

## **Chesapeake Juvenile & Domestic Relations District Court COVID-19 Operating Procedures and Schedule**

The Supreme Court of Virginia has extended the Order declaring a Judicial Emergency in response to COVID-19 through June 7, 2020. Courts shall continue to prioritize emergency matters, including but not limited to, quarantine or isolation matters, criminal arraignments, bail reviews, emergency child custody, foster care and protective order cases. In addition, the Chesapeake Juvenile & Domestic Relations District Court will implement the following additional procedures:

All Emergency Removal Petitions and Child Protective Order Petitions must be filed with CSU-Intake no later than 9:00 a.m.

All arraignments and bond hearings involving inmates in the Chesapeake City Jail, will take place via videoconference at 10:00 a.m. All arraignments involving juveniles in detention will still be at 9:00 a.m. via videoconference. Defendants held at Hampton Roads Regional Jail or any other facility will be via videoconference, the time will be determined between the Court and the localities' availability for videoconference.

Detention Reviews and Post Disposition Reviews will be heard via videoconference. Plea agreements for detained juveniles will also be heard via videoconference.

Hearings for Permanent Protective Orders will still take place, unless there is an agreed upon continuance. If a party does not appear, the Preliminary Protective Order will be extended, and new service will be sent out for the next chosen date.

Requests for a hearing in an emergency matter not previously listed shall be made by motion, via email to [bcoffey@vacourts.gov](mailto:bcoffey@vacourts.gov), [lkosinski@vacourts.gov](mailto:lkosinski@vacourts.gov) and [kgilliam@vacourts.gov](mailto:kgilliam@vacourts.gov). The motion shall state whether parties agree with the motion to set a hearing and state the emergency. The duty judge shall determine whether a hearing shall be set.

Effective May 8, 2020, the Magistrate's office will set arraignment hearings for defendants who are on bond beginning June 29, 2020.

Individuals who have retained counsel and counsel has provided a letter of representation, with dates, are not required to appear for arraignment.

All bonded arraignments will remain on the docket for 9:00 a.m. Defendants who appear on the scheduled date will be arraigned and set for trial. If the defendant does not appear, a new date will be set, and a subpoena sent out for service on the defendant.

All proceedings will be conducted at the counsel tables. Please do not approach the bench or the clerk.

All criminal, traffic and non-emergency civil cases scheduled through June 7, 2020 will be continued as follows:

- All traffic cases will be continued to a date in June or later and the Officer and Defendant will be subpoenaed with a new date.
- All criminal and traffic cases involving an attorney will be continued by the courtroom clerk after contacting the Commonwealth's Attorney, if involved, and Defense Counsel for dates.

**If a plea agreement is reached prior to the continued court date, Counsel may contact the court and request that the matter be moved up on the court's docket. Only the attorneys and defendant will be allowed to appear for the plea agreement hearing. Except in the case of a juvenile, in which case, a parent/guardian will be allowed to be present.**

- All non-emergency contested civil cases will be continued and new summons will be sent to all parties. If an attorney is involved, the attorney or attorneys will be contacted for available dates.
- Preliminary Custody/visitation hearings, set at 9:00 a.m., will be heard effective May 18, 2020.

**EXCEPTION:** Custody & Visitation hearings MAY by agreement of all parties, in the discretion of the presiding judge, be conducted using WebEx, a secure video conference application. Such hearings must be agreed to in advance & proposed exhibits exchanged by the parties and submitted under seal to the court in advance of the hearing date. Participants must be present in an attorney's office or the courthouse, and no recording of the hearing allowed, by any means other than a licensed court reporter. **All exhibits must be filed 5 days prior to the hearing**

**with each side allowed to file objections to any exhibit 2 days prior to the hearing. Failure to file exhibits by the deadline means that the matter will be continued.**

Effective May 18, 2020, the Court Service Unit will begin accepting new custody, visitation and support petitions. You may call (757) 382-8150 to set up an appointment to get the petitions filed.

If you are sick, please do not come to court. Call the court or inform a Deputy of the illness.

The Chesapeake Sheriff's Weekender program is suspended until further notice. The Sheriff will not transport inmates from the jail to the courthouse unless authorized by a judge.

The Court has implemented a liberal continuance policy.

GAL and CAC duty attorney will be needed, effective May 18, 2020. If either attorney is not available, they should advise Bonnie Coffey, Laura Kosinski or Kimberly Gilliam about their unavailability so the court can arrange for another attorney to be duty.

Please note that these procedures and schedules are subject to change if necessary.