

SUPREME COURT OF VIRGINIA

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November 25, 2020

The Honorable James J. Reynolds, Chief Judge
Danville Circuit Court
P. O. Box 3300
James F. Ingram Justice Center
401 Patton Street
Danville, VA 24543

Dear Chief Judge Reynolds:

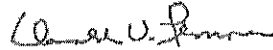
A panel of three Justices in consultation with the Office of the Executive Secretary has approved your plan for the resumption of jury trials in the City of Danville Circuit Court. You may begin jury trials effective today, provided the jury trial is consistent with and in reasonable conformity with the plan. This approval is subject to a change in circumstances including failure to carry out the plan you have submitted.

The Supreme Court is aware that communities in Virginia are different and more importantly, courthouses are different. As we have reviewed proposed plans, our concerns were that major issues have been addressed and that users of the courthouse have knowledge of what is expected of them. An undertaking of this magnitude is likely to require changes to the plan as participants discover that some practices do not work well and need further consideration. Of course, the plans cannot be subject to significant changes every time there is a jury trial. Furthermore, the plan cannot recite the solution to every problem that may arise. We are now learning that "strict conformity" with the plan should not be expected in all of the details.

We also know that the plans will need to have some room for adjustments as we learn about how certain aspects of the plans work or don't work. This letter is not an Order. The various emergency orders forbidding jury trials until a plan is submitted to and approved by the Supreme Court are clearly orders. As we have learned, from time to time there will be deviations from strict conformity to the plan. If and when this is so, it is the presiding judge who must make the decision. If the deviation is substantial and is likely to reoccur, the locality may need to resubmit a plan for approval.

The presiding judge must and does have the authority to make decisions that must be made to effectuate a trial. Should there be changes made to the plan that have long term significance, the plan should be modified and resubmitted.

Sincerely,

A handwritten signature in dark ink, appearing to read "Donald W. Lemons". The signature is fluid and cursive, with the first name "Donald" being the most prominent part.

Donald W. Lemons