

REVISED 4/24/20

Due to Covid-19 and the emergency orders entered by the Virginia Supreme Court, effective April 27th and continuing through May 17th, all cases involving previously defined “incarcerated defendants” will remain on the docket of the Henrico General District Court and will be set on the 9:30 docket of the court. Defense counsel are expected to appear and handle those “incarcerated defendant” cases in one of the following ways:

- 1) The case will be disposed of by waiver of preliminary hearing or plea agreement on the 9:30 docket (even if originally set for 11:00) by Polycom video from the courtroom, and counsel are expected to be present and prepared to go forward;
- 2) If the case cannot be resolved by waiver or plea agreement, the Court will consider, on a case-by-case basis, conducting preliminary hearings and trials upon motion of a party made more than 72 hours prior to the scheduled or requested court date and with the agreement of all parties, attorneys, and witnesses, **IF** the Court finds that the necessity of conducting the hearing at that time outweighs the risk to all participants **AND** the hearing/trial can be conducted by Webex video, or by telephone where appropriate. If there is an objection by a party to conducting the hearing, the Court will consider the basis for the objection and make a determination on whether to proceed after weighing all of the circumstances;
- 3) The case will be continued on motion.
If the case of an “incarcerated defendant” must be continued, it will be given priority on the docket and set for the first date available to all parties after the expiration of any emergency order.

ALL bond motions will be set for 8:30 a.m. by Polycom video from the courtroom and will be limited to 10 per day. Arraignments of incarcerated defendants will be handled immediately following the bond motions.

Protective Order hearings will be heard at 11:00 a.m. and parties will be allowed to participate by telephone if a request is made **at least 24 hours in advance** through the clerk’s office. Preliminary Protective Orders and motions to release impounded vehicles will be received in the clerk’s office and decided based upon information contained in the affidavit of the petitioner.

ALL remaining traffic and criminal cases set for trial, including bonded arraignments and motions currently on the docket during that time period, are **continued**. However, if counsel or a party presents, by written motion, a compelling reason for placing a case on the docket during the existence of an emergency order, the court will consider those motions on a case-by-case basis.

ALL civil cases set for returns on Mondays and Fridays and **ALL** civil trials set during this time period are hereby **continued, with the exceptions noted below**. However, the Court does have the ability to hear civil trials by Webex upon the agreement of all parties, confirmation of access by all parties to Webex, and a joint request made at least 72 hours prior to the time of the requested trial, which will be granted on a case-by-case basis by the presiding judge. The court will consider whether the necessity of conducting the trial at the requested time outweighs the risk to all participants. All requests for trial by Webex should be submitted to the civil division of the clerk's office by fax at (804)-501-4141 **more than 72 hours prior** to the requested trial date with a certification that all parties have agreed to the request and have access to Webex. You must also provide information as to the number of witnesses, how and where all attorneys and witnesses will participate, the email address of all participants, and the anticipated length of time for trial. The parties will be notified in advance if the trial will proceed.

EXCEPTIONS:

- 1) Petitions for garnishment exemptions (you may request to be heard by telephone, with **at least** 24 hours notice, if you have submitted all documentation needed to rule on your petition;
- 2) Motions to quash evictions;
- 3) Petitions for Restricted Operators License.

In Order to limit the number of individuals in the Courthouse, we are temporarily not accepting in person the following:

- 1) Civil filings. You may continue to mail your filings with the fees or drop them in the General District CIVIL cart outside the front door of the courthouse. However, please contact the Civil Division to obtain a court date.
- 2) Payments for traffic and criminal cases. You may mail your payments or pay online at www.vacourts.gov.
- 3) Motions to rehear and appeals

****Please note, the Clerk's Office will be closed between 12:00pm – 12:30pm to allot enough time for a shift change.****

*****Please check the Henrico County and Virginia Supreme Court websites on a regular basis for information regarding the dockets of the Henrico General District Court as there may be frequent changes. Further information on the rescheduling of all continued cases will be provided on those websites as it becomes available.*****

Thank you for your patience and understanding in this unusual time.

Court Contact Information:

Traffic and Criminal (804) 501-4723
Civil (804) 501-4727
Email henricogd@vacourts.gov