

**IN THE 33rd JUDICIAL CIRCUIT
STATE OF ALABAMA**

ADMINISTRATIVE ORDER 03-30-2020

An Order Relating to Virtual Court Hearings

WHEREAS, the Alabama Supreme Court has entered an administrative order that “[a]ll in-person proceedings in all state and local courts in Alabama, including, but not limited to, proceedings in the circuit court, district court (including cases on the small claims docket), juvenile court, municipal court, probate court, and appellate courts, are suspended beginning Monday, March 16, 2020 through Thursday, April 16, 2020, subject to [certain] exceptions”; and

WHEREAS, the Alabama Supreme Court has suspended until at least April 16, 2020 any rule that limits a judge’s ability to consider testimony by use of audio or video conferencing; and

WHEREAS, Alabama Supreme Court Chief Justice Parker has signed an order permitting court proceedings to be held using audio video conferencing technology; for court reporters to administer oaths to witnesses who are not physically present before the court reporter; and for trial courts to consider the testimony of those witnesses as evidence; and

WHEREAS, the following rules are deemed necessary for the local implementation of virtual court proceedings;

It is therefore **ORDERED** that until April 16, 2020 or during any subsequent period of time the Alabama Supreme Court shall suspend or partially suspend in-court proceedings, the following rules and guidelines are hereby adopted and shall be followed by all parties appearing for any hearing or trial that is presently pending or hereinafter filed in this 33rd Judicial Circuit in which sworn testimony is taken by the use of audio/video conferencing equipment.

1. The term "**video conference**" means the use of any interactive technology that sends and receives video, audio, and data so that two or more individuals can communicate with each other contemporaneously from different locations using cameras, microphones, speakers, and computer monitors or screens that allow the individuals participating to view and hear each other. The term "**audio conference**" means the use of any interactive audio technology, including a cell phone or telephone, that permits two or more individuals to contemporaneously speak with each other from different locations.

2. Each judge of this judicial circuit shall have the discretion to require that any non-jury court proceeding be conducted by audio or video conference. Every court proceeding conducted by the use of audio or video conference shall conform to the requirements of the administrative order entered by Alabama Supreme Court Chief Justice Parker on March 24, 2020 and the March 13, 2020 administrative order of the Alabama Supreme Court. Such proceedings shall hereinafter be referred to as “virtual hearings”.