

ALEXANDRIA CIRCUIT COURT
INSTRUCTIONS FOR REMOTE MOTIONS DAY PRACTICE
Effective for the 7/22/2020 Motions Day and thereafter until further notice

TABLE OF CONTENTS

General Information

A. Circuit Court and Clerk of Court contact informationiii

B. Any motion that is not timely filed, or fails to meet the criteria (mandatory language regarding **remote hearing notice**, **Microsoft Teams meeting information**, mandatory **good faith certification for motions to compel**, exhibits, pleadings/documents, proposed order) will not be considerediii

C. Filing documents with the Clerk of Courtiii
Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

D. A document is not deemed filed until it is received and file-stamped by the Clerk of Court’s officeiii

E. The requirement to email a courtesy copy to Judges’ Chambers does not mean the document has been filed with the Clerk of Courtiii

F. Judges’ Chambers will not be responsible for forwarding any emails/pleadings/documents to the Clerk of Court.....iii

G. If counsel/pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel/pro se parties shall provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.....iii

Instructions

1. Schedule of Civil Motions Days 1

2. Remote Hearings..... 1

3. Email Addresses to Be Provided to the Court 1

4. The Court Assigns Cases to Morning or Afternoon Session 1

5. Microsoft Teams Meeting Invitation [from the Court] 2

6. Meeting Links for Motions Day 2

7. Posting of Motions Day Docket 2

8. Time Allotment (10:00 a.m. docket is 25 Minutes Per Case) 2

9. Reserve a 2:00 p.m. time slot 2

10. All Cases Should Be Noticed for the 10:00 a.m. Motions Day Docket Unless Special Permission Has Been Received for the 2:00 p.m. Docket 3

11. Deadlines (Initial Filing) For Motions Day (**3:00 p.m. on the Friday two and half-weeks prior to M.D.**)..... 3

12.	Step 1 – File a Motion, and File Notice or Praecipe to Docket the Motion .	5
	The Notice Must Include A Statement the Matter Will Be Heard Virtually Via Microsoft Teams	
13.	Step 2(a) – Notify Opposing Counsel/Party	5
14.	Step 2(b) - Notice Must Include Mandatory Microsoft Teams Meeting Information	6
15.	Motions Filed After the Initiating Motion	6
16.	Authorities from Foreign Jurisdictions	7
17.	Continuation of Motions from One Motions Day to Another	7
18.	Copy of Order Entered	7
19.	Disputes Over the Language of a Proposed Decree or Order	8
20.	Evidence/Exhibits (late evidence will not be considered)	8
21.	Garnishments	9
22.	Interpreter Services (deadline 3:00 p.m. one and one-half weeks prior to M.D.)	9
23.	Memoranda/Briefs (deadline 3:00 p.m. one and one-half weeks prior to M.D.)	10
24.	Motions to Amend Pleadings	10
25.	Motions to Compel – Mandatory Good Faith Certification	10
26.	Motions to Compel – Removal of Motion	11
27.	Oppositions/Responses (late oppositions/responses will not be considered)	11
28.	Removal of Motions – except Motions to Compel	11
29.	Replies to Oppositions (will not be considered by the Court)	12
30.	Routine Discovery Disputes, Including, But Not Limited To, Motions to Compel	12
31.	Set Date Matters	12
32.	Show Cause Orders Returnable to Motions Day	12

CIRCUIT COURT AND CLERK OF COURT
CONTACT INFORMATION DURING COVID-19

Original filings shall be filed with the Clerk of Court. During COVID-19, it is preferable to file documents by using the drop box in the vestibule of the courthouse. The next best method is to email the documents to case.intake@alexandriava.gov. The least preferable method is by U.S. Mail.

Courtesy copies shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks). Courtesy copies to Judges' Chambers may also be placed in the Clerk of Court's drop box in the vestibule of the courthouse.

Clerk of Court	520 King Street, Room 307 Alexandria, VA 22314 703-746-4044 Website: www.alexandriava.gov/ClerkofCourt Email: case.intake@alexandriava.gov
----------------	---

Circuit Court Judges' Chambers	703-746-4123 Website: www.alexandriava.gov/CircuitCourt Email: CircuitCourtChambers@alexandriava.gov
--------------------------------	--

Please note:

- Any motion that is not timely filed, or fails to meet the criteria (mandatory language regarding remote hearing notice, Microsoft Teams meeting information, mandatory good faith certification for motions to compel, exhibits, pleadings/documents, proposed order) will not be considered.
- A document is not deemed filed until it is received and file-stamped by the Clerk of Court's office.
- The requirement to email a courtesy copy to Judges' Chambers DOES NOT mean the document has been filed with the Clerk of Court.
- Judges' Chambers will not be responsible for forwarding any emails/pleadings/documents to the Clerk of Court.
- If counsel or pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel or pro se parties should provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.

1. **SCHEDULE OF CIVIL MOTIONS DAYS**

Civil Motions Days are held the second and fourth Wednesdays of each month, except for May.

Please check the calendar that is posted on the Circuit Court website at www.alexandriava.gov/CircuitCourt to determine if a change was necessary for the May motions day schedule. The following year's calendar is posted annually in October.

Civil Motions Days are at 10:00 a.m. and are limited to 25 minutes per case (argument time is 10 minutes per side, with 5 minutes for rebuttal). In cases requiring more than 25 minutes, counsel/pro se parties may call Judges' Chambers (703.746.4123) to schedule a hearing on the 2:00 p.m. Motions Day docket (if there is an available slot) or on a date certain (see paragraph 9 below).

During COVID-19, there will be two sessions for each Motions Day. The morning session will start at 10:00 a.m., and the afternoon session will start at 2:00 p.m. (See paragraph 11 for the list 2021 Motions Day dates and initial filing deadlines.)

2. **REMOTE HEARINGS**

During COVID-19, and unless an exception is permitted by the Court, all hearings will be heard remotely using Microsoft Teams.

IMPORTANT - Please download the Microsoft Teams software prior to the Motions Day hearing (Microsoft Teams is a free download available at www.microsoft.com).

The virtual Motions Day hearings are intended to be similar to the pre-COVID Motions Day hearings and are open to everyone.

The Microsoft Teams meeting invitation may be forwarded to anyone interested in attending the hearing.

The Microsoft Teams meeting link will be posted on the Circuit Court's website at www.alexandriava.gov/CircuitCourt two (2) days before the Motions Day.

3. **EMAIL ADDRESSES TO BE PROVIDED TO THE COURT**

IMPORTANT: The moving party must provide email addresses of all relevant parties to the Court.

Because the Motions Day hearing will be a virtual (remote) hearing, the moving party must confer with the non-moving party to obtain correct email addresses for all relevant parties, and **the moving party must provide those email addresses to the Court.** The email addresses can be provided to the Court on the praecipe or notice that docket the motion.

4. **THE COURT ASSIGNS CASES TO MORNING OR AFTERNOON SESSION**

Two (2) days prior to the Motions Day hearing, the Court will assign the cases to either the morning session at 10:00 a.m. or the afternoon session at 2:00 p.m.

This information will be reflected on the Microsoft Teams meeting invitation, which will be emailed to the moving counsel/party two (2) days prior to the Motions Day hearing. The Microsoft Teams meeting invitation will also be emailed to opposing counsel/party if relevant email addresses are provided to the Court.

This information regarding case assignment to either the 10:00 a.m. session or the 2:00 p.m. session will be reflected on the Motions Day docket, which will be posted on the Court's website at www.alexandriava.gov/CircuitCourt two (2) days prior to the Motions Day.

5. **MICROSOFT TEAMS MEETING INVITATION [FROM THE COURT]**

The Court will use the email addresses provided by the moving counsel/party (paragraph 3 above) to email a Microsoft Teams meeting invitation two (2) days prior to the Motions Day.

Any errors apparent to the parties at the time of the issuance of the Microsoft Teams invitation should be immediately brought to the attention of the Court.

Original notification of such errors or omissions shall be emailed to the Clerk of Court and opposing counsel/party; and a courtesy copy of the notification shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

The Court's email will include a separate link and telephone number for each judge's 10:00 a.m. session (and 2:00 p.m. session if applicable)

For participants who do not have internet access, they may use the telephone number that is provided on the meeting invitation to have audio access to the hearing.

The Microsoft Teams meeting invitation may be forwarded to anyone interested in attending the hearing.

The Microsoft Teams meeting link will be posted on the Circuit Court's website at www.alexandriava.gov/CircuitCourt two (2) days before the Motions Day.

6. **MEETING LINKS FOR MOTIONS DAY**

There will be a link for each judge's 10:00 a.m. docket and each judge's 2:00 p.m. docket, if any.

Meeting links will be emailed to the moving party two (2) days prior to the Motions Day. The meeting link will also be emailed to non-moving parties if the email address for the non-moving party has been provided by the moving party (paragraph 3).

If the moving party's praecipe or notice does not include the non-moving party's email address, it shall be the responsibility of the moving party to forward the Court's email with the Microsoft Teams meeting invitation to the non-moving party.

The meeting links will also be posted on the Circuit Court's website at www.alexandriava.gov/CircuitCourt two (2) days prior to the Motions Day.

7. **POSTING OF MOTIONS DAY DOCKET**

The Motion Day docket will be posted on the Circuit Court's website at www.alexandriava.gov/CircuitCourt two (2) days prior to the Motions Day.

8. **TIME ALLOTMENT – ARGUMENTS NOT EXCEEDING 25 MINUTES**

Motions on the 10:00 a.m. Motions Day docket are limited to **25 minutes per case**. Argument time is 10 minutes per side, with 5 minutes for rebuttal.

Time restrictions will be rigidly applied. Matters not resolved within 25 minutes will be continued, unless special permission has been received from Judges' Chambers to notice the case for the 2:00 p.m. afternoon session (see paragraph 9).

9. **RESERVE A 2:00 P.M. TIME SLOT FOR CASES REQUIRING MORE THAN 25 MINUTES**

In cases requiring more than 25 minutes, the motion(s) may be set on the 2:00 p.m. Motions Day docket if there is an available time slot.

To reserve the 2:00 p.m. time slot, counsel/pro se parties shall call Judges' Chambers (703.746.4123) to schedule a hearing on a date certain. **All parties must agree in advance to**

have their case heard on the 2:00 p.m. docket on a date certain. *Please note: For cases requiring more than 25 minutes, there is only one case assigned to each judge for the 2:00 p.m. docket.*

After obtaining a date certain from Judges' Chambers, the moving counsel/pro se party shall file the proper praecipe or notice with the Clerk of Court.

Originals of the motion, and a praecipe or notice, shall be emailed to the Clerk of Court (see below) and opposing counsel/party; and

A courtesy copy of the motion, and the praecipe or notice, shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

Please note

- Any motion that is not timely filed, or fails to meet the criteria (mandatory language regarding remote hearing notice, Microsoft Teams meeting information, mandatory good faith certification for motions to compel, exhibits, pleadings/documents, proposed order) will not be considered.
- A document is not deemed filed until it is received and file-stamped by the Clerk of Court's office.
- The requirement to email a courtesy copy to Judges' Chambers DOES NOT mean the document has been filed with the Clerk of Court.
- Judges' Chambers will not be responsible for forwarding any emails/pleadings/documents to the Clerk of Court.
- If counsel or pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel or pro se parties should provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.

10. **ALL CASES SHOULD BE NOTICED FOR THE 10:00 A.M. DOCKET UNLESS SPECIAL PERMISSION HAS BEEN RECEIVED FOR THE 2:00 P.M. DOCKET**

All cases should be noticed for the 10:00 a.m. morning session (unless special permission has been received from Judges' Chambers to notice the case for the 2:00 p.m. afternoon session; see paragraph 9).

If special permission has been received from Judges' Chambers to notice the case for the 2:00 p.m. docket, this information shall be set forth in the notice.

11. **DEADLINES (INITIAL FILING) FOR MOTIONS DAY**

During COVID-19, the Initial Filing Deadline is 3:00 p.m. on the Friday two and one-half (2.5) weeks preceding the Motions Day.

Motions must be filed by the deadline, or the praecipe or notice should indicate the motion was previously filed on [date].

Specific initial filing deadlines for each Motions Day are shown below. This information will be updated as necessary and also posted on the Circuit Court's website at www.alexandriava.gov/CircuitCourt.

Please note

- Any motion that is not timely filed, or fails to meet the criteria (mandatory language regarding remote hearing notice, Microsoft Teams meeting information, mandatory good faith certification for motions to compel, exhibits, pleadings/documents, proposed order) will not be considered.
- A document is not deemed filed until it is received and file-stamped by the Clerk of Court's office.
- The requirement to email a courtesy copy to Judges' Chambers DOES NOT mean the document has been filed with the Clerk of Court.
- Judges' Chambers will not be responsible for forwarding any emails/pleadings/documents to the Clerk of Court.
- If counsel or pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel or pro se parties should provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.

MOTIONS DAY - DEADLINES FOR INITIAL FILING

During COVID-19, the initial filing deadline is 3:00 p.m. on the Friday two and one-half weeks (2.5) weeks preceding the Motions Day.

Date of MOTIONS DAY	Filing deadline
January 13, 2021	Wednesday, 12/23/2020 at 12pm <i>*Court closes at 12:00 p.m. on 12/23/2020 for the Christmas holiday.</i>
January 27, 2021	Friday, 1/8/2021 at 3pm
February 10, 2021	Friday, 1/22/2021 at 3pm
February 24, 2021	Friday, 2/5/2021 at 3pm
March 10, 2021	Friday, 2/19/2021 at 3pm
March 24, 2021	Friday, 3/5/2021 at 3pm
April 14, 2021	Friday, 3/26/2021 at 3pm
April 28, 2021	Friday, 4/9/2021 at 3pm
May 5, 2021	Friday, 4/16/2021 at 3pm <i>*Motions Day is early due to Judicial Conf.</i>
May 26, 2021	Friday, 5/7/2021 at 3pm
June 9, 2021	Friday, 5/21/2021 at 3pm
June 23, 2021	Friday, 6/4/2021 at 3pm
July 14, 2021	Friday, 6/25/2021 at 3pm
July 28, 2021	Friday, 7/9/2021 at 3pm
August 11, 2021	Friday, 7/23/2021 at 3pm
August 25, 2021	Friday, 8/6/2021 at 3pm
September 8, 2021	Friday, 8/20/2021 at 3pm
September 22, 2021	Friday, 9/3/2021 at 3pm
October 13, 2021	Friday, 9/24/2021 at 3pm
October 27, 2021	Friday, 10/8/2021 at 3pm
November 10, 2021	Friday, 10/22/2021 at 3pm
November 24, 2021	Friday, 11/5/2021 at 3pm
December 8, 2021	Friday, 11/19/2021 at 3pm
December 22, 2021	Friday, 12/3/2021 at 3pm

12. **STEP 1 – FILE A MOTION, AND FILE NOTICE OR PRAECIPE TO DOCKET THE MOTION**

Any party to a civil action who wishes to have a motion heard on Civil Motions Day must follow these procedures. In addition to the motion, the moving counsel/party must file

- (1) A praecipe or notice including (a) the date and time to docket the motion; (b) a statement that the matter will be heard virtually via Microsoft Teams; and (c) the email addresses of all relevant parties to the hearing; and
- (2) All exhibits and proposed orders (if any).

For motions to compel, a good faith certification must be included in the body of the motion (see paragraph 25 below).

Originals of the motion, and a praecipe or notice, shall be emailed to the Clerk of Court (see below) and opposing counsel/party; and a courtesy copy of the motion, and the praecipe or notice, shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

Please note

- Any motion that is not timely filed, or fails to meet the criteria (mandatory language regarding remote hearing notice, Microsoft Teams meeting information, mandatory good faith certification for motions to compel, exhibits, pleadings/documents, proposed order) will not be considered.
- A document is not deemed filed until it is received and file-stamped by the Clerk of Court's office.
- The requirement to email a courtesy copy to Judges' Chambers DOES NOT mean the document has been filed with the Clerk of Court.
- Judges' Chambers will not be responsible for forwarding any emails/pleadings/documents to the Clerk of Court.
- If counsel or pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel or pro se parties should provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.

13. **STEP 2(a) - NOTIFY OPPOSING COUNSEL/PARTY**

The moving counsel/party must provide email addresses of the non-moving counsel/party and all relevant parties to the Court (as set forth in paragraph 3 above).

The party setting a case for Motions Day must give at least two and one-half (2.5) weeks' notice to all counsel of record and/or pro se parties.

Counsel must take steps to ensure that opposing counsel actually receives the motion no later than the Friday two and one-half (2.5) weeks preceding the Motions Day.

Because the Motions Day hearing will be a virtual (remote) hearing, the moving counsel/party must confer with the non-moving counsel/party to obtain correct email addresses for all relevant parties, and mandatory language regarding the remote motions day language must be included on the notice (see paragraph 14 for mandatory language to be included on notice).

Please note

- (1) Any motion that is not timely filed, or fails to meet the criteria (mandatory language regarding remote hearing notice, Microsoft Teams meeting information, mandatory good faith certification for motions to compel, exhibits, pleadings/documents, proposed order) will not be considered.
- (2) A document is not deemed filed until it is received and file-stamped by the Clerk of Court's office.
- (3) The requirement to email a courtesy copy to Judges' Chambers DOES NOT mean the document has been filed with the Clerk of Court.
- (4) Judges' Chambers will not be responsible for forwarding any emails/pleadings/documents to the Clerk of Court.
- (5) If counsel or pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel or pro se parties should provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.

14. **STEP 2(b) – NOTICE MUST INCLUDE MANDATORY MICROSOFT TEAMS MEETING LANGUAGE ON NOTICE**

Mandatory language to be included on Notice

Because the Motions Day hearing will be heard remotely, all notices or praecipes scheduling the motion for Motions Day must include the following language:

- a. "The matter will be heard remotely via Microsoft Teams"; and
- b. "Opposing counsel/party will receive an email from the Court two (2) days prior to the Motions Day hearing. The Court's email will include a link to the Microsoft Teams meeting and a telephone number to be used by those participants who do not have internet access."

15. **MOTIONS FILED AFTER THE INITIATING MOTION**

The deadline for filing additional motions is one week prior to the Motions Day.

Once a case has been placed on the Motions Day docket by the **timely and complete** filing of a motion, either party may file additional motions up to, but no later than, one week prior to the Motions Day. Additional motions must include

- (1) A praecipe or notice including (a) the date and time to docket the motion; (b) a statement that the matter will be heard virtually via Microsoft Teams; and (c) the email addresses of all relevant parties to the hearing; and
- (2) All exhibits and proposed orders (if any).

For **motions to compel**, a good faith certification must be included in the body of the motion (see paragraph 25 below).

Originals of the motion, and a praecipe or notice, shall be emailed to the Clerk of Court (see below) and opposing counsel/party; and

A courtesy copy of the motion, and the praecipe or notice, shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

Please note

- Any motion that is not timely filed, or fails to meet the criteria (mandatory language regarding remote hearing notice, Microsoft Teams meeting information, mandatory good faith certification for motions to compel, exhibits, pleadings/documents, proposed order) will not be considered.
- A document is not deemed filed until it is received and file-stamped by the Clerk of Court's office.
- The requirement to email a courtesy copy to Judges' Chambers DOES NOT mean the document has been filed with the Clerk of Court.
- Judges' Chambers will not be responsible for forwarding any emails/pleadings/documents to the Clerk of Court.
- If counsel or pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel or pro se parties should provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.

Additional notes

- Filing multiple motions **does not** increase the 25-minute time limit permitted for argument or rebuttal on each case.
- Parties may argue as many motions as are properly on the docket but must do so **within the 25-minute time block provided**.
- Any case that requires more than 25 minutes must be specially set on the 2:00 p.m. Motions Day docket (see paragraph 9) or on a date certain by contacting Judges' Chambers at 703.746.4123.

16. AUTHORITIES FROM FOREIGN JURISDICTIONS

Authorities from foreign jurisdictions must be attached to any motion.

17. CONTINUATION OF MOTIONS FROM ONE MOTIONS DAY TO ANOTHER

If the motion is being continued from one motions day to another, the moving party must (a) file a notice/praecipe to remove the motion; **and** (b) file a new notice/praecipe to docket the motion for the new Motions Day.

A new notice or praecipe is required to re-docket the motion in each of the following instances: (a) the motion is continued by agreement to another Motions Day; (b) a judge continues the motion in open court to another Motions Day; or (c) the motion is continued by conference call to another Motions Day.

To avoid confusion, do not combine the removal and the re-noticing of the motion on the same praecipe.

18. COPY OF ORDER ENTERED

If counsel or pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel or pro se parties shall provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.

19. DISPUTES OVER THE LANGUAGE OF A PROPOSED DECREE OR ORDER

Counsel shall confer and attempt to reach an agreement on the wording of the decree or order.

Failing such agreement, or on a date to be agreed upon between counsel but no later than fifteen (15) days after the date of the hearing at which the ruling was made, each counsel shall file with the Clerk of Court his or her respective proposed decree or order and, if necessary, a concise written argument in support of the party's position.

The order or decree should reflect the name of the appropriate judge.

Both proposed orders or decrees shall be signed by both counsel of record, preserving objections as necessary and appropriate.

The Court will enter the order it deems appropriate, and mark the other order refused.

The Clerk of Court shall send copies of the order entered to all counsel of record if counsel provides the Clerk of Court with a self-addressed, stamped envelope.

20. EVIDENCE/EXHIBITS

The deadline for filing evidence/exhibits, documents, and supplemental affidavits is the same deadline as for filing the motion (e.g., moving party's motion is due 2.5 weeks prior to Motions Day).

Any evidence, testimonial or documentary, anticipated to be relied on during the remote hearing, must be identified at the time the motion is filed. Specifically, this includes a list of anticipated witnesses, documents marked with exhibits labels (e.g., labeled P's 1 or D's 1), exhibits, and supplemental affidavits. Evidence submitted after the deadline will not be considered.

Originals of the evidence/exhibits shall be emailed to the Clerk of Court (see below) and opposing counsel/party; and

A courtesy copy of the evidence/exhibits shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

Please note

- Any evidence/exhibits submitted after the deadline will not be considered.
- A document is not deemed filed until it is received and file-stamped by the Clerk of Court's office.
- The requirement to email a courtesy copy to Judges' Chambers DOES NOT mean the document has been filed with the Clerk of Court.
- Judges' Chambers will not be responsible for forwarding any emails/pleadings/documents to the Clerk of Court.
- If counsel or pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel or pro se parties should provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.

21. GARNISHMENTS

A. If debtor's email and/or telephone are available: A remote garnishment hearing may be scheduled on Motions Day

Judgment creditor shall file a notice/praecipe including (a) the date and time to docket the motion; (b) a statement that the matter will be heard virtually via Microsoft Teams; (c) the email addresses of all relevant parties to the hearing; and (d) all exhibits and proposed orders (if any). **Such notice shall (a) include a statement from the creditor that the debtor has a verified email address or telephone number, and (b) attach an email from the debtor to the creditor which acknowledges receipt of an email stating the debtor can access Microsoft Teams either via the internet or via telephone.**

Originals of the motion, and a praecipe or notice, shall be emailed to the Clerk of Court (see below) and judgment debtor/defendant; and

A courtesy copy shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

B. If debtor's email and/or telephone number are not available: An in-person hearing must be scheduled.

Judgment creditor shall contact Judges' Chambers at 703.746.4123 to request a date certain for an in-person garnishment hearing.

After obtaining a date certain from Judges' Chambers, the creditor shall file the proper praecipe or notice with the Clerk of Court.

Originals of the motion, and a praecipe or notice, shall be emailed to the Clerk of Court (see below) and debtor; and

A courtesy copy of the motion, and the praecipe or notice, shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

22. INTERPRETER SERVICES

The deadline for requesting an interpreter is 3:00 p.m. on the Friday one and one-half (1.5) weeks prior to the Motions Day hearing.

If language services are needed, counsel/parties should email their request to Doralisa Pilarte at dpilarte@vacourts.gov, 703.746.4630.

It is the responsibility of the person requesting the interpreter to notify Interpreter Services if the case has been assigned to the 2:00 p.m. Motions Day session. Two days prior to the Motions Day hearing, the party requesting the interpreter shall check the Motions Day docket posted on the website at www.alexandriava.gov/CircuitCourt to see if the case has been assigned to the 2:00 p.m. Motions Day docket and contact Interpreter Services immediately.

The interpreter request must include the following:

Case Number: _____
Case Name (Style): _____
Case Type: _____
Date and Time: _____
Language Needed: _____
For Whom: _____

Who is Submitting Request?

Name: _____
Email: _____
Telephone: _____

23. **MEMORANDA/BRIEFS**

The deadline for filing memoranda/briefs is the same date for filing the motion (e.g., the moving party's motion is due 2.5 weeks prior to the Motions Day).

If memorandum or briefs are filed, notice and filing deadlines shall comply with Rule 4:15 of the Rules of the Supreme Court of Virginia.

Originals of the memoranda/briefs shall be emailed to the Clerk of Court (see below) and opposing counsel/party; and

A courtesy copy of the memoranda/briefs shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

24. **MOTIONS TO AMEND PLEADINGS**

Counsel seeking leave to amend any pleading shall provide a copy of the proposed amendment to opposing counsel and the Court.

In opposing such a motion, counsel should bear in mind that Virginia law requires such amendments to be liberally granted in the interest of justice.

25. **MOTIONS TO COMPEL – MANDATORY GOOD FAITH CERTIFICATION**

Mandatory good faith certification required in the body of the motion to compel.

For all motions to compel, a good faith certification must be included in the body of the motion, such certification **that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without Court action, pursuant to Rules 4:12(a)(2), 4:12(d), or 4:15(b).**

Failure to include the mandatory good faith certification in the body of the motion will result in the matter being removed from the docket.

26. **MOTIONS TO COMPEL – REMOVAL OF MOTION**

Deadline to remove a motion to compel is no later than 3:00 p.m. on the Tuesday prior to the Motions Day, provided the moving counsel/party notifies Judges' Chambers no later than 3:00 p.m. on the Tuesday prior to the Motions Day, and an agreed order is submitted to Judges' Chambers by 3:00 p.m. on Motions Day.

Once a motion to compel has been placed on the docket, the parties will be required to appear at the virtual hearing, unless the matter is resolved ***and*** the moving counsel/party notifies Judges' Chambers by sending an email to CircuitCourtChambers@alexandriava.gov ***no later than 3:00 p.m.*** on the Tuesday prior to the Motions Day, ***and*** the moving counsel/party emails an agreed order to Judges' Chambers at CircuitCourtChambers@alexandriava.gov no later than 3:00 p.m. on Motions Day.

27. **OPPOSITIONS/RESPONSES**

The deadline for filing oppositions/responses and any exhibits is 3:00 p.m. on the Friday preceding the Motions Day hearing.

If written oppositions/responses to timely filed motions are filed, such written oppositions/responses shall be provided to the Clerk of Court, opposing counsel/party, and Judges' Chambers.

Originals of the oppositions/responses shall be emailed to the Clerk of Court (see below) and opposing counsel/party; and

A courtesy copy of the oppositions/responses shall be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

Please note

- Any oppositions/responses submitted after the deadline will not be considered.
- A document is not deemed filed until it is received and file-stamped by the Clerk of Court's office.
- The requirement to email a courtesy copy to Judges' Chambers DOES NOT mean the document has been filed with the Clerk of Court.
- Judges' Chambers will not be responsible for forwarding any emails/pleadings/documents to the Clerk of Court.
- If counsel or pro se parties want the Clerk of Court to provide a copy of the order entered by the Court, counsel or pro se parties should provide the Clerk of Court with a self-addressed, stamped envelope for that purpose.

28. **REMOVAL OF MOTIONS - ALL MOTIONS EXCEPT MOTIONS TO COMPEL**

The deadline for removing motions is 3:00 p.m. on the Tuesday prior to the Motions Day docket.

Note: Only the moving party may remove a motion from the Motions Day docket by one of the following options:

Option 1 – The moving party shall call Judges’ Chambers at 703.746.4123 to verbally remove the motion from the docket, and then file a praecipe with the Clerk of Court’s office stating the matter should be removed from the docket.

Option 2 – The moving party shall file a written statement with the Clerk of Court’s office (see below) and opposing counsel/party; and

A courtesy copy of the removal praecipe shall be emailed to Judges’ Chambers at CircuitCourtChambers@alexandriava.gov (to alert the law clerks).

The motion will be removed from the docket immediately after the moving party notifies Judges’ Chambers.

Motions to Compel removal instructions are set forth in paragraph 26.

Note: In lieu of emailing original documents to the Clerk of Court at case.intake@alexandriava.gov, it is preferable to use the drop box in the vestibule of the courthouse. The least preferable method is to send the documents by U.S. Mail.

29. REPLIES TO OPPOSITIONS

Will not be considered by the Court.

30. ROUTINE DISCOVERY DISPUTES INCLUDING, BUT NOT LIMITED TO, MOTIONS TO COMPEL

Counsel shall confer and attempt to settle such disputes in accordance with the Rules of Court.

31. SET DATE MATTERS

For all set-date motions, when the case is called at the Motions Day hearing, the Court will instruct counsel/parties to call Judges’ Chambers (703.746.4123) to schedule the trial date.

32. SHOW CAUSE ORDERS RETURNABLE TO MOTIONS DAY

If the non-moving party appears remotely (with or without counsel), and no evidence other than testimonial evidence and/or exhibits filed at least 2.5 weeks prior to Motions Day is necessary, the case may proceed. If the hearing will take more than 25 minutes, the counsel/parties will be instructed to contact Judges’ Chambers (703.746.4123) for a date certain.

If the non-moving party *does not* appear remotely at the Motions Day hearing, the case shall be rescheduled unless the moving party can demonstrate that the non-moving party was aware of the remote hearing and had access to the Microsoft Teams meeting link or call-in telephone number.

Posted on www.alexandriava.gov/CircuitCourt

ALEXANDRIA CIRCUIT COURT

MOTIONS DAY REMOTE HEARINGS VIDEOCONFERENCE INSTRUCTIONS

During COVID-19, and unless an exception is permitted by the Court, all Motions Day hearings will be heard remotely using Microsoft Teams.

The virtual Motions Day hearings are intended to be similar to the pre-COVID Motions Days hearings and are open to everyone. The Microsoft Teams meeting invitation may be forwarded to anyone interested in attending the hearing.

1. You are receiving this email because you have placed a motion on the upcoming Motions Day. If your matter has already been removed from the Motions Day docket, you may disregard this email.
2. Please do not respond to this email other than by accepting or declining the meeting invitation. If you have any questions, please email CircuitCourtChambers@alexandriava.gov.
3. Please review the following instructions with regards to the upcoming Motions Day.

PRIOR TO THE MOTIONS DAY HEARING

4. **IMPORTANT – Download Microsoft Teams prior to the meeting.** Microsoft Teams is a free download available at www.microsoft.com.

DURING THE MOTIONS DAY HEARING

5. Please keep your microphone muted until your case is called.
6. When your case is called by the judge, alert the judge that you are present, and give a time estimate for the amount of time you believe your case requires.

PLEASE NOTE

7. When your case is called, please speak as loudly as possible.
8. If possible, make sure you are in a quiet space where you will not be disturbed during the hearing.
9. Eliminate all ambient noise in the room, even if you think it will not be picked up on your microphone.
10. If you interrupt the Court during any case other than your own, you will be muted and possibly removed from the court proceeding.
11. If your motion extends beyond the designated 25-minute time limit per case, you will be asked to reschedule your motion for a date certain.