

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 15th day of April, 2022.

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

The Court recognizes that while the number of cases of COVID-19 and, in most jurisdictions, the level of community transmission, have declined, nonetheless the ongoing 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 March 25, 2022, (Thirty-Seventh 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 April 21, 2022, ORDERS the following:

1. Safety Protocols

Chief judges and presiding judges of all courts should continue to exercise their discretion in determining how best to safely operate their respective courts, including how to safely conduct jury trials, in compliance with any applicable laws or regulations. Safe operation may include following the guidance of the Centers for Disease Control and Prevention (CDC) and the Virginia Department of Health, with respect to physical distancing and capacity restrictions, requiring a mask covering the mouth and nose, and screening individuals entering the courthouse.

2. Speedy Trial Act

Speedy trial act deadlines continue to be tolled by this order during the ongoing Period of Judicial Emergency, currently through May 11, 2022.

3. 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 April 21, 2022, through May 11, 2022, unless amended by future order. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through May 11, 2022. During this period, the Court will continue to monitor available information to gauge the ongoing impacts of COVID-19. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



Chief Justice of the Supreme Court of Virginia