

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE

IN RE: ORDER REGARDING ADDITIONAL COURTHOUSE SECURITY, HEALTH, AND SAFETY MEASURES DURING COVID-19 EMERGENCY

Pursuant to Virginia Code § 53.1-120(A), the Sheriff shall ensure that the City of Chesapeake courthouses and courtrooms within this jurisdiction are secure from violence and disruption and shall designate deputies for this purpose; also, pursuant to Virginia Code § 17.1-501(B), the chief judge of the circuit shall ensure that the system of justice in the circuit operates smoothly and efficiently.

Further, in accordance with Virginia Code § 8.01-4, the Court may prescribe rules to promote the efficient and safe use of courthouse facilities and clerks' offices.

In accordance with the orders of the Supreme Court of Virginia regarding the Period of Judicial Emergency in Response to the COVID-19 Emergency, it is

ORDERED and DECREED as follows:

The Sheriff is authorized and shall take reasonable measures to determine and to prohibit individuals from entering the Courthouse if they have, within the previous 14 days:

- (i) traveled internationally;
- (ii) been directed to quarantine, isolate, or self-monitor;
- (iii) been diagnosed with, or have had contact with anyone who has been diagnosed with, COVID-19;
- (iv) experienced a fever, cough, or shortness of breath; or
- (v) resided with or been in close contact with any person in the above-mentioned categories.

The Sheriff shall direct such individuals to contact the applicable clerk's office by telephone or other remote means to inform the Clerk of their business before the Court so they may receive further instruction.

The Sheriff is further authorized to require and enforce social distancing requirements of at least six feet from any other person, with the exception of family or household members or caretakers, and shall not permit gathering, lingering, or loitering in areas, except as directed by the Court or Sheriff for purposes of pretrial or prehearing staging.

All individuals entering the Courthouse, including but not limited to employees, vendors, contractors, litigants, attorneys, and members of the public, shall wear a face covering that covers the nose and mouth continuously when in public areas and shared common spaces, including hallways, entrance foyers, and courtrooms. Inside of each courtroom, the presiding judge may permit removal of face coverings for the purposes of facilitating a hearing or otherwise promoting the functioning and effective operation of the Court, with efforts made to ensure that individuals permitted to remove their face coverings stay at least six feet apart from other individuals.¹ Any individual denied entry into the Courthouse for this reason should immediately contact the applicable clerk's office to receive further instruction and to determine whether (1) alternate arrangements can be made to accomplish the needs of the visitor without entry to the Courthouse; or (2) if possible, they may quickly obtain a face covering and return to the Courthouse. Any individual granted entry to the Courthouse that refuses to continuously wear their face covering over their nose and mouth as required by this Order will be subject to removal from the Courthouse.

All individuals must exit the Courthouse immediately at the conclusion of their case or other business at the Court.

A willful violation of this order may be punished as contempt under Virginia Code § 18.2-456. This order shall be in effect until rescinded by the Court.

IT IS SO ORDERED.

ENTER: *May 15, 2020*



Randall D. Smith, Chief Judge

¹ If an individual cannot safely wear a face covering/mask due to a medical condition that causes them to have difficulty breathing, such individual almost certainly qualifies as a "vulnerable individual" as defined by the CDC and should strongly consider avoiding entry into any public spaces, including the Courthouse. However, to the extent a litigant, or other individual, has a condition where it is medically unsafe for them to wear a face covering (to include children under two years old) but also has a critical need or is otherwise required to enter the Courthouse, a presiding judge may make exceptions to the face covering requirement.