

**SEVENTH REVISED MEMORANDUM REGARDING
ALEXANDRIA CIRCUIT COURT ORDERED
COVID-19 TEMPORARY PROCEDURES**

Effective January 1, 2021, in recognition of the ongoing COVID-19 pandemic, and consistent with the Supreme Court of Virginia’s December 18, 2020, Order, *In re: Fifteenth Order Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency*, extending the declaration of judicial emergency through January 24, 2021, for all district and circuit courts of the Commonwealth, allowing the implementation of local policies, as needed, to continue to remain operational while balancing the health and safety needs of visitors to the Court and personnel, and taking into consideration Governor Ralph Northam’s *Executive Order Number Sixty-Seven (2020) And Order Of Public Health Emergency Seven Phase Three Easing Of Certain Temporary Restrictions Due To Novel Coronavirus (Covid-19)*, allowing the majority of the Commonwealth to move into “Phase Three,” the Alexandria Circuit Court’s COVID-19 temporary procedures **shall remain in effect until further Order of the Circuit Court** as follows:

A. Previous Court Orders Regarding Temporary Procedures

On March 16, 2020, the Court issued a *Memorandum Regarding Alexandria Circuit Court Ordered COVID-19 Temporary Procedures*. On March 30, 2020, the Court issued a *Revised Memorandum Regarding Alexandria Circuit Court Ordered COVID-19 Temporary Procedures*, and, on April 14, 2020, the Court issued a *Memorandum Regarding Alexandria Circuit Court Ordered COVID-19 Temporary Procedures For Infant & Wrongful Death Settlements And for Deciding Non-Evidentiary Motions Without Oral Argument*. On April 27, 2020, the Court issued a *Third Revised Memorandum Regarding Alexandria Circuit Court Ordered Covid-19 Temporary Procedures*. The *Fourth Revised Memorandum Regarding Alexandria Circuit Court Ordered COVID-19 Temporary Procedures* was issued on June 15, 2020 and, on June 17, 2020, the Court issued the *Fourth Revised Memorandum Regarding Alexandria Circuit Court Ordered COVID-19 Temporary Procedures* (pertaining to transportation of in-custody defendants). A *Fifth Revised Memorandum Regarding Alexandria Circuit Court Ordered Covid-19 Temporary Procedures* was issued on September 8, 2020. A *Sixth Revised Memorandum Regarding Alexandria Circuit Court Ordered Covid-19 Temporary Procedures* was issued on November 7, 2020. These previous Orders are hereby incorporated into this *Seventh Revised Memorandum Regarding Alexandria Circuit Court Ordered Covid-19 Temporary Procedures*, subject to the specific provisions of the temporary procedures set forth below.

To the extent that the content of this *Seventh Revised Memorandum Regarding Alexandria Circuit Court Ordered Covid-19 Temporary Procedures* (“Seventh Revised Memorandum”) is different than the preceding memoranda, this *Seventh Revised Memorandum* shall control.

B. General

The Court shall continue to prioritize emergency matters and shall continue to conduct as much business as possible by means other than in-person proceedings. Use of video conferencing, teleconferencing, and other virtual means for conducting court business are preferred over in-person court proceedings.

C. Civil and Criminal Jury Trials

Pursuant to the Alexandria Circuit Court's Plan for Resuming Jury Trials, approved by the Virginia Supreme Court on September 24, 2020, criminal jury trials resumed on November 9, 2020. All civil jury trials remain suspended at least through May 31, 2021.

Civil Cases

1. Hearings and Bench Trials – For all hearings and bench trials scheduled through May 31, 2021, counsel and pro se parties should contact Judges' Chambers as soon as feasible to advise whether the hearing or trial may be done remotely and, if not, whether the hearing or trial may be continued. For any such hearing or trial that may not be done remotely or be continued, the Court will, on a case-by-case basis, determine whether the hearing or trial may proceed in-person in a manner that is consistent with the CDC.gov and Virginia Department of Health recommendations for minimizing the risk of the spread of COVID-19, as well as the guidance set forth in the Virginia Supreme Court's *Pandemic Continuity of Operations Planning: Reconstitution, Guide to Transitioning from Emergency to Routine Operations*. This includes, but is not limited to, asking anyone seeking entry into the Courthouse a series of questions and taking their temperature prior to entry which based on the answers or temperature would result in the person not being permitted to enter, as well as the wearing of facial coverings, maintaining at least 6-feet between persons, frequent handwashing, use of hand sanitizing liquid, etc.

For any in-person hearings or bench trials, the following shall apply:

- a. All persons who are present in the courtroom shall wear facial coverings, unless excused from doing so by the judge, and shall practice social distancing in accordance with CDC.gov and Virginia Department of Health recommendations.
- b. If an interpreter is required, the interpreter will appear either remotely or in the courtroom with a telephone accessible to the party or witness in need of translation services. The decision whether to appear remotely, or in the courtroom, will be up to the interpreter.
- c. Court reporters may attend proceedings either remotely or in-person and whether to appear remotely, or in the courtroom, will be up to the court reporter.

2. Motions Day Dockets – Instructions for filing motions/oppositions and for setting motions on Motions Day, as well as filing deadlines for both initial motions and additional motions, instructions for video conferencing, and the Circuit Court’s 9/17/2020 webinar regarding remote filing instructions, are attached to this Seventh Memorandum and incorporated herein. See also <https://www.alexandriava.gov/CircuitCourt> (“Motions Day Instructions During COVID-19”).
- a. Remote Motions Day dockets are held on the second and fourth Wednesdays of the month. (See www.alexandriava.gov/CircuitCourt for the Motions Day schedule and initial filing deadlines.)
 - b. All hearings will be heard remotely using Microsoft Teams. A Microsoft Teams meeting invitation will be emailed by the Court two (2) days prior to the Motions Day to the moving party and non-moving parties if the email address for the non-moving party has been provided to the Court. 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 and Motions Day docket will be posted on the Circuit Court’s website (www.alexandriava.gov/CircuitCourt) two (2) days prior to the Motions Day.
 - c. For any hearing requiring the presentation of documentary evidence, counsel or pro se parties shall submit proposed exhibits (e.g., labeled P’s 1 or D’s 1), to the Judges’ Chambers’ drop box located on the 4th floor of the courthouse no later than 12:00 p.m. on the Friday before Motions Day.
 - d. Unless leave for additional time is granted, or the motion or motions are set for a time certain, argument time limit is 25 minutes total, regardless of the number of motions filed in any one case (10 minutes per side with 5 minutes for rebuttal).
 - e. Garnishments
 - (1) 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/praeceipe 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.

- (2) 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 CircuitCourtChambers@alexandriava.gov or 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.

- f. Set date matters – At the Motions Day hearing, the Court will instruct counsel and/or parties to contact Judges' Chambers at 703-746-4123 to schedule the trial date. Counsel and/or parties may avoid appearing remotely on Motions Day by contacting Judges' Chambers to schedule the trial date.

- g. Show cause orders returnable to Motions Day
- (1) Any motion that is not timely filed, or fails to meet the criteria (mandatory language regarding remote hearing notice, Microsoft Teams meeting information, proposed order) will not be considered.
 - (2) If the defendant does not appear remotely at the Motions Day hearing, the case shall be rescheduled unless the plaintiff can demonstrate that the defendant knew of the remote hearing and had access to Microsoft Teams.
 - (3) If the defendant, or the defendant with counsel, does appear remotely, the case may proceed unless it will take more than 25 minutes. If the case will take more than 25 minutes, counsel/parties shall be instructed to contact Judges' Chambers to set a date certain.
3. Non-Evidentiary Motions with Waiver of Oral Argument –As per the *Third Revised Memorandum Regarding Alexandria Circuit Court Ordered COVID-19 Temporary Procedures* issued April 27, 2020, motions and proposed orders from the moving party, the responses/oppositions and proposed orders from the non-moving party and the Waiver of Oral Argument signed by both parties, in addition to being filed with the Clerk of Court, may be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov.
4. Civil Status Conference/Selection of Trial Date/Term Day Dockets
- a. Civil Status Conferences – In-person civil status conference dockets are suspended until further notice. All status conference hearings are being conducted by telephone only.
- (1) Cases without good service - In cases that were initiated at least three (3) months prior to the status conference and good service has not been effected, the Court will mail a status conference notice to the plaintiff and to any defendants for which the Court has a mailing address. Upon receipt of the status conference notice, plaintiff or plaintiff's counsel shall call Judges' Chambers to discuss the status of the case. The deadline for calling the Court is 1:00 p.m. on the day of the status conference. The case may be dismissed if the plaintiff does not contact Judges' Chambers prior to the deadline.
 - (2) Cases with good service in which a trial date needs to be scheduled - In cases where good service has been effected, the Court will mail a status conference notice to the plaintiff (or plaintiff's counsel) and to any defendants for which the Court has a mailing address. Upon receipt of the status conference notice,

counsel or pro se parties shall contact Judges' Chambers via telephone conference call (all counsel or pro se parties on the same telephone call) at 703-746-4123 to select a trial date. The case may be dismissed if the plaintiff does not contact Judges' Chambers prior to the deadline.

b. Civil Appeals - Selection of Trial Date

- (1) For the first return date, it is preferable that counsel or pro se parties contact Judges' Chambers via telephone conference call (all counsel or pro se parties on the same telephone call) at 703-746-4123 to select the trial date.
- (2) If a trial date is not selected prior to the first return date of the appeal, counsel or pro se parties may appear in the 4th floor lobby at 9:00 a.m. to set a trial date. The deadline for calling the Court is 1:00 p.m. on the date of the selection of trial date.
- (3) If a trial date is not selected on the first return date, the case will be continued to an upcoming status conference date, and counsel or pro se parties shall follow the Civil Status Conference instructions above. The appeal may be dismissed if the appellant does not contact Judges' Chambers prior to the deadline.

c. Term Day – It is preferable that counsel or pro se parties contact Judges' Chambers via telephone conference call (all counsel or pro se parties on the same telephone call) at 703-746-4123 prior to the Term Day to select a trial date. If a telephone conference call is not possible, counsel or pro se parties may appear in the 4th floor lobby at 9:00 a.m. to select a trial date. The deadline for calling the Court to set a trial date is 1:00 p.m. on the day of the Term Day.

5. Uncontested Guardianships/Conservatorships and Infant & Wrongful Death Settlements - Orders of appointment and settlement orders may be entered on the papers. All documents, including the proposed final order and GAL report, must be filed with the Clerk of the Circuit Court and counsel for Petitioner shall notify Judges' Chambers at 703-746-4123 after all the documents have been filed.

Any orders providing for funds to be deposited with the General Receiver shall comply with Va. Code § 8.01-600(B) and “shall include information necessary to make prudent investment and disbursement decisions”. The orders shall include, except when it is unreasonable, the proposed dates of periodic and final disbursements. Prior to the entry of the order, the beneficiary or his representative shall file an affidavit with the court providing the beneficiary's name, date of birth, address, and social security number. The affidavit shall be maintained under seal by the clerk unless otherwise ordered by the court, and the information therein shall be used solely for the purposes of financial management and reporting.”

6. Uncontested Divorce Cases by Affidavit – Parties may use a sworn Declaration Under Penalty of Perjury (*see* Va. Code § 8.01-4.3) to satisfy the requirements of a sworn statement under Va. Code § 20-99.1:1 (acceptance and waiver of service of process) and Va. Code § 20-106 (divorce by affidavit).
 - a. The Virginia State Form 4 (VS-4 form) is **mandatory** for all divorce cases and **cannot be downloaded**. The form is available in the vestibule of the courthouse, or by calling the Clerk of Court at 703-746-4044 or Judges’ Chambers at 703-746-4123.
7. Ore Tenus Uncontested Divorce Hearings – In-person ore tenus uncontested divorce hearings will be heard on most Tuesday mornings at 9:00 a.m. and will be limited to six (6) cases. Counsel/pro se parties shall contact Judges’ Chambers (703-746-4123) to schedule the ore tenus hearing. All documents, including the proposed Final Decree, must be filed with the Clerk of Court *one week before calling Judges’ Chambers* to schedule the hearing date. The date of the ore tenus hearing will be at least two weeks after calling Judges’ Chambers.
 - a. The Virginia State Form 4 (VS-4 form) is **mandatory** for all divorce cases and **cannot be downloaded**. The form is available in the vestibule of the courthouse, or by calling the Clerk of Court at 703-746-4044 or Judges’ Chambers at 703-746-4123.

D. Criminal Cases

8. General - Any in-person hearing or bench trial will be conducted in manner that that is consistent with the CDC.gov and Virginia Department of Health recommendations for minimizing the risk of the spread of COVID-19, as well as the guidance set forth in the Virginia Supreme Court’s *Pandemic Continuity of Operations Planning: Reconstitution, Guide to Transitioning from Emergency to Routine Operations*. This includes, but is not limited to, asking anyone seeking entry into the Courthouse a series of questions and taking their temperature prior to entry which based on the answers or temperature would result in the person not being permitted to enter, as well as wearing of facial coverings, maintaining at least 6-feet between persons, frequent handwashing, use of hand sanitizing liquid, etc.
9. The Alexandria Treatment Court (“ATC”) will continue with remote hearings every Thursday at 2:00 p.m., via Zoom video conferencing.
10. Criminal Jury Trials – Criminal jury trials resumed on November 9, 2020 and shall be conducted in accordance with the Court’s Plan for Resuming Jury Trials approved by the Virginia Supreme Court on September 24, 2020. The Court’s Plan for Resuming Jury Trials is posted on the Court’s website at www.alexandriava.gov/CircuitCourt.

11. Criminal Bench Trials - For all criminal bench trials, counsel and pro se parties should contact Judges' Chambers as soon as feasible to advise whether the trial may be done remotely and, if not, whether the trial may be continued. For any such trial that may not be done remotely or be continued, the Court will, on a case-by-case basis, determine whether the trial may proceed in-person.

Transportation of In-Custody Defendants. In cases where the defendant is in custody, if defense counsel emails a written request to CircuitCourtChambers@alexandriava.gov no later than 12:00 p.m. on the Wednesday prior to the Commonwealth Day, or one week before the scheduled hearing if a day other than Commonwealth Day, that the defendant be physically present in the courtroom, and the Court finds good cause to grant such request, the Court will work with the Sheriff's Office to transport the defendant to and from the jail and the Courthouse in a manner that protects the health and safety of the defendant, the Sheriff's deputies and any other necessary personnel, taking into consideration, *inter alia*, that only a limited number of incarcerated defendants may be transported on any given day, that the Circuit Court, General District Court and Juvenile and Domestic Relations District Court need to accommodate the Sheriff's limited ability to transport multiple incarcerated defendants to the Courthouse on any given day, that there is limited space within the Courthouse for incarcerated defendants to be maintained, and that there is the need to isolate the defendant for a period of days upon his/her return to the jail, and that there are more logistical considerations when transporting defendants from other jurisdictions.

In cases where counsel believes that the speedy trial rights of an incarcerated defendant are implicated, it shall be incumbent on counsel to bring the issue to the attention of the Commonwealth and the Court in advance of the existing trial date to allow the Court to make an appropriate decision.

12. Criminal Proceedings on Commonwealth Day or a Date Certain
 - a. All proceedings will take place in Courtroom #4, on a Thursday, Commonwealth Day Docket, unless the Court determines otherwise, to be arranged by the Commonwealth's Attorney's office in coordination with Judges' Chambers in the same manner as they did prior to the COVID-19 temporary procedures.
 - b. For pleas, felony sentencings and probation violations, and contested non-evidentiary criminal motions, the following procedures shall apply:
 - 1) In cases where the defendant is incarcerated at the Alexandria Adult Detention Center and, *if all parties and witnesses agree to do so*, the attorney for the Commonwealth, defense counsel and the court reporter shall appear in person in Courtroom #4, and the

defendant shall appear via the Polycom audio/video conferencing system. If defense counsel requests that the defendant be physically present in the courtroom, the same procedures as set forth in Section E (11) above apply.

- 2) In cases where the defendant is not incarcerated, the preference is to conduct all such proceedings remotely, but only if all parties and witnesses agree to do so.
 - c. If an interpreter is required, the interpreter will appear either remotely or in the courtroom with a telephone accessible to the defendant. The decision whether to appear remotely, or in the courtroom, will be up to the interpreter.
 - d. Witnesses may attend proceedings remotely, if all parties agree, or in person in the courtroom. Counsel shall contact the Commonwealth's Attorney's office for assistance in witnesses appearing remotely, either by telephone or videoconference.
 - e. Victim services and victims may attend proceedings remotely, if all parties agree, or in-person in the courtroom. Those persons wishing to appear remotely, either by telephone or videoconference, shall contact the Commonwealth's Attorney's office for assistance.
 - f. Court reporters may attend proceedings either remotely or in person, and whether to appear remotely or in the courtroom will be up to the court reporter.
 - g. For sentencings and revocation hearings, the probation officer may attend proceedings either remotely or in-person in the courtroom, and whether to appear remotely or in the courtroom will be up to the probation officer. The probation officer shall contact the Commonwealth's Attorney's office for assistance in appearing remotely, either by telephone or videoconference.
13. Safety Guidelines for In-Person Proceedings - All persons who are present in the courtroom will wear facial coverings, unless excused from doing so by the judge, and practice social distancing in accordance with CDC.gov and Virginia Department of Health recommendations.
 14. Copies of Plea Forms - For matters that will be heard remotely, at least 24 hours before a felony or misdemeanor plea is scheduled to take place, counsel must provide Judges' Chambers with an executed copy of the plea form (signed by the Commonwealth, defense counsel and the defendant), and any exhibits. Counsel shall contact Judges' Chambers if they need assistance in meeting this requirement.

15. Sentencings with Probation Sentence Reports and/or Witnesses - With respect to felony sentencings which require a Probation Sentence Report (“PSI”), the Court will only conduct such felony sentencings in which the PSI has been completed or will be completed in time for defense counsel to review the PSI with the defendant. For sentencings to be held remotely, counsel for the Commonwealth and the Defendant should notify Judges’ Chambers if any witnesses will be testifying at sentencing and provide an email address for the witness, which shall be placed under seal, so that the witness can be invited to attend the sentencing proceeding on Microsoft Teams. There will be only remote witness testimony by agreement of the parties and the witness. Also, any documents/exhibits necessary for the sentencing are to be submitted by email to Judges’ Chambers at CircuitCourtChambers@alexandriava.gov at least 24 hours prior to the sentencing hearing.
16. Courtesy Copies - All pleadings and other submissions, such as sentencing memoranda and supporting documents, must be filed as usual with the Clerk of Court, with a courtesy copy sent by email to Judges’ Chambers at CircuitCourtChambers@alexandriava.gov. No memoranda, certificates, or exhibits will be accepted in Court on the day of a remote hearing.
17. Bond Motions and Bond Appeals - Bond motions and bond appeals shall continue to be held via video conferencing and scheduled through Judges’ Chambers, unless there is good cause to hold the hearing in-person.
18. Set-Date and Monthly Reviews – To the extent possible, these matters, including reviews of restitution, UGB, local probation, and § 18.2-251 and § 18.2-57.3 dispositions, may be set on a Commonwealth Day docket, either remotely if all parties agree or in-person. For any such matter in which the parties have an agreed disposition that does require the defendant’s appearance, it may be handled by agreed order in advance of court (e.g., dismissal of charge pursuant to Va. Code § 18.2-251 with proof of defendant’s compliance with conditions). A single agreed order may be used for multiple cases all set on the same day (*i.e.*, Commonwealth Day set-dates can be reduced to one order in which each case is identified by case number and a copy of the order is scanned into each case file).
19. Criminal Appeals - All criminal appeals noted from the GDC and JDR Court shall be scheduled by the Clerks of the GDC and JDR Court for a jury-election/set-date in Circuit Court on a Thursday, Commonwealth Day at 10:00 a.m., in the same manner as they did prior to the COVID-19 temporary procedures.
20. Non-Evidentiary Motions with Waiver of Oral Argument –Motions and proposed orders from the moving party, the responses and proposed orders from the non-moving party and the Waiver of Oral Argument signed by both parties,

in addition to being filed with the Clerk of Court, may be emailed to Judges' Chambers at CircuitCourtChambers@alexandriava.gov.

21. The Commonwealth's Attorney's Office and the Public Defender's Office should continue to contact Judges' Chambers by email in the same manner as they did prior to the Covid-19 temporary procedures, i.e., by emailing Judges' Chambers staff at the staff's individual email addresses.

SEVENTH REVISED MEMORANDUM – ATTACHMENT 1
Posted on www.alexandriava.gov/CircuitCourt

Orig. Posted 7/1/2020
Updated: 12/21/2020

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

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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.

SEVENTH REVISED MEMORANDUM – ATTACHMENT 2
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.