

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 \_\_\_\_\_

2020 MAR 16 PM 4:36  
CLERK

*Ben P. Hanahan*  
Clerk

**ARLINGTON COUNTY AND CITY OF FALLS CHURCH GENERAL DISTRICT COURT**

**ORDER TO EXTEND TIME TO PERFORM COMMUNITY SERVICE THROUGH OAR OR SHERIFF'S  
WORK FORCE**

It appearing to the Court that the Governor of the Commonwealth of Virginia by Executive Order declared a State of Emergency regarding the potential spread of the COVID-19, a communicable disease and threat to public health;


And it further appearing that the Chief Justice of the Virginia Supreme Court declared a Judicial Emergency pursuant to Virginia Code Section 17.1-330 regarding the potential spread of the COVID-19, a communicable disease and threat to public health;

And it further appearing that the Emergency Declarations caused by the COVID-19 virus substantially impede the ability of persons to avail themselves of the court, or the ability of litigants or others to have access to the court or to meet schedules or time deadlines imposed by court order, rule, or statute; therefore,

It is ORDERED:

1. That all individuals ordered to complete Community Service, as either a condition of a sentence or to satisfy fines and court costs, with a completion date between March 13, 2020 and June 1, 2020 are hereby granted and an additional 90 days to complete the hours.
2. This Order may be extended for additional periods should the Justices of the Supreme Court of Virginia extend the Declaration of a Judicial Emergency.

3/19/20  
DATED

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

**ARLINGTON COUNTY AND CITY OF FALLS CHURCH GENERAL DISTRICT COURT**

**ORDER FOR SUSPENSION OF EVICTIONS AND  
TOLLING OF DEADLINES PURSUANT TO 17.1-330(D)**

It appearing to the Court that the Governor of the Commonwealth of Virginia by Executive Order declared a State of Emergency regarding the potential spread of the COVID-19, a communicable disease and threat to public health;


And it further appearing that the Chief Justice of the Virginia Supreme Court declared a Judicial Emergency pursuant to Virginia Code Section 17.1-330 regarding the potential spread of the COVID-19, a communicable disease and threat to public health;

And it further appearing that the COVID-19 virus Executive Order declaring a State of Emergency and Declaration of a Judicial Emergency, substantially impedes the ability of persons to have access to the court or to meet schedules or time deadlines imposed by court order, rule, or statute; therefore,

It is ORDERED:

1. All Writs of Eviction and Writs of Possession issued pursuant to Virginia Code Section 8.01-470, et seq., are SUSPENDED until April 6, 2020 pursuant to the Judicial Emergency declared by the Chief Justice of the Virginia Supreme Court.
2. All deadlines and time schedules imposed upon Writs of Eviction and Writs of Possession by applicable statutes, rules, or court orders are tolled until April 6, 2020 pursuant to Virginia Code Section 17.1-330(D).
3. This Order may be extended for additional periods should the Justices of the Supreme Court of Virginia extend the Declaration of a Judicial Emergency.

3/17/20  
DATED

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

**ARLINGTON COUNTY AND CITY OF FALLS CHURCH GENERAL DISTRICT COURT**

**ORDER TO SUSPEND THE FILING OF GARNISHMENTS**

It appearing to the Court that the Governor of the Commonwealth of Virginia by Executive Order declared a State of Emergency regarding the potential spread of the COVID-19, a communicable disease and threat to public health;


And it further appearing that the Chief Justice of the Virginia Supreme Court declared a Judicial Emergency pursuant to Virginia Code Section 17.1-330 regarding the potential spread of the COVID-19, a communicable disease and threat to public health;

And it further appearing that the Emergency Declarations caused by the COVID-19 virus substantially impede the ability of persons to avail themselves of the court, or the ability of litigants or others to have access to the court or to meet schedules or time deadlines imposed by court order, rule, or statute; therefore,

It is ORDERED:

1. That no Garnishment filings under Virginia Code §8.01-511 will be accepted by the Clerk during the period between March 16, 2020 and April 6, 2020.
2. This Order may be extended for additional periods should the Justices of the Supreme Court of Virginia extend the Declaration of a Judicial Emergency.

3/20/20  
DATED

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