

2026 SESSION

INTRODUCED

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1 **HOUSE BILL NO. 245**

2 Offered January 14, 2026

3 Prefiled January 8, 2026

4 *A BILL to amend and reenact §§ 16.1-123.1, 16.1-241, 19.2-183, and 19.2-186 of the Code of Virginia,*
5 *relating to jurisdiction of district courts in felony cases; specialty dockets; Behavioral Health Docket Act.*

6 Patron—Watts

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That §§ 16.1-123.1, 16.1-241, 19.2-183, and 19.2-186 of the Code of Virginia are amended and**
10 **reenacted as follows:**

11 **§ 16.1-123.1. Criminal and traffic jurisdiction of general district courts.**

12 1. Each general district court shall have, within the county, including the towns within such county, or city
13 for which it is established, exclusive original jurisdiction for the trial of:

14 a. All offenses against the ordinances, laws and bylaws of such county, including the towns within such
15 county, or city or of any service district within such county or city, except a city ordinance enacted pursuant
16 to §§ 18.2-372 through 18.2-391.1. All offenses against the ordinances of a service district shall be
17 prosecuted in the name of such service district;

18 b. All other misdemeanors and traffic infractions arising in such county, including the towns in such
19 county, or city.

20 2. Each general district court which is established within a city shall also have:

21 a. Concurrent jurisdiction with the circuit court of such city for all violations of state revenue and election
22 laws; and

23 b. Exclusive original jurisdiction, except as otherwise provided by general law or the city charter, within
24 the area extending for one mile beyond the corporate limits thereof, for the trial of all offenses against the
25 ordinances, laws and bylaws of the city.

26 3. If a city lying within a county has no general district court provided by city charter or under general
27 law, then the general district court of the county within which such city lies shall have the same jurisdiction
28 in such city as a general district court established for a city would have.

29 4. Each general district court shall have such other jurisdiction, exclusive or concurrent, as may be
30 conferred on such court by general law or by provisions of the charter of the city for which the court was
31 established.

32 5. Notwithstanding the provisions of subsection C of § 19.2-244, any county general district court
33 authorized by § 16.1-69.35:01 to be established in a city shall have exclusive original jurisdiction for the trial
34 of all misdemeanors committed within or upon the general district court courtroom.

35 6. Upon certification by the general district court of any felony charge and ancillary misdemeanor charge
36 or when an appeal of a conviction of an offense in general district court is noted, jurisdiction as to such
37 charges shall vest in the circuit court, unless such case is reopened pursuant to § 16.1-133.1; a final judgment,
38 order, or decree is modified, vacated, or suspended pursuant to Supreme Court of Virginia Rule 1:1; or the
39 appeal has been withdrawn in the general district court within 10 days pursuant to § 16.1-133; or the judge of
40 the general district court, with the consent of the accused and the attorney for the Commonwealth, has
41 delayed a proceeding pursuant to § 19.2-183 or 19.2-186 in order for the accused to complete a specialty
42 docket established pursuant to § 18.2-254.2 or a behavioral health docket established pursuant to
43 § 18.2-254.3.

44 7. Nothing herein shall affect the jurisdiction conferred on the juvenile and domestic relations district
45 court by Chapter 11 (§ 16.1-226 et seq.).

46 **§ 16.1-241. Jurisdiction; consent for abortion.**

47 The judges of the juvenile and domestic relations district court elected or appointed under this law shall be
48 conservators of the peace within the corporate limits of the cities and the boundaries of the counties for which
49 they are respectively chosen and within one mile beyond the limits of such cities and counties. Except as
50 hereinafter provided, each juvenile and domestic relations district court shall have, within the limits of the
51 territory for which it is created, exclusive original jurisdiction, and within one mile beyond the limits of said
52 city or county, concurrent jurisdiction with the juvenile court or courts of the adjoining city or county, over
53 all cases, matters and proceedings involving:

54 A. The custody, visitation, support, control or disposition of a child:

55 1. Who is alleged to be abused, neglected, in need of services, in need of supervision, a status offender, or
56 delinquent except where the jurisdiction of the juvenile court has been terminated or divested;

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59 2. Who is abandoned by his parent or other custodian or who by reason of the absence or physical or
60 mental incapacity of his parents is without parental care and guardianship;

61 2a. Who is at risk of being abused or neglected by a parent or custodian who has been adjudicated as
62 having abused or neglected another child in the care of the parent or custodian;

63 3. Whose custody, visitation or support is a subject of controversy or requires determination. In such cases
64 jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, except as provided
65 in § 16.1-244;

66 4. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817 or
67 whose parent or parents for good cause desire to be relieved of his care and custody;

68 5. Where the termination of residual parental rights and responsibilities is sought. In such cases
69 jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, as provided in
70 § 16.1-244;

71 6. Who is charged with a traffic infraction as defined in § 46.2-100; or

72 7. Who is alleged to have refused to take a blood test in violation of § 18.2-268.2.

73 In any case in which the juvenile is alleged to have committed a violent juvenile felony enumerated in
74 subsection B of § 16.1-269.1, and for any charges ancillary thereto, the jurisdiction of the juvenile court shall
75 be limited to conducting a preliminary hearing to determine if there is probable cause to believe that the
76 juvenile committed the act alleged and that the juvenile was 16 years of age or older at the time of the
77 commission of the alleged offense, and any matters related thereto. In any case in which the juvenile is
78 alleged to have committed a violent juvenile felony enumerated in subsection C of § 16.1-269.1, and for all
79 charges ancillary thereto, if the attorney for the Commonwealth has given notice as provided in subsection C
80 of § 16.1-269.1, the jurisdiction of the juvenile court shall be limited to conducting a preliminary hearing to
81 determine if there is probable cause to believe that the juvenile committed the act alleged and that the
82 juvenile was 16 years of age or older at the time of the commission of the alleged offense, and any matters
83 related thereto. A determination by the juvenile court following a preliminary hearing pursuant to subsection
84 B or C of § 16.1-269.1 to certify a charge to the grand jury shall divest the juvenile court of jurisdiction over
85 the charge and any ancillary charge. In any case in which a transfer hearing is held pursuant to subsection A
86 of § 16.1-269.1, if the juvenile court determines to transfer the case, jurisdiction of the juvenile court over the
87 case shall be divested as provided in § 16.1-269.6.

88 In all other cases involving delinquent acts, and in cases in which an ancillary charge remains after a
89 violent juvenile felony charge has been dismissed or a violent juvenile felony has been reduced to a lesser
90 offense not constituting a violent juvenile felony, the jurisdiction of the juvenile court shall not be divested
91 unless there is a transfer pursuant to subsection A of § 16.1-269.1.

92 The authority of the juvenile court to adjudicate matters involving the custody, visitation, support, control
93 or disposition of a child shall not be limited to the consideration of petitions filed by a mother, father or legal
94 guardian but shall include petitions filed at any time by any party with a legitimate interest therein. A party
95 with a legitimate interest shall be broadly construed and shall include, but not be limited to, grandparents,
96 step-grandparents, stepparents, former stepparents, blood relatives and family members. A party with a
97 legitimate interest shall not include any person (i) whose parental rights have been terminated by court order,
98 either voluntarily or involuntarily, except for purposes of this title, as otherwise provided by this paragraph;
99 (ii) whose interest in the child derives from or through a person whose parental rights have been terminated
100 by court order, either voluntarily or involuntarily, or whose interest in the child derives from or through a
101 person pursuant to clause (iii), including, but not limited to, grandparents, stepparents, former stepparents,
102 blood relatives and family members, if the child subsequently has been legally adopted, except where a final
103 order of adoption is entered pursuant to § 63.2-1241; or (iii) who has been convicted of a violation of
104 subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state,
105 the United States, or any foreign jurisdiction, or who has been found by clear and convincing evidence to
106 have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of
107 § 18.2-366, whether or not the person has been charged with or convicted of the alleged violation, when the
108 child who is the subject of the petition was conceived as a result of such violation or conduct. The authority
109 of the juvenile court to consider a petition involving the custody of a child shall not be proscribed or limited
110 where the child has previously been awarded to the custody of a local board of social services. For purposes
111 of this title, a party with a legitimate interest shall also include a parent whose rights previously had been
112 terminated, provided that the child whose custody or visitation is at issue (a) is at least 14 years of age; (b)
113 has had a permanency goal previously achieved by adoption; (c) has had his adoptive parents die or, pursuant
114 to § 16.1-277.02, each of such child's adoptive parents has permanently been relieved of custody of such
115 child and each adoptive parent has had his parental rights terminated; and (d) is in the custody of a local
116 board of social services, and provided that the parent whose rights had previously been terminated has (1)
117 complied with the terms of any written post-adoption contact and communication agreement entered into
118 pursuant to Article 1.1 (§ 63.2-1220.2 et seq.) of Chapter 12 of Title 63.2 and (2) maintained a positive,
119 continuous relationship with the child since termination.

120 A1. Making specific findings of fact required by state or federal law to enable a child to apply for or

121 receive a state or federal benefit. For the purposes of this subsection only, when the court has obtained
 122 jurisdiction over the case of any child, the court may continue to exercise its jurisdiction until such person
 123 reaches 21 years of age, for the purpose of entering findings of fact or amending past orders, to include
 124 findings of fact necessary for the person to petition the federal government for status as a special immigrant
 125 juvenile, as defined by 8 U.S.C. § 1101(a)(27)(J).

126 B. The admission of minors for inpatient treatment in a mental health facility in accordance with the
 127 provisions of Article 16 (§ 16.1-335 et seq.) and the involuntary admission of a person with mental illness or
 128 judicial certification of eligibility for admission to a training center for persons with intellectual disability in
 129 accordance with the provisions of Chapter 8 (§ 37.2-800 et seq.) of Title 37.2. Jurisdiction of the involuntary
 130 admission and certification of adults shall be concurrent with the general district court.

131 C. Except as provided in subsections D and H, judicial consent to such activities as may require parental
 132 consent may be given for a child who has been separated from his parents, guardian, legal custodian or other
 133 person standing in loco parentis and is in the custody of the court when such consent is required by law.

134 D. Judicial consent for emergency surgical or medical treatment for a child who is neither married nor has
 135 ever been married, when the consent of his parent, guardian, legal custodian or other person standing in loco
 136 parentis is unobtainable because such parent, guardian, legal custodian or other person standing in loco
 137 parentis (i) is not a resident of the Commonwealth, (ii) has his whereabouts unknown, (iii) cannot be
 138 consulted with promptness, reasonable under the circumstances, or (iv) fails to give such consent or provide
 139 such treatment when requested by the judge to do so.

140 E. Any person charged with deserting, abandoning or failing to provide support for any person in violation
 141 of law.

142 F. Any parent, guardian, legal custodian or other person standing in loco parentis of a child:

143 1. Who has been abused or neglected;

144 2. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817 or is
 145 otherwise before the court pursuant to subdivision A 4; or

146 3. Who has been adjudicated in need of services, in need of supervision, or delinquent, if the court finds
 147 that such person has by overt act or omission induced, caused, encouraged or contributed to the conduct of
 148 the child complained of in the petition.

149 G. Petitions filed by or on behalf of a child or such child's parent, guardian, legal custodian or other
 150 person standing in loco parentis for the purpose of obtaining treatment, rehabilitation or other services that
 151 are required by law to be provided for that child or such child's parent, guardian, legal custodian or other
 152 person standing in loco parentis. Jurisdiction in such cases shall be concurrent with and not exclusive of that
 153 of courts having equity jurisdiction as provided in § 16.1-244.

154 H. Judicial consent to apply for a work permit for a child when such child is separated from his parents,
 155 legal guardian or other person standing in loco parentis.

156 I. The prosecution and punishment of persons charged with ill-treatment, abuse, abandonment or neglect
 157 of children or with any violation of law that causes or tends to cause a child to come within the purview of
 158 this law, or with any other offense against the person of a child. In prosecution for felonies over which the
 159 court has jurisdiction, jurisdiction shall be limited to determining whether or not there is probable cause.

160 J. All offenses in which one family or household member is charged with an offense in which another
 161 family or household member is the victim and all offenses under § 18.2-49.1.

162 In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to
 163 determining whether or not there is probable cause, *except that the court shall retain jurisdiction for any*
 164 *felony in which the proceeding has been delayed, with the consent of the accused and the attorney for the*
 165 *Commonwealth, pursuant to § 19.2-183 or 19.2-186 in order for the accused to complete a specialty docket*
 166 *established pursuant to § 18.2-254.2 or a behavioral health docket established pursuant to § 18.2-254.3.* Any
 167 objection based on jurisdiction under this subsection shall be made before a jury is impaneled and sworn in a
 168 jury trial or, in a nonjury trial, before the earlier of when the court begins to hear or receive evidence or the
 169 first witness is sworn, or it shall be conclusively waived for all purposes. Any such objection shall not affect
 170 or be grounds for challenging directly or collaterally the jurisdiction of the court in which the case is tried.

171 K. Petitions filed by a natural parent, whose parental rights to a child have been voluntarily relinquished
 172 pursuant to a court proceeding, to seek a reversal of the court order terminating such parental rights. No such
 173 petition shall be accepted, however, after the child has been placed in the home of adoptive parents.

174 L. Any person who seeks spousal support after having separated from his spouse. A decision under this
 175 subdivision shall not be res judicata in any subsequent action for spousal support in a circuit court. A circuit
 176 court shall have concurrent original jurisdiction in all causes of action under this subdivision.

177 M. Petitions filed for the purpose of obtaining an order of protection pursuant to § 16.1-253.1, 16.1-253.4,
 178 or 16.1-279.1, and all petitions filed for the purpose of obtaining an order of protection pursuant to
 179 § 19.2-152.8, 19.2-152.9, or 19.2-152.10 if either the alleged victim or the respondent is a juvenile.

180 N. Any person who escapes or remains away without proper authority from a residential care facility in
 181 which he had been placed by the court or as a result of his commitment to the Virginia Department of
 182 Juvenile Justice.

183 O. Petitions for emancipation of a minor pursuant to Article 15 (§ 16.1-331 et seq.).

184 P. Petitions for enforcement of administrative support orders entered pursuant to Chapter 19 (§ 63.2-1900
185 et seq.) of Title 63.2, or by another state in the same manner as if the orders were entered by a juvenile and
186 domestic relations district court upon the filing of a certified copy of such order in the juvenile and domestic
187 relations district court.

188 Q. Petitions for a determination of parentage pursuant to Chapter 3.1 (§ 20-49.1 et seq.) of Title 20. A
189 circuit court shall have concurrent original jurisdiction to the extent provided for in § 20-49.2.

190 R. [Repealed.]

191 S. Petitions filed by school boards against parents pursuant to §§ 16.1-241.2 and 22.1-279.3.

192 T. Petitions to enforce any request for information or subpoena that is not complied with or to review any
193 refusal to issue a subpoena in an administrative appeal regarding child abuse and neglect pursuant to
194 § 63.2-1526.

195 U. Petitions filed in connection with parental placement adoption consent hearings pursuant to
196 § 63.2-1233. Such proceedings shall be advanced on the docket so as to be heard by the court within 10 days
197 of filing of the petition, or as soon thereafter as practicable so as to provide the earliest possible disposition.

198 V. Petitions filed for the purpose of obtaining the court's assistance with the execution of consent to an
199 adoption when the consent to an adoption is executed pursuant to the laws of another state and the laws of
200 that state provide for the execution of consent to an adoption in the court of the Commonwealth.

201 W. Petitions filed by a juvenile seeking judicial authorization for a physician to perform an abortion if a
202 minor elects not to seek consent of an authorized person.

203 After a hearing, a judge shall issue an order authorizing a physician to perform an abortion, without the
204 consent of any authorized person, if he finds that (i) the minor is mature enough and well enough informed to
205 make her abortion decision, in consultation with her physician, independent of the wishes of any authorized
206 person, or (ii) the minor is not mature enough or well enough informed to make such decision, but the desired
207 abortion would be in her best interest.

208 If the judge authorizes an abortion based on the best interests of the minor, such order shall expressly state
209 that such authorization is subject to the physician or his agent giving notice of intent to perform the abortion;
210 however, no such notice shall be required if the judge finds that such notice would not be in the best interest
211 of the minor. In determining whether notice is in the best interest of the minor, the judge shall consider the
212 totality of the circumstances; however, he shall find that notice is not in the best interest of the minor if he
213 finds that (a) one or more authorized persons with whom the minor regularly and customarily resides is
214 abusive or neglectful and (b) every other authorized person, if any, is either abusive or neglectful or has
215 refused to accept responsibility as parent, legal guardian, custodian or person standing in loco parentis.

216 The minor may participate in the court proceedings on her own behalf, and the court may appoint a
217 guardian ad litem for the minor. The court shall advise the minor that she has a right to counsel and shall,
218 upon her request, appoint counsel for her.

219 Notwithstanding any other provision of law, the provisions of this subsection shall govern proceedings
220 relating to consent for a minor's abortion. Court proceedings under this subsection and records of such
221 proceedings shall be confidential. Such proceedings shall be given precedence over other pending matters so
222 that the court may reach a decision promptly and without delay in order to serve the best interests of the
223 minor. Court proceedings under this subsection shall be heard and decided as soon as practicable but in no
224 event later than four days after the petition is filed.

225 An expedited confidential appeal to the circuit court shall be available to any minor for whom the court
226 denies an order authorizing an abortion without consent or without notice. Any such appeal shall be heard
227 and decided no later than five days after the appeal is filed. The time periods required by this subsection shall
228 be subject to subsection B of § 1-210. An order authorizing an abortion without consent or without notice
229 shall not be subject to appeal.

230 No filing fees shall be required of the minor at trial or upon appeal.

231 If either the original court or the circuit court fails to act within the time periods required by this
232 subsection, the court before which the proceeding is pending shall immediately authorize a physician to
233 perform the abortion without consent or notice to an authorized person.

234 Nothing contained in this subsection shall be construed to authorize a physician to perform an abortion on
235 a minor in circumstances or in a manner that would be unlawful if performed on an adult woman.

236 A physician shall not knowingly perform an abortion upon an unemancipated minor unless consent has
237 been obtained or the minor delivers to the physician a court order entered pursuant to this section and the
238 physician or his agent provides such notice as such order may require. However, neither consent nor judicial
239 authorization nor notice shall be required if the minor declares that she is abused or neglected and the
240 attending physician has reason to suspect that the minor may be an abused or neglected child as defined in
241 § 63.2-100 and reports the suspected abuse or neglect in accordance with § 63.2-1509; or if there is a medical
242 emergency, in which case the attending physician shall certify the facts justifying the exception in the minor's
243 medical record.

244 For purposes of this subsection:

245 "Authorization" means the minor has delivered to the physician a notarized, written statement signed by
 246 an authorized person that the authorized person knows of the minor's intent to have an abortion and consents
 247 to such abortion being performed on the minor.

248 "Authorized person" means (i) a parent or duly appointed legal guardian or custodian of the minor or (ii) a
 249 person standing in loco parentis, including, but not limited to, a grandparent or adult sibling with whom the
 250 minor regularly and customarily resides and who has care and control of the minor. Any person who knows
 251 he is not an authorized person and who knowingly and willfully signs an authorization statement consenting
 252 to an abortion for a minor is guilty of a Class 3 misdemeanor.

253 "Consent" means that (i) the physician has given notice of intent to perform the abortion and has received
 254 authorization from an authorized person, or (ii) at least one authorized person is present with the minor
 255 seeking the abortion and provides written authorization to the physician, which shall be witnessed by the
 256 physician or an agent thereof. In either case, the written authorization shall be incorporated into the minor's
 257 medical record and maintained as a part thereof.

258 "Medical emergency" means any condition which, on the basis of the physician's good faith clinical
 259 judgment, so complicates the medical condition of the pregnant minor as to necessitate the immediate
 260 abortion of her pregnancy to avert her death or for which a delay will create a serious risk of substantial and
 261 irreversible impairment of a major bodily function.

262 "Notice of intent to perform the abortion" means that (i) the physician or his agent has given actual notice
 263 of his intention to perform such abortion to an authorized person, either in person or by telephone, at least 24
 264 hours previous to the performance of the abortion or (ii) the physician or his agent, after a reasonable effort to
 265 notify an authorized person, has mailed notice to an authorized person by certified mail, addressed to such
 266 person at his usual place of abode, with return receipt requested, at least 72 hours prior to the performance of
 267 the abortion.

268 "Perform an abortion" means to interrupt or terminate a pregnancy by any surgical or nonsurgical
 269 procedure or to induce a miscarriage as provided in § 18.2-72, 18.2-73, or 18.2-74.

270 "Unemancipated minor" means a minor who has not been emancipated by (i) entry into a valid marriage
 271 entered into prior to July 1, 2024, or lawfully entered into in another state or country prior to being domiciled
 272 in the Commonwealth, even though the marriage may have been terminated by dissolution; (ii) active duty
 273 with any of the Armed Forces of the United States; (iii) willingly living separate and apart from his or her
 274 parents or guardian, with the consent or acquiescence of the parents or guardian; or (iv) entry of an order of
 275 emancipation pursuant to Article 15 (§ 16.1-331 et seq.).

276 X. Petitions filed pursuant to Article 17 (§ 16.1-349 et seq.) relating to standby guardians for minor
 277 children.

278 Y. Petitions involving minors filed pursuant to § 32.1-45.1 relating to obtaining a blood specimen or test
 279 results.

280 Z. Petitions filed pursuant to § 16.1-283.3 for review of voluntary agreements for continuation of services
 281 and support for persons who meet the eligibility criteria for the Fostering Futures program set forth in
 282 § 63.2-919.

283 The ages specified in this law refer to the age of the child at the time of the acts complained of in the
 284 petition.

285 Notwithstanding any other provision of law, no fees shall be charged by a sheriff for the service of any
 286 process in a proceeding pursuant to subdivision A 3, except as provided in subdivision A 6 of § 17.1-272, or
 287 subsection B, D, M, or R.

288 Notwithstanding the provisions of § 18.2-71, any physician who performs an abortion in violation of
 289 subsection W shall be is guilty of a Class 3 misdemeanor.

290 Upon certification by the juvenile and domestic relations district court of any felony charge and ancillary
 291 misdemeanor charge committed by an adult or when an appeal of a conviction or adjudication of delinquency
 292 of an offense in the juvenile and domestic relations district court is noted, jurisdiction as to such charges shall
 293 vest in the circuit court, unless such case is reopened pursuant to § 16.1-133.1; a final judgment, order, or
 294 decree is modified, vacated, or suspended pursuant to Supreme Court of Virginia Rule 1:1; or the appeal has
 295 been withdrawn in the juvenile and domestic relations district court within 10 days pursuant to § 16.1-133.

296 **§ 19.2-183. Examination of witnesses; assistance of counsel; evidentiary matters and remedies;
 297 power to adjourn case.**

298 A. The judge before whom any person is brought for an offense shall, as soon as may be practical, in the
 299 presence of such person, examine on oath the witnesses for and against him. Before conducting the hearing or
 300 accepting a waiver of the hearing, the judge shall advise the accused of his right to counsel and, if the accused
 301 is indigent and the offense charged be punishable by confinement in jail or the state correctional facility, the
 302 judge shall appoint counsel as provided by law.

303 B. At the hearing the judge shall, in the presence of the accused, hear testimony presented for and against
 304 the accused in accordance with the rules of evidence applicable to criminal trials in this Commonwealth. In
 305 felony cases, the accused shall not be called upon to plead, but he may cross-examine any witness who
 306 testifies on behalf of the Commonwealth or on behalf of any other defendant, introduce witnesses in his own

307 behalf, and testify in his own behalf.

308 C. A judge may adjourn a trial, pending before him, not exceeding 10 days at one time, without the
309 consent of the accused. *A judge may, for an offense that he does not have jurisdiction to try and with the*
310 *consent of the accused and the attorney for the Commonwealth, delay a proceeding in order for the accused*
311 *to complete a specialty docket established pursuant to § 18.2-254.2 or a behavioral health docket established*
312 *pursuant to § 18.2-254.3. However, if the accused fails to complete such specialty docket or behavioral*
313 *health docket, the court shall proceed pursuant to this section and § 19.2-186.*

314 D. At any preliminary hearing under this section, certificates of analysis and reports prepared pursuant to
315 §§ 19.2-187 and 19.2-188 shall be admissible without the testimony of the person preparing such certificate
316 or report.

317 **§ 19.2-186. When accused to be discharged, tried, committed, or bailed by judge.**

318 The judge shall discharge the accused if he considers that there is not sufficient cause for charging him
319 with the offense.

320 If a judge considers that there is sufficient cause only to charge the accused with an offense which the
321 judge has jurisdiction to try, then he shall try the accused for such offense and convict him if he deems him
322 guilty and pass judgment upon him in accordance with law just as if the accused had first been brought before
323 him on a warrant charging him with such offense.

324 If a judge considers that there is sufficient cause to charge the accused with an offense that he does not
325 have jurisdiction to try then he shall certify the case to the appropriate court having jurisdiction and shall
326 commit the accused to jail or let him to bail pursuant to the provisions of Article 1 (§ 19.2-119 et seq.) of
327 Chapter 9 of this title. *However, a judge may, for an offense that he does not have jurisdiction to try and with*
328 *the consent of the accused and the attorney for the Commonwealth, delay a proceeding under this section in*
329 *order for the accused to complete a specialty docket established pursuant to § 18.2-254.2 or a behavioral*
330 *health docket established pursuant to § 18.2-254.3. However, if the accused fails to complete such specialty*
331 *docket or behavioral health docket, the court shall proceed pursuant to § 19.2-183 and this section.*