

IN THE CIRCUIT COURTS OF THE
SECOND JUDICIAL CIRCUIT OF ALABAMA


ADMINISTRATIVE ORDER ON COVID -19 PANDEMIC

On Friday, March 13, 2020, the Alabama Supreme Court entered an ORDER suspending all in-person court proceedings, subject to exceptions. The Order was amended on March 15, 2020. The Order, with amendment, is attached in full as Exhibit "A". In compliance with this Order, the Circuit Court of the Second Judicial Circuit enters the following Administrative Order:

1. The Circuit Court will continue to hold hearings necessary to protect constitutional rights of criminal defendants, including bond-related matters and plea agreements for incarcerated individuals, proceedings deemed necessary or related to emergency protection or relief, and other exceptions as approved by the Chief Justice and/or the Alabama Supreme Court.
2. Parties are encouraged to file written motions for any issues that arise that need to come before the Court before April 17, 2020.

This order is intended to be interpreted broadly for protection of the public from risks associated with COVID-19.

DONE this the 17th day of March, 2020.


TERRI BOZEMAN LOVELL
PRESIDING CIRCUIT JUDGE

Section 12-25-32(15) VIOLENT OFFENSE.

a. For the purposes of this article, a violent offense includes each of the following offenses, or any substantially similar offense to those listed in this subdivision created after June 20, 2003:

1. Capital murder pursuant to Sections 13A-6-2 and 13A-5-40.
2. Murder pursuant to Section 13A-6-2.
3. Manslaughter pursuant to Section 13A-6-3.
4. Criminally negligent homicide pursuant to Section 13A-6-4.
5. Assault I pursuant to Section 13A-6-20.
6. Assault II pursuant to Section 13A-6-21.
7. Compelling street gang membership pursuant to Section 13A-6-26.
8. Kidnapping I pursuant to Section 13A-6-43.
9. Kidnapping II pursuant to Section 13A-6-44.
10. Rape I pursuant to Section 13A-6-61.
11. Rape II pursuant to Section 13A-6-62.
12. Sodomy I pursuant to Section 13A-6-63.
13. Sodomy II pursuant to Section 13A-6-64.
14. Sexual torture pursuant to Section 13A-6-65.1.
15. Sexual abuse I pursuant to Section 13A-6-66.
16. Enticing a child to enter a vehicle for immoral purposes pursuant to Section 13A-6-69.
17. Stalking pursuant to Section 13A-6-90.
18. Aggravated stalking pursuant to Section 13A-6-91.
19. Soliciting a child by computer pursuant to Section 13A-6-110.
20. Domestic violence I pursuant to Section 13A-6-130.
21. Domestic violence II pursuant to Section 13A-6-131.

22. Burglary I pursuant to Section 13A-7-5.
23. Burglary II pursuant to Section 13A-7-6.
24. Burglary III pursuant to subdivision (1) or subdivision (2) of subsection (a) of Section 13A-7-7.
25. Arson I pursuant to Section 13A-7-41.
26. Criminal possession of explosives pursuant to Section 13A-7-44.
27. Extortion I pursuant to Section 13A-8-14.
28. Robbery I pursuant to Section 13A-8-41.
29. Robbery II pursuant to Section 13A-8-42.
30. Robbery III pursuant to Section 13A-8-43.
31. Pharmacy robbery pursuant to Section 13A-8-51.
32. Terrorist threats pursuant to Section 13A-10-15.
33. Escape I pursuant to Section 13A-10-31.
34. Promoting prison contraband I pursuant to Section 13A-10-36, involving a deadly weapon or dangerous instrument.
35. Intimidating a witness pursuant to Section 13A-10-123.
36. Intimidating a juror pursuant to Section 13A-10-127.
37. Treason pursuant to Section 13A-11-2.
38. Discharging a weapon into an occupied building, dwelling, automobile, etc., pursuant to Section 13A-11-61.
39. Promoting prostitution I pursuant to Section 13A-12-111.
40. Production of obscene matter involving a minor pursuant to Section 13A-12-197.
41. Trafficking pursuant to Section 13A-12-231.
42. Child abuse pursuant to Section 26-15-3.
43. Elder abuse pursuant to Section 38-9-7.

44. Terrorism pursuant to Section 13A-10-152.
45. Hindering prosecution for terrorism pursuant to Section 13A-10-154.
46. Domestic violence III pursuant to subsection (d) of Section 13A-6-132.
47. Domestic violence by strangulation or suffocation pursuant to Section 13A-6-138.
48. Human trafficking I pursuant to Section 13A-6-152.
49. Human trafficking II pursuant to Section 13A-6-153.
50. Hindering prosecution in the first degree pursuant to Section 13A-10-43.
51. Any substantially similar offense for which an Alabama offender has been convicted under prior Alabama law or the law of any other state, the District of Columbia, the United States, or any of the territories of the United States.
 - b. The basis for defining these offenses as violent is that each offense meets at least one of the following criteria:
 1. Has as an element, the use, attempted use, or threatened use of a deadly weapon or dangerous instrument or physical force against the person of another.
 2. Involves a substantial risk of physical injury against the person of another.
 3. Is a nonconsensual sex offense.
 4. Is particularly reprehensible.
 - c. Any attempt, conspiracy, or solicitation to commit a violent offense shall be considered a violent offense for the purposes of this article.
 - d. Any criminal offense which meets the criteria provided in paragraph b. enacted after 2003.



Lowndes County Commission

Post Office Box 65
Hayneville, Alabama 36040
Phone: 334-548-2331
FAX: 334-548-5101

Commissioners

Carnell McAlpine - Chairman
Dickson Farrior - Vice Chairman
Joseph Barganier
Joshua Simmons
Robert Harris

PUBLIC NOTICE

March 19, 2020

Jacquelyn J. Thomas
Administrator
Kimberly West
Asst. Administrator
Geraldine Ingram
Purchasing Clerk
David Butts
Engineer

The Lowndes County Commission has approved a resolution to join the State and Federal Government in declaring an emergency due to the COVID-19 Coronavirus epidemic. The Courthouse and other County Offices will be closed to the Public starting Thursday, March 19, 2020 and ending March 31, 2020. We will reopen to the Public on April 1, 2020 unless circumstances change. You can contact each office by phone if you need immediate attention. Below is a list of contact numbers for the various offices.

Lowndes County Sheriff Office	334-548-6151
Lowndes County Tax Collector	334-548-2175
Lowndes County Tax Assessor	334-548-2271
Lowndes County Probate Office	334-548-2365
Lowndes County Appraisal Office	334-548-5619
Lowndes County Enforcement Office	334-548-5977
Lowndes County Commission Office	334-548-2331
Lowndes County Circuit Clerk	334-548-2252
Lowndes County District Judge	334-548-2591

SECOND JUDICIAL CIRCUIT
BUTLER, CRENSHAW AND LOWNDES COUNTIES

ADMINISTRATIVE ORDER
JAIL PROCEDURES – CORONAVIRUS

The President of the United States having declared a national emergency and the Governor of Alabama having declared a state of emergency for the State of Alabama the Alabama Supreme Court on March 13, 2020, entered an Administrative Order suspending all in-person court proceedings for the next thirty (30) days with the following exceptions:

1. Proceedings necessary to prevent constitutional rights of criminal defendants, including bond-related matters and plea agreements for incarcerated individuals.
2. Civil and criminal jury trials that are in progress as of March 13, 2020.
3. Proceedings related to protection from abuse.
4. Proceedings related to emergency child custody and protection orders.
5. Department of Human Resources emergency matters related to child protection.
6. Proceedings related to petitions for temporary injunctive relief.
7. Proceedings related to emergency mental health orders.
8. Proceedings related to emergency protection of elderly or vulnerable persons.
9. Proceedings directly related to the COVID-19 public health emergency.
10. Any emergency proceedings as needed by law enforcement.
11. Other exceptions as approved by the Chief Justice.

Any permitted in-court proceedings are limited to attorneys, parties, witnesses, security officers and other necessary persons as determined by the trial judge.

Any Alabama State or local rule, criminal or civil, that impedes a Judge or Court Clerk's ability to utilize available technology to limit in-person contact is suspended until April 16, 2020.

Due to the existing circumstances after consultation with the Sheriff, in order to protect the health and welfare of the County Sheriff, Law Enforcement, Corrections

Officers, Attorneys, inmates and the general public the following procedures have been installed effective immediately and until further notice.

1. The Sheriff and staff shall keep the Presiding Judge or other Judges advised of any inmates that are at high risk of exposure to the coronavirus and make a recommendation about some type of release from custody.
2. The Sheriff and staff shall continuously monitor the jail population for any inmates that are not a public safety risk for consideration by the courts for possible release.
3. Any new arrestee brought to the County Jail on any violation, misdemeanors, Class D felony, Class C felony, and any other non-violent offense will be processed outside of the jail and released on a (Personal Recognize) Signature Bond. See section 12-25-32(15) Definition of Violent Offense, attached hereto if there are questions as to whether the offense charged is a violent offense. Bond amounts shall be set according to the Court's Minimum Bond Schedule.
4. Any inmate sentenced to the custody of the Sheriff on a violation, misdemeanor, Class D or C felony shall be considered in the custody of the Sheriff and the Sheriff shall determine the type of confinement which may include electronic monitoring. If any inmate is sentenced to serve time in jail then the Sheriff shall confine the inmate in jail, unless the sentencing Judge consents to other confinement.
5. Prior to the release of any inmate or arrestee released pursuant to this Extraordinary Procedure, the Sheriff shall obtain a current address and telephone number for the Defendant and advise the Defendant the he/she is to keep the court and their attorney informed of any change of address or telephone number, as a condition of his/her release.
6. Upon Motion of the District Attorney or Prosecutor or on Motion of the court, the court may modify the conditions of release.

This extraordinary Order shall remain in effect until amended or vacated.

The Clerk shall maintain a copy of this Order and disburse copies to Judges, Sheriffs, District Attorney, Police Chiefs and Municipal Judges of all municipalities in the 2nd Judicial Circuit, and local bar members.

Done this the **18th** day of **March, 2020**.

/S/ TERRI BOZEMAN LOVELL
CIRCUIT JUDGE