

VIRGINIA: IN THE CIRCUIT COURT OF AMHERST COUNTY

TEMPORARY EMERGENCY ORDER FOR SUSPENSIONS OF JURY TRIALS

UPON CONSIDERATION THE COURT FINDS THAT:

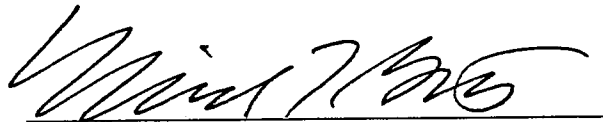
- 1) By order entered December 3, 2020, the Virginia Supreme Court's Declared State of Judicial Emergency was extended to at least January 3, 2021 (Fourteenth order extending Declaration of Judicial Emergency in response to COVID-19 Emergency);
- 2) The Amherst County Circuit Court Jury Trial Preparedness plan was been approved by letter dated December 11, 2020 from Chief Justice Donald W. Lemons;
- 3) The Executive order, Number Seventy-two (2020) and order of public health emergency nine has been issued by the Governor of Virginia on December 10, 2020, placing additional surge restrictions on the citizens of Virginia;
- 4) Virginia is experiencing increases in new COVID-19 cases, positive tests, and hospitalizations. Virginia is averaging more than 4,000 new COVID-19 cases per day, up from a statewide peak of approximately 1,200 in May. Hospitalizations have increased by 83 percent in the last four weeks;
- 5) Updated public health information within the last two weeks shows a significant increase in the incidence of COVID-19 infections and an increased utilization of hospital resources within the 24<sup>th</sup> Judicial Circuit. Public health projections are for a continued increase in COVID-19 over the coming weeks;
- 6) The Amherst County community works and interacts with persons throughout the 24<sup>th</sup> Judicial Circuit and as such is subject to increased exposure to COVID-19 over the coming weeks; and

- 7) Due to the large number of persons required for jury selection and the number of jurors required for a jury trial, the court finds that to conduct a jury trial under present conditions would pose a substantial health risk to participants in the trial, those working in the courthouse and the general public.
- 8) The court finds based upon the foregoing, that the current public health crisis constitutes a natural disaster under Code of Virginia § 19.2-243(7).

IT IS THEREFORE FURTHER ORDERED AS FOLLOWS:

- (A) Effective immediately all jury trials are suspended through January 31, 2021.
- (B) The suspension of jury trials through January 31, 2021 is a result of a natural disaster pursuant to Va. Code § 19.2-243(7).
- (C) As provided in the Virginia Supreme Court's Clarification Order entered May 1, 2020, deadlines imposed by the Speedy Trial Act, Va. Code § 19.2-243, are tolled during the Judicial Emergency now extended through January 3, 2021 and subject to further extensions thereof as deemed appropriate by that court..

Entered this 16<sup>th</sup> day of December 2020.



Michael T. Garrett, Presiding Judge  
and Chief Judge of the 24<sup>th</sup> Judicial Circuit