

CHESTERFIELD COUNTY

Chesterfield Circuit Court

1. **NAME OF COURT: CHESTERFIELD CIRCUIT COURT**
2. **JUDGES:** T.J. Hauler; Frederick G. Rockwell, III; Steven C. McCallum;
Lynn S. Brice; David E. Johnson; Edward A. Robbins, Jr

Staff - CIVIL SCHEDULING ONLY:

Judge Hauler – Melody Valdes, Legal assistant

Email: ValdesM@chesterfield.gov

Judge Rockwell – Teresa Ryan, Assistant Administrator & Legal Assistant

Email: RyanT@chesterfield.gov

Judge McCallum – Beth Ball, Legal Assistant

Email: BallB@chesterfield.gov

Judge Brice – Melody Valdes, Legal Assistant

Email: ValdesM@chesterfield.gov

Judge Johnson – Beth Ball, Legal Assistant

Email: BallB@chesterfield.gov

Judge Robbins –Teresa Ryan, Assistant Administrator & Legal Assistant

Jean Marretti, Legal Secretart,

MarrettiK@chesterfield.gov

Tricia Muller, Administratr of Judicial Operations,

MullerT@chesterfield.gov

3. **CLERK:** Hon. Wendy S. Hughes
P.O. Box 125
Chesterfield, VA 23832
Telephone: (804) 748-1241
4. **SHERIFF:** Hon. Karl S. Leonard
P.O. Box 7
Chesterfield, VA 23832
Telephone: (804) 748-1261
5. **COMMISSIONER OF ACCOUNTS:**
Bryan K. Selz
P.O. Box 998
Chesterfield, VA 23832
Telephone: (804) 796-4891
6. **COMMONWEALTH'S ATTORNEY:**
Hon. William W. Davenport
P.O. Box 25
Chesterfield, VA 23832
Telephone: (804) 748-1221

7. **LOCATION(S):**

9500 Courthouse Road, Courtrooms: 1, 2, 3, 4, 5
Historic 1917 Courthouse - 10011 Iron Bridge Road

8. **HOURS:**

9:00 a.m. to 4:00 p.m. Public Service Hours
8:00 a.m. to 4:00 p.m. - Clerk's Office & Judges' Chambers public
Service house
8 a.m. - 3:30 p.m. - Recording Hours

9. **DOCKET PROCEDURES:**

DOCKET CALL PROCEDURES

It is encouraged to pre-set both civil and criminal cases rather than waiting for docket call. All hearings must be scheduled in advance, except in emergency situations. Prior to setting the date, the attorney or *prose* litigant should clear available dates with other attorneys or parties in the case.

- To set a case for trial in a civil matter, the attorney should call or email the assigned Judge's Legal Assistant.
- Criminal matters are pre-set in the Commonwealth's Attorney's Office by orders endorsed by defense counsel or *pro se* defendant. Matters shall be set within the same term or otherwise docketed for a hearing prior to the term ending.

If attorneys/parties do attend docket call to schedule a trial date, docket call and grand jury are held on the 3'd Tuesday in January and the 3rd Monday in March, May, July, September, and November. On these dates, criminal cases are set at 9:30 AM, juvenile appeals are set at 2 PM, and all other civil cases are set at 2:30 PM. If attorneys or *pro se* parties in civil cases fail to appear for docket call, it may result in the dismissal of such civil cases.

When setting a case for trial, the attorney should know the case number, style of case, and whether a jury is requested. Trial dates for civil cases may be set by either lawyer as long as they have good dates (or avoid dates) for the other side.

When scheduling civil cases by phone, email, or at docket call, a confirmation letter must be mailed to all parties within 10 business days of scheduling, with a copy to the Court. The confirmation letter must state the trial date, time, and whether trial will be by jury or non-jury. Note, the Historic 1917 Courthouse is being used for some civil matters; please pay careful attention to the location of the hearing and expressly include that location in the Notice of Hearing.

In criminal cases not pre-set with the Commonwealth's Attorney, defense counsel and defendants out on bail must appear for docket call

CIVIL SCHEDULING

- Trials: Cases should be set by telephone or emails through the Legal Assistant, once mutually agreeable dates are obtained by counsel. Once the moving party sets the trial date, they must send a Notice of trial to opposing counsel/party stating the trial date(s) and time, copying the Court. 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. On the rare occasion that more than one case remains on the docket, the Court must then continue some cases.
- In any matters that require more than two hours or involve a *pro se* party, a pre-trial conference may be required.
- Matters in which the moving party has not issued service cannot be scheduled on the docket until service is complete and 21 days has passed, unless otherwise agreed upon by opposing counsel or provided by statute.
- All other civil motions: Absent leave of Court, motions will be individually docketed. Motions are held on a first come first serve basis on the docket. These cases should also be set by telephone or emails through the Legal Assistant, once mutually agreeable dates are obtained by counsel and the proper motion is filed with the Clerk's Office. All motions should inform the Court whether the moving party intends to present any testimony concerning that motion.
- Plaintiff will submit an agreed and fully endorsed pre-trial scheduling order within 10 calendar days of setting the trial date. All exhibits which a party intends to offer into evidence at trial during their case in chief must be filed with the Clerk not later than 10 days prior to trial. Additionally, in domestic cases involving support matters; income and expense worksheets, applicable guidelines worksheets and supporting documents must also be filed 10 days prior to trial.

CRIMINAL SCHEDULING

- **EVERY REQUEST MUST BE PROPERLY FILED AS A WRITTEN MOTION** through the Clerk's Office (attorney and *prose*). Dates for hearings on motions should be obtained from the Commonwealth's Attorney and submitted with the motion when filed.
- All motions, including motions to continue, must be properly filed in writing with the Circuit Court Clerk's Office. Dates for hearings shall be set by the Commonwealth Attorney's Office by order endorsed by all parties.
- Continuances will be granted in the Court's discretion for good cause shown (see continuance policy below).
- For proper docket control, in the event of an agreed disposition by plea, the Court requires cases that are set for trial by jury be advanced on the docket for disposition.

CONTINUANCE POLICY

Procedure to Continue a Trial Date:

- I. Notice. All requests for continuances of a trial date must be made by written motion and in as far advance of the trial date as possible. All requests must be properly filed through the Clerk's Office and properly noticed for a hearing if applicable. If a hearing is required, it will need to be scheduled based on the above requirements for civil and criminal matters.
 - The motion to continue the trial must fully state the good cause in support of the motion and must include the number of previous continuances.

2. Good Cause. Continuances will be granted in the Court's discretion for good cause shown. The following, by way of example, may not be considered as good cause:
 - All parties have agreed to the continuance.
 - This is the first continuance request.
 - The other party has been granted a continuance before.
 - The case is close to resolved or will be if a continuance is granted.
 - Counsel is unprepared for trial.
 - After the trial is set a witness (subpoenaed or not) advises they are unavailable on that date. Counsel is expected to have witnesses' available dates prior to setting the trial.

3. Court Order
Civil:
 - In cases where a continuance of trial is granted, counsel shall prepare and submit an endorsed order at the hearing for the Continuance. The order shall state upon whose request the continuance is granted; the date from which the trial is being continued; the new trial date; and other such terms as the Court may require.Criminal:
 - At the time of filing, prepared by the Commonwealth's Attorney's Office. The order will be submitted with the motion for judicial consideration. If the motion is denied, parties will be notified by the Commonwealth's Attorney's Office.

OTHER NOTES

Filings are accepted by the Clerk's Office via mail, courier, and hand delivery. The Court does not accept case-related filings via the Internet, email, or fax. The public service hours of both the Clerk's Office and Judges' Chambers are 8 AM - 4 PM.

- All orders, motions, notices, pleadings, exhibits, or any other type of case-related filing must be filed in the Clerk's Office.
- No orders, motions, notices, pleadings, exhibits, or any other type of case-related filing will be accepted by the Judges' Chambers. Case-related correspondence or documents sent or delivered directly to Judges will be re-directed to the Circuit Court Clerk's Office for proper filing with the case and may result in delays in processing.
- All orders submitted for entry must be original orders with original signatures.
- As noted above, no faxes or emails are accepted by the Clerk's Office.
- Courtesy copies directed to Judges' Chambers will be accepted but need to be clearly marked as such. Marked copies delivered to the Judges' Chambers are not substitutions for

proper filing in the Clerk's Office.

- For all civil and criminal restricted operators' license requests, DMV transcripts should be filed in the Clerk's Office with the petition or motion.

Suggested Practices and Procedures in civil cases in the Circuit Courts of the City of Richmond, the counties of Chesterfield and Henrico can also be found in this handbook and on the Richmond Bar Association's website at www.richmondbar.org

Also available are Suggested Guidelines & Practices in Domestic Relations Cases for the 12th, 13th, and 14th Judicial Circuits (Chesterfield/Colonial Heights, Richmond and Henrico).

Chesterfield General District Court

1. **NAME OF COURT:** CHESTERFIELD GENERAL DISTRICT COURT
2. **JUDGES:** Hon. Pamela O’Berry, Chief Judge; Hon. Thomas L. Vaughn;
Hon. James J. O’Connell, III; Hon. Keith Nelson Hurley; Hon.
Matthew Donald Nelson
3. **CLERK:** Linda J. Moore
P.O. Box 144
Chesterfield, VA 23832
Telephone: (804) 748-1231
4. **SHERIFF:** Sheriff Karl S. Leonard
P.O. Box 7
Chesterfield, VA 23832
Telephone: (804) 748-1261
5. **COMMONWEALTH’S ATTORNEY:**
William W. Davenport
P.O. Box 25
Chesterfield, VA 23832
Telephone: (804) 748-1221
6. **LOCATION:** 9500 Courthouse Road
7. **HOURS:** 8:00 a.m. to 4:00 p.m.
8. **DOCKET PROCEDURES:**

Arraignments:

10:30 a.m. Mon. - Fri – Bonded (Pre-Trials)
11:00 a.m. Mon. – Fri. - Lock-up (Pre-Trials)

Traffic:

8:30 a.m. – Mon. – Fri.
10:00 a.m. – Mon. – Fri
1:00 p.m. – Mon. –Thurs.
2:30 p.m. – Mon. – Thurs.

Criminal:

8:30 a.m. – Mon. – Fri.
10:00 a.m. – Mon. – Thurs.
1:00 p.m. – Mon. – Thurs.
2:30 p.m. – Mon. – Thurs.

Civil:

Monday:

8:30 a.m. – Garnishments, Small Claims
9:00 a.m. – Attorney Interrogatories & Attorney Docket
10:00 a.m. – General Interrogatories & General Docket
10:30 a.m. – Motions Docket
1:00 p.m., 2:00 p.m. & 3:00 p.m. – Contested Civil Trials

Tuesday:

8:30 a.m., 9:30 a.m. & 10:00 a.m. – Contested Civil Trials
12:30 p.m. – Garnishments
1:00 p.m. – Interrogatories & Attorney Docket
2:30 p.m. – Motion Docket

Thursday:

8:30 a.m., 9:30 a.m. & 10:00 a.m. – Contested Civil Trials
8:30 a.m. – Garnishments
9:00 a.m. – Attorney Interrogatories & Attorney Docket
10:30 a.m. – Motions Docket
1:00 p.m., 2:00 p.m. & 3:00 p.m. – Contested Civil Trials

Friday: 1st through 4th Fridays Only

8:30 a.m. – Garnishments
9:00 a.m. – Interrogatories & General Docket (non-attorney cases)
12:00 p.m. – Poole & Mahoney cases
1:00 p.m. – Small Claims
1:00 p.m. – Contested Civil Cases

Continuance Policy:

Continuances granted by Judge.

Juvenile and Domestic Relations District Court of Chesterfield County

1. **NAME OF COURT:** JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT OF CHESTERFIELD COUNTY
2. **JUDGES:** Hon. J. David Rigler, Chief Judge; M. Duncan Minton, Jr, Hon. Vanessa L. Jones; Hon. D. Gregory Carr; Hon. Scott David Landry; Don. Jayne Ann Pemberton
3. **CLERK:** Laura Gardner Griffin
P.O. Box 520
Chesterfield, VA23832
Telephone: (804) 748-1379
Facsimile: (804) 717-6043
4. **LOCATION:** 7000 Lucy Corr Boulevard
5. **HOURS:** 8:00 a.m. to 4:00 p.m. (public hours)
6. **DOCKET PROCEDURES:**

Probation Department:

Jennifer Underwood, Supervisor, Intake Department; telephone: (804) 748-1372
Marilyn Brown, Superintendent of Detention Center; telephone: (804) 748-1469

Juvenile and civil petitions are filed by the general public through the Probation Department.

Court Services Unit: Jim Nankervis, Director; telephone (804) 748-1372

Bureau of Social Services: Marsha Sharpe, Director; telephone: (804) 748-1100

Provides family counseling, financial assistance, food stamps, child abuse and neglect.

Magistrate's Office: Daniel J. Holser, Chief Magistrate

6900 Mimms Loop
Chesterfield, VA23832
Telephone: (804) 748-1410
Office located at Chesterfield County Jail.

General Docket Cases:

Juvenile Traffic

Mon. – Fri., 9:00 a.m.

Civil

Mon. – Fri., 9:00, 10:00, & 11:00 a.m., 12:00 p.m., 2:00 p.m.

Delinquency & Adult Criminal

Mon. – Thurs., 9:00, 10:00, 11:00 a.m., 12:00 p.m.

Lengthy cases set by the Court.

Pretrial for Adult Defendants

Mon. – Fri., 9:30 a.m. (for those bonded)

Mon. – Fri., 11:30 a.m. (for those in lock-up)

Pretrials for Juveniles

Tues., 1:30 p.m.

NOTE: Pretrials are not to be set for juveniles in traffic cases!

Detentions

Mon. – Fri., 10:30 a.m.

DCSE

Mon. & Wed., 8:30 a.m., 9:30 a.m., 10:30 a.m., 11:30 a.m., 1:30 p.m.,
2:30 p.m.

Fri., 8:30 a.m., 9:30 a.m., 10:30 a.m., 11:30 a.m.

Information Concerning Continuances: Continuances are granted according to Rule 8:14 of the Rules of the Supreme Court of Virginia. Traffic continuances are requested/justified through the citing/arresting officer. Criminal continuances are requested/justified through the Commonwealth's Attorney. In civil cases, a motion must be made for a continuance, but the form of the Motion for a *pro se* litigant has been relaxed to a written/signed request.

Cases to be "Held": Cases are limited to a fifteen-minute rule hearing. If the hearing will take more than fifteen minutes, it should be set for a contested date.

General Comments: The Judges are sensitive to accommodating the public, police force, and witnesses. Therefore, the burden of requesting a continuance is on the attorney as well as is the burden of notifying all parties.