

## **Henrico Circuit Court**

**NAME OF COURT:** CIRCUIT COURT OF THE COUNTY OF HENRICO

**JUDGES:**

Hon. James Stephen Yoffy, Chief Judge  
Hon. Lee A. Harris Jr., Presiding Judge  
Hon. Randall G. Johnson, Jr., Presiding Judge  
Hon. John Marshall, Presiding Judge  
Hon. Richard S. Wallerstein Jr., Presiding Judge

**COURT ADMINISTRATOR:**

Donna M. Sandefur

**CLERK:**

Honorable Heidi S. Barshinger

**SHERIFF:**

Honorable Michael L. Wade

**COMMONWEALTH'S ATTORNEY:**

Honorable Shannon L. Taylor

**PHYSICAL ADDRESS:** 4301 East Parham Road, Courts Building, 2<sup>nd</sup> Floor, Henrico, Virginia 23228

**MAILING ADDRESS:** PO Box 90775, Henrico, Virginia 23273-0775

**PHONE NUMBERS:**

Clerk's Office	804-501-4202
Judges' Chambers	804-501-4750
Jury Officer	804-501-4812
Commonwealth's Attorney	804-501-4218
Sheriff's Office	804-501-4571
Jail	804-501-4581

**TERMS OF COURT AND GENERAL INFORMATION**

- Criminal Terms begin, 2nd Monday, Jan., March, May, July, Sept., & Nov.
- Grand Juries, 1st day of Term, 9:00 a.m.
- Civil cases set 2nd Monday, July, Oct., Jan., & April (2:00 p.m.) or may be set by telephone.
- Criminal cases set when appealed or at preliminary hearing.
- Court convenes 9:00 a.m.; 10:00 a.m. for jury trials.
- Commissioners in Chancery are utilized in unusual causes; accountings; suits by creditors; suits on mechanic's lien; partition suits; sale of land of persons under disability, some divorce cases.
- Instructions must be submitted 2 days prior to trial.

- **\*\*Effective May 1, 2016, the Henrico Circuit Court will no longer be holding civil docket calls.\*\***

## **DOCKET PROCEDURE:**

### **TERM WEEK is the week of the 2<sup>nd</sup> Monday in the odd months of the year.**

**CIVIL:** Cases should be set by telephone. Once set, the attorney setting the trial date must write a confirming letter to all attorneys stating the trial date(s) and whether the case has been set with or without a jury.

Because of the limited number of trial days, the Court sets several cases for trial each day. Experience has shown that many cases go off the docket before the trial date due to settlements or continuances. This allows those cases which require trial to be set at an early date. On occasion, however, more cases remain on the docket than can be tried, and the Court must then continue some cases. Such a circumstance is unfortunate, but with the cooperation of all concerned, such instances should be rare.

**Civil Law Motions:** Civil motions are heard on Fridays at 9:30 a.m. Mrs. Elsie Holmes is the administrative assistant responsible for setting hearings on civil law matters, i.e., demurrers, infant settlements, pleas, contesting wills, injunctions, etc. Protective Orders appealed from the General District Court take precedence on the docket. Protective Orders are set on the Friday seven days after the date the appeal is noted. Mrs. Holmes is in charge of the civil law docket and should be contacted regarding settlements of civil cases, etc. Mrs. Holmes can be reached at (804) 501-4709.

**Civil Domestic Matters:** Hearings on divorce, custody, support and visitation are set every Monday, along with incapacitated adult matters. In the event Monday is a holiday, matters will be set on the Tuesday of that week. Support matters appealed from the Juvenile and Domestic Relations District Court are heard on the second Monday of the odd months of the year. Custody and visitation matters appealed from the Juvenile and Domestic Relations District Court are set for a docket call at 3:00 p.m. on the second Monday of the odd months of the year. However, the Court encourages attorneys to call Tammy Damon to preset the appeal trials. Protective Orders appealed from the Juvenile and Domestic Relations District Court take precedence on the docket. Protective Orders are set on the second Monday following the date the appeal is noted. Again, most cases can be set by telephone. For all equitable distribution cases set for trial, a domestic relations pre-trial scheduling order is required within 10 calendar days of setting the trial date. Exhibits must be pre-filed. Any matter set for more than three hours or involves a *pro se* party requires a pre-trial conference. Mrs. Tammy Damon is the administrative assistant responsible for the civil domestic docket and should be contacted regarding settlements of civil domestic cases. Mrs. Damon can be reached at (804) 501-4710.

**CRIMINAL:** Mrs. Donna Sandefur is responsible for all criminal matters and should be called if it is determined at the last minute that the trials will take longer than preset, if a jury is waived, to set a guilty plea when a criminal jury is set, or if it is too late to write regarding a continuance. Misdemeanor non-jury appeals are tried on the second, third and fourth days of Term Week, or the second week in the odd months of the year. When the appeal is noted in the General District Court or Juvenile and Domestic Relations District Court, a trial date is assigned at that time. If it becomes necessary to continue the trial, a letter should be written to this court requesting a continuance and setting forth the reason, the amount of time estimated for the trial, and whether a trial by jury is requested. Counsel will then be advised if the continuance is granted and advised to coordinate a date with the Commonwealth's Attorney's Office and submit an original order endorsed by all counsel and the defendant to the Circuit Court Clerk's Office. Mrs. Sandefur can be reached at (804) 501-4711.

**Felonies:** Trials are conducted on Tuesday, Wednesday, and Thursday. The date for the trial in the Circuit Court is preset at the conclusion of the preliminary hearing in the General District Court. All continuance requests must be in writing, along with a list of available dates provided to the court. Continuances are done in court and the defendant must be present.

**Criminal Motions Day:** Criminal Motions take place the Monday of Term Week, or the second Monday of the odd months, at 3:00 p.m. in Courtroom # 1 of the General District Court. This time is set aside for hearing requests on psychiatric examinations, change of trial date, setting trial dates if not previously set, and setting hearings on motions to suppress, etc., if these matters are not taken care of before the start of the Term.

**NOTE: ALL ORDERS submitted to the Court for entry must be original orders with original signatures, preferably in blue. All orders or filings must be submitted to the Circuit Court Clerk's Office. (NO FAXES ACCEPTED!)**

## **Henrico General District Court**

**NAME OF COURT:** HENRICO GENERAL DISTRICT COURT

**JUDGES:**

Hon. John K. Honey, Jr., Chief Judge  
Hon. Lauren A. Caudill, Presiding Judge  
Hon. B. Craig Dunkum, Presiding Judge  
Hon. G. Barton Chucker, Presiding Judge  
Hon. Thomas O. Bondurant Jr., Presiding Judge

**CLERK:**

Barbara C. Shaw  
P.O. Box 90775  
Henrico, VA 23273-0775

**TELEPHONE:**

**Civil:** 501-4727; Fax: 501-4141  
**Criminal & Traffic:** 501-4723; Fax: 501-7388  
**Clerk:** 501-4723

**ADDRESS:** 4301 E. Parham Road, Henrico, VA 23228 (Parham and Hungary Spring Road)

**SHERIFF:**

Michael L. Wade  
P.O. Box 90775  
Henrico, VA 23273-0775  
Phone: 501-4571

**COMMONWEALTH ATTORNEY:**

Shannon Taylor  
P.O. Box 90775  
Henrico, VA 23273-0775  
Phone: 501-4218

**DOCKET PROCEDURES:**

**Arraignments**

Mon. - Fri., 9:00 a.m.

**Attorney Status Cases**

Mon. - Fri., 9:00 a.m.

**Civil Return & Motion Docket**

Mon. & Fri., 10:00 a.m.

**Civil Cases Set For Trial**

Mon. & Fri., 11:00 a.m.

Tues. - Thurs., 1:30 p.m.

**Civil Small Claims**

Every other Fri., 11:00 a.m.

**County Cases**

Fri., 9:00 a.m.

**Criminal/Traffic Docket**

Tues. - Thurs., 9:30 a.m. & 11:00 a.m.

**DUID and Stalking Cases**

3rd Mon., 11:00 a.m. (If 3rd Mon. is a holiday, then the 4th Mon.)

**Garnishment Docket**

Mon. & Fri., 8:30 a.m.

**Show Causes & Community Correction Returns**

Fri., 9:00 a.m.

**Toll Road Docket**

1st Fri., 10:00 a.m.

**Traffic School Returns**

Fri., 9:00 a.m.

**Protective Orders**

Handled on a walk-in basis, Mon. - Fri., 8:00 a.m. - 3:00 p.m.

**Continuance Policy**

Continuances granted by Judge on motion or on agreement of Commonwealth's Attorney & defendant.

**GUIDELINES FOR FILING CIVIL WARRANTS:**

- A. Civil general docket Monday & Friday 10:00 a.m.
  - 1. Uncontested and default judgments
  - 2. The uncontested docket usually lasts 30 minutes. If a lawyer needs to be in another court and so advises the clerk, every effort will be made to accommodate him/her.
  
- B. Civil contested Monday & Friday 11:00 a.m.
  - 1. Procedures vary among the judges, but approximately six (6) cases are set at 11:00. The judges strongly urge lawyers to tell court on the return date of lengthy cases (1 hour or longer) so fewer cases will be set at the 11:00 hour. Likewise, the judges urge counsel to advise the court as soon as possible when a case settles, in order to free up that time.
  
- C. Warrants must be filed 45 days prior to court date. The court can be contacted prior to filing, in order to clear date.
  
- D. Fees filed with each warrant
  - 1. Make checks payable to Henrico General District Court
  - 2. When filing more than 1 (one) warrant, an **Inventory Sheet** must accompany warrants (this sheet can be obtained at the Clerk's office)
    - a. **Warrants must be in alphabetical order & Service Member form attached**
    - b. The amount of filing fees, service fees & totals to be included on list

**CHECKLIST BEFORE FILING A WARRANT**

- A. Henrico County Court should not receive any warrants that have another court's name and address printed on face of warrant
- B. Do not print, type or sign the clerk's name or fill in date issued on warrants. (This space is provided for the deputy clerks to sign and date)
- C. The return date and time must be filled in on the face of the warrant. Return time is 10:00 a.m. Mailing certificate to be completed on back of original.
- D. All warrants are to be signed and dated by the plaintiff, attorney, agent or employee of the plaintiff & stapled in the upper left corner
- E. The address and phone number of the plaintiff, attorney or agent must be printed on the face of the warrant. Address(es) of Defendant(s) must be printed on the face of the warrant. Do not fill out Defendant(s) name and Address(es) on Back of warrant.
- F. Indicate the county or city to which the process is to be directed.

Example:        John Doe  
                     170 Midlothian Turnpike  
                     Midlothian, VA 23235 (Chesterfield)

- G. When filing suit against a corporation or company, you must have the name and address of the Registered Agent, if they are incorporated. To obtain this information, call the State Corporation Commission at (804) 371-9733. Otherwise, the name of the owner or manager to be served
- H. Any attorney or agent that files in large groups can file up to 75 cases per court date
- I. Agents and attorneys can call court the **day prior to court date** to continue and dismiss cases. Also, the amount you are seeking judgment for can be filled in by court clerk
- J. Return dates:
  - 1. Usually trials are not heard unless both parties agree and court has time
  - 2. Pleadings ordered – strictly enforced pursuant to 16.1-69.25.1 and Rule 7B.2
  - 3. Summary Judgment – advance case on docket or may be requested on trial date
  - 4. Demurrers – advance case on docket
- K. Legibility of warrants required
  - 1. All warrants must be typed or handwritten (printed in black ink only). No inserts between copies
  - 2. PC generated warrants must be legible through all the carbonized copies with tabs removed.
    - a. Send original warrant plus 1 (one) carbonized copy per each defendant to be served at same location
    - b. For each additional address, send 2 (two) additional carbonized copies

L. Third party service warrants

1. Third party service must be printed or stamped on the face of warrants in RED.  
The court does **not** call when papers are ready
2. We suggest that a RED stamp have the name of your process server. This will eliminate another process server picking up your warrants in error
3. Returns must be received 12 days prior to the return date.
4. Only one person per case.

M. Reissue Warrants

1. Must be filed within 90 days from the original court date
2. Only the **address** can be changed
3. Requires original docket number and original return date

N. Secretary of the Commonwealth

1. The court will keep the original warrant and one copy of the affidavit
2. The service copies (original and two copies of affidavit + two copies of warrant) are sent to S.O.C. should have the service fee attached - \$28.00 per service.
3. S.O.C. address should NOT be on face of warrant - an envelope & certified mail card address for debtor required

## **SUBPOENA DUCES TECUM**

- A. Request for witness must be received in our office a minimum of 10 days prior to trial
- B. Request for subpoena duces tecum must be received a minimum of 15 days prior to the date that documents are to be produced

## **JUDICIAL ACTIVISM**

- A. How involved should a judge be when one party is pro se litigant? (See VA Code 16.1-93)
- B. Should a judge advise a pro se plaintiff of his right to one non-suit? (See VA Code 8.01-380)
- C. How liberally should sanctions be imposed? (See VA Code 8.01-271.1)

## **JUDICIAL PET PEEVES**

- A. Lawyers who are habitually late, regardless of reason
- B. Lawyers who make a sanction request as part of every pleading
- C. Lawyers who seek continuances of cases giving weak excuses or send in clients with continuation letters without advising opposing counsel until the court date (see Rule 7A:14)
- D. Large volume plaintiff who fumble papers and are disorganized in court.

## **GUIDELINES FOR FILING GARNISHMENTS:**

Garnishment Docket – Monday & Friday 8:30 a.m.

### **A. Form requirements:**

1. 5 Garnishments summons (if you need a file copy, make 6)
2. 1 Suggestion in Garnishment (must use court form)
3. 1 Garnishee Answer Sheet
4. 1 Envelope with postage addressed to Debtor (COURT DOES NOT HAVE STAMPS)

**B. Garnishments are returnable as follows:**

1. 90 – 180 days for Wages
2. 45 days for Bank Accounts
3. 180 days for Military and Federal Employees

**C. Continuations:**

1. Clerk can continue 2 times, then decision made by Judge.
2. If plaintiff is not present and a check has been received, the garnishment will be continued for two weeks. If plaintiff is not present on that date, the check will be returned.

**D. Show Cause:**

Creditor, attorney or representative must appear in court on return date at 8:30 a.m. to request a show cause. The garnishment will be placed on the 10:00 general docket. You **must have been in touch with the co-defendant before requesting a show cause.**

**E. A filing fee must be filed with each garnishment**

1. Make all checks payable to Henrico General District Court
2. If garnishment is going to Virginia Beach or Norfolk, make a separate check for services payable to High Constable

**F. When filing more than 1 garnishment:**

1. A completed inventory sheet must accompany the garnishment (the court can supply this form).
2. Warrants and list of defendants must be in alphabetical order.
3. Amount of filing fees, service fees & totals to be included on list.

**G. Checklist before filing garnishments:**

1. Henrico District Court will not accept any garnishment that has another court name printed
2. If suggestion in garnishment or garnishee answer sheet is not included, garnishment will be returned.
3. Do not print, type or sign clerk's name or fill in date issued on any garnishments.
4. The return date, time and case number must be filled in on the face of the garnishment, suggestion and answer sheet. The return time is **8:30 a.m.**
5. All garnishments must have the address and phone number of the creditor, attorney, agent or employee of creditor printed on the face of garnishment.

**H. You must indicate the county or city to which the process is to be directed.**

Example: John Brown  
331 Love Street

**I. Any attorney or agent can file groups up to 75 cases for one court date.**

**J. Legibility of warrants.**

1. All garnishments must be typed or printed in black ink.
2. Do not put any inserts between copies.
3. PC-generated garnishments must be legible through all **carbonized copies with tabs removed**
4. Xerox copies will be accepted.

**K. Third party service.**

1. Third party service must be printed or stamped on the face of garnishment in RED.
2. We suggest that a RED stamp have the name of your process server. The court does not call when papers are ready.
3. Returns must be received 12 days prior to return date
4. Indicate beside each service if it is to be served by private process.

**L. Secretary of Commonwealth served garnishments.**

1. The court requires 3 copies of the affidavit, along with regular garnishment forms per service.
2. A self-addressed green certified mail card & envelope(s) required only for the debtor and/or garnishee.
3. The address of the debtor or garnishee shall be included with the debtor or garnishee's name on the face of the garnishment, ...not just the affidavit.
4. Secretary of the Commonwealth address should not be on face of garnishments.

**M. The court will try to call you the day before court to go over your docket. However, it is your responsibility to contact the court. We do not call on single cases.**

**N. Garnishment fees:**

**Court costs - \$46.00 per garnishment**

**Sheriff Service – 4 services at \$12 per service**

**Secretary of Commonwealth - \$28.00 per service (separate check payable to Secretary of Commonwealth)**

**Certified mail - Federal or Government agency needs an envelope addressed to Garnishee with proper postage, certified mail receipt and a green certified mail card returnable to Henrico General District Court**

**SPECIAL NOTE:**

**DEFAULT JUDGMENTS**

How much proof is required if there is no appearance by the defendant?

- A. The clerk's office will point out obvious flaws as in unlawful detainer cases
- B. Sworn testimony accepted for open accounts
- C. In injury and property damage cases, documentation for medical bills and repair estimates are required

#### SET CASES

Unless there is some case which the court knows will be lengthy, four to six cases will be set at 11:00 every Monday and Friday. Please let the clerk or the Judge know if you anticipate your case lasting longer than one hour.

## **Henrico Juvenile & Domestic Relations District Court**

**NAME OF COURT:** HENRICO COUNTY JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

**JUDGES:**

Hon. Margaret W. Deglau, Chief Judge  
Hon. Rondelle D. Herman, Presiding Judge  
Hon. Sharon G. Jacobs, Presiding Judge  
Hon. Linda Y. Lambert, Presiding Judge  
Hon. Stuart L. Williams, Jr., Presiding Judge

**CLERK'S OFFICE:**

Shannon F. Meadowcroft, Clerk of Court  
[smeadowcroft@vacourts.gov](mailto:smeadowcroft@vacourts.gov)  
Michelle Kinslow, Chirf Deputy Clerk  
[mkinslow@vacourts.gov](mailto:mkinslow@vacourts.gov)

**PHYSICAL ADDRESS: ADDRESS:** 4201 E. Parham Road, Henrico, VA 23228

**MAILING ADDRESS:** P.O. Box 90775, Henrico, VA 23273

**PHONE, FAX, WEBSITES, E-MAIL:**

Phone: 804-501-4688  
Fax: 804-501-4756  
[www.henrico.us/jdrcourt](http://www.henrico.us/jdrcourt)  
[www.vacourts.gov](http://www.vacourts.gov)  
[JDRInfo@henrico.us](mailto:JDRInfo@henrico.us)

**COURT SERVICES UNIT:**

Kathy Jones, Director  
Phone: 804-501-4693

**MAGISTRATE:**

Micah Blankenship, Chief Magistrate, 14<sup>th</sup> Judicial District  
Phone: 804-501-5285  
Located at Henrico County Jail West

**SHERIFF:**

Alisa Gregory  
4317 E. Parham Road, Henrico, VA 23228  
Phone: 804-501-4860

**DEPARTMENT OF SOCIAL SERVICES:**

Serious complaints concerning child's welfare and health.  
Hotline phone: 501-4002 during office hours; 1-800-552-7096 after hours

## **DOCKETS:**

### Arraignments:

Juvenile- Mon-Thurs 8:15 a.m.

Juvenile detention hearings- Mon-Fri 9:00 a.m.

Adults (bonded)- Mon-Fri 9:00a.m.

Adults (detained)- Mon-Fri 11:00 a.m.

### Criminal Trials (Adult & Juvenile):

Mon., 9:00 a.m., 10:45 a.m., 1:00 p.m., 2:00 p.m., & 3:00 p.m.

Fri., 9:00 a.m. & 10:00 a.m.

### Protective Orders:

Mon., Tues., Thurs.- 1:00p.m.

Wed.- 2:00 p.m.

Fri.- 11:00 a.m.

### Support:

#### Show cause arraignments:

Tues., 2:30 p.m.

#### DCSE (Amending/New Petitions/S/C):

Tues., 9:00 a.m., 10:00 a.m., 11:00 a.m., 1:00 p.m., 2:00 p.m.

Thurs., 9:00 a.m., 10:00 a.m., 11:00 a.m., 1:00 p.m., 2:00 p.m.

#### Non DCSE (All Cases):

Tues., 9:00 a.m., 10:00 a.m., 11:00 a.m.,

### Custody/Visitation/Support (first calling/docket call):

Wed., 9:00 a.m., 10:00 a.m., & 11:00 a.m.

Thurs., 9:00 a.m., 10:00 a.m. & 11:00 a.m.

### Contested Custody:

Tues., Wed., & Thurs.- begin at 1:00 p.m.

### DSS Cases:

Wed., 9:00 a.m., 10:00 a.m., & 11:00 a.m.

Thurs., 11:00 a.m.

### Traffic:

Wed., 1:00 p.m.

Fri., 9:00 a.m.

## **CONTINUANCES:**

Continuance Requests are decided on a case by case basis. Requests for continuance must be made 3 days in advance and signed off by all parties. This form will not be accepted if all parties have not signed the form. This form can be found at [www.henrico.us/jdrcourt](http://www.henrico.us/jdrcourt).

## **REMOTE HEARINGS:**

The Motion for Remote hearing can be found at:

[www.henrico.us/jdrcourt](http://www.henrico.us/jdrcourt) or <http://www.vacourts.gov/courts/jdr/henrico/home.html>

Henrico JDR accepts the completed motion from counsel and pro-se parties.

## **SUPPORT, CUSTODY, VISITATION:**

- All petitions and motions to amend filed regarding matters of support, custody, and visitation must be filed on state forms. Each child requires a separate petition or motion for each issue. (<https://henrico.us/jdrcourt/forms>)
- Child Support and Spousal Support must be filed on separate petitions.

- The Mediation Coordinator will screen all non-DCSE and paternity filings to determine eligibility for mediation. If deemed appropriate, a referral will be made.
- Petitions filed regarding custody/visitation/support involving biological parents will be referred to the Parent Education Class. Failure to attend this class may prohibit presentation of evidence or may result in dismissal of case. This class is required in all contested case and satisfies the requirement of Virginia Code 16.1-278.15 and 20-103. The referral will be attached to the summons sent to the parties.  
(<http://www.courts.state.va.us/courtadmin/aoc/djs/programs/parented/home.html>)

**FILING/SERVICE FEES:**

Establish Paternity: \$12/service (per party)  
 Disestablish Paternity: \$12/service (per party)  
 Custody/Visitation: \$25 filing fee per petitioner  
 Relief of Custody:  
     Parent petitioner- \$12/service (per party)  
     Non-parent petitioner- no fee  
 Emancipation: \$12/service (per party)  
 Child Support: No fee  
 Spousal Support: \$12/service (per party)  
 Witness subpoena for civil matters: \$12/service  
 Subpoena duces tecum for civil matters: \$12/service

Checks should be made payable to: Henrico JDR Clerk’s Office

For waiver of filing fees, sheriff’s fees, or writ tax, please use:  
<http://www.vacourts.gov/forms/circuit/cc1414.pdf>

**ONLINE PAYMENTS:**

Online payments for matters post-trial can be made at:  
<http://www.vacourts.gov/caseinfo/tickets.html>  
 Pre-payments for juvenile traffic tickets are only accepted in person at the Clerk’s Office.

**HOPE CARDS:**

Henrico County JDR participates in the HOPE Card program. Information regarding this service can be found at: <http://www.vacourts.gov/courtadmin/aoc/judpln/programs/dvps/home.html>  
 You can also contact Victim Witness at 804-501-1680.

**DRIVER’S LICENSE CEREMONY:**

Please call the Clerk’s Office at 804-501-4688 for information.