

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday the 20th day of January, 2022.

IN RE: THIRTY-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, the Court unanimously enters this Order, continuing the Declaration of Judicial Emergency entered on December 29, 2021 (Thirty-Third 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 January 27, 2022, ORDERS the following:

1. Safety Protocols

Subject to compliance with existing law, including 16VAC25-220, the Virginia Department of Labor and Industry (DOLI) Final Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus That Causes COVID-19, 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, 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 January 27, 2022, through February 16, 2022, unless amended by future order. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through February 16, 2022. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.

L. Bernard Goodwyn

Chief Justice of the Supreme Court of Virginia