

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF NORFOLK

RESUMPTION OF JURY TRIALS

Civil and criminal jury trials in the Circuit Court of the City of Norfolk will resume on April 5, 2021. The Court must give priority to criminal cases, and it expects the Commonwealth's Attorney's Office and the criminal defense Bar to bring to trial first those defendants who have been longest incarcerated.

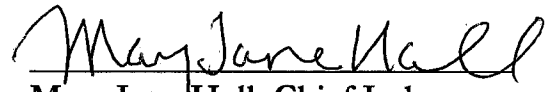
The Court understands that parties in assigned civil cases may have spent considerable sums in preparing for trial, and it will try to avoid bumping the trials of these cases. As of now, there is only one such case set in April and one in May.

So long as the Court is operating under the present Judicial Emergency only three courtrooms have the necessary spacing to conduct jury trials. If counsel in a civil case will agree to a five-person jury, one of the other four jury courtrooms could be used.

The Supreme Court of Virginia's Sixth Order Extending Declaration of Judicial Emergency (June 22, 2020) provided: "Continuances... shall be liberally granted for any cause resulting from the impact of the ongoing COVID-19 crisis." By its Eighteenth Order Extending Declaration of Judicial Emergency (March 2, 2021), the Court rescinded that directive and ordered: "To address the backlog of pending cases, any court may, in the exercise of its sound discretion: (1) grant continuances for good cause shown or as otherwise provided by law..." This Court resumes the application of its written civil and criminal continuance policies. Counsel requesting a continuance of a jury trial for a reason within their control should not expect a favorable response from the Court.

The Court hopes for, and expects, the cooperation of the Bar, and its preparation for trial, in reducing the backlog of cases that has developed in the last year.

ENTER: March 11, 2021


Mary Jane Hall, Chief Judge