

## **VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 15th day of June, 2021.*

### **IN RE: TWENTY-THIRD ORDER EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

The ongoing judicial emergency caused by the COVID-19 pandemic continues to impede the operation of Virginia's courts, and to limit the courts' ability to ensure (i) immediate access for litigants and others and (ii) that schedules or time deadlines imposed by court order, rule, or statute are met. Accordingly, under the constitutional, statutory, and inherent authority of the Supreme Court of Virginia, the Court unanimously EXTENDS the Declaration of Judicial Emergency through July 11, 2021, and effective June 21, 2021, ORDERS the following:

#### **1. Physical Distancing and Masks**

Chief judges and presiding judges of all courts should exercise their discretion in determining how best to safely operate their respective courts, and, in doing so, may follow the guidance of the Centers for Disease Control and Prevention (CDC), the Governor's Executive Order(s), and the Virginia Department of Health, with respect to safety protocols, including physical distancing and capacity restrictions and requiring a mask covering the mouth and nose. Only those courts with a plan for resuming jury trials approved by a panel of three Justices may conduct jury trials, however, restrictions related to masks and physical distancing included in approved plans may be modified without further review and approval by the panel if the chief judge or presiding judge determines that such modifications are safe and consistent with recommendations of the CDC, the Governor's Executive Order(s), and Virginia Department of Health. Judges should continue to exercise their discretion with regard to holding grand jury proceedings.

#### **2. Admission to Courthouse**

All courts and security personnel shall continue to screen individuals entering the courthouse and to prohibit entry to the extent recommended by the Virginia Department of Health.

**3. Speedy Trial Act**

While the Speedy Trial Act, Va. Code § 19.2-243, has its own tolling provisions, speedy trial act deadlines continue to be tolled by this order during the ongoing Period of Judicial Emergency.

**4. Electronic Signatures**

All courts continue to be authorized to accept pleadings, orders and other documents that are electronically signed, including those where the electronic signature is accomplished by scanning.

This Order shall be in effect from June 21, 2021, through July 11, 2021 unless amended by future order. Accordingly, the Period of Judicial Emergency now extends from March 16, 2020, through July 11, 2021. The Declaration of Judicial Emergency may be extended for additional periods as provided in Va. Code § 17.1-330(E). It is so ORDERED.



(SEAL)

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Chief Justice of the Supreme Court of Virginia