

VIRGINIA SUPREME COURT DECLARATIONS OF JUDICIAL EMERGENCY
http://www.courts.state.va.us/news/items/covid/scv_emergency_orders.pdf

Provision No.	Provision Type	Provision	23rd	22nd	Amend 21st	21st	20th	19th	18th	17th	16th	15th	14th	13th	12th	11th	2nd Clarification re: Speedy Trial	10th	9th	Amend 8th	8th	7th	6th	2nd Amend. 5th	1st Amend 5th	5th	4th	Clarification re: Speedy Trial	3rd	2nd	1st	
1	EMERGENCY ORDER	Date of Order	6/15/2021	5/26/2021	5/17/2021	5/3/2021	4/12/2021	3/15/2021	3/2/2021	2/8/2021	1/19/2021	12/18/2020	12/3/2020	11/9/2020	10/19/2020	9/28/2020	9/11/2020	9/4/2020	8/20/2020	8/7/2020	7/29/2020	7/8/2020	6/22/2020	6/22/2020	6/8/2020	6/1/2020	5/6/2020	5/1/2020	4/22/2020	3/27/2020	3/16/2020	
2	EMERGENCY ORDER	Declares State of Judicial Emergency	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	YES	YES	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	
3	EMERGENCY ORDER	Emergency Dates	6/21/2021 - 7/11/2021	5/31/2021 - 6/20/2021	5/17/2021 - 5/30/2021	5/10/2021 - 5/30/2021	4/19/2021 - 5/9/2021	3/29/2021 - 4/18/2021	3/8/2021 - 3/28/2021	2/15/2021 - 3/7/2021	1/25/2021 - 2/14/2021	1/4/2021 - 1/24/2021	12/14/2020 - 1/3/2021	11/23/2020 - 12/13/2020	11/2/2020 - 11/22/2020	10/12/2020 - 11/1/2020	NA	9/21/2020 - 10/11/2020	8/31/2020 - 9/20/2020	8/10/2020 - 9/7/2020	8/10/2020 - 8/30/2020	7/20/2020 - 8/9/2020	6/29/2020 - 7/19/2020	6/22/20 - 6/28/20	6/8/20 - 6/28/20	6/8/20 - 6/28/20	5/18/20 - 6/7/20	3/16/2020-5/17/2020 or later if further extended by Court	through 5/17/2020 - 3/16 - 5/17/20 is "Period of Judicial Emergency"	4/6/2020-4/26/2020	3/16/2020 - 4/6/2020	
4	EMERGENCY ORDER	Courts to enter orders to implement judicial emergency order from VASCT	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES	NO	NO	NO	NO	
5	EMERGENCY ORDER	This order trumps previous orders	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES (not explicit but implied)	YES	YES	NO	NO	NO	NO	
6	DEADLINES	Tolling of statutes of limitations, other than statutory speedy trial in criminal cases, ENDS - tolling period is 3/16/20 to 7/19/20 (appellate rules detailed also)	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
7	DEADLINES	Toll statutes of limitations and case-related deadlines EXCEPT discovery deadlines	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	YES	NA	YES	YES	YES	NO	NO	NO	NO	
8	DEADLINES	Toll deadlines in trial courts, different rules for appellate courts	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	YES	NA	YES	YES	YES	NA	YES	NO	NO	
9	DEADLINES	Toll all Deadlines for 21 days	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	NO	YES	YES	
10	DEADLINES	Explanation of tolling procedure	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	YES	NO	NO
11	UNLAWFUL DETAINER	Residential unlawful detainer and writs of eviction UNRELATED TO FAILURE TO PAY RENT can go forward	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	NO	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	
12	UNLAWFUL DETAINER	Residential unlawful detainer and writs of eviction suspended and continued	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	YES (extended only until 9/7/2020)	YES (4-3 ruling by court)	NO	NO	NO	YES IN PART	YES	NO	NO	NO	NO	NO	NO	NO
13	UNLAWFUL DETAINER	Continue all non-emergency matters including warrants in debt, unlawful detainers, garnishments, and writs of eviction - determination of urgency in discretion of court	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	YES	YES (no discretion re: incarcerated defts and ongoing juries)	NO	
14	PROCEEDINGS	All Non-Essential / Non-Emergency court proceedings suspended	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	NO	NO	YES	
15	PROCEEDINGS	Continue all civil, traffic, and criminal matters - judges' discretion re: ongoing jury trials and incarcerated defendants	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	YES	NO	YES	
16	PROCEEDINGS	Preference for video conferencing and telephone hearings, but in-person non-emergency matters ok if safe to do so and comply with QES guidance	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	NO	NO	NO	NO	
17	PROCEEDINGS	OK to hear non-emergency matters in trial court discretion by audio-visual communication	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES	NA	YES	NO	NO	
18	PROCEEDINGS	Give precedence to emergency matters	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES	NA	YES	YES	NO	
19	PROCEEDINGS	Continue ceremonies unless in discretion of court ok to do by audio-visual	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES	NO	NO	
20	PROCEEDINGS	Continue all ceremonies	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	NO	YES	YES	
21	PROCEEDINGS	Liberal continuances related to COVID impact	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES	NO	NO	NO	NO	
22	PROCEEDINGS	All proceedings conducted remotely if allowed by law and liberal leave to participate remotely.	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES	YES	YES	
23	PROCEEDINGS	No more than 10 people at remote sites	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES	NO	NO	
24	PROCEEDINGS	Limit all courtroom attendance to atty's, parties, necessary witnesses and press	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES	YES	YES	
25	PROCEEDINGS	Consider COVID 19 when considering incarceration	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES	NO	NO	
26	PROCEEDINGS	Judges to exercise discretion with grand jury scheduling	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	NO	NO	NO	NO	
	PROCEEDINGS	Grant continuances for good cause shown or as otherwise provided by law to address backlog - court's discretion	YES	YES	NA	YES	YES	YES	YES	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
	PROCEEDINGS	Increase use of in-person court proceedings whenever court determines it is safe to do so - court's discretion	YES	YES	NA	YES	YES	YES	YES	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

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27	JURY TRIALS	Approval of jury plan per Court order does not affect tolling of statutory speedy trial deadlines	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	
28	JURY TRIALS	Create Jury Task Force to figure out how to resume jury trials and require circuit courts to develop plan	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	
29	JURY TRIALS	Suspend all civil and criminal jury trials	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	YES	YES	YES	NA	YES	YES	YES	NO	NO	NO	NO	
30	JURY TRIALS	For jury trials that can't be continued, excuse jury service for COVID-at-risk jurors	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	YES	YES	YES	
31	JURY TRIALS	Suspend new juror orientations	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	YES	NO	YES	
32	JURY TRIALS	Ensure provisions are made to enable public to observe all aspects of trial, including voir dire, whether in person or electronically	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
33	FILINGS	Accept electronically signed / scanned signature documents	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES - emphasize filings by email and fax to be accepted	NA	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	NO	NO	NO	NO
34	FILINGS	Require e-filing if available	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)
35	COURT FUNCTION	Summons in lieu of <i>caus</i> for failure to appear	NO	NO	NA	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	YES	YES	YES	
36	COURT FUNCTION	Courts and Clerks remain operational	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	YES	NA	YES	YES	NO
37	COURT FUNCTION	Mandatory facemasks with court exceptions under limited circumstances	NO	NO	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES	YES	NO	NO	NO	NO	NO	
	COURT FUNCTION	Courts may follow guidance of CDC, Governor's Exec. Orders, and VDH in requiring facemasks; presiding judge may modify mask restrictions in approved plans without further panel review	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	
	COURT FUNCTION	Courts may follow guidance of CDC, Governor's Exec. Orders, and VDH for physical distancing and capacity restrictions; presiding judge may modify these restrictions in approved plans without further panel review	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	
	COURT FUNCTION	Courts may follow guidance of CDC, Governor's Exec. Orders, and VDH for safety protocols	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NA	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	NA	NO	NO	NO	
38	COURT FUNCTION	Require people with court business to contact clerk for accommodations if in high-risk CDC category	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	
39	COURT FUNCTION	Consult with locality and sheriff about signage to prevent certain individuals from entering courthouse	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	
40	COURT FUNCTION	Bar certain at-risk individuals from entering courthouse	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	
41	COURT FUNCTION	Consult with sheriff to prohibit congregation at courthouse and enforce social distancing	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES	YES	YES
42	COURT FUNCTION	Permit additional policies by chief judges	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES	YES	YES
43	COURT FUNCTION	Keep Clerk's offices available including use of drop boxes if not available in person	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES	YES	NO
44	SPEEDY TRIAL	Courts to make criminal speedy trial determinations and requirements on case by case basis	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	YES (not explicit but implied)	NA	YES	YES	NO
45	SPEEDY TRIAL	Statutory Speedy trial deadlines tolled during judicial emergency	YES	YES	NA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NA	YES	YES	YES	NA	YES	YES	YES	YES (retroactive to first declaration)	NO	NO	NO	

