In its continued effort to promote the administration of justice in the Richmond area and to facilitate cooperation between the bench and the bar, the Administration of Justice Committee recently concluded its annual interviews with the Honorable Judges for the County Chesterfield. As in years past, the Judges were gracious with their time and spoke with candor to Committee members regarding hearings, professionalism, new clerks, and technology.

**The Honorable David E. Johnson**

***Chesterfield Circuit Court***

Judge Johnson reports that the Chesterfield County Circuit Court does not have a backlog of cases and attorneys are doing a good job of promptly setting cases for trial, adhering to trial dates, and doing their part to keep the docket moving efficiently. Because the Court has six judges but only five courtrooms at Courthouse Road building, the Court also utilizes the old courthouse – known as the “1917 Courthouse” – located at 10011 Iron Bridge Road Chesterfield, VA 23832. Only civil cases are heard at the 1917 Courthouse.

Last month Amanda Pohl, the new Clerk of the Circuit Court, began her term. The Court encourages regular practitioners in Chesterfield to welcome our new clerk.

Judge Johnson reports that he and the other judges of the Chesterfield Circuit Court are observing behavior and practices from some members of the bar that vary from the professionalism that traditionally has been the hallmark of Virginia lawyers. The Court draws the attention of members of the bar to the following Principles of Professionalism for Virginia Lawyers adopted by the Virginia Bar Association:

1. [An attorney should] Treat all judges and court personnel with respect and courtesy.
2. Be punctual in attending all court appearances …
3. Avoid any conduct that offends the dignity or decorum of any courts … such as inappropriate displays of emotion or unbecoming language directed at the courts or any other participants.

The Court regrets that it has observed a steady and significant decline in the professionalism exhibited by an increasing number – though still a minority – of attorneys. The Court notes that many attorneys are consistently late for court – without having advised in advance any reason for an untimely arrival. Many attorneys are woefully ill-prepared and unable to answer the simplest questions about their cases or reasons for appearing in court. Many attorneys appear unaware of the most basic elements of courtroom decorum; specifically, how to properly address the court, when to stand, how to ask questions of witnesses, how to make objections. Many attorneys engage in conversations in the courtroom or demonstrably utilize electronic devices while awaiting their case. Most attorneys wishing to use the video facilities in the courtroom fail to test their displays in advance.

The judges have tried in a number of ways upon witnessing instances of such conduct to discreetly pass a word on to specific attorneys. None of the judges in this circuit wish to place any attorneys in embarrassing positions in front of their clients and colleagues. These discreet approaches have not worked. Nor, unfortunately, have the few instances in which judges in this circuit have commented in open court to offending attorneys.

Therefore, the Court wishes to take the opportunity of this publication to earnestly urge the cooperation of all the members of the bar who regularly appear in Chesterfield and Colonial Heights circuit courts in restoring and maintaining decorum and professionalism. The Court encourages more experienced attorneys to offer advice on these issues to newer members of the bar. Attorneys are encouraged to contact the Court’s law clerks or secretaries with any procedural questions. The Court believes these issues can be readily and thoroughly addressed if all members of the bar embrace aspirational values of civility, courtesy, public service, and professionalism.

**The Honorable James J. O'Connell III**

***Chesterfield General District Court***

Judge O'Connell, presiding over Chesterfield County General District Court, reflected on the past year and offered his insights from the bench.

Judge O'Connell noted significant shifts in the approach to first offender cases for petit larceny. The abatement of marijuana possession cases under Virginia’s permissive adult personal possession regime has placed petit larceny in the forefront of the courtroom, prompting adaptations in the court's procedures and focus. Many such cases are now resolved through the first offender program involving community service and shoplifter prevention classes, a change proving effective in the justice system.

Moreover, the diversity of the population in Chesterfield County has brought attention to the need for language services. In response, the court has taken proactive measures by hiring two full-time Spanish interpreters, recognizing the importance of effective communication in ensuring fair representation.

Delving into the unique dynamics of General District Court, Judge O'Connell underscored its high-volume nature. The Judge discussed challenges faced by the Public Defender's Office, emphasizing the impact of understaffing on its workload. In working with Public Defender My’chael Jefferson-Reese to overcome these hurdles and ensure continued quality legal representation for indigent clients, the court has adopted a hybrid system until the Public Defender’s Office can be fully staffed, in which the Public Defender’s Office accepts court appointments on indigent cases on Tuesdays and Thursdays and Court Appointed Panel attorneys are used on Mondays, Wednesdays, and Fridays.

Drawing on his background as a defense attorney, prosecutor, and now judge, Judge O'Connell pointed out a concerning trend among newer attorneys: a lack of pre-court communication with the opposing side. He advocated for a more streamlined process, emphasizing the importance of maintaining an open dialogue and resolving issues before court sessions to enhance efficiency.

Judge O’Connell drew attention to a change in the bond hearing process which is working well. Previously, the Commonwealth’s Attorney Office scheduled such hearings. Now, scheduling is handled by the court itself. Bond hearing notice must be emailed to the court’s office by noon the day before any requests to be set for the next day.

Turning to legislative and procedural changes, Judge O'Connell highlighted the positive impact of Va. Code Sec. 19.2-298.01, a new process streamlining plea agreement orders. In a bid to further improve efficiency, Judge O'Connell encouraged attorneys to promptly submit settlement orders for civil cases within 30 days after notice that the case has settled. Waiting for these orders beyond 30 days, he noted, can hinder the court's operations.

Judge O'Connell praised the work of the court’s mental health liaison, Luther Archer. This resource has proven invaluable in addressing mental health concerns, facilitating assessments for sanity and competency purposes, and supporting affected individuals throughout the legal process.

Concluding on a note of gratitude, Judge O'Connell extended recognition to the court clerks. These individuals play a pivotal role in managing the immense volume of cases and paperwork while demonstrating professionalism and dedication as the unsung heroes of the court process.

**The Honorable Travis R. Williams**

***Chesterfield County Juvenile & Domestic Relations Court***

In the aftermath of the COVID-19 pandemic, Judge Williams shared that there is a “new normal” that has resulted in more efficient processes and docket management. For example, instead of continuing a matter because a party is deployed, the party can appear via WebEx or Zoom, and the matter can be resolved sooner. Related to judicial efficiency, Judge Williams values and appreciates attorneys making good faith efforts to negotiate settlements and enter stipulations on issues where the parties can reach agreement. Narrowing the areas of disagreement allows the court to focus on the disputed issues and promotes efficient use of the court’s time.

Judge Williams describes the current relationship between the bench and the bar as overall good. He expressed that he wishes the bar would be more understanding of the difficulties that judges encounter when dealing with pro se litigants, especially when one party is represented, and the other party is pro se. In the interest of access to, and administration of justice, judges must accommodate and allow more latitude when dealing with pro se litigants.

Based on his observations, Judge Williams expressed that civility amongst attorneys has gone downhill. He would caution attorneys to balance advocacy of their clients’ best interests with professionalism and courtesy. Having good relationships with colleagues that you will work with on a regular basis is essential to a successful career.

Judge Williams’ advice to attorneys new to practice in the Chesterfield County Juvenile & Domestic Relations Court is to get involved in the Chesterfield Bar. Judge Williams emphasized that bar membership is still very important. It allows new attorneys and experienced attorneys to meet and get to know each other outside of adversarial proceedings. This leads to them being able to work together better when they are opposing counsel. In closing, Judge Williams remarked that the bench also needs to hear from the bar as to how judges can support practitioners.