**Policy of the Circuit Court for the City of Richmond**

**for accommodations during a trial by jury**

The Court, upon the request of interested parties, hereby creates this policy for any breaks necessary to accommodate either those who require an accommodation involving the need for breaks and/or the need for a private space. This policy amends the former policy created for nursing attorneys. This policy does not require any notice for any matters docketed for a bench trial.

An attorney who requires an accommodation of breaks for themselves for any reason beyond the general breaks required during every trial, to include breaks inherently necessary for any person currently nursing a baby, must provide notice to the Court in one of two ways. The purpose of the notice is so the Court can prepare for the anticipated breaks and notice of the necessity for medical breaks can be given to the venire people who will then be anticipating the necessity for periodic breaks in the proceedings. An attorney may, as he or she wishes, either file a motion a week before the anticipated jury trial or email the Staff Attorney and Court Administrator regarding the need for breaks. If counsel prefers to file a motion, the motion should be filed with the Clerk and a courtesy copy should be emailed to the judicial assistant and/or law clerk for the presiding judge and opposing counsel. As always, any motions filed must be served as required by Va. Sup. Ct. R. 1:12. If counsel prefers to communicate by email, they should email [virginia.bray@rva.gov](mailto:virginia.bray@rva.gov). The email should only include the name of the case, the case number, the date of trial, and should alert only of the need for breaks. Due to the sensitive nature of such requests, the need for breaks will be communicated directly to the presiding judge only and the email will not be made part of the record the way a filed motion would. Because the email is being sent to court staff, it should not discuss anything substantive and should only list the required information outlined above.

On the day of trial (prior to commencement), if the breaks are of a nature where they must occur on a schedule, for instance for someone nursing a baby or for the administration of medication, the attorney should make an oral motion that alerts the Court of the schedule necessary for the accommodation.

An attorney requiring a private space for their accommodation will now have a permanent designated area for that purpose. One of the attorney/client meetings on the third floor of the John Marshall Courts Building will be designated with a sign marked “PRIVATE.” That room may be used by any attorney requiring accommodation by way of a private space including as a place where one might inject insulin or pump for their baby.

As always, counsel should be mindful of the Suggested Practices and Procedures of the Court, including the requirement to give the Court a realistic estimate of the time necessary for trial at the time of the docketing of any matter.