

CHARLES CITY COUNTY

Circuit Court of Charles City County

1. **NAME OF COURT:** CIRCUIT COURT OF CHARLES CITY COUNTY
2. **JUDGES:**
 - Hon. Jeffrey W. Shaw, Chief Judge
 - Hon. Michael E. McGinty
 - Hon. B. Elliot Bondurant
 - Hon. Richard H. Rizk
3. **CLERK:** Hon. Victoria E. Washington
4. **ADDRESS:** 10780 Courthouse Road, P.O. Box 86, Charles City, VA 23030-0086
5. **TEL.NO.:** (804) 652-2105; Fax: (804) 829-5647
6. **TERMS OF COURT:** First Tuesday in January, March, May, July, September and November 12
7. **DOCKET CALLING DATES:** Criminal: Set by the Judge based on his schedule
Civil: Call Susan Jenkins at 966-9525
8. **TIME OF DOCKET CALLING:** Criminal: 9:00 a.m.
Civil: Call Susan Jenkins 966-9525
9. **TIME COURT CONVENES:** 9:00 a.m.
10. **SHERIFF:** Alan Jones (804) 829-9265
11. **SHERIFF'S ADDRESS:** P. O. Box 87, Charles City, Virginia 23030
12. **COMMONWEALTH'S ATTORNEY:** Robert H. Tyler
10780 Courthouse Road, P.O. Box 85, Charles City, Virginia 23030
Phone: (804-652-2178) Fax: (804-829-6352)
13. **METHOD FOR SETTING CASES:**
 - Call Susan Jenkins at 804-966-9525 (for civil cases)
 - Call Robert H. Tyler 804-652-2178 (for criminal cases)
14. **LOCAL RULES:** Local rules follow herein.

Circuit Court of Charles City County
County Civil Rules of Court
9th Judicial Circuit
Effective September 15, 1992

1. For the orderly management of the civil docket the praecipe system will be used.

(a) Only actions of law and chancery cases which have matured for trial on their merits will be called. Any party who desires to have any action or cause set for trial will notify the Clerk of Court by praecipe in substantially the form set forth in Rule 1:15 of the Rules of Virginia Supreme Court. Notice may be given at any time after the prior docket call, but must be received by the Clerk no later than the Wednesday proceeding the docket call at which the case is to be set.

(b) The party requesting action by the Clerk shall serve a copy of the praecipe on each counsel of record in the manner provided by Rule 1:12 of the Rules of Virginia Supreme Court. Only those cases on which a praecipe has been received as aforesaid by the Clerk will be called, and they will be set for trial. Praecipos shall not be filed unless discovery has been completed.

(c) The praecipe system will be used in civil appeals from General District Courts.

(d) The praecipe system will not be used in appeals from Juvenile and Domestic Relations Court.

2. Requests for subpoenas for all witnesses shall be made more than 30 days before trial. No summons shall be issued to any witness, except by leave of Court, unless same be requested 30 days before trial.

3. Continuances will only be granted, by permission of the Judge, upon good cause.

4. Counsel for all parties, unless compliance is waived by the Court, shall, two days before a civil jury trial date, submit to the Court and exchange with counsel a copy of all instructions such counsel proposes to request, noting thereon the authority or authorities relied upon for such instructions. This rule shall not preclude the offering of additional instructions at the trial. Cited authorities for instructions should not appear on the original instructions.

5. The Court must receive prompt notice of all settlements in order to maintain control over its trial docket. Accordingly, it shall be the duty of all counsel to select one counsel who shall inform the Judge's Chambers and the Clerk's Office promptly following each settlement. If a settlement is reached after regular office hours the day before trial, notice shall be given to the Sheriff's Office.

6. Hearings and motions on all civil matters will be set by attorneys with the Judge's secretary.

7. For good cause shown the Court may waive any rule.
8. The reference to "counsel", and "attorney(s)" includes pro se parties.

In compliance with Rule 1:15 Local Rules of Court of the aforementioned Rules of the Supreme Court of Virginia, this rule shall be spread upon the Order Book and a copy with the date of entry shall be forthwith posted in the Clerk's Office, filed with the Director of the Virginia State Bar and furnished to attorneys regularly practicing before this Court; and whenever an attorney becomes counsel of record in any proceedings in the Court in which the attorney does not regularly practice, it shall be the attorney's responsibility to ascertain the rules of this Court and abide thereby. The Clerk, shall upon request, furnish a copy of the rules then in force and effect.

**Circuit Court of Charles City County
Family Law Rules of Court for the Ninth Judicial Circuit
Effective July 8, 2002**

VIRGINIA: IN THE CIRCUIT COURTS OF THE COUNTIES OF CHARLES CITY, GLOUCESTER, JAMES CITY, KING AND QUEEN, KING WILLIAM, MATHEWS, MIDDLESEX, NEW KENT, YORK AND THE CITIES OF WILLIAMSBURG AND POQUOSON

In order to promote a uniform practice for family law matters in the Ninth Circuit, the following family law rules are adopted. It is the hope of the Judges that these rules will provide for a better exchange of information between parties, provide a degree for predictability and lead to more settlement agreements between the parties.

1. Child custody and child support: The parties are to prepare and to exchange the financial information necessary for the completion of the child support guidelines at least **three (3) business days** in advance of the hearing date.

In contested child custody and visitation matters the designated form, which reflects the requirements of §20-124.3, is to be completed under oath and exchanged at least **three (3) business days** in advance of the hearing.

In all pendente lite support hearings, the moving party shall complete the form order in Court after the hearing, all parties shall endorse the order before leaving the courtroom. A separate payroll deduction order or waiver shall be prepared and entered at the same time.

2. Equitable Distribution: Before a case is referred to a Commissioner in Chancery, the appropriate designated forms shall be prepared and exchanged at least **three (3) business days** in advance of the pretrial hearing. The Court will conduct a pretrial conference and refer or schedule the case for trial as appropriate. **If the**

Court hears the matter, it must decree a divorce or dissolution of the marriage before adjudicating equitable distribution.

3. Spousal Support:

- A. Pendente Lite: The parties are to prepare and exchange the required financial information as set forth on the uniform income and expenses statement for the completion of support guidelines at least **three business days** in advance of the hearing date and complete the Ninth Circuit spousal support guidelines.
- B. Permanent: **Upon entry of a decree of divorce and after awarding equitable distribution**, if contested, the parties are to prepare and exchange the following documents at least **three (3) business days** in advance of the hearing:
1. §20-107.1 Proffers (see package)) to be prepared
 2. Current Court income and expense form to be completed

The reference to parties shall include “counsel” and “attorneys” and pro se parties.

A copy of all documents required by this rule shall be provided to the Court as least **three (3) business days** before the hearing. Fax copies shall not be accepted by the court unless approved by the presiding Judge or by the Rules of Court as promulgated by the Virginia Supreme Court.

A failure to comply with this rule may result in the imposition of sanctions.

The complete package of Domestic Relations forms for the Ninth Circuit may be purchased from a participating Clerk’s Office or a participating bar association, or may be available free-of-charge on the Internet at the County of York Government Circuit Court web page (www.yorkcounty.gov/circuitcourt).

In compliance with Rule 1:15, Local Rules of Court of the aforementioned Rules of the Supreme Court of Virginia, this rule shall be spread upon the Order Book and a copy with the date of entry shall be forthwith posted in the Clerk’s Office, filed with the Director of the Virginia State Bar and furnished to attorneys regularly practicing before this Court; and whenever an attorney becomes counsel of record in any proceeding in this Court in which the attorney does not regularly practice, it shall be the attorney’s responsibility to ascertain the rules of this Court and abide thereby. The Clerk shall upon request furnish a copy of all rules then in force and effect.

**General District and Juvenile & Domestic Relations
District Court of Charles City County**

1. **NAME OF COURTS:** GENERAL DISTRICT COURT AND JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT
2. **JUDGES:** Hon. Colleen K. Killilea, General District Court
Hon. Wade A. Bowie, Juvenile and Domestic Relations Court
3. **CLERK:** Barbara J. Watkins
4. **ADDRESS:** P.O. Box 57, 10780 Courthouse Road, Charles City, VA 23030-0057
5. **TEL. No.:** (804) 652-2188; Information Line – (804) 652-2187; Fax: (804) 829-6390
6. **WARRANTS RETURNABLE:**

General District: 1ST AND 3RD Wednesdays of Every Month

- 8:30 a.m. - Arraignments / Appointment of Counsel
- 9:00 a.m. - Sheriff's Department: Traffic & Criminal
- 10:00 a.m. - State Police Department: Traffic & Criminal
- 10:30 a.m. - Show Causes, & Criminal Cases w/Individual Complainants
- 11:30 a.m. - Game & Dog Warden Cases
- 12:00 p.m. - Civil Cases: Contested, Uncontested, Small Claims

Contested civil cases to be scheduled as approved by the Judge.

Juvenile and Domestic Relations: 2nd AND 4th Wednesdays of Every Month.

2nd Wednesdays:

- 9:00 a.m. - Arraignments / Appointments of counsel
- 9:00 a.m. - Juvenile Traffic & Criminal Cases
- 9:00 a.m. - Adult Criminal Cases
- 10:00 a.m. - Reserved for Cases scheduled by Judge or Clerk
- 10:30 a.m. - Reserved for Cases scheduled by Judge or Clerk
- 11:00 a.m. - Custody/Visitation Cases
- 11:30 a.m. - Custody/Visitation Cases
- 11:00 a.m. and 11:30 a.m. - Custody/visitation cases

4th Wednesdays:

- 9:00 a.m. - Arraignments / Appointments of counsel
- 9:00 a.m. - Juvenile Traffic & Criminal Cases
- 9:00 a.m. - Adult Criminal Cases

- 10:00 a.m. - Reserved for Cases scheduled by Judge or Clerk
- 10:30 a.m. - Show Causes/Non-Support
- 11:00 a.m. - Custody/Visitation/Support Cases
- 11:30 a.m. - Custody/Visitation/Support Cases

Contested civil cases to be scheduled as approved by the Judge.