

VIRGINIA: IN THE CIRCUIT COURT OF NORTHUMBERLAND COUNTY

AUGUST 25, 2020, ORDER IN RESPONSE TO COVID-19 EMERGENCY

Pursuant to the Ninth Order Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency and to previous orders of the Supreme Court of Virginia, the Court Orders as follows:

That effective from Monday, August 31, 2020 to Sunday, September 20, 2020 adopted pursuant to Virginia Code § 17.1-330(B) shall apply to all matters related to the Circuit Court:

1. The Circuit Court Clerk's Office will be close to the public. Personnel will be available to respond to telephonic, fax and email inquiries and to process recordings and case filings. Records and probates may proceed by approval of the Clerk with scheduled appointments according to the Clerk's protocol.
During the pendency of this order, the Clerk may adopt procedures to allow access and use of the Records Room. The procedures will conform to appropriate safety protocols including adequate social distancing and requiring the wearing of masks or face coverings as set out herein.
2. Safety procedures set out in Order of June 26, 2020, remain in full force and effect and are as follows:
 - a. Employ practices to ensure proper physical distancing between litigants, attorneys, staff and members of the public. Both in the courtroom and in the public areas of the Court facility there shall be six feet separation between individuals. Only parties, attorneys, necessary witnesses, court observers, necessary staff and the press shall be allowed in the courtroom at any one time to accommodate appropriate physical distancing;
 - b. In order to further minimize the risk of the spread of COVID-19 in addition to recommended social and physical distancing, all persons aged 10 and 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. Individuals without a face mask will not be permitted to enter the courthouse except for those who cannot safely wear a mask because of a health-related condition. The requirement to wear a mask shall not apply to judges or magistrates to the

extent they determine it inhibits their ability to effectively communicate, or to individuals who have difficulty breathing or who cannot remove a face mask without help or have other medical issues that make the wearing of a face covering unsafe;

- c. All persons entering the Court facility shall hand sanitize (hand washing or use of hand sanitizer) before entering courtroom;
During all recesses, court personnel shall hand sanitize (hand washing or use of hand sanitizer) before court resumes;
- d. Writing utensils shall not be shared. Sanitized writing utensils will be available for in court use;
- e. If witnesses are sequestered after being sworn to testify, they shall be placed by bailiffs in witness rooms, jury room, or lobby area observing appropriate physical distancing protocol until called upon to be witnesses;
- f. Bailiffs or court staff shall wipe down counsel table or other common surfaces for purpose of disinfecting them between cases;
- g. In order to reduce the number of litigants, witnesses and lawyers, the Court authorizes the Commonwealth's Attorney to work with defense counsel and the Clerk of this Court to establish segmented dockets for the criminal docket. The Commonwealth will determine the number of cases and litigants in each segment. The Court in consultation with the Clerk shall maintain a segmented docket for the civil docket. The court shall continue to prioritize emergency matters including, but not limit to, quarantine or isolation matters, criminal arraignments, bail reviews, protective order cases, emergency child custody or protection cases, civil commitment hearings, petitions for temporary injunctive relief, proceedings related to emergency protection of elderly or vulnerable persons, petitions for appointment of a guardian or conservator, and proceedings necessary to safeguard applicable constitutional protections;
- h. Prisoners from different correctional facilities will not be held in the same holding cell.

Defendants on bond who are remanded to custody as a result of Court actions shall be segregated from all other prisoners and they shall be

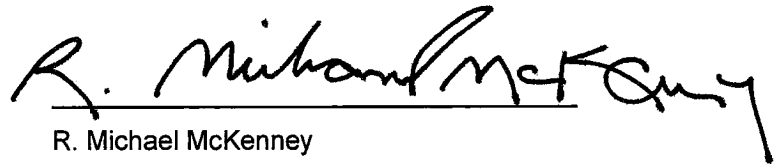
quarantined consistent with the policy of the local facility to which they will be transferred.

3. Jury trials may resume once the Plan submitted to the Supreme Court of Virginia has been approved. The approved plan is incorporated by reference and all jury trials shall be carried out consistent with the plan.
4. All issues related to statute of limitations, speedy trial calculations, etc. shall be resolved based on the guidance contained in the Seventh Order of Judicial Emergency of the Supreme Court of Virginia, and any subsequent Orders of the Supreme Court of Virginia;

This Order shall be effective from August 31, 2020 to September 20, 2020. This order may be extended for additional periods not to exceed twenty-one (21) calendar days. This order may be shortened as circumstances dictate or pursuant to Order of the Supreme Court of Virginia.

Enter:

August 25, 2020

A handwritten signature in black ink that reads "R. Michael McKenney". The signature is written in a cursive style and is positioned above a horizontal line.

R. Michael McKenney

Presiding Judge

Northumberland County