

Rules of the Fairfax County Juvenile and Domestic Relations District Court
(Effective 6/22/2023)

Pursuant to Virginia Code §§ 8.01-4 and 16.1-227; the Court's inherent power to control its docket, courtroom, and cases, consistent with the Virginia Code and the Rules of the Supreme Court of Virginia; and the Court's ethical obligations to uphold the public trust and promote the efficient and effective delivery of justice; the Fairfax County Juvenile and Domestic Relations District Court prescribes the following rules, which are necessary to promote proper order and decorum and the efficient and safe use of courthouse facilities and the Clerk's office:

1. General.

- 1.1. Filings. All filings must be submitted to the court in hard copy, with any required fee. **Electronic filings are not accepted, except as otherwise ordered by a judge in a particular case.**
- 1.2. Court Preparation. **For all hearings, the parties and counsel (including, without limitation, the Commonwealth and defense in criminal cases) must be ready to be heard at the time that the matter is scheduled to be called.** All pretrial tasks (including, without limitation, negotiation of plea agreements and recommendations, meeting with clients, interviewing and preparing witnesses, and executing agreed orders) must be completed in advance of the scheduled hearing time. Ideally, **all pretrial tasks should be completed before the day of trial.**
- 1.3. Agreed Orders. Fully endorsed agreed orders must be submitted to the Court in hard copy only.
- 1.4. Hearings are In-Person. Except as otherwise ordered, **all matters will proceed in person.** Any remote appearance by a party or witness must be approved by the Court, in advance and in accordance with applicable law.
- 1.5. Continuance Policy. It has long been the policy of the Court to grant a continuance only upon finding an emergency or other compelling reason. **No continuance will be granted other than for good cause and upon such terms as the Court may impose. The agreement of counsel, alone, does not constitute good cause for a continuance.** Counsel should not waive the appearance of any subpoenaed witness without prior approval of the Court.
- 1.6. Hearing Exhibits. Exhibits must be submitted in hard copy only and may not be submitted electronically. Exhibits must be retrieved within ten days after the conclusion of the hearing for which they were submitted, or they may be destroyed by the Clerk of Court. Exhibits left with the Court for hearings concluded before the effective date of these Rules must be retrieved within ten days, or they may be destroyed by the Clerk of Court.
- 1.7. Use of Third Floor Conference Rooms. Conference rooms on the third floor of the courthouse are reserved for confidential meetings only and must be cleared of all personal property promptly upon the conclusion of each confidential meeting. Confidential meetings include, without limitation, meetings between an attorney and his or her client; meetings between the Commonwealth's Attorney, or any of the Commonwealth's agents, and any witness in a delinquency, traffic, or delinquency case; and meetings between any complaining witness and victim's advocate professionals assigned to that witness's case. Conference rooms must not be

used for the purpose of appearing in court virtually, storing personal property, eating meals, waiting to be called for a hearing, or any other purpose not expressly authorized by the Court.

2. Calendar Control.

- 2.1. Timing. Calendar Control matters will be heard remotely, by video conference or telephone, from 9:00 a.m. to 11:00 a.m. each day. All persons appearing virtually for Calendar Control must remain available by video or telephone from 9:00 a.m. to 11:00 a.m. or until their case is called, whichever is earlier. Calendar control requests are limited to ten minutes and will be heard on the designated date unless the volume of requests exceeds the time available. Any requests not heard on the assigned date must be rescheduled by the moving party.
- 2.2. Scope. The Calendar Control docket is provided to address non-emergency scheduling issues only. Only the following matters will be heard on the Calendar Control docket: (a) Continuance requests; (b) Requests to consolidate cases, where a new petition has been filed dealing with the custody, visitation, or support of a child for whom another such petition has already been set for hearing and the two petitions would require the introduction of the same evidence; (c) Requests to schedule a motion hearing that is expected to take longer than 30 minutes; (d) Requests to remove a hearing from the docket; and (e) Entry of fully endorsed agreed orders.
- 2.3. Not for Initial Setting of Cases. The Calendar Control docket is not for the initial setting of a case. Custody, visitation, and support matters are set at status hearing and will not be scheduled at Calendar Control.
- 2.4. Setting and Notice. Matters will be placed on the Calendar Control docket by the filing of the foregoing notice by noon the day before. All parties and guardians ad litem must be given actual notice (e.g., by private process server or delivery in another manner acknowledged by the recipient).

3. Criminal.

- 3.1. Timely Appearance for Court. For all criminal hearings, **all counsel and witnesses must be on the third floor, outside the designated courtroom, at least 30 minutes prior to the time that the hearing is scheduled to begin.**
- 3.2. Court Preparation. All discovery must be completed before the day of trial or preliminary hearing. Any plea negotiations should occur prior to the time that the trial or preliminary hearing is scheduled to begin. **All matters must be ready to be called at the time that they are scheduled to be heard.**
- 3.3. Entry of Appearance before Advisement. The entry of an appearance for counsel for the defense prior to advisement will result in the removal of the advisement from the Court's docket. **Upon entering an appearance in a criminal matter previously set for advisement, defense counsel must promptly ascertain the date and time of trial and communicate that information to his or her client.**
- 3.4. Victim's Rights. Virginia Code §§ 19.2-11.01 and 19.2-11.2 are incorporated as if fully set forth herein.

4. Civil.

- 4.1. Agreed Child Support Orders. All agreed child support orders must be submitted with the appropriate, complete child support guidelines worksheet(s).
- 4.2. Status Hearings. Counsel of record must appear at status hearing. Their client need not appear, provided that counsel has all the information necessary to facilitate the scheduling of trial.