



IN THE 32<sup>ND</sup> JUDICIAL CIRCUIT **FILED IN OFFICE**  
STATE OF ALABAMA

MAR 17 2020

LISA McSWAIN CIRCUIT CLERK  
CULLMAN COUNTYADMINISTRATIVE ORDER 2020-03Local Court Response Plan to Contain COVID-19

This judicial circuit previously adopted a local court response plan to contain COVID-19 and as a part of that plan envisioned that amendments and additions would, from time to time be needed. Because inmates at the Cullman County Detention Center are confined in close proximity to one another, transmission of the virus becomes more likely. Therefore, visitors and inmates reporting for sanctions are more likely to contract any virus that may be present and then upon release contaminate other members of the community. It is therefore ORDERED as follows:

1. All Defendants who have been ordered by the District or Circuit Court of Cullman County to report to the Cullman County Detention Facility to serve a misdemeanor sentence on weekends or for some similar incremental period of time shall have imposition of their sentence temporarily suspended until the first Friday in May, 2020. Beginning on the first Friday of May 2020, each Defendant previously ordered to report to the Cullman County Detention Center on weekends or for some similar incremental period of time shall resume reporting as previously ordered.
2. All Defendants arrested only for technical probation violations during the next 30 days shall be released on an unsecured bond of \$2,500.00 and given a date to appear in court, which shall be after May 1, 2020. All such Defendants shall also be instructed at the time of their release to contact his or her probation officer within 24 hours of release and shall comply with all





reporting and other requirements imposed by their probation officer. The provisions of this paragraph two shall NOT apply to those Defendants who have also been arrested for committing new criminal offenses while on probation.

3. For all new non-violent misdemeanor offenses committed, the Sheriff may wish to utilize the procedures set forth in Rule 3.1 of the Alabama Rules of Criminal Procedure, which allow the use of a summons in lieu of arrest for non-violent misdemeanor offenses.

4. It is ORDERED that the Circuit Court Clerk shall provide the Alabama Administrative Office of Courts with a copy of this Order and a copy shall also posted on the Cullman Courts official website.

5. Amendments to this Order may subsequently be made, as deemed necessary or desirable.  
Done this the 17<sup>th</sup> day of March, 2020.

/s/ Gregory A. Nicholas  
Gregory A. Nicholas  
Presiding Circuit Judge  
32<sup>nd</sup> Judicial Circuit  
State of Alabama

FILED IN OFFICE

MAR 17 2020

LISA McSWAIN CIRCUIT CLERK  
CULLMAN COUNTY

IN THE 32<sup>ND</sup> JUDICIAL CIRCUIT  
STATE OF ALABAMA

ADMINISTRATIVE ORDER 2020-05

An Order relating to paper Court Filings  
when the Cullman County Courthouse has been closed to the public

This judicial circuit previously adopted a local court response plan and as a part of that plan envisioned that amendments would, from time to time, be needed. In an effort to contain the COVID19 virus, the Cullman County Courthouse has now been closed to the general public. As a result of the closure, it is no longer possible for individuals to enter the courthouse and file pleadings and other documents with the Circuit and District Court Clerk. To preserve and protect the public's access to the courts, it is necessary to adopt and implement alternative procedures for filing paper documents with the Circuit and District Court Clerk during this closure period. Therefore, as long as the Cullman County Courthouse remains closed to the general public, it is hereby ORDERED as follows:

1. All court pleadings and other documents required to be filed with the Circuit or District Court Clerk shall, to the fullest extent practicable, be filed electronically using Alacourt.

2. Because the "circuit courts shall be deemed always open for the purpose of filing any pleading or other proper paper", an alternative procedure is hereby established for the filing of paper documents with the Clerk when the courthouse is closed to the general public. See, Rule 77(a), *Ala. R. Civ. P.*

3. Court Drop Box for Paper Filings. When an individual does not have the knowledge, ability or for any other reason does not have Alacourt access to file documents electronically

with the Circuit or District Court Clerk, a paper document may be filed at a drop box which shall be situated at the main entrance to the Cullman County Courthouse between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding national and State holidays. The drop box, which shall be clearly marked as "Circuit and District Court Drop Box" shall be monitored by courthouse security to ensure that no one without proper authorization removes any document that has been placed in the drop box. The court drop box itself shall be locked and only authorized court personnel shall have the ability to remove documents from the drop box. The Circuit Clerk shall retrieve all paper documents placed in the drop box on at least a daily basis during the normal hours of operation for the Circuit Clerk's office and shall promptly file the retrieved documents by scanning them into Alacourt. At 4:00 p.m. each workday all documents shall be removed from the drop box and scanned into Alacourt and the drop box moved to a secure location. The drop box shall be returned to the courthouse entrance no later than 8:00 a.m. on the next scheduled workday.

4. After Hour and Holiday Filings of Paper Documents. If an individual wishes to file a paper document with the Circuit Court Clerk outside of the clerk's hours of operation when the Court Drop Box is not accessible to members of the general public, the court document may be placed in the Revenue Commissioners secured drop box located in the median along First Avenue SW, just adjacent to the east parking lot of the Cullman County Courthouse. The Circuit Clerk or her designee shall, in cooperation with the Cullman County Revenue Commissioner or his designee, promptly retrieve the court documents that have been filed after hours in the Revenue Commissioners Secured Drop Box and shall promptly file the documents by scanning them into Alacourt.

5. The Clerk shall post a notice at the entrance to the Cullman County Courthouse informing the public that paper documents may be filed with the Circuit and District Courts by placing the document in the Court Drop Box situated at the entrance to the courthouse or, if that box has been removed, by placing the paper document(s) in the Cullman County Revenue Commissioner's secured drop box located in the median along First Avenue SW, just adjacent to the eastside courthouse parking lot. In the event a statute of limitation or of rule of repose requires that the date and time of a filing be stamped to ensure compliance with the rule, the filer may contact the circuit court clerk directly to ensure that the document has been filed within the required time period.

It is ORDERED that the Circuit Court Clerk shall provide the Alabama Administrative Office of Courts with a copy of this Order and a copy shall also be posted on the Cullman Courts official website.

1. Amendments to this Order may subsequently be made, as deemed necessary or desirable.  
Done this the 24<sup>th</sup> day of March, 2020.

/s/ Gregory A. Nicholas  
Gregory A. Nicholas  
Presiding Circuit Judge  
32<sup>nd</sup> Judicial Circuit  
State of Alabama