

IN THE CIRCUIT COURT OF CULPEPER COUNTY, VIRGINIA

IN RE: CONTINUED CLOSURE OF THE CULPEPER COUNTY CIRCUIT COURTHOUSE
AND REQUIRED HEALTH, SAFETY, AND SECURITY REMEDIATION

ORDER

WHEREAS, the Court finds that the health, safety, security, and welfare of jurors, litigants, attorneys, witnesses, court personnel, law-enforcement officers, and members of the public appearing before the Court are of paramount importance and must take precedence over the continuation of court operations in a facility whose conditions may present risks to such individuals;

WHEREAS, the Court has an inherent duty to ensure that judicial proceedings are conducted in a safe, secure, sanitary, and reasonably comfortable environment, and finds that the protection of all persons required to enter the courthouse is a paramount priority of this Court;

WHEREAS, the Court enters this Order not to assign fault, but to facilitate the prompt identification, remediation, and resolution of conditions affecting courthouse operations and to ensure the continued safe and orderly administration of justice.

WHEREAS, under Virginia law, trial judges have inherent authority to ensure the security of their courtrooms and courthouses. Epps v. Commonwealth, 47 Va. App. 687 (2006). See Porter v. Commonwealth, 276 Va. 203, 259 (2008) (citing Payne v. Commonwealth, 23 Va. 460, 466 (1987) (finding that the trial judge has overall supervision of courtroom security). The orderly operation of courts is the dominant and pressing requirement of the administration of justice. Estes v. Texas, 381 U.S. 532, 560 (1961) (citing Pennekamp v. Florida, 328 U.S. 331, 334 (1946)).

WHEREAS, the Court has previously found that the failure of the courthouse heating, ventilation, and air-conditioning ("HVAC") system, among other things, has rendered conditions within the courthouse unsafe and unsuitable for normal court operations. The court has closed the courthouse on two occasions this week due to HVAC and electrical issues.

WHEREAS, the HVAC system works intermittently and produces temperatures ranging from 52 to 90 degrees;

WHEREAS, during the past week and on numerous occasions during recent court operations, the Court observed courtroom occupants, including jurors, litigants, witnesses, attorneys, court personnel, and members of the public, experiencing substantial discomfort due to temperature extremes and excessive humidity within the courthouse; additionally, recent technology upgrades have identified potential electrical issues;

WHEREAS, if HVAC fails during a Virginia summer, the following conditions could negatively impact all stakeholders using the courthouse, including, without limitation,

- Heat exhaustion.
- Heat stress.
- Dehydration.
- Medical emergencies among elderly jurors, parties, and employees

WHEREAS, the Court has an inherent obligation and constitutional responsibility to ensure the safe, orderly, and effective administration of justice and to protect the health, safety, and welfare of jurors, litigants, attorneys, witnesses, court personnel, law-enforcement officers, and members of the public entering the courthouse.

WHEREAS, the Court is concerned regarding the indoor air quality, sanitation, environmental hazards, electrical hazards, and the overall suitability of the courthouse for public occupancy.

WHEREAS, the Court recognizes that citizens summoned for jury service, including, without limitation, grand jury service, perform one of the highest duties of citizenship, and the Court therefore considers the health, safety, security, comfort, and welfare of those citizens to be a paramount concern in the administration of justice;

WHEREAS, a regularly scheduled session of the Culpeper County Grand Jury is set to convene on Monday, June 15, 2026, and the Court finds that Culpeper citizens summoned for grand jury service are entitled to a courthouse environment that is safe, sanitary, secure, reasonably comfortable, and suitable for extended occupancy;

WHEREAS, Grand jurors may spend many consecutive hours in a confined space considering bills of indictment. Poor ventilation can result in:

- Elevated CO₂ levels
- Heat exhaustion
- Fatigue.
- Headaches.
- Reduced concentration.
- Increased illness transmission.

WHEREAS, the Court finds that continued occupancy of the courthouse before completion of appropriate inspections, testing, cleaning, repairs, and certifications could unnecessarily expose court personnel and members of the public to potential health and safety risks;

WHEREAS, from January to June 2025, the Culpeper County Circuit Court processed 851 cases (a 27% increase from the same time last year), 1007 civil cases (a 9% increase from the same time in 2024), and 55 juvenile cases (a 189% increase from the same period in 2024).

WHEREAS, the Culpeper County Circuit Court criminal docket exceeds the combined criminal dockets of the City of Charlottesville, Albemarle, Fluvanna, and Madison Counties (combined). Those four (4) jurisdictions handled 839 cases from January to June 2025, and the Culpeper County Circuit Court processed 851 criminal cases. The population of Culpeper County is approximately 55,000, while Loudoun County has a population of roughly 415,000. From January to June 2025, the Loudoun County Circuit Court processed 1,039 criminal cases, which is 188 more cases than the Culpeper County Circuit Court.

WHEREAS, the Court's caseload, jury obligations, and daily operations require that the courthouse be capable of safely accommodating substantial public occupancy and sustained judicial proceedings;

WHEREAS, the Court desires to work proactively, cooperatively, and constructively with the County of Culpeper, constitutional officers, court personnel, and other stakeholders to identify, address, and resolve conditions affecting the health, safety, security, and welfare of all persons utilizing the courthouse, while ensuring the continued and orderly administration of justice;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. CONTINUED CLOSURE

The Culpeper County Circuit Courthouse shall be closed to the public beginning on Thursday, June 11, 2026, at 11:59 a.m. EST, and continuing through Friday, June 12, 2026. The Judges of the Juvenile and General District Courts shall retain discretion concerning their operations after considering the contents of this order.

All matters scheduled for hearing on June 11 and June 12, 2026, shall be continued and rescheduled by further order of the Court.

2. REQUIRED REMEDIATION PRIOR TO REOPENING

The court shall make a final decision on whether the courthouse will reopen for public occupancy, judicial proceedings, jury service, or normal court operations before 7:59 a.m. EST on Monday, June 15, 2026.

A. HVAC System Inspection and Repair

The entire courthouse HVAC system shall be inspected by qualified personnel.

Any deficiencies identified shall be repaired and corrected.

The HVAC system shall be fully operational and capable of maintaining reasonable indoor air quality, ventilation, humidity control, and temperature control throughout the courthouse.

Written certification shall be provided to the Court that the HVAC system is functioning as designed.

B. Comprehensive Deep Cleaning

A comprehensive deep cleaning and sanitization shall be conducted throughout the courthouse, including, without limitation:

courtrooms;

jury assembly areas;

grand jury facilities;

judges' chambers;

clerk's offices;

public service counters;

hallways;

stairwells;

restrooms;

conference rooms;

inmate holding areas; and

all common areas.

C. Mold Testing

Environmental testing shall be conducted by a qualified, independent contractor to assess the presence of mold, mildew, fungal contamination, and related indoor air-quality hazards. This testing and inspection include, without limitation, hidden mold behind plaster walls, under flooring, above suspended ceilings, and in crawl spaces; and mold growth caused by roof leaks, basement moisture, condensation, or HVAC failures; and airborne spores affecting individuals with asthma, allergies, or compromised immune systems.

A report shall be provided to the Court, and any identified hazardous condition shall be remediated prior to 7:59 a.m. EST on Monday, June 15, 2026.

D. Asbestos Assessment

Testing and assessment shall be conducted by qualified personnel to determine whether any friable asbestos-containing materials have been disturbed or exposed because of the HVAC failure, repair efforts, or related conditions. The treatment and assessment shall include, without limitation,

Pipe insulation.

Boiler insulation.

Floor tiles and mastic.

Ceiling materials.

Roofing materials. Findings shall be provided to the Court.

Any hazardous condition shall be remediated prior to reopening.

3. ADDITIONAL HEALTH AND SAFETY REQUIREMENTS

The Court further orders that the following measures be completed and documented:

A. Indoor Air Quality Assessment

Testing shall be conducted for carbon dioxide levels, airborne particulates, excessive humidity, and other conditions affecting indoor air quality.

B. Water Intrusion Inspection

The courthouse shall be inspected for leaks, condensation, standing water, water intrusion, and moisture accumulation that may contribute to mold growth or structural deterioration.

C. Filter Replacement

All HVAC filters serving occupied portions of the courthouse shall be replaced with manufacturer-recommended filters appropriate for public occupancy.

D. Restroom and Potable Water Inspection

All restroom facilities and drinking-water fixtures shall be inspected and confirmed safe and operational.

E. Pest Inspection

The courthouse shall be inspected for evidence of pest infestation or conditions resulting from prolonged environmental deficiencies.

F. Electrical System and Fire Prevention

The courthouse electrical system shall be inspected by a qualified and licensed electrical contractor or engineer to identify any conditions that may pose a fire or safety hazard or a risk of operational failure.

4. SECURITY MEASURES

Because courthouse closures and maintenance activities may affect courthouse security, the Sheriff of Culpeper County shall:

maintain the security of the courthouse during the closure period;

ensure controlled access to the building;

maintain the security of court records, evidence, exhibits, and judicial offices;

Coordinate with maintenance personnel regarding access to secured areas.

Report any security concerns immediately to the Court.

5. CERTIFICATIONS

No later than 7:59 a.m. EST on Monday, June 15, 2026, the County Administrator, or designee, shall provide written certification to the Court identifying:

the actions taken to comply with this Order;

the contractors or professionals utilized;

the dates of completion;

the results of all inspections and testing; and

Whether the courthouse is safe for occupancy by the public and court personnel.

6. INSPECTION BY THE COURT

Prior to the commencement of Grand Jury proceedings on June 15, 2026, the Court reserves the right to inspect the premises, review all reports and certifications, and determine whether the courthouse is suitable for public occupancy and judicial operations.

7. FURTHER ORDERS

Should the Court determine that the conditions described herein have not been adequately addressed, the Court reserves jurisdiction to extend the closure of the courthouse, modify court operations, or enter such further orders as may be necessary to protect the health, safety, security, and welfare of court personnel and the citizens of Culpeper County to promote the administration of justice.

That all occupied areas of the courthouse have been cleaned and sanitized; that no visible mold, water intrusion, biological contamination, or pest infestation remains in occupied areas; and that the premises are suitable for public occupancy and extended jury service.

The Court retains continuing jurisdiction over the subject matter of this Order and reserves the right to modify, amend, suspend, vacate, extend, or otherwise alter any provision herein upon its own motion or upon receipt of additional information concerning the condition, safety, security, habitability, or operational readiness of the courthouse.

The Clerk shall distribute copies of this Order to the County Administrator, County Attorney, Sheriff of Culpeper County, Director of Buildings and Grounds, all constitutional officers, the

Hon. Claude V. Worrell, II, Chief Judge of the 16th Judicial Circuit, and the Executive Secretary of the Supreme Court of Virginia.

The court will contact counsel involved in civil cases set for June 12, 2026, and explore the possibility of conducting a remote/virtual hearing if all parties agree.

The Clerk of the Culpeper County Circuit Court and the court will continue to work with the Office of the Executive Secretary of the Virginia Supreme Court to utilize remote/virtual hearings when allowed by law.

ENTERED this 10th day of June 2026.



JUDGE,

CULPEPER COUNTY CIRCUIT COURT