

Information Sheet: Scheduling

How to Schedule a Matter for Hearing/Trial:

Step 1 ⇒ email the appropriate staff member to request dates the Court is available for your hearing/trial (for information on how to determine who the appropriate staff member is, please see below). When emailing, please ensure you copy all parties to the proceeding,¹ include the required information (below), and follow the Court's Email Policy (below).

Step 2 ⇒ remove the court staff person from the email chain to discuss availability with the parties.²

Step 3 ⇒ after the scheduling party has determined an available date, email the court staff person, copying all parties, to confirm a date. If you do not email to confirm a date, the date may be given to another matter and will not be docketed.

If the parties are unable to agree to a date, you may:

- 1) Email the appropriate staff member, copying all parties, to see if there are additional dates available to the Court. Please note there may not be additional dates. Repeat steps 2 and 3. If still unable to agree, or if no other dates are available to the Court, please see Option 2 below.
- 2) Email the judicial assistant for the assigned judge, copying all parties, to alert to the issue as to selecting a date and to request the Court docket a scheduling hearing. Repeat steps 2 and 3.

Step 4 ⇒ after you have scheduled the date by email with the appropriate court staff member, please file any appropriate notices of hearing or draft orders necessary to comply with the Court's Suggested Practices and Procedures and with the Rules of the Supreme Court of Virginia.

Who to Email for Available Dates:

Attorneys: For civil trials or hearings lasting longer than two hours, attorneys email Lucie Blanchard at lucie.blanchard@rva.gov and Donna Lythgoe at donna.lythgoe@rva.gov, copying all parties to the case on the email. For civil hearings lasting two hours or less, attorneys email the judicial assistant for the judge assigned to the case, copying all parties to the case on the email. When docketing criminal matters, attorneys email the judicial assistant for the judge assigned to the case, copying all parties to the case on the email.

Non-attorneys: If you are representing yourself, all trials and hearings regardless of length by emailing the judicial assistant for the judge assigned to the case, copying all parties to the case on the email. A list of the email addresses for the judicial assistants may be found below.

¹ Parties should be able to locate the email addresses for counsel of record on any pleadings they have filed. See Va. Sup. Ct. R. 1:4. If such information is not listed or is otherwise unavailable in the record, parties should call the other parties to the matter to obtain any necessary email addresses prior to emailing court staff.

² Leaving court staff on these emails is unnecessary, creates extra work for staff, and causes confusion. As including court staff on the emails discussing dates/availability are unnecessary to scheduling, they are beyond the scope of the permitted use for staff emails under the Court's Email Policy.

Judicial Assistants:

Phyllis Thomas (Chief Judge McClenney) – email: phyllis.thomas@rva.gov

Sandy McCarthy (Judge Campbell) – email: sandra.mccarthy@rva.gov

Sandra Ceruti (Judge Cardwell) – email: sandra.ceruti@rva.gov

Sharon O’Brien (Judge Cavedo) – email: sharon.o'brien@rva.gov

Margaret Smith (Judge Jenkins) – email: margaret.smith@rva.gov

LaTasha Booker (Judge Davis) – email: latasha.booker@rva.gov

Diane Franklin (Judge Thorne-Begland) – email: diane.franklin@rva.gov

What Information to Include in Your Email:

- 1) Please include the case name and case number in both the subject line and the body of the email.
- 2) Remember to copy all parties to the proceeding on emails to the Court. **Remember not to include court staff** on any emails debating or determining availability, only to 1) request dates and 2) confirm the selected date/request a scheduling hearing due to inability to agree.
- 3) The specifics on the type of request:
 - If you are requesting trial dates, please specify bench trial dates or jury trial dates.
 - If you are requesting dates for a motions hearing, please specify the type(s) of motions, how many are to be heard, and whether they have been filed. Please note that motions must be filed and copies sent to the parties prior to docketing any hearings (individual exceptions may be made by judges for bond hearings – see the Court’s Suggested Practices and Procedures for more information).
 - If you are requesting a different type of hearing date, please specify the type of hearing.
- 4) When scheduling either a trial or hearing date, you must provide a realistic estimate of the amount of time required on the docket to complete the matter. When calculating the realistic estimate of the amount of time required, please count the amount of time necessary for any opening statements of all parties, the taking of any necessary evidence from each party, the time needed for any cross-examination, the time required for any rebuttal evidence, and the time required for all parties to present argument on the issues, including any motions to strike or other mid-trial and post-trial motions generally heard on the date of trial.

Notice for Civil Scheduling:

If you are requesting dates for a civil bench trial estimated to be longer than five days, Lucie Blanchard and/or Donna Lythgoe with the Clerk’s Office will direct you to communicate with the judicial assistant regarding scheduling a hearing. Civil trials longer than five days must be set at a scheduling hearing.

If you are requesting a future trial date past the date to which the court’s calendar is updated, Lucie Blanchard and/or Donna Lythgoe with the Clerk’s Office may direct you to communicate with the judicial assistant regarding scheduling.

Email Policy:

The email addresses of court staff are provided for the purposes of scheduling, addressing other non-substantive administrative matters, and providing a courtesy copy of pleadings and briefs that have already been filed with the Clerk of Court. Additionally, court staff may reach out to litigants or counsel with inquiries such as a request for update on status, or court staff may provide litigants or counsel courtesy copies of the Court’s orders.

When communicating via email with court staff, please copy all parties on the communication to avoid the appearance of any *ex parte* communications. Emailing court staff on substantive matters, arguing your position on any matter, or seeking legal advice from court staff is strictly prohibited.