

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Wednesday the 7th day of July, 2021.*

**IN RE: TWENTY-FIFTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

The ongoing judicial emergency caused by the COVID-19 pandemic continues to impede the operation of Virginia's courts, and to limit the courts' ability to ensure (i) immediate access for litigants and others and (ii) that schedules or time deadlines imposed by court order, rule, or statute are met. Accordingly, under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously enters this Order continuing the Declaration of Judicial Emergency entered on June 29, 2021 (Twenty-Fourth Order Extending Declaration Of Judicial Emergency In Response To COVID-19 Emergency) which shall apply to all circuit and district courts of the Commonwealth of Virginia, and effective July 22, 2021, ORDERS the following:

**1. Safety Protocols**

Chief judges and presiding judges of all courts should exercise their discretion in determining how best to safely operate their respective courts, including how to safely conduct jury trials, and, in doing so, may follow the guidance of the Centers for Disease Control and Prevention (CDC), and the Virginia Department of Health, with respect to safety protocols, including physical distancing and capacity restrictions and requiring a mask covering the mouth and nose.

**2. Admission to Courthouse**

All courts and security personnel shall continue to screen individuals entering the courthouse if recommended, and to the extent recommended, by the Virginia Department of Health.

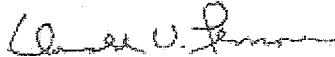
**3. Speedy Trial Act**

While the Speedy Trial Act, Va. Code § 19.2-243, has its own tolling provisions, speedy trial act deadlines continue to be tolled by this order during the ongoing Period of Judicial Emergency.

**4. Electronic Signatures**

All courts continue to be authorized to accept pleadings, orders and other documents that are electronically signed, including those where the electronic signature is accomplished by scanning.

This Order shall be in effect from July 22, 2021, through August 11, 2021 unless amended by future order. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through August 11, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 29th day of June, 2021.*

**IN RE: TWENTY-FOURTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

The ongoing judicial emergency caused by the COVID-19 pandemic continues to impede the operation of Virginia's courts, and to limit the courts' ability to ensure (i) immediate access for litigants and others and (ii) that schedules or time deadlines imposed by court order, rule, or statute are met. Accordingly, under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, and based upon the further request of the Governor pursuant to Va. Code § 17.1-330(A)(i), the Court unanimously enters this Declaration of Judicial Emergency which shall apply to all circuit and district courts of the Commonwealth of Virginia, and effective July 1, 2021, ORDERS the following:

**1. Safety Protocols**

Chief judges and presiding judges of all courts should exercise their discretion in determining how best to safely operate their respective courts, including how to safely conduct jury trials, and, in doing so, may follow the guidance of the Centers for Disease Control and Prevention (CDC), and the Virginia Department of Health, with respect to safety protocols, including physical distancing and capacity restrictions and requiring a mask covering the mouth and nose.

**2. Admission to Courthouse**

All courts and security personnel shall continue to screen individuals entering the courthouse if recommended, and to the extent recommended, by the Virginia Department of Health.

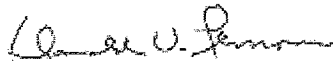
**3. Speedy Trial Act**

While the Speedy Trial Act, Va. Code § 19.2-243, has its own tolling provisions, speedy trial act deadlines continue to be tolled by this order during the ongoing Period of Judicial Emergency.

**4. Electronic Signatures**

All courts continue to be authorized to accept pleadings, orders and other documents that are electronically signed, including those where the electronic signature is accomplished by scanning.

This Order shall be in effect from July 1, 2021 through July 21, 2021, unless amended by future order. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through July 21, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Wednesday the 26th day of May, 2021.*

**IN RE: TWENTY-SECOND ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

The ongoing judicial emergency caused by the COVID-19 pandemic continues to impede the operation of Virginia's courts, and to limit the courts' ability to ensure (i) immediate access for litigants and others and (ii) that schedules or time deadlines imposed by court order, rule, or statute are met. Accordingly, under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through June 20, 2021, and effective May 31, 2021, ORDERS the following:

**1. Physical Distancing and Masks**

The Court recognizes that the guidance of the Centers for Disease Control and Prevention, the Governor's Executive Orders, and the Virginia Department of Health related to the COVID-19 pandemic has changed significantly in the past few weeks, and according to published news articles, this guidance is likely to continue to change in the coming days and weeks. All courts may follow the guidance of the Centers for Disease Control and Prevention (CDC), the Governor's Executive Order(s), and the Virginia Department of Health, with respect to physical distancing and capacity restrictions and requiring employees, litigants, attorneys, and others present in the courthouse, to wear a mask covering the mouth and nose. Only those courts with a plan for resuming jury trials approved by a panel of three Justices, may conduct jury trials, however, restrictions related to masks included in approved plans may be modified without further review and approval by the panel if the chief judge or presiding judge determines that such modifications are safe and consistent with recommendations of the CDC, the Governor's Executive Order(s), and Virginia Department of Health. Judges should continue to exercise their discretion with regard to holding grand jury proceedings.

**2. Admission to Courthouse**

All courts and security personnel shall continue to screen individuals entering the courthouse and to prohibit entry to the extent recommended by the Virginia Department of Health.

**3. Speedy Trial Act**

While the Speedy Trial Act, Va. Code § 19.2-243, has its own tolling provisions, speedy trial act deadlines continue to be tolled by this order during the ongoing Period of Judicial Emergency.

**4. Electronic Signatures**

All courts continue to be authorized to accept pleadings, orders and other documents that are electronically signed, including those where the electronic signature is accomplished by scanning.

This Order shall be in effect from May 31, 2021, through June 20, 2021 unless amended by future order. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through June 20, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.

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\_\_\_\_\_(SEAL)  
Chief Justice of the Supreme Court of Virginia

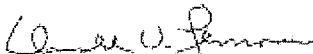
**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Monday the 3rd day of May, 2021.*

**IN RE: TWENTY-FIRST ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through May 30, 2021, and ORDERS that the provisions of the *Twentieth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered April 12, 2021 (Twentieth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

This Order shall be in effect from May 10, 2021, through May 30, 2021. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through May 30, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

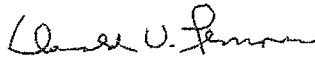
**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Monday the 12th day of April, 2021.*

**IN RE: TWENTIETH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through May 9, 2021, and ORDERS that the provisions of the *Nineteenth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered March 15, 2021 (Nineteenth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

This Order shall be in effect from April 19, 2021, through May 9, 2021. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through May 9, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



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Chief Justice of the Supreme Court of Virginia

(SEAL)



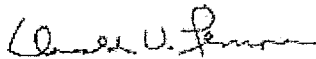
**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Monday the 15th day of March, 2021.*

**IN RE: NINETEENTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through April 18, 2021, and ORDERS that the provisions of the *Eighteenth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered March 2, 2021 (Eighteenth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

This Order shall be in effect from March 29, 2021, through April 18, 2021. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through April 18, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

**VIRGINIA:**

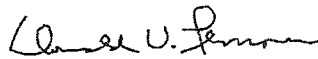
*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday, the 2nd day of March, 2021.*

**IN RE: EIGHTEENTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through March 28, 2021, and ORDERS that the provisions of the *Seventeenth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered February 8, 2021 (Seventeenth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order except as modified herein, and unless amended by future order.

To address the backlog of pending cases, any court may, in the exercise of its sound discretion: (i) grant continuances for good cause shown or as otherwise provided by law; and (ii) increase the use of in-person court proceedings whenever the court determines it is safe to do so.

This Order shall be in effect from March 8, 2021, through March 28, 2021. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through March 28, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

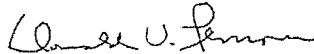
**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Monday the 8th day of February, 2021.*

**IN RE: SEVENTEENTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through March 7, 2021, and ORDERS that the provisions of the *Sixteenth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered January 19, 2021 (Sixteenth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

This Order shall be in effect from February 15, 2021, through March 7, 2021. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through March 7, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

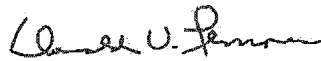
**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 19th day of January, 2021.*

**IN RE: SIXTEENTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through February 14, 2021, and ORDERS that the provisions of the *Fifteenth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered December 18, 2020 (Fifteenth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

This Order shall be in effect from January 25, 2021, through February 14, 2021. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through February 14, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 18<sup>th</sup> day of December, 2020.*

**IN RE: FIFTEENTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through January 24, 2021, and ORDERS that the provisions of the *Fourteenth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered December 3, 2020 (Fourteenth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order except as provided herein.

All courts and security personnel shall continue to take reasonable measures to prohibit individuals from entering the courthouse if they answer “Yes” to any of the following questions, as currently recommended by the Virginia Department of Health:

- a. Are you experiencing:
  - i. A new fever (100.4°F or higher) or a sense of having a fever
  - ii. A new cough that you cannot attribute to another health condition
  - iii. New shortness of breath or difficulty breathing that you cannot attribute to another health condition
  - iv. New chills that you cannot attribute to another health condition
  - v. A new sore throat that you cannot attribute to another health condition
  - vi. New muscle aches (myalgia) that you cannot attribute to another health condition, or that may have been caused by a specific activity (such as physical exercise)
  - vii. A new loss of taste or smell
  
- b. Have you had a positive test for the virus that causes COVID-19 disease within the past 10 days?
  
- c. In the past 14 days, have you had close contact (being within six feet for a total of 15 minutes or more over a 24-hour period, or having direct exposure to respiratory secretions) with someone with suspected or confirmed COVID-19?

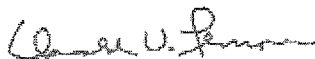
The court and security personnel shall direct such individuals to contact the clerk’s office by telephone or other remote means to inform the clerk of their business before the court so they may receive further instruction regarding alternate arrangements for court access.

In addition to continued social and physical distancing to minimize the risk of the spread of COVID-19, all persons aged five years or over entering the courthouse must wear a face covering that covers the nose and mouth. This includes judges, attorneys, deputy sheriffs, court reporters, employees, members of the public, contractors, and all others who work in or visit the courthouse. Within a courtroom, the presiding judge may authorize removal of a face mask to facilitate a proceeding. The requirement to wear a face mask shall not apply to: (i) judges or magistrates to the extent they determine it inhibits their ability to effectively communicate, (ii) individuals who have difficulty breathing, who cannot remove a face mask without help, or have other medical issues that make wearing a face mask unsafe, or (iii) any person whom the presiding judge determines should be excused from the requirement to wear a face mask. In any circumstances where a person is unable to wear a face mask, the presiding judge may impose reasonable restrictions on that person's entry to and circulation within the courthouse, including but not limited to, providing remote access, setting a time for entry to and exit from the courthouse, requiring the wearing of a face shield, requiring that person to maintain at least 10 feet of social distance from others, and/or limiting the space that person may occupy while in the courthouse. Face coverings should be compliant with current guidance from the Centers for Disease Control and Prevention (CDC). As of the date of this order that guidance may be found online at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html>

Unless and until a plan for restarting jury trials, described in the Sixth and Seventh Orders Extending the Declaration of Judicial Emergency, has been approved by a panel of three Justices in consultation with the Office of the Executive Secretary, no jury trials shall occur in any locality in the Commonwealth for the duration of this Order. Jury trials may be held as soon as the plan has been approved, provided that the chief judge and presiding judge determine it is safe to do so. In conducting a jury trial, the presiding judge shall ensure that provisions are made to enable the public to observe all aspects of the trial, including *voir dire*, whether in person or by electronic means. Consistent with constitutional and statutory requirements, access to the courtroom must be provided to the press, and to victims of crimes pursuant to Virginia Code § 19.2-11.01 and Rule 2:615 of the Rules of the Supreme Court of Virginia. Notwithstanding the suspension of jury trials pending approval of a plan for restarting them, upon notice to the parties or their counsel courts may impose discovery

deadlines, and other pre-trial deadlines in jury trial cases that are currently suspended.

This Order shall be in effect from January 4, 2021, through January 24, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday the 3<sup>rd</sup> day of December, 2020.*

**IN RE: FOURTEENTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through January 3, 2021, and ORDERS that the provisions of the *Thirteenth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered November 9, 2020 (Thirteenth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

This Order shall be in effect from, December 14, 2020, through January 3, 2021. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through January 3, 2021. The Declaration of Judicial Emergency may be extended for additional periods

so ORDERED.

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\_\_\_\_\_(SEAL)  
Supreme Court of Virginia



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**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Monday the 9th day of November, 2020.*

**IN RE: THIRTEENTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through December 13, 2020, and ORDERS that the provisions of the *Twelfth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered October 19, 2020 (Twelfth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

This Order shall be in effect from November 23, 2020, through December 13, 2020. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through December 13, 2020. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

Chief Justice of the Supreme Court of Virginia

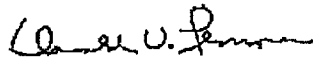
**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Monday the 19th day of October, 2020.*

**IN RE: TWELFTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through November 22, 2020, and ORDERS that the provisions of the *Eleventh Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered September 28, 2020 (Eleventh Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

This Order shall be in effect from November 2, 2020, through November 22, 2020. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through November 22, 2020. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Monday the 28<sup>th</sup> day of September, 2020.*

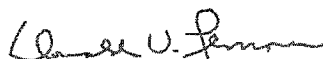
**IN RE: ELEVENTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through November 1, 2020, and ORDERS that the provisions of the *Tenth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered September 4, 2020 (Tenth Order), as clarified herein to emphasize that all clerks should accept filings submitted by facsimile or e-mail, shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

Pursuant to Va. Code § 17.1-330, all courts continue to be authorized to accept pleadings, orders and other documents that are electronically signed, including those where the electronic signature is accomplished by scanning, to include acceptance of pleadings, motions, and other case-related filings submitted by facsimile or email by litigants and attorneys in order to help reduce the potential for transmission of the COVID-19 virus.

All courts should continue to conduct as much business as possible by means other than in-person court proceedings. In all civil and criminal matters, courts are encouraged to use video conferencing, telephone, teleconferencing, email, or other means that do not involve in-person contact. These methods are preferred over in-person court proceedings.

This Order shall be in effect from October 12, 2020, through November 1, 2020. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through November 1, 2020. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 11th day of September, 2020.*

**IN RE: SECOND CLARIFICATION ORDER CONCERNING TOLLING OF  
STATUTORY SPEEDY TRIAL DEADLINES DURING THE JUDICIAL EMERGENCY  
IN RESPONSE TO COVID-19 CRISIS**

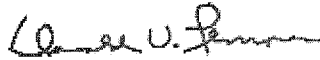
On March 16, 2020, the Court declared a “judicial emergency” on several grounds, including the fact that the COVID-19 crisis “substantially endangers or impedes . . . the ability of litigants or others to have access to the court or to meet schedules or time deadlines imposed by court order, rule, or statute,” Code § 17.1-330(A). Subsection D of Code § 17.1-330 provides the Court with broad power to suspend various court-related deadlines: “Notwithstanding any other provision of law, such order may suspend, toll, extend, or otherwise grant relief from deadlines, time schedules, or filing requirements imposed by otherwise applicable statutes, rules, or court orders in any court processes and proceedings, including all appellate court time limitations.” The Speedy Trial Act, Code § 19.2-243, imposes statutory time deadlines on criminal prosecutions subject to various exceptions and tolling provisions.

In its Clarification Order entered on May 1, 2020, this Court unanimously ordered that the tolling provisions of the March 16, March 27, and April 22 emergency orders, as clarified therein, “toll the running of any statutory speedy trial period applicable to criminal prosecutions in the courts of the Commonwealth of Virginia from March 16 until May 17 or later if further extended by this Court.”

This tolling of the running of any statutory speedy trial period applicable to criminal prosecutions in the courts of the Commonwealth of Virginia has been continued by this Court’s subsequent judicial emergency orders, up to and including the Ninth Order, in effect through September 20, 2020, and the Tenth Order which becomes effective September 21, 2020. This Court unanimously orders that the tolling of the running of any statutory speedy trial period applicable to criminal prosecutions in the courts of the Commonwealth of Virginia is not affected by approval by

a panel of three Justices of this Court of any plan to restart jury trials, and this tolling of the statutory speedy trial period shall continue to be unaffected by approval of such plans, unless amended by future order.

It is so ORDERED.



\_\_\_\_\_(SEAL)

Chief Justice Donald W. Lemons

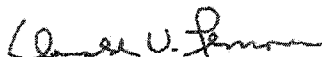
**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 4th day of September, 2020.*

**IN RE: TENTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court EXTENDS the Declaration of Judicial Emergency through October 11, 2020, and ORDERS that the provisions of the *Ninth Order Extending Declaration of Judicial Emergency in Response to Covid-19 Emergency*, entered August 20, 2020 (Ninth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

This Order shall be in effect from September 21, 2020, through October 11, 2020. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through October 11, 2020. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.

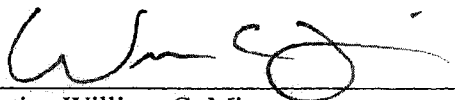


(SEAL)

- Chief Justice Donald W. Lemons
- Justice S. Bernard Goodwyn
- Justice D. Arthur Kelsey
- Justice Stephen R. McCullough
- Justice Teresa M. Chafin

JUSTICE WILLIAM C. MIMS, with whom JUSTICE CLEO E. POWELL joins, dissenting in part.

I would grant the request of Governor Northam in part, to extend the current moratorium on certain writs of eviction until October 1, 2020.



Justice William C. Mims

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday the 20th day of August, 2020.*

**IN RE: NINTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through September 20, 2020, and ORDERS that the provisions of the *Eighth Order Extending Declaration of Judicial Emergency In Response To Covid-19 Emergency*, entered July 29, 2020 (Eighth Order), shall continue to apply in all courts of the Commonwealth for the duration of this Order unless amended by future order.

The Court further ORDERS that the provisions of the *Amendment of Eighth Order* entered on August 7, 2020, are not extended by this Order, and remain in effect only through September 7, 2020. This Court's order that the issuance of writs of eviction pursuant to unlawful detainer actions related to the failure to pay rent be suspended and continued therefore shall cease to have effect after September 7, 2020, unless amended by future Order.

This Order shall be in effect from August 31, 2020, through September 20, 2020. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through September 20, 2020. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia

**PRESS RELEASE**  
**FOR IMMEDIATE RELEASE**

March 16, 2020

Effective March 17, 2020, all state courts in Roanoke City, Roanoke County, and Salem City are to remain open, but will reduce operations and restrict access to courthouses, pending further Order.

In response to concerns about the health and safety of court personnel and the public arising out of potential exposure to the Coronavirus (COVID-19), the Chief Judges of all state courts in Roanoke City, Roanoke County, and Salem City announced today that while the courts will remain open, operations will be reduced and access to the courthouses will be restricted. As more particularly described in the attached Order, these Courts have suspended many in-court proceedings. The Courts have further encouraged restricted access to the courthouse for litigants, involved attorneys, material witnesses, and necessary court personnel. These restrictions will remain in place through at least April 10, 2020. For the duration of any such restrictions, all courts will have a liberal continuance policy for any cases otherwise scheduled for trial.

*For the most current information about the schedules for Courts in the 23<sup>rd</sup> Judicial Circuit and District, please check the individual Court websites, which can be accessed through the Virginia Judicial System website at <http://www.courts.state.va.us/main.htm>.*



**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 7th day of August, 2020.*

**IN RE: AMENDMENT OF EIGHTH ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

Code § 17.1-330(A) provides the Court with the authority to declare a judicial emergency. The first requirement for such a declaration is the existence of a “disaster.” COVID-19 qualifies as a disaster because it is a “communicable disease of public health threat” under Code § 44-146.16, which Code § 17.1-330(A) incorporates by reference.

Second, Code § 17.1-330(A) requires that the disaster “substantially endanger[] or 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.” An absolute bar to access, such as when the courthouse is closed or destroyed due to flooding or other natural disasters, is not required under the statute. Instead, the statute is satisfied when there exists a “substantial” “endangerment” of the ability of a litigant to avail him/herself of court, or when that ability is “impeded.” Black’s Law Dictionary defines “substantial” as “having actual, not fictitious, existence”; “of real worth and importance”; “considerable in amount or value”; and “having permanence or near-permanence; long lasting.” *Substantial*, Black’s Law Dictionary (10th ed. 2014).

The ease with which the COVID-19 virus can spread, the risks associated with traveling to and appearing in the courthouse for those acting pro se with certain health conditions that disproportionately afflict the economically disadvantaged, and the inability of many citizens to access the courts remotely or to hire lawyers who can argue on their behalf, may “substantially endanger[]” or “impede[]” the “ability of [tenants] to avail themselves of the court.”

Code § 17.1-330(D) further provides that

Notwithstanding any other provision of law, such order may suspend, toll, extend, or otherwise grant relief from deadlines, time schedules, or filing requirements imposed by otherwise applicable statutes, rules, or court orders in any court processes and proceedings, including all appellate court time limitations.

This Court has declared a judicial emergency and previously exercised its authority, at the request of the Governor, to suspend writs of eviction and unlawful detainer proceedings.

WHEREFORE, pursuant to the authority conferred on the Court by Code § 17.1-330, and at the request of the Governor “to allow his administration the time to both work with the General Assembly to develop and pass a legislative package that will provide additional relief to those facing eviction and to expand financial assistance for tenants through [its] rent relief program,” and with the agreement of a majority of the Justices of this Court, the Eighth Order Modifying and Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency, entered on July 29, 2020, is hereby amended as follows:

“Effective August 10, 2020, and through September 7, 2020, pursuant to Va. Code § 17.1-330, the issuance of writs of eviction pursuant to unlawful detainer actions is suspended and continued. However, this suspension and continuation shall not apply to writs of eviction in unlawful detainer actions that are unrelated to the failure to pay rent.”

It is so ORDERED.



Justice William C. Mims

Justice S. Bernard Goodwyn

Justice Cleo E. Powell

Justice Stephen R. McCullough

