

IN THE NELSON COUNTY JUVENILE & DOMESTIC RELATIONS DISTRICT COURT

TO: PARTIES APPEARING IN THE JDR DISTRICT COURTS

DATE: March 16, 2020

FROM: PRESIDING JUDGE

RE: COVID-19 PROCEDURES AND PRECAUTIONS

ORDER

It appearing to the Court that the President of the United States and the Governor of Virginia have issued certain emergency declarations concerning the health and safety of our citizens,

And it further appearing to the Court that the Federal Center of Disease Control has issued certain guidance including mitigation strategies for communities to reduce or eliminate large gatherings of individuals to avoid the spread of COVID-19,

And, it further appearing that the Supreme Court of Virginia on March 16, 2020 declared a Judicial Emergency in response to COVID-19,

And it further appearing to the Court that it is authorized under Va. Code Section 16.1-69.35(5) to determine when the Courts shall be open for transaction of business when “under prevailing conditions, [it] would constitute a threat to the health and safety of the Clerk’s Office personnel and the general public,”

And the Court having all met and consulted with various stakeholders in the Court’s operations and there being no objection to the entry of this Order,

It is ORDERED that there shall be limited access to the Nelson County Juvenile & Domestic Relations District Court from March 16, 2020 until April 6, 2020.

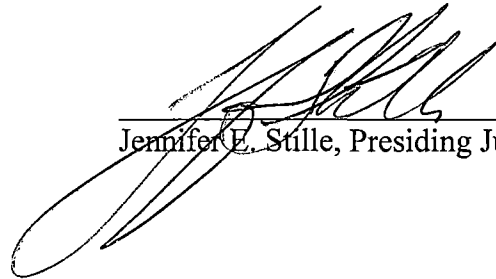
All cases involving Child Support, Civil Custody and Visitation, Adult Criminal Cases where the Defendant is NOT INCARCERATED, and Juvenile Delinquency (Criminal) Cases where the Juvenile is not held in Detention are hereby CONTINUED. Witnesses subpoenaed for these matters are hereby EXCUSED from appearing.

All currently scheduled court dates for any incarcerated Defendant or Juvenile in detention will go forward as scheduled and are not included within this order of continuance, subject, however, to a written motion filed in any such case of an incarcerated Defendant. Foster care cases, being necessary for the protection of children, will go forward as scheduled as well. The Court will also conduct limited hearings including video bond motions, petitions for Family Abuse Protective Orders, petitions for Abuse and Neglect, video arraignments of incarcerated persons charged with violations of the criminal Code of the Commonwealth, and when warranted,

emergency motions filed during that period. Whenever possible, these hearings will be conducted by video or telephone.

Furthermore, and until further notice, the Clerk's Office shall be open for public access from 9:00am until 11:30am and 1:30pm until 3:30pm. Clerks will be in the office during regular hours and still reachable by phone and electronic forms of communication.

ENTER:



Jennifer E. Stille, Presiding Judge

NOTICE : Nelson County J&DR District Court COVID-19 Measures

On March 16, 2020, the Supreme Court of Virginia entered an Order Declaring a Judicial Emergency in Response to COVID-19 Emergency, to protect the health and safety of court employees, litigants, judges, and the general public. The Order is in effect from March 16, 2020 to Monday, April 6, 2020. All NON-ESSENTIAL, NON-EMERGENCY court proceedings are SUSPENDED and all deadlines are tolled and extended for a period of twenty-one (21) days.

All civil, traffic and criminal matters, subject to a defendant's right to speed trial, EXCEPT EMERGENCY matters will be continued. Emergency matters include: quarantine and isolation matters, arraignments, bail reviews, protective order cases, emergency child custody or protection cases, and civil commitments hearings. At this time, foster care cases are deemed to constitute child protection cases and will proceed.

Guidance to Counsel for Ongoing Cases:

- Telephone and video technology will be used as much as possible for all necessary hearings, trials, or other matters. Please have telephone numbers and other information needed for contacting out-of-court witnesses when you come to court.
- Courtroom attendance will be limited to counsel, parties, necessary witnesses and members of the press when such are permitted. Please discourage individuals (family members, etc.) who are not necessary to case, from attending court.
- Please meet with defendants/witnesses by telephone or video-chat to eliminate as many individuals as possible from coming to court.
- If parties or necessary witnesses are ill, not feeling well, suspect they have been exposed to COVID-19, been asked to quarantine, isolate or self-monitor by any doctor or health agency, or if they have traveled by air since January 1, 2020 or need to travel by air to attend court, please seek a continuance of your case BEFORE the individual comes to court.
- Whenever possible please work with opposing counsel to present stipulations of facts if that will eliminate some person(s) attendance at court.
- Please alert the Clerk's office if any inmate needs to be transported. It may be that the case could be continued, that person could appear by video, or a stipulation concerning his/her testimony could be presented to the court.
- Bond hearings and arraignments for inmates who are incarcerated shall be held by video. If a bond can be agreed and the need for the defendant to appear via video can be eliminated, please alert the court so that we can dispense with the need to move the inmate.
- Use electronic filing whenever possible.