

**INTRODUCTION OF THE RICHMOND DIVISION
OF THE
UNITED STATES DISTRICT COURT**



November 2020

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Richmond Division
2020**

CLERK Fernando Galindo, Clerk

CLERK'S OFFICE

Spottswood W. Robinson III and
Robert R. Merhige, Jr. Federal Courthouse
701 East Broad Street, Suite 3000
Richmond, Virginia 23219

CLERK'S OFFICE HOURS

8:30 a.m. to 5:00 p.m.

WEBSITE www.vaed.uscourts.gov (General resources, CM/ECF information, and Richmond's court schedule are available on the website.)

LOCAL RULES

The Local Rules may be printed from the website.

ELECTRONIC CASE FILING

The Eastern District of Virginia initiated electronic case filing on March 26, 2007, and as of March 2, 2009, an attorney must be registered for ECF, unless exempted by court order. Please see information, including updates and alerts, posted on our website for complete details. In the Richmond Division, effective April 1, 2013, all submissions in paper cases should be filed electronically, unless the document is excluded from e-filing, such as sealed documents.

WEB PACER

Public Access to Court Electronic Records: <http://pacer.psc.uscourts.gov/>

BEST ADVICE

Be very familiar with the Court website, Federal Rules, Local Rules, and ECF Policies and Procedures manual, and the pretrial order of the judge assigned to your case.

**DIVISIONS OF THE U.S. DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA**

There are four divisions in the Eastern District of Virginia.
They are: Alexandria, Norfolk, Newport News and Richmond.
Local Civil Rule 3 lists the cities and counties in each division.

DIRECTORY

Judges' Chambers

<u>Judge</u>	<u>Phone Number</u>
Hon. John A. Gibney, Jr. Courtroom Deputy, Wendy Tuck Court Reporter, Gil Halasz	916-2290 (Chambers) 916-2224 916-2248
Hon. M. Hannah Lauck Courtroom Deputy, Kathy Hancock Court Reporter, Diane Daffron	916-2890 (Chambers) 916-2226 916-2803
Hon. David J. Novak Courtroom Deputy, Cheryl Garner Court Reporter, Tracy Stroh	916-2270 (Chambers) 916-2223 916-2278
Hon. Roderick C. Young Courtroom Deputy, Jessica Saunders Court Reporter – Vacant	916-2240 (Chambers) 916-2239
Hon. Robert E. Payne Courtroom Deputy, Nikki Brown Court Reporter, Peppy Peterson	916-2260 (Chambers) 916-2228 916-2267
Hon. Henry E. Hudson Courtroom Deputy, Becky Pizzini Court Reporter, Krista Liscio	916-2290 (Chambers) 916-2227 916-2296
Magistrate Judge Elizabeth W. Hanes Courtroom Deputy, Monica Fulks	916-2250 (Chambers) 916-2214

Richmond Clerk's Office

ECF Help Desk: Call Civil or Criminal Section	
Civil Section	916-2220
Criminal Section	916-2230
Jury/Financial	916-2212
Administrative	916-2221

Other Divisional Offices

Alexandria	Civil	703-299-2101
	Criminal	703-299-2102
	Jury/Naturalization	703-299-2104
Norfolk	Civil	757-222-7201
	Criminal	757-222-7202
	Jury/Financial	757-222-7205
Newport News	Clerk's Office	757-247-0784

ADMISSION PROCEDURE IN RICHMOND

- Attorney admissions are held before most proceedings in open court.
- Attorney admissions are **not held prior to jury trials, pretrial or final pretrial conferences, settlement conferences, or before a U.S. Magistrate Judge.**
- Application for Admission may be printed from the Court's website.

Eligibility

- Any person who is a member of the bar in good standing in the Supreme Court of Virginia.

Requirements for Admission

- Application filled out by applicant and signed by applicant and two attorneys admitted in EDVA, including a copy of your Virginia State Bar card.
- \$181.00 fee.
- \$19.00 additional fee, if Certificate of Good Standing is requested. When filed with the Clerk, U.S. District Court, Western District of Virginia, the Certificate will permit you to practice in that Court.
- Required to register for ECF within 90 days.

Procedure for Admission

- Review the Court's schedule on our website, or call the Clerk's Office for available times for admission.
- Bring application to Clerk's Office 15 minutes prior to court proceeding.
- An attorney admitted in EDVA must be present to introduce you in open court.
- At beginning of open court, clerk will ask for uncontested motions, at which time your sponsor will introduce you.
- Return to Clerk's Office after admission to pay admittance fee(s).
- Certificate of Admission (and Certificate of Good Standing, if requested) will be mailed to you.

PRO HAC VICE ADMISSION

- Effective November 7, 2011, motions for pro hac vice will not be exempt from electronic case filing. Filing users will be required to electronically file and pay the fee online during the filing of the motion. The fee is \$75.00. The Electronic Case Filing Policies and Procedures manual provides an overview of electronic fee payment as well as step-by-step instructions for filing and paying the fee online.

COPY REQUESTS

Who Can Photocopy - Attorneys, legal secretaries, paralegals, or Clerk's Office staff. (The Clerk's Office does not have a designated photocopy person. Your copy request will be filled in the order received and could take several days.)

Cost Payment - 50 cents per page for paper copies must be made at time of copy, if made by a law firm or upon receipt of copies, if made by Clerk's Office, and 10 cents per page for electronic cases.

FEE PAYMENTS

The following methods may be used to make payments to the Court:

- Cash in exact amount (Clerk's Office does not make change).
- Checks made payable to Clerk, U.S. District Court.
- Money Orders made payable to Clerk, U.S. District Court.
- Credit or debit cards of the following companies: Visa, MasterCard, Discover, American Express, Diners Club. *No credit or debit card information will be taken over the telephone.*
- A fee schedule may be printed from the Court's website.

PURCHASING TRANSCRIPTS

- Contact the appropriate court reporter to order a copy of a transcript.
- Transcripts filed with the Clerk's office may not be photocopied.
- Effective March 1, 2009, transcripts are electronically filed by the court reporter. (See CM/ECF Policies and Procedures manual.)

ASSIGNMENT OF CASES

- Cases assigned by rotation throughout the district no matter in what division they are filed: Patent cases, prisoner cases, civil death penalty cases.
- Cases assigned randomly to a judge in the division in which they are filed: All other civil and criminal cases.

ELECTRONIC PLEADINGS

- For electronic pleadings, our ECF Policy and Procedures Manual will provide general information and instructions. Electronic Filing Procedures can be found on our website: www.vaed.uscourts.gov. A link to PACER is also found there.

PLEADINGS FILED IN PAPER CASES

In the Richmond Division, effective April 1, 2013, all submissions in paper cases should be filed electronically unless the document is excluded from e-filing, such as sealed documents.

Last Day Filings

The Clerk's Office will no longer accept last day filings for other divisions, except for new civil complaints. See Local Civil Rule 7(H).

All Pleadings

- Electronic cases must have electronic signatures. (See CM/ECF Policies and Procedures manual.)
- Pleadings should not be signed "by" or "for" another attorney. Sign your own name. You will be added as co-counsel in the case.
- *Pro hac vice* attorneys or other out-of-state counsel cannot sign for their local counsel.

Certificates of Service

- (See CM/ECF Policies and Procedures manual for electronic signatures.)
- Certificates must state date, manner of service, and person served.
- If one certificate is used for multiple pleadings, each pleading name must be stated in the certificate.

Number of Copies

- The Court requires the original only of all pleadings EXCEPT:

Pleading

All Pleadings

Number of Copies

Cases assigned to Judge Hudson: Submit one extra copy to Clerk's Office, in addition to extra copies of documents listed below. The copy will be given to chambers.

Financial Disclosure Statement

Original and one copy filed with Clerk's Office. (See Local Civil Rule 7.1.) Form may be printed from website.

Proposed Jury Instructions

Original and one copy filed with Clerk's Office. See additional information concerning proposed jury instructions in next section.

Proposed Findings of Fact and Conclusions of Law

Original and one copy filed with Clerk's Office.

CHAMBERS REQUIREMENTS FOR COURTESY COPIES OF PLEADINGS:

District Judge Gibney

Required where documentation supporting a pleading exceeds thirty (30) pages.

District Judge Lauck

Required for all documents exceeding ten (10) pages.

District Judge Novak

Required (1) where documentation supporting a pleading exceeds thirty (30) pages, or (2) where a submission is filed within forty-eight (48) hours of a hearing related to the submission.

Senior District Judge Payne

Required for the following documents:

- Motion and supporting brief: 2 copies
- Response brief: 2 copies
- Reply brief: 2 copies
- Exhibits to motions supporting responses and reply briefs: 2 copy
- All sealed documents

Senior District Judge Hudson

Required for all documents

Magistrate Judge Hanes

Required for all documents exceeding ten (10) pages

SUBPOENAS

Attorney of record shall issue all subpoenas in a civil case. See FRCP 45(a)(3).

FILING SEALED DOCUMENTS IN CIVIL CASES

Sealed documents in public civil cases should be electronically filed in accordance with Local Civil Rule 5. Please see Page 121 - Chapter Eight “Electronic Filing and Service of Documents – Electronic Filing of Sealed Document in Civil Cases” in the E-Filing Policies and Procedures Manual located on the Court’s website: www.vaed.uscourts.gov .

FILING UNOPPOSED MOTIONS/SUBMITTING AGREED ORDERS

Attorneys may file an unopposed/consent motion electronically indicating that all parties consent to the motion and/or do not oppose the motion. A Consent Motion is filed by one attorney (with permission of the consenting counsel) to include both attorneys’ nine-element signature blocks on the Consent Motion. Please attach a proposed Order for the Judge’s approval as an exhibit/attachment.

If counsel is instructed to present an Agreed Order to the Judge, the Agreed Order should be submitted with **original** signatures by counsel of record to the Court either by mail, over the counter, or placed in the Clerk’s Office Drop Box located on the First Floor. (Please do not sign or initial the Agreed Order for any other attorney when submitting Agreed Orders.

UNCONTESTED MOTIONS

Submit a sketch order for entry by the judge if a motion is uncontested. If possible, the motion should be endorsed by all counsel. If time is short, include a letter indicating agreement of opposing counsel. For electronic cases, see CM/ECF Policies and Procedures manual under Consent Orders.

CIVIL CASES

FILING A CIVIL ACTION

See www.vaed.uscourts.gov under CM/ECF, ECF General Information/Resources

CASES INVOLVING *PRO SE* PARTIES

A “Roseboro Notice” should be filed with any dispositive or partially dispositive motion in which a *pro se* party is involved. See Local Civil Rule 7(K).