

## **Changes in Procedure for Motions Days and Criminal Docket Days In the Loudoun Circuit Court Effective August 2005**

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Due to the increased caseload of the Loudoun Circuit Court, as of August and September 2005 the following changes in Motions Days and Criminal Docket Days will become effective:

### **1. First Friday Motions Day**

Effective September 2, 2005, Motions Days held on the first Friday of every month, or as may be rescheduled due to the Court being closed, will be devoted entirely to civil cases. Each of the three resident judges will have a chancery docket commencing at 10:00 a.m. and a law docket commencing at 2:00 p.m. In addition, one judge will handle the scheduling docket at 9:00 a.m., while the other two judges will be available for *ore tenus* hearings in divorce cases properly praeciped for 9:00 a.m., or previously scheduled by the Court.

All praecipes must still be filed seven days in advance. The twenty-minute time limit for chancery and law cases will continue to apply.

Effective September 2, 2005, there will be no criminal motions on the first Friday of the month. Criminal motions will be moved to the fourth Friday, effective August 26, 2005, as explained below.

### **2. Second Friday Misdemeanor Appeals and Criminal Docket**

Misdemeanor Appeals and the criminal docket on the second Friday of the month will remain the same. Two judges will hear misdemeanor Appeals and one judge will preside over the criminal docket. The Court intends to utilize this docket primarily for probation violation hearings.

### **3. Habitual Offender or Driver's License Restoration Cases and Show Causes involving Driver's Licenses will be heard on Second Fridays at 1:00 p.m.**

Effective September 9, 2005, the following types of cases will be set to be heard on the second Friday of each month at 1:00 p.m.:

- a. Petitions for restoration of driving privileges by habitual offenders or other persons whose driver's license has been revoked or suspended.
- b. Show cause proceedings involving driver's license, *e.g.*, ASAP violations.

These matters will be heard by one judge commencing at 1:00 p.m. and may be set by praecipe filed seven days in advance or set specially by the Court. These matters will no longer be heard on the first Friday Motions Day.

**4. Criminal Motions Day moved from First to Fourth Friday (except November and December)**

The present criminal motions day on the first Friday will be moved to the Fourth Friday of each month commencing Friday, August 26, 2005. The procedure will remain the same as it has been for first Fridays. Matters may be praeciped for the 9:00 a.m. docket only with praecipis filed seven days in advance. This will be the only criminal docket for which the Commonwealth or the defendant may praecipe a case. It will be utilized the same as the present first Friday criminal motions day. The last first Friday criminal motions day will be on Friday, August 5, 2005.

However, because of the holidays, there will be no Fourth Friday criminal motions day in November or December of each year. If the Commonwealth or a defendant wants a case placed on the docket in November or December, then it can be praeciped for a Term Day or a Monday at 9:00 a.m. for scheduling.

**5. Additional Criminal Docket on Fourth Mondays**

Commencing Monday, September 26, 2005, an additional criminal docket day will be on the Fourth Monday of each month. It will be utilized in the same manner as the second Friday criminal docket day. One judge will preside over a 9:00 a.m. and a 1:00 p.m. docket. The Court intends to utilize this docket primarily for pleas and other matters not involving the Probation and Parole Office.

However, because of the holidays, there will be no Fourth Monday criminal docket in November or December.

**6. Criminal cases already set for First Friday Motions Day on or after September 2005**

A case already scheduled for a first Friday criminal motions day on or after September 2, 2005, will remain on the docket for the date and time previously scheduled. A judge will be available to hear such cases due to the scheduling of civil motions on first Fridays effective September 2, 2005.

**7. Term Days and Indictment Return Days will not be changed**

**8. Monday Morning 9:00 a.m. Scheduling will not be changed**

**9. Wednesday Morning Drug Court at 8:00 a.m. will not be changed**