

ARLINGTON COUNTY AND CITY OF FALLS CHURCH GENERAL DISTRICT COURT

ORDER For Docket Management and COVID 19 Precautionary Measures

This ORDER updates information regarding the operations of the Arlington County and City of Falls Church General District in response to the COVID-19 Emergency. This ORDER will provide all current operating and docket management information. The court finds that based upon the Executive Order from Governor Northam declaring a State of Emergency and the recent Order declaring a Judicial Emergency by Chief Justice Lemons of the Supreme Court of Virginia, the following docket management and precautionary measures are necessary and are Ordered:

1. Criminal Cases (including DWI and Hit & Run):

- A. **Out of Custody Defendants:** All criminal trials and preliminary hearings from March 17, 2020 through April 6, 2020 that are scheduled for defendants who are out of custody are continued. Subpoenaed witnesses, police officers, and other witnesses are to be released. Parties may file agreed continuance Orders to reschedule the case for trial or preliminary. Absent an agreed continuance Order, the matter will be set for April 6, 2020 at 10:00 am for status to set a new trial or preliminary hearing date.
- B. **In Custody Defendants:** All criminal trials and preliminary hearings from March 17, 2020 through April 6, 2020 that are scheduled for defendants who are in custody will remain on the docket for status only. Subpoenaed witnesses, police officers, and other witnesses are to be released. Parties may file continuance Orders to avoid coming to the status date. If a matter remains on the docket for status and if a disposition is not reached at the status hearing, a new date will be set for the trial or preliminary hearing. At the status hearing, the court will entertain any pretrial motions, including bond or bond modification.
- C. **Delayed and Weekend Confinement:** Beginning March 20, 2020, all delayed and weekend confinement obligations currently in place will be suspended and defendants are instructed not to report to the Sheriff's Office. These cases will be docketed on April 17, 2020 at 10:00 a.m. in Courtroom 3B for the entry of a new order imposing delayed or weekend confinement obligations. Defendant's appearance on April 17, 2020 is mandatory so that Defendant can receive the new reporting obligations.
- D. All in-custody arraignments, bond motions, trials, preliminary hearings, and all other criminal court matters will be conducted via video unless, otherwise, ordered.
- E. All out-of-custody arraignments will be rescheduled to a date after April 6, 2020.

2. Traffic Cases: All non-jailable traffic cases scheduled from March 17, 2020 through April 6, 2020 will be removed from the docket and rescheduled to the officer's available date after April 6, 2020.


3. Civil Cases: All civil cases (EXCEPT PROTECTIVE ORDERS) scheduled from March 17, 2020 through April 6, 2020 are removed from the docket. Attorneys and parties to civil actions are encouraged to contact the clerk's office, by telephone, and provide an agreed upon date to reset the case for initial return, pretrial conference, or trial.

- A. **Agreement to new date:** If the parties reach an agreement for a new date, the clerk will make a notation on the file and the matter will be continued to the agreed upon date (either for return, pretrial conference, or trial) without the need for counsel or parties to appear in court or the clerk's office. An Order can be submitted at a subsequent time.
- B. **Unable to reach one or more parties:** If a party is unable to reach one or more opposing parties, the clerk can make a notation on the file for a convenient status date for the requesting party. The court will continue the matter to the new status date. At the status date, the court will set a new date for either a return, pretrial conference, or trial.
- C. **No information to clerk:** If the parties have not contacted the clerk's office, the court will set the matter for a new status date. It will be the responsibility of the parties to ascertain the new date set by the court.

4. Protective Orders: All Petitions for Preliminary Protective Orders will proceed on the docket as normal without changes. At a full hearing on the Petition, the court will have a liberal continuance policy and attorneys, plaintiffs, defendants, and witnesses are encouraged to remain home if they are feeling ill or displaying symptoms of illness.

3/16/20

Date



R. Frances O'Brien, Chief Judge
Arlington County General District Court

ARLINGTON COUNTY
GENERAL DISTRICT COURT
2020 MAR 16 PM 4:38
RECEIVED/FILED
STEVEN R. SPURR
CLERK
BY _____

FILED
FALLS CHURCH DISTRICT COURTS
2020 MAR 16 P 4:36

Brian P. Hanahan
Clerk