

PUBLIC NOTICE

PROPOSED CHANGE TO LOCAL RULE 2. a. TO REALIGN COUNTIES CONTAINED IN THE ABINGDON AND ROANOKE DIVISIONS OF THE COURT:

The Local Rules Committee met on Friday, November 13, 2020, to discuss a proposed change to Local Rule 2. a. The proposed change will reassign the counties of Grayson, Wythe, and Bland to the Abingdon Division and remove them from the Roanoke Division. Pursuant to Local Rule 2.a. and the Court's Jury Plan, the counties of Grayson, Wythe, and Bland lie within the Roanoke Division.

The proposed realignment is based on two reasons:

- (1) the long-standing practice of conducting criminal cases in Abingdon when the conduct giving rise to the criminal case occurred within Grayson, Wythe, and Bland counties and/or the defendant resides in those counties; and
- (2) the shorter travel distance for the public that will result from the reassignment of Grayson, Wythe, and Bland counties to the Abingdon Division.

The Committee recommends that the Abingdon Division be realigned to include the counties of Grayson, Wythe, and Bland, and that those counties be removed from the Roanoke Division.

Amendment of this Local Rule will require a revision of the court's Jury Plan to comport with the realignment of the counties within the Abingdon and Roanoke Divisions. The Judicial Council of the Fourth Circuit Court of Appeals must approve a revision of the Court's Jury Plan. Because the court will begin the process of refilling the District's Master Jury Wheel in March 2021, amendment of the Local Rule and revision of the Jury Plan must occur contemporaneously.

Therefore, the Committee recommends that if the changes to Local Rule 2.a. are approved, the changes will become effective on the date the Judicial Council approves revision of the Court's Jury Plan.

Accordingly, the Committee recommends the following changes to Local Rule 2 a., paragraphs (1) and (7).

Rule 2. Divisions of the Western District

- (a) **Divisions.** The divisions of this Court are as follows.

- (1) **Abingdon Division.** The Abingdon Division embraces the counties of Smyth, Tazewell, Russell, Washington, Buchanan, Grayson, Bland, Wythe and the city of Bristol;
- (2) **Big Stone Gap Division.** The Big Stone Gap Division embraces the counties of Dickenson, Wise, Scott, Lee and the city of Norton;
- (3) **Charlottesville Division.** The Charlottesville Division embraces the counties of Albemarle, Fluvanna, Madison, Greene, Nelson, Rappahannock, Culpeper, Louisa, Orange, and the city of Charlottesville;
- (4) **Danville Division.** The Danville Division embraces the counties of Patrick, Henry, Pittsylvania, Halifax, Charlotte and the cities of Danville, Martinsville and South Boston;
- (5) **Harrisonburg Division.** The Harrisonburg Division embraces the counties of Frederick, Clarke, Warren, Shenandoah, Page, Rockingham, Augusta, Highland, Bath and the cities of Harrisonburg, Staunton, Waynesboro and Winchester;
- (6) **Lynchburg Division.** The Lynchburg Division embraces the counties of Rockbridge, Amherst, Bedford, Campbell,

Appomattox, Buckingham, Cumberland and the cities of Bedford, Buena Vista, Lexington and Lynchburg;

- (7) **Roanoke Division.** The Roanoke Division embraces the counties of Alleghany, Botetourt, Craig, Giles, Pulaski, Montgomery, Roanoke, Floyd, Franklin, Carroll, ~~Grayson,~~ ~~Bland, Wythe~~ and the cities of Clifton Forge, Covington, Radford, Roanoke, Salem and Galax.

Comments regarding these proposed amendments should be sent to: public-comment@vawd.uscourts.gov by December 19, 2020.