

Supreme Court of Virginia: Fourth Order Modifying and Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency (May 6, 2020)

Summarization by Kenneth Stallard, Esq.

- a. For all cases in district and circuit courts the statutes of limitation and all other case-related deadlines, excluding discovery deadlines, shall continue to be tolled during the ongoing Period of Judicial Emergency (through June 7, 2020);
- b. In all civil cases, any tolling of deadlines and obligations arising out of Part Four of the Rules of the Supreme Court of Virginia shall terminate as of the effective date of this order (May 18, 2020). Part Four of the Rules primarily covers the discovery rules, but Motions Practice, Rule 4:18, is also included;
- c. All discovery issued with a deadline to respond during the judicial emergency shall be due within twenty-one (21) days of the effective date of this Order (May 18, 2020). So, outstanding written discovery requests are now due June 8, 2020;
- d. Courts are encouraged to continue and even increase the use of video conferencing, telephone, teleconferencing, email, or other means that do not involve in-person contact;
- e. 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;
- f. All courts are authorized to accept pleadings, orders and other documents that are electronically signed, including those where the electronic signature is accomplished by scanning.