

RE: Newport News General District Court Docketing

Thank you for your continued cooperation and assistance during this period of both public and judicial emergency.

Pursuant to the Order entered by the Chief Justice, all cases in our Court have been continued. Specifically in regard to the criminal and traffic dockets, there will be no such dockets, other than for arraignment and bond hearings, until the Order expires. There will be no Civil hearings other than for protective orders and emergency matters. However, the Order of the Chief Justice allows our Judges to use their discretion to hear matters involving those defendants currently in custody. Accordingly, if the parties agree to bring before the Court a matter for such an "in custody" defendant, the process of having it brought before the Court during this period of judicial emergency shall be as follows:

1. The parties (Commonwealth and defense counsel) shall agree to such a hearing.
2. One of the parties shall submit a written request for their matter to be brought before the Court, stating the date sought, and the purpose of the hearing. If the parties are seeking to have the matter brought before the Court, they must submit their request no later than 2 pm on the date prior to the requested hearing. Such requests may be faxed to 926-7026.
3. Upon receipt of the written request, a judge will review the request and will determine whether or not to allow it to be heard.

As an example, we will likely approve to be heard those motions to nolle pros that would result in the defendant's release, plea bargains that would result in a defendant's release, or such motions or trials where a witness may be no longer available in the event of a continued delay of a hearing. However, all cases will be put on the docket solely at the discretion of the Judge reviewing the request. If approved, the matters will be scheduled for 10am on the date requested, or at other such date or time set by the Court.

4. With regard to continuing other cases, it is our understanding that the Commonwealth Attorney will be working with defense counsel to reschedule continued matters to a mutually convenient date.

**5. For non-Commonwealth in-custody cases:**

- a) For those defense attorneys defending clients in criminal matters not being handled by the Commonwealth Attorney (such as shoplifting, simple assault and battery, etc), it is incumbent that defense counsel contact the Court prior to what had been their client's previously scheduled Court date in order to reschedule. If the Clerk does not hear from defense counsel on such "non-

Commonwealth" cases, the Clerk has been directed to simply reschedule at a date and time most convenient to the Court. For all Civil cases and non-Commonwealth traffic matters, notices will be sent by the Clerk advising of the new Court date.

- b) To schedule any discretionary criminal and traffic matters (see examples above) for in-custody defendants, defense counsel shall submit a written request for their matter to be brought before the Court, stating the date sought, and the purpose of the hearing. If counsel is seeking to have the matter brought before the Court, they must submit their request no later than 2 pm on the date prior to the requested hearing. Such requests may be faxed to 926-7026.

Additionally, as of Monday, March 23, 2020, all bond hearings will be heard by video in courtroom C. Please be aware of the following:

1. For inmates housed in Hampton Roads Regional Jail, hearings will be held by video at 8:30 am in courtroom C.
2. For inmates housed in Newport News City Jail, hearings will be held by video at 11:00 am in courtroom C.

Finally, we would like to limit the number of people entering both the Courthouse and the Courtrooms. Please discourage family members and interested onlookers from attending any hearing. We will be attempting to utilize video from the jails for as many hearings as possible, so defense counsel are encouraged to discuss the case with their client in advance, as they may not be present in the building for their hearing.

All questions can be directed to our Clerk, Karen Routten, at (757) 926-3969.