

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 12th day of May, 2020.*

**IN RE: FOURTH ORDER MODIFYING AND EXTENDING DECLARATION OF JUDICIAL EMERGENCY IN RESPONSE TO COVID-19 EMERGENCY**

It appearing appropriate to do so, and with the unanimous consent of the Justices of this Court, paragraph 4 of the May 6, 2020 Fourth Order Modifying and Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency is hereby amended to read as follows:

4) Notwithstanding the ongoing preference for conducting hearings by video conferencing or telephone, effective May 18, 2020, all courts may hear in-person non-emergency matters if they determine it is safe to do so, and provided they comply with the guidance for transitioning from emergency to routine operations provided by the Office of the Executive Secretary in order to minimize the risk of the spread of COVID-19 from in-person court proceedings. Whether criminal or civil, whether the case is one that is handled in person or by video or telephone, it is not necessary for a party to obtain the agreement of any other party to bring a pre-trial motion before the court or set a non-jury trial. The parties are not relieved of notice requirements or other duties under pre-trial orders and compliance with applicable rules and statutes.

It is so ORDERED.



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CHIEF JUSTICE DONALD W. LEMONS