



# IN THE THIRTY-EIGHTH JUDICIAL CIRCUIT

## JACKSON COUNTY, ALABAMA

IN RE:       RESPONSE OF THE JACKSON COUNTY COURTS SYSTEM TO  
CORONAVIRUS DISEASE 2019 (COVID-19)

### ADMINISTRATIVE ORDER

WHEREAS the President of the United States has declared a national emergency and the Governor of Alabama has declared a state of emergency for the State of Alabama amid the pandemic of Coronavirus Disease 2019 (COVID-19), a severe acute respiratory illness that can spread among humans through respiratory transmission; and

WHEREAS the Supreme Court of Alabama has declared a state of emergency for the entire Judicial Branch of the State of Alabama and directed that preventative measures be taken to minimize the risks associated with COVID-19; and

WHEREAS the Supreme Court of Alabama issued an Administrative Order Suspending All In-Person Court Proceedings for the Next Thirty Days (with exceptions); and

WHEREAS preparations for COVID-19 are now a high priority in the Thirty-Eighth Judicial Circuit, Jackson County, Alabama.

NOW THEREFORE, pursuant to the authority conferred upon me as Presiding Judge of the Thirty-Eighth Judicial Circuit, Jackson County, Alabama.

#### IT IS HEREBY ORDERED:

1. The Courts of the Thirty-Eighth Judicial Circuit, Jackson County, Alabama, are open and will remain open under all circumstances, subject to the provisions of this order and subsequent Orders of the Supreme Court of Alabama.
2. All in-person proceedings in the Courts of the Thirty-Eighth Judicial Circuit, Jackson County, Alabama, including, but not limited to, proceedings in the circuit court, district court (including cases on the


small claims docket), and juvenile court are suspended, beginning Monday, March 16, 2020 through Thursday, April 16, 2020, subject to the exceptions below.

3. Exceptions to this suspension of in-person court proceedings include, but are not limited to:
  - Proceedings necessary to protect constitutional rights of criminal defendants, including bond-related matters and plea agreements for incarcerated individuals.
  - Proceedings related to protection from abuse.
  - Proceedings related to emergency child custody and protection orders.
  - Department of Human Resources emergency matters related to child protection.
  - Proceedings related to petitions for temporary injunctive relief.
  - Proceedings related to emergency mental health orders.
  - Proceedings related to emergency protection of elderly or vulnerable persons.
  - Proceedings directly related to the COVID-19 public health emergency.
  - Any emergent proceedings as needed by law enforcement.
  - Other exceptions as approved by the Chief Justice of the Supreme Court of Alabama.
4. Any permitted in-person court proceeding shall be limited to attorneys, parties, witnesses, security officers, and other necessary persons, as determined by the trial judge.
5. Any person who is ill, experiencing any respiratory issues, or has fever, regardless of suspected COVID-19, shall not attend any court hearing, trial, or proceeding.
6. Any person who has traveled outside the continental United States, within the last 30 days, regardless of symptoms, shall not attend any court hearing, trial, or proceeding.
7. Represented parties who are ill, experiencing any respiratory issues, or have fever, shall contact their attorney by telephone or email to seek a

continuance or further instructions. Any unrepresented party shall contact the judge presiding in the case by telephone or email to seek a continuance or further instructions.

8. The suspension of in-person court proceedings has no effect on out-of-court activities in civil cases, including, but not limited to, depositions and mediations. Such out-of-court activities should be evaluated on a case-by-case basis. The parties and attorneys are encouraged to work together to implement appropriate social-distancing practices. Any dispute about an out-of-court activity should be directed to the court that is presiding in the case.
9. The Supreme Court of Alabama has suspended until April 16, 2020, any Alabama state or local rule, criminal or civil, that impedes a judge's or court clerk's ability to utilize available technologies to limit in-person contact. Accordingly, the Jackson County Courts and Clerk are urged to limit in-person courtroom contact as much as possible by utilizing any available technologies, including electronic filing, teleconferencing, and videoconferencing. The Jackson County Courts are authorized to have court proceedings by telephone, video, teleconferencing, or other means that do not involve in-person contact.
10. Orders of protection and temporary injunctions issued by the trial courts in Jackson County that would otherwise expire between March 16, 2020, and April 16, 2020, are hereby extended until April 16, 2020, unless the trial court elects to enter an order to the contrary.
11. This Administrative Order is subject to modification, revision, or rescission by the Presiding Judge at any time during the time periods stated herein.

DONE this the 15<sup>th</sup> day of March, 2020.

A handwritten signature in black ink, appearing to read "Jenifer C. Holt", written over a horizontal line. The signature is fluid and cursive.

JENIFER C. HOLT

Presiding Circuit Judge