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From: pwcbbar@mail-list.com <pwcbbar@mail-list.com> On Behalf Of Tracey Lenox

Sent: Wednesday, April 8, 2020 5:15 PM

To: pwcbbar@mail-list.com

Subject: [pwcbbar] New directive from the Juvenile & Domestic Relations Court

Hello all--

We have new information this afternoon from the J&DR court that will affect many previously non-essential cases. In short, the Court will begin trying to efficiently bring juvenile and adult criminal dispositions to conclusion, beginning May 1. There is also guidance to docket dispositions that have been continued since the Court issued its first special Order on March 15. Here is the full text of the Court's direction, which will also be posted to the PWCBA website in the next day:

"In our ongoing efforts to efficiently bring cases to resolution, despite the obstacles recent events have thrown in our path, the J&DR Court will no longer routinely continue criminal and juvenile dispositional hearings from their original dockets, effective May 1, 2020. We will be reviewing those files and, in absence of objection from the Commonwealth, proceeding to disposition, waiving the presence of counsel and the defendant. This should ensure that these cases are cleared out in advance of the anticipated press of hearings after regular dockets can be safely resumed, as well as assisting in making it possible for court-appointed counsel to be paid after often lengthy waits.

Procedurally, we have asked LOP and juvenile probation to submit a brief compliance report in advance of the scheduled date. If this information is not in the file, the matter will be continued. Therefore, if counsel knows of other conditions which were to be fulfilled outside of those agencies, it would be helpful if those material were submitted in advance, as well (such as certification of completion of programs or community service hours). Traffic dispositions will be included among these cases, as well. *Please do NOT simply submit a document and assume we will be able to attach it to the correct file; the more identifying information attached, the better.*

If an initial disposition date has passed, and the case has already been continued, or if it has been continued from an April date and you would like to maintain the original date, counsel can request that the court review the matter before the next date. Please submit a motion entitled "Motion to Finalize", which will alert the clerk's office that this case should be submitted to the reviewing judge as soon as possible. *Please use this title to ensure the pleading is correctly directed. *Counsel does not have to take any action to have the case reviewed if is scheduled after May 1. However, this procedure is NOT available for those cases which have not yet reached their initial disposition docket; it is not designed to expedite cases which are not ripe for disposition per the terms of the initial agreement. (Don't use this to bring something forward from June to now.)

Should disposition be objected to, terms have not been met, or the case file is unclear as to whether the terms have been met, the matter will be continued as in the past. If adverse action is contemplated, the matter will be continued and counsel notified (i.e., absconding from supervision, failure to complete classes, etc.) *Failure to pay costs will not prevent a dismissal of the case, but the costs will still be due and owing, subject to the state's policy of collection. The court will accept motions for payment plans, as in the past.*

All motions, objections and materials as noted above relating to dispositions may be submitted via the electronic filing address previously provided: *pwcjdr@vacourts.gov* <pwcjdr@vacourts.gov>*. *Any questions about this procedure may be directed to Judge Bailey, dbailey@vacourts.gov."

As always, don't hesitate to reach out with any other questions or concerns I can help with.

Take care everyone, and stay in touch.

Tracey