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 U.S. Bankruptcy Court for the Eastern District of Virginia, Richmond Division and Honorable Judges for the Courts of the city of Richmond**. As in years past, the Judges were gracious with their time and spoke with candor Committee members regarding local rules and forms, motions, and involvement in your local bar association.

**The Honorable J. Overton Harris  
*Hanover Circuit Court***

Judge Harris praises the bar for their continued decorum and civility of those who practice before the Court. The Court is impressed by the professionalism and preparedness of lawyers appearing in Hanover.

Judge Harris encourages all practitioners to review the local rules before appearing in Hanover. Continuances in civil cases, even those agreed up by counsel, are rarely given when trial starts within 30 days or less. Counsel must arrange for a hearing or conference with the Court if a continuance is requested in a civil case less than 30 days before the trial. However, counsel may submit an agreed order for a continuance if it is more than 30 days before the trial provided that the parties have contacted the Court and scheduled the matter for a future date on the Court’s docket.

The procedure for continuances in a criminal case are different. Continuances are generally given in a criminal case if the Commonwealth and defense both request the continuance.

Judge Harris also stressed the importance of counsel to schedule the appropriate amount of time for hearings and other matters. Judge Harris said that the Court fills its schedule and follows it closely. For example, if the litigants schedule a two-hour hearing for a thirty-minute time slot, the Court will likely have to continue the hearing to another date after the allotted time has expired. Also, Judge Harris requests that if there are additional matters to be heard that counsel get court approval before adding them.

**The Honorable Hugh S. Campbell and the Honorable David B. Caddell  
*Hanover General District Court***

Judges Caddell and Campbell again gave generously of their time to speak with representatives of the Administrative Justice Committee regarding the operation of the Hanover General District Court. During the interview, the judges also offered valuable insights regarding the practice of law, generally, and helpful advice for newer lawyers eager to develop their trial advocacy skills.

Under Chief Judge Caddell’s stewardship, the Hanover General District Court continues to operate smoothly, and neither Judge Caddell nor Judge Campbell had any significant concerns or complaints. Both judges spoke favorably about the high level of decorum and civility that both local and non-local lawyers continue to demonstrate and practice in their courtrooms.

From a procedural standpoint, Judges Caddell and Campbell were generally pleased with the current state of affairs in Hanover. They urge attorneys to make use of the forms available to them upon arriving at the Court that are designed to help ensure that all scheduled cases and hearings proceed in a timely and expeditious manner. All attorneys (but especially those who do not make use of these forms) are reminded to make their presence, names, and case information known to the judges’ bailiffs promptly upon their arrival in the courtroom.

Judges Caddell and Campbell are supportive of certain remote hearing procedures and technologies that were initially necessitated by the COVID-19 pandemic but continue to be used today. While both judges readily understand why many practicing attorneys harbor strong preferences for in-person proceedings (effectively cross-examining a savvy witness in a document-heavy civil case, for example, is often hard to do on a computer screen), the public benefits of conducting certain kinds of routine proceedings remotely—in reducing litigation costs for parties in civil cases; in shortening the lifespan of cases for certain criminal defendants; and otherwise—are difficult to overstate. The judges were quick to add that lawyers and parties wishing to participate remotely in a particular proceeding, or to otherwise avail themselves of courtroom technology, must be sure to provide adequate prior notice to the Court and other parties, and should not wait until the day of the proceeding to familiarize themselves with the relevant technology.

With regard to the practice of law, Judges Caddell and Campbell emphasized the importance of personal relationships within the bar. Lawyers, judges, and law students should make a special point of attending and participating in the RBA’s Bench-Bar program and similar events; in volunteering and otherwise supporting bar-sponsored community service opportunities; and in otherwise making sure to cultivate these important relationships.

For newer attorneys who are working their way up the steeper portions of their respective learning curves, and who are eager to develop their courtroom skills, Judges Caddell and Campbell stressed the importance of hands-on experience. Jurisdictional limits, appeals of right to the circuit court, and other circumstances make the General District Court an ideal training ground for young trial attorneys, and many of the best practicing lawyers today made ample use of it. Fear of losing a triable case should never come between lawyers and a valuable hands-on education. Once in the courtroom, a lawyer’s mastery of the fact of their case is very possibly the most potent weapon they can wield on behalf of their client.

The Administrative Justice Committee is already looking forward to its next discussion with Judges Caddell and Campbell, and thanks them again for their time and valuable contributions to the Committee’s work in 2023.

**The Honorable Frank G. Uvanni  
*Hanover Juvenile & Domestic Relations District Court***

Judge Uvanni wished to express his appreciation to Judge Shannon O. Hoehl for her many years of service to the Commonwealth as a Commonwealth Attorney and as the presiding judge for the Hanover Juvenile and Domestic Relations District Court and he wishes her well as she transitions to the private practice of law. He holds the bar in high esteem and appreciates the professionalism and collegiality of the attorneys that practice in Hanover JDR. He acknowledges that family law cases can become contentious and he would remind practitioners not to let their clients’ disputes become too personal to the counselors who must litigate the differences.

Hanover JDR is blessed with a number of excellent GALs, but it is still in need of many more qualified GALs. Judge Uvanni would call upon any attorney who is interested to join the list of appointed GALs. He noted that having an office in Hanover is not a strict requirement and they often appoint GALs from surrounding counties, so that should not be an impediment to join the court-appointed list. He wished to remind all GALs to perform proper investigations, meet with the caregivers or parents, meet with the child, and perform follow up calls. He also emphasized that GALs should be willing to file motions when necessary to protect the best interests of the children.

Regarding operations, he noted that Hanover JDR returned to full staff after the retirement of a very experienced clerk. He was effusive in his praise for the clerks in the office, whom he said had well over 50 years of combined experience. He asked that practitioners please keep the clerks informed well in advance about any changes with hearings or other matters. He reported that the docket volume is quite stable, so trials limited to 3 hours can generally be set with in three to four months. Emergency hearings are liberally allowed with a request that explains why it is necessary to the parties.

Hanover JDR is one of the few jurisdictions that maintains a drug court for juvenile offenders, which is a comprehensive program to improve the lives of the children who are recommended to the program by the Commonwealth Attorney. He expressed his gratitude to the large team who works hard to guide the children through the intensive program through to graduation. He has been impressed with positive results of the program.

He anticipates that Hanover JDR will conduct its annual stakeholder meeting after a replacement is found for the presiding judge position. This meeting is open to all attorneys who serve as GAL, court-appointed counsel, and people from state agencies who can provide input into the Court’s operations.

**The Honorable John Marshall  
 *Henrico Circuit Court***

Judge Marshall continues to appreciate the civility and professionalism of those who practice before the Court.

The Court operates with five judges and six courtrooms. Judge Marshall said that the Court is currently scheduling trial dates approximately one year from when the litigants contact the Court to schedule a multi-day civil jury trial. The Court can schedule a one-day civil jury trial as soon as three months.

The Court has experienced scheduling challenges with the number of criminal jury trials being scheduled with the recent change in state law that allows judges, not juries, to determine sentences. However, there has not been a noted increase in the number of criminal cases being tried before a jury. As a result of the number of criminal juries being scheduled, the Court now schedules six criminal jury trials and four civil jury trials each day from Tuesday through Thursday. Mondays are usually reserved for domestic matters and Fridays for motions hearings. Henrico Circuit Court can try four jury trials each day, with priority given to criminal trials. The addition of the sixth courtroom allows the Court to bring in a retired judge to try a jury trial, if needed.

Judge Marshall encourages all lawyers, especially young lawyers, to always introduce themselves to the Court. Do not assume that the judge remembers your name. Further, Judge Marshall expects all counsel to communicate with each other to attempt to resolve discovery matters before appearing in Court. The Court urges all counsel to follow the Rules of the Supreme Court and to answer discovery in a timely manner and not to take up the Court’s docket with unnecessary Motions to Compel. Henrico Circuit Court judges are more apt to award attorney’s fees in discovery disputes against counsel who fails to communicate by telephone, or at least by e-mail, to resolve a dispute before a hearing.

For motions in limine and other pretrial motions, Judge Marshall encourages litigants to file such motions and schedule hearings well in advance of trial. This helps keep trials moving and prevents unnecessary delays.

Judge Marshall reminds attorneys who plan on using technology in the courtroom to make sure that their technology works well in advance of trial. The Court’s newest courtroom is equipped with multiple monitors for jurors, counsel, and witnesses. The Court encourages litigants to work with the Sheriff’s office as well as the Court’s IT department to work out any technical difficulties in advance so that trials are not delayed.

Judge Marshall stated that scanned or faxed signatures will now be accepted on orders submitted to the Court.

Judge Marshall notes that attorneys may bring disposable water bottles into the courthouse. The Sheriff’s office does not allow counsel to bring refillable water bottles because of concern that the bottles may be used as a weapon.

Finally, Judge Marshall wishes to recognize Judge Lee A. Harris, Jr., who celebrated his 35-year anniversary of serving on the bench this year. Judge Harris is now the longest serving judge in the Commonwealth. Congratulations to Judge Harris!

**The Honorable Lauren A. Caudill  
*Henrico General District Court***

The big news around the Henrico General District Court these days is that the Supreme Court of Virginia very recently approved a Behavioral Health Docket in Henrico. This new docket, which the court hopes to be up and running by the beginning of 2024, would be in addition to the Court’s already active and highly successful diversion program, which began during the pandemic and has seen a roughly 90% success rate among criminal defendants who enter the program. The goal is for the new Behavioral Health Docket to be a full docket held in Courtroom #3 of the Henrico General District Court every Wednesday at 1:30 p.m. Any criminal defendant may be eligible so long as they (a) have a diagnosed serious mental illness that the court finds contributed to the criminal act, and (b) are not accused of committing a violent felony or drug distribution charge. While the prosecutor has the final say as to who is eligible for the program, in practice, a team that consists of a prosecutor, a defense attorney, a judge, treatment providers from Henrico Mental Health, CIT police officers, and probation officers will meet on a weekly basis (as they already do for the diversion program) to discuss which defendants are eligible for the court-ordered Behavioral Health Docket. During that same weekly meeting the team will review the progress of participants already on the docket. Once in court, the criminal defendant would enter a plea of guilty or no contest to one or more misdemeanor charges, the Court would accept that plea, and the Court, after finding the criminal defendant eligible for the docket, would order the defendant to enter and complete the docket. The Behavioral Health Docket will be a five-phase program, with the first phase being the most intensive and the program steadily easing over time. All judges in the General District Court will have the ability to refer criminal defendants to the program.

In the civil realm, the Court continues its practice of ordering pleadings in all contested cases. Judge Caudill says doing so has facilitated more settlements between the parties. In conjunction, the court is also in the process of establishing a mediation service that it will offer in contested civil cases, with the hope that the service will be available within the next few months.

Judge Caudill says that all the judges would like to commend the bar for their preparedness, and the camaraderie that exists between the attorneys that practice in their courts. They would like to remind all attorneys that if they are going to be late for court or are in other courtrooms on the day of court, to please just check in with the courtroom clerks or deputies to let them know where they will be, and when they anticipate being available to try their case. The court is especially lucky to have the caliber of dedicated court-appointed attorneys that it has. Those attorneys are well prepared and are able to try cases or facilitate plea agreements that benefit their clients. Unfortunately, over the past 12 months, the Court has lost a number of attorneys from its court- appointed list. As a result, the Henrico General District Court is looking to add additional attorneys to its list and would like the help of the Richmond Bar Association in getting the word out to prospective court-appointed attorneys. Any attorney who is certified to handle both misdemeanor and felony cases is encouraged to submit a letter with their resume to Carol Kennedy, who is the Clerk of Court.

Lastly, Judge Caudill wants to remind the bar that all five judges in the Henrico General District Court have an open-door policy; they are here to help. If any attorney – young or old – seeks guidance about their practice or how they can improve in the courtroom, each judge can serve as a resource.

**The Honorable Sharon G. Jacobs**

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

The past year in Henrico County’s Juvenile & Domestic Relations District Court can be summarized by the core values of its bench: promoting the wellbeing of juveniles and their families through stability and consistency.

The Court is proud to report that its own Judge Margaret Deglau was named a Judicial Engagement Network Fellow on Domestic Violence for the National Council of Juvenile and Family Court Judges (NCJFCJ). In August 2023, Judge Deglau was instrumental in the Henrico JDR judges instituting a separate Domestic Violence (DV) docket. The DV docket contains cases involving intimate partner violence, due to the need for greater oversight and specialized handling. In October 2023, Judge Deglau and Judge Marissa Mitchell demonstrated ongoing commitment to judicial engagement by participating in a behavioral health summit in Norfolk. There, they served on an interdisciplinary team which also included representatives of law enforcement and mental health professionals.

The immense effects of trauma on young people in the community have been apparent. Cases involving guns on school property, particularly those with loaded firearms, have been a notable trend. The Court combats the issue by initially holding the possessing juvenile in detention and releasing him or her prior to trial, if at all, only with strict conditions imposed, which are held to a “zero tolerance” policy. The Court continues to seek effective aftercare solutions to support mental health in young people, preferring to work with post-disposition rehabilitative programs rather than committing juveniles to the Department of Juvenile Justice, where possible.

A Best Practices Team is organizing a Continuing Legal Education (CLE) seminar to improve knowledge about available services and resources. The seminar, scheduled for January 19, 2024, involves various stakeholders such as the Court Services Unit, Social Services, Court Appointed Special Advocates (CASA), and Henrico County Public Schools (HCPS). Judge Jacobs also highlighted another initiative involving HCPS: the Court Docent Program, which introduces middle school students to the legal system and practice of law by providing them an opportunity to meet judges, observe hearings at the Henrico County Circuit Court, and tour the Henrico Courts, Jail, and Juvenile Detention Center.

In custody cases, Henrico JDR judges ensured that the best interests of the child were prioritized by placing an emphasis on factors showing a parent’s willingness to accommodate the child’s relationship with the non-custodial parent. Such factors include the propensity of each parent to actively support the juvenile’s contact with the other parent and the extent to which each parent cooperates in resolving disputes concerning matters about the child. Assuming a lack of Child Protective Services (CPS) complaints or similar considerations, the Court found these factors promoted stability in familial connections that greatly benefited the child.

Henrico JDR judges also appointed guardians ad litem (GAL) and CASA volunteers where it saw the need to do so. These third parties brought a valuable perspective into the courtroom. The Court commends Henrico CASA for its activity and dedication to serving the community, including CASA’s plans to establish a visitation center where supervised visits can occur in a homelike setting that is not cost prohibitive.

Overall, the Court is grateful for the support various stakeholders provide in furthering its broader aim of not only ensuring stability in familial connections but also guiding juveniles towards becoming responsible, engaged, and constructive Henrico citizens.