

9/17/2020 –

IMPORTANT MESSAGE TO LITIGANTS AS TO THE RESUMPTION OF JURY TRIALS

The Fairfax Circuit Court has just been approved to begin conducting jury trials again. The Court's approved plan is being posted on the Court's web site.

The first cases to be heard will be criminal cases with charges against incarcerated defendants. These cases will be given priority over most other pending cases on the docket and will be given trial dates at a special term day docket. The special term day docket will take place October 1st at 9:00 a.m.

We have been approved to schedule two jury trials per week and we have approximately 44 incarcerated defendants. This means that we will not be able to schedule or conduct a jury trial for anyone who is not incarcerated until April or later.

The scheduling of these high priority cases will necessarily require the continuance of cases that are already set for trial on the court's current dockets. All civil jury trials and criminal jury trials for non-incarcerated defendants scheduled through March 2021 will need to be rescheduled. Counsel are directed to reschedule those matters through calendar control or using the *Fairfax Circuit Court Procedure for Rescheduling Jury Trials Due to COVID-19*. The procedures are on the Court's web site at <https://www.fairfaxcounty.gov/circuit/sites/circuit/files/assets/documents/pdf/fairfax-cir-ct-process-for-rescheduling-jury-trials-from-covid-092320.pdf>. Counsel are encouraged to use this procedure, if possible, as there are a limited number of phone calls that can be heard by the calendar control judges each morning.

Criminal cases for non-incarcerated defendants and civil cases will not be set at this special term day docket but may be addressed at calendar control or through the rescheduling procedures noted above.

We will docket all cases for incarcerated defendants for the special term day and will endeavor to notify all involved counsel that these matters are being set. Counsel representing an incarcerated defendant who does not receive a notice to the term day docket should contact the Clerk's Office to have their client's case added to the special term day docket.

Trial dates will begin approximately 6 weeks from the date of the special term day docket and with the goal of setting the earliest trial dates to the cases for defendants who have been incarcerated the longest. Counsel should come to term day prepared to set a date that works for counsel and all necessary witnesses.