

[pwcbbar] Creative solutions

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on behalf of

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Thu 4/30/2020 12:49 PM

To: pwcbbar@mail-list.com <pwcbbar@mail-list.com>

Good Afternoon. I write to remind the Bar that there are many options available to have cases addressed in General District Court during this time of emergency. Those options include, but are not limited to:

1) Video hearings using Webex, Zoom, Facetime, and or other internet services.

To the extent that the courtroom technology is compatible, courtroom video hearings are available also. To the extent that a video service is used that is not secure, as defined by the Virginia Supreme Court, I believe those services may still be used as long as the parties execute appropriate waivers. Similarly, video pleas and/or preliminary hearings may be done with appropriate waivers signed by the parties.

2) I am told Fairfax (argh!!) is allowing paper guilty pleas to offenses that do not carry active or suspended jail time and also do not have any type of post plea supervision. For example, attorneys may submit a plea and advisement form signed by the Commonwealth and their client with the agreed disposition. The Judge then executes the plea and sentence on the summons/warrant without requiring any party to be present. We, in General District Court, are amenable to this practice also.

3) We have been conducting attorney conferences and some motions hearings by conference call and have found it to be very useful, but under utilized.

For example, motions to advance/continue a court date, motions to change levels of supervision, and dispositive motions (demurrers, garnishment exemptions, etc) may all be heard by conference call.

I am sure there are other creative ways to conduct business while maintaining social distance. We are very much receptive to suggestions. Please consider using the above mentioned methods as we move forward. Stay safe.

Will Jarvis

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5/5/2020

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