

**PRESIDING JUDGE'S ORDER
SIXTEENTH JUDICIAL CIRCUIT
STATE OF ALABAMA**

STATE OF ALABAMA)
ETOWAH COUNTY)

AMENDED ADMINISTRATIVE ORDER EFFECTIVE MAY 1, 2020

Due to the current state of the COVID-19 (coronavirus) pandemic, the 16th Judicial Circuit modifies its March 13, 2020 Amended Administrative Order, as amended on March 16, 2020, as follows:

The April 30, 2020 Administrative Order of the Supreme Court of Alabama, attached hereto as Exhibit "A", is hereby RATIFIED and ADOPTED as the Order of this Circuit as if fully set out herein.

Consistent with the April 30, 2020 Administrative Order of the Supreme Court of Alabama and to further clarify matters that are suspended and the date said suspensions will be lifted in this Circuit, the following Amended Administrative Order is hereby entered to govern in-person court proceedings in the 16th Judicial Circuit as follows:

All civil and criminal jury trials remain suspended and no juror summons shall be issued prior to July 1, 2020.

The following non-jury dockets remain suspended through May 15, 2020, in lieu of May 31, 2020, as previously ordered by this Circuit:

- District Criminal Dockets
- District Civil Dockets
- Juvenile Dockets
- Traffic Dockets
- Small Claims Dockets
- Child Support/DHR Dockets
- Circuit Criminal Dockets
- Circuit Civil Dockets
- Domestic Relations Dockets

The exceptions to the above dockets, other than jury trials, suspending in-person court proceedings through May 15, 2020, continue to include:

- Initial appearance hearings (48/72 hour hearings) for adults and juveniles
- Criminal defendant bond related matters and plea agreements for incarcerated individuals
- Arraignments for incarcerated individuals

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- Preliminary hearings for incarcerated individuals
- Bench trials for incarcerated individuals
- Proceedings related to Protection from Abuse
- Proceedings related to emergency protection matters involving the elderly or vulnerable persons
- Proceedings related to emergency child custody and protection orders
- Department of Human Resources emergency matters related to child protection
- Proceedings related to petitions for injunctive relief
- Proceedings related to emergency mental health orders
- Proceedings directly related to the COVID-19 public health emergency
- Any emergent proceeding as needed by law enforcement
- Other exceptions as required by the Presiding Circuit Judge and approved by the State of Alabama Chief Justice.

If it is determined that an in-person hearing is to be conducted in Court, the judge presiding over same shall provide Judicial Building Security (Etowah County Deputies) the name of the case, case number, and a list of all necessary parties, attorneys, and witnesses who will be appearing. Under no circumstances will any of the following individuals be allowed to enter the William H. Rhea III Judicial Building:

- Persons who have traveled outside the United States within the past 14 days.
- Persons who reside or have had close contact with someone who has traveled outside the United States within the last 14 days.
- Persons who have been asked to self-quarantine by any doctor, hospital or health agency.
- Persons who have been diagnosed with, or have had contact with, anyone who has been diagnosed with COVID-19.
- Persons exhibiting any symptoms of illness.

Notwithstanding the excepted in-person hearings noted above, **all attempts shall be made to conduct the excepted in-person hearings by the AlaCourt Virtual Hearing ("Zoom") Application.** This Court references the following provision of the Supreme Court's March 13, 2020 Administrative Order in support thereof:

"Judges are charged with the responsibility of ensuring that core constitutional functions and rights are protected. Additionally, court clerks are charged with ensuring that court functions continue. Nevertheless, all judges and court clerks are urged to limit in-person courtroom contact as much as possible by utilizing available technologies, including electronic filing, teleconferencing, and videoconferencing."

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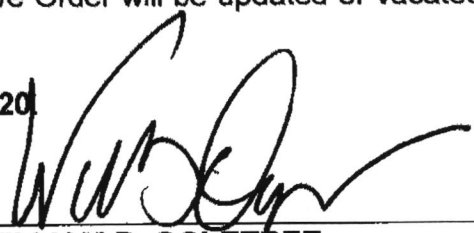
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This Circuit will continue to include videoconferencing "Zoom" hearings through the AlaCourt secure virtual hearings application on all jail cases awaiting trial for pleas, bond hearings, habeas petitions, etc. This Circuit will also conduct videoconferencing "Zoom" hearings on all cases within the suspended dockets noted above at the request of counsel or as set by the Court on a case-by-case basis. Since the suspension of dockets on March 13, 2020, all Courts within this Circuit have been conducting videoconferencing ("Zoom") hearings in cases where dockets have been suspended. The Courts have also held in-person hearings on excepted cases where videoconferencing could not be held.

This April 30, 2020 Amended Administrative Order will be updated or vacated as new information is disseminated.

DONE and ORDERED this 30th day of April, 2020


WILLIAM B. OGLETREE
PRESIDING JUDGE

Via email Distribution:

Hon. Tom Parker, Chief Justice
Hon. Rich Hobson, Administrative Director of Courts
Hon. Steve Marshall, Attorney General
Etowah County Circuit Judges
Etowah County District Judges
Hon. Cassandra Johnson, Circuit Clerk
Hon. Jody Willoughby, District Attorney
Hon. Jonathan Horton, Sheriff
Etowah County Bar Association
Etowah County State Probation Office
Etowah County Community Corrections
Etowah County Court Referral Office
All Municipal Court Clerks

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EXHIBIT "A"

IN THE SUPREME COURT OF ALABAMA
IN RE: COVID-19 PANDEMIC EMERGENCY RESPONSE
April 30, 2020

ADMINISTRATIVE ORDER NO. 6:
EXTENDING ORDERS AND DEADLINES CONCERNING THE SUSPENSION OF
IN-PERSON PROCEEDINGS THROUGH MAY 15, 2020

On April 28, 2020, Governor Kay Ivey announced the issuance of the "Safer at Home Order" effective April 30, 2020, to remain in effect through 5:00 p.m. on May 15, 2020.

This Court hereby extends through May 15, 2020, the state of emergency for the Judicial Branch of the State of Alabama. All administrative orders issued by this Court and the Chief Justice in relation to the COVID-19 pandemic are hereby extended and shall remain in effect through May 15, 2020, except as set forth below.

Effective May 1, 2020, all officials in the appellate courts, circuit courts, district courts, juvenile courts, municipal courts, and probate courts are authorized to prepare their offices and courtrooms for in-person court proceedings and shall have the authority to direct non-vulnerable employees to appear at work in person. Operations of the official's office must comply fully with the recommendations and requirements of the Safer at Home Order concerning protections for employees and other individuals.

To limit in-person contact, trial courts should continue to conduct hearings by teleconference and videoconference. The clerks of court shall also continue to use technology and other means to limit in-person contact. Jury trials shall remain suspended, and no juror summons shall be issued prior to July 1, 2020.

All deadlines in the Court's and the Chief Justice's administrative orders that are set to expire on April 30, 2020, are hereby extended through May 15, 2020.

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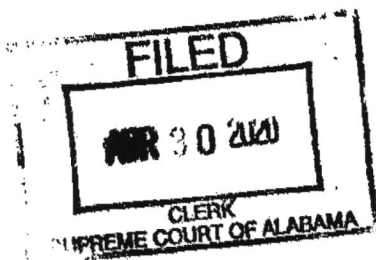
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Parker, C.J., and Bolin, Shaw, Wise, Bryan, Sellers,
Mendheim, Stewart, and Mitchell, JJ., concur.

Witness my hand and seal this the 30th day of April,
2020.



Julia Jordan Weller
Clerk of Court
Supreme Court of Alabama



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CASSANDRA "SAM" JOHNSON
CIRCUIT COURT CLERK