

**25TH JUDICIAL CIRCUIT
WINSTON & MARION COUNTY**

ADMINISTRATIVE ORDER

SUSPENSION OF IN-PERSON HEARINGS THROUGH MAY 29, 2020

Pursuant to the authority granted to the presiding circuit judge of each judicial circuit of this State by Administrative Order No. 7 of the Supreme Court of Alabama, dated May 13, 2020, the undersigned presiding circuit judge finds it necessary to adopt the following procedures to minimize the risk of potential harm posed by COVID-19 to the health and safety of the general public and to the court staff during in-person judicial proceedings.

No jury trials will be conducted until September 14, 2020 as ordered by the Alabama Supreme Court.

The Courts and all court offices in the 25th Judicial Circuit shall remain open and continue to maintain regular business operations, but these entities shall remain closed to the public until Monday, June 1, 2020.

All in-person proceedings in all courts of the 25th Judicial Circuit, including but not limited to circuit, district, probate, domestic relations, juvenile, child support, traffic, and small claims remain suspended until June 1, 2020, subject to the exceptions below.

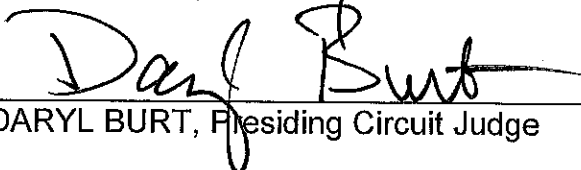
Exceptions to this suspension of in-court proceedings include, but are not limited to:

- (1.) Proceedings necessary to protect constitutional rights of criminal defendants;
- (2.) Proceedings related to relief from abuse, including but not limited to orders of protection;
- (3.) Proceedings related to emergency child custody orders;
- (4.) Department of Children's Services emergency matters related to child protection;
- (5.) Proceedings related to petitions for temporary injunctive relief;
- (6.) Proceedings related to emergency mental orders;
- (7.) Proceedings related to emergency protection of elderly or vulnerable persons;
- (8.) Other exceptions as deemed necessary by each judge for their respective court.

Effective Monday, June 1, 2020, in-person hearings shall be allowed with the following procedures to be implemented for those proceedings in the 25th Judicial Circuit:

- (1.) On all matters set for trial, all parties shall be prepared to try their case upon entry into the courthouse. Settlement discussions shall not take place on the day of trial. Should a settlement be reached prior to the trial setting, any party involved in the case shall notify the Court and their clients in advance.
- (2.) Attorneys shall contact their clients the day before court to confirm that neither they, nor any witness, has symptoms of COVID-19, are not sick, and have not been exposed to anyone with COVID-19 or has shown symptoms. In the event these issues exist, the attorney shall notify the court, and those individuals will not be allowed to enter the courthouse.
- (3.) In-person proceedings shall be limited to attorneys, parties, witnesses, and other necessary parties as determined by the trial judge.
- (4.) Exhibits shall be pre-marked and e-mailed to the Court and all counsel of record forty-eight (48) hours prior to the trial setting. The admissibility of exhibits will be addressed as they are offered into evidence. Parties are to retain original exhibits and are instructed to not hand anything to the court reporter.
- (5.) All parties shall observe the recommendations and requirements of the "Safer at Home Order" issued by Governor Ivey regarding social distancing, hand sanitizer, etc.
- (6.) Personal protective equipment such as masks and gloves are encouraged but shall be determined by each judge for their respective court.
- (7.) Attorneys are instructed to bring any issues to the Court's attention via motion no later than forty-eight (48) hours prior to the trial setting.
- (8.) Attorneys are urged to limit in-person proceedings by continued use of virtual hearings.
- (9.) When necessary, staggered dockets shall be implemented to reduce large numbers of people in the courtroom to comply with social distancing requirements.

DONE and ORDERED this the 15th day of May, 2020.


DARYL BURT, Presiding Circuit Judge