

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.



(SEAL)

Chief Justice of the Supreme Court of Virginia