Fairfax Circuit Court Motions Procedures Chart

Type of Motion	Notice	Day and Docket	Comments
Uncontested With a Judge ● Infant Settlements ● Fiduciary Matters ● Uncontested evidentiary motions ● Consent Orders	One Week	Friday 9:00 a.m. with a Judge	Placing uncontested motions on 10:00 am docket is strongly discouraged
Two Week Motions ● Discovery Disputes ● Demurrers ● Summary Judgment ● Pleas in Bar ● Other Motions Accompanied by Memoranda	Two Weeks	Friday 10:00 a.m. - Civil 11:30 a.m. - Domestic	● A Memorandum of Points and Authorities is required. ● If the other side disagrees, they must file a Memorandum in Opposition at least one week before the hearing. ● Each memorandum is limited to five pages, double-spaced. ● If either side wants to file a memorandum longer than five pages, the Briefing Procedure must be followed. ● No reply memoranda should be filed.
Pendente Lite and Other Contested Motions Not Listed Above	One Week	Friday 10:00 a.m. - Civil 11:30 a.m. - Domestic	● Written motions must be filed and must clearly state what the party is asking the court to do and why. ● The only exception is Pendente Lite motions, which only need to state what relief is requested, not the reasons. ● If either party wants to file a written memorandum with the motion, that party must follow the Two-Week Motion Procedure.
Briefing Procedure **Non-Evidentiary Motions**	Generally Three to Five Weeks	Friday 10:00 a.m. - Civil 11:30 a.m. - Domestic	● Contact the Calendar Control Judge to set a hearing date and a briefing schedule. ● On a Friday Motions Day, each side is allowed only 15 minutes for oral argument. ● The Calendar Control Judge will decide how long both the brief and the reply brief may be. ● A Judge will be assigned to the case well before the hearing date.

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Briefing Procedure			
Evidentiary Motions	Three to Five Weeks	Monday-Thursday 10:00 a.m.	● Contact the Calendar Control Judge to set a hearing date and a briefing schedule. ● The Calendar Control Judge decides how long both the brief and the reply brief may be. ● The Calendar Control Judge also decides how much time each side gets to speak. ● Hearings are usually scheduled Monday through Thursday. ● A Judge is usually not assigned to the case until the day before the hearing.
Motions to Reconsider	Copy sent to opposing counsel; not set for hearing or placed on docket unless requested by Court		● The motion is not placed on the regular docket, and the Friday Motions Day praecipe form is not used. ● The motion should clearly explain all reasons for asking the Judge to reconsider and list the laws or cases that support those reasons. ● The original motion is sent to the Clerk, and a copy is sent to the Judge who is being asked to reconsider the ruling. ● The other party does not need to file a response unless requested. ● If the Judge wants a hearing, the Court will schedule the hearing.