is requesting the scheduling of a specific motion or pleading, then the motion or pleading must be filed before it is scheduled. Trial dates may be scheduled however all outstanding demurrers and pleas in bar must be resolved before scheduling.

3. **Representations:** The attorney placing the call must: identify the party he represents; the identity of all other counsel of record; the identity of any others participating or present for the call; an accurate description of the matter to be scheduled; that there are no unrepresented parties; that service of process has occurred on all defendants; that he has the consent of all counsel and their available dates; and they agree on the time estimate. If a trial date is sought, the attorney must represent that all outstanding demurrers and pleas in bar have been resolved. If the matter is to be briefed, the briefing schedule that is agreed should be set forth. The final brief should be filed no later than 10 days before the hearing. If disputes arise during a call, the telephone scheduling will not occur and the attorneys will be required to follow the normal procedures to schedule before a judge on a regular scheduling docket. The docket manager will not place the matter on a docket if a dispute arises. Section 8.01-271.1 applies to any representations made by counsel in the scheduling by telephone.

4. **Telephone number:** 571 258-3708. This number is only for telephone scheduling and calls will be answered in sequence if counsel wishes to wait.

5. **Time:** Attorneys may call on Tuesday and Thursday between the hours of 2pm and 4 pm beginning in January 2016. Calls at other times requesting telephone scheduling are **not** permitted.

6. **Order:** An order will be entered reflecting the telephone scheduling and the representations made and sent without charge to all counsel of record by the clerk. This is not a substitute for any notice that may be required to be given.