

**IN THE CIRCUIT COURT FOR THE
FORTIETH JUDICIAL CIRCUIT OF ALABAMA**

ADMINISTRATIVE ORDER 2020-05-18

In accordance with the Supreme Court of Alabama's order dated May 13, 2020, and pursuant to the authority vested in the undersigned as Presiding Judge of the Fortieth Judicial Circuit of Alabama, effective May 18, 2020 the following procedures are hereby implemented for the resumption of in-person hearings in Coosa County and Clay County:

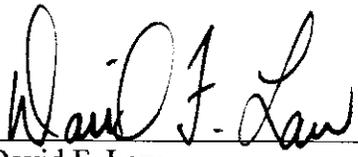
1. Courtroom capacity in the second-floor courtroom is limited to 30 individuals, including court personnel. Parties and attorneys shall remain outside the courthouse and shall not be allowed to enter the building until the time of their hearing and everyone entering the courthouse shall be screened by security at the courthouse doorway.
2. Judges are encouraged to set more frequent dockets as opposed to the customary "mass dockets" to ensure that courtroom capacity is not exceeded and that the parties are not waiting and/or congregating outside of the courthouse or courtroom.
3. It is preferred that dockets be set at intervals throughout the day to ensure that the courtroom capacity is not exceeded and to alleviate crowds outside of the courthouse and courtroom. Each interval may vary depending on the case and the nature of a docket. Anyone arriving early for a hearing will not be admitted into the courthouse until their docket/hearing starts.
4. Attorneys shall confer with their clients and witnesses before court to confirm that they have no symptoms (fever, breathing issues, cough, etc.), and have not been exposed to someone with symptoms or are in a high-risk group. In the event these issues exist, the attorney shall notify security or the court immediately and the individual in question, shall **not** enter the courthouse.
5. All persons entering the courthouse for "court business" should be screened by security at the courthouse doorway. No lines are allowed to form at the front door. Screening may include use of questionnaires, temperature checks and other procedures deemed appropriate by security to establish any qualified risk. If in the opinion of security someone presents a health risk or issue, the individual in question, shall **not** enter the courthouse.

6. Anyone may use appropriate Personal Protection Equipment (PPE) in the courtroom. Anyone wearing a mask that is inappropriate may be denied access. Anyone, including witnesses, parties, or attorneys testifying or speaking on the record may be required to temporarily remove their mask if the court deems it necessary.
7. There shall be a minimum of 6 feet of separation between everyone in the courtroom at all times. The courtroom shall be marked with tape indicating seating locations that comply with social distancing requirements. Certain exceptions may be made for elderly defendants requiring caregivers or parents with small children.
8. In the courtroom there shall be designated areas for parties and attorneys to sit that allow for their separation from each other and from court personnel.
9. Witnesses may be on a five (5) minute standby where they can be notified by telephone when to enter the courthouse. The witness shall remain in their car or at a location not more than five minutes away until called. It shall be the responsibility of the attorney or the unrepresented party to call in the witness as needed.
10. The parties shall engage in good faith negotiations to resolve all issues prior to the date of said hearing. On all matters set for trial, all parties shall be prepared to try their case upon entry into the courthouse. Court proceedings shall not be delayed for the parties to engage in settlement discussions on the day of trial. Should a settlement be reached prior to the trial setting, any party involved in the case shall notify this Court in advance by filing a signed plea agreement or an executed settlement agreement.
11. Spectators shall not be allowed in the courtroom. Attorneys shall advise their clients not to invite friends or family to be in attendance as they will not be allowed to enter the courthouse.
12. Anyone intentionally violating the separation order shall be subject to the contempt powers of the court and at a minimum may be asked to leave the building.
13. The Circuit Court and District Court/Juvenile Court shall continue to utilize virtual hearings as often as practical. Where practical in cases where a defendant is represented by counsel, or whenever an email address is available for the defendant, the case should be set for an initial virtual hearing. In the event said cases are not disposed of by said virtual hearing, the Judge may set said case(s) for an in-person hearing.
14. All judges shall encourage all monies ordered to be paid to the Clerk's office, to be paid by a money order. To facilitate this, the circuit clerk shall provide self-addressed envelopes for said payments.
15. No bags, backpacks or large purses (clutch purses shall be allowed) shall be allowed in the courthouse or courtroom. Only items, such as paperwork, exhibits, etc., necessary for court shall be allowed.

16. All individuals entering the courthouse for court business or court appearances shall use hand sanitizer before entering.
17. The Probate Courts and Municipal Courts shall set the rules for their respective courts regarding in-person hearings.
18. This order supersedes all previous administrative orders entered by this Court regarding COVID-19 including order 2020-03-20 which amended the hours of operation.

A copy of this Administrative Order should be spread upon the minutes of this Court in Coosa County, Alabama and Clay County, Alabama.

DONE and ORDERED this 19th day of May, 2020.



David F. Law
Presiding Circuit Judge