

STATE OF ALABAMA) IN THE CIRCUIT AND DISTRICT COURTS OF THE
TALLADEGA COUNTY) 29TH JUDICIAL CIRCUIT OF ALABAMA

ADMINISTRATIVE ORDER REGARDING COURT PROCEEDINGS
FOR THE 29TH JUDICIAL CIRCUIT
IN RE: COVID-19 PANDEMIC EMERGENCY RESPONSE

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This matter coming on before the Court on the 14th day of May, 2020 based on the Court's own motion; the Court having received and reviewed "**ADMINISTRATIVE ORDER NO. 7: RESUMPTION OF IN-PERSON HEARINGS AUTHORIZED AFTER MAY 15, 2020, AND CONTINUED SUSPENSION OF JURY TRIALS UNTIL SEPTEMBER 14, 2020**" on the 13th day of May, 2020 from the Alabama Supreme Court (a copy of which is attached to this Order); the authority granted to the Presiding Circuit Judge pursuant to Title 12, Chapter 12, Section 10 and Title 12, Chapter 17, Section 24 of the 1975 Code of Alabama, as amended; the authority granted to the Courts pursuant to Title 12, Chapter 1, Sections 2 and 7 of the 1975 Code of Alabama, as amended; the authority granted to the Courts pursuant to Title 12, Chapter 12, Sections 1 and 4 of the 1975 Code of Alabama, as amended; the need for the 29th Judicial Circuit of Alabama court system to remain open subject to directives and/or guidelines provided by the Alabama Supreme Court; the availability and use of closed-circuit television between the Talladega County Judicial Building and the Talladega County Jail; the availability and use of ZOOM video-conferencing platform; the Court having reviewed the

previously adopted 2020 Consolidated Court Calendar Court in consultation with Judges Hollingsworth, Fannin and Rumsey; the Court having consulted and met with Judges Hollingsworth, Fannin, Rumsey and their staff, the Sheriff and administrative staff, District Attorney, Clerk of Court, and County Administrator to adopt and implement safety measures necessary for resuming in-person proceedings; and the Presiding Judge having been granted authority to make decisions regarding the safety and welfare of all court personnel in all courts within the circuit; the Court having taken judicial knowledge of the March 13, 2020 Administrative Order and subsequent Orders from the Alabama Supreme Court dated March 16, 2020, March 18, 2020, March 24, 2020, April 2, 2020 and April 30, 2020 and upon consideration thereof, the Court finds as follows:

- I. The President of the United States declared a national emergency and the Governor of Alabama declared a state of emergency for the State of Alabama amid the Coronavirus Disease 2019 ("COVID-19") pandemic, the Supreme Court of Alabama, pursuant to the authority vested in it under Article VI, §§ 139, 140 and 150, Ala. Const. 1901, declared a state of emergency for the entire Judicial Branch of the State of Alabama.
- II. Thereafter, on May 8, 2020, Governor Kay Ivey announced the amendment of the "Safer at Home Order," effective May 11, 2020.

- III. While the Supreme Court of Alabama has extended the state of emergency for the Judicial Branch of the State of Alabama by Order dated May 13, 2020, the Supreme Court of Alabama has now authorized the Presiding Circuit Judge of each circuit and subject to the provisions outlined by the Supreme Court, to recommence in-person hearings in their respective judicial circuit.
- IV. Prior to this Court entering this standing order, the Court has carefully reviewed the May 13, 2020 "**ADMINISTRATIVE ORDER NO. 7: EXTENDING ORDERS AND DEADLINES CONCERNING THE SUSPENSION OF IN-PERSON PROCEEDINGS THROUGH MAY 15, 2020**" from the Alabama Supreme Court which states in pertinent part as follows:

"Subject to the approval of the Presiding Circuit Judge of each circuit and subject to the provisions of this order, in-person hearings in the circuit courts, district courts, juvenile courts, municipal courts and probate courts are authorized to recommence after May 15, 2020.

For the purpose of determining whether to recommence in-person hearings, the Presiding Judge is granted authority to make decisions regarding the safety and welfare of all court personnel in all courts within the circuit. The Presiding Circuit Judge is specifically authorized to adopt procedures that, in his or her discretion, will implement the recommendations and requirements of the "Safer at Home Order" so as to protect court employees and other individuals

accessing all courts within the circuit. In making such determinations and before adopting any order or procedures, the Presiding Judge should consult with other judges in the circuit, the Chairman of the County Commission(s), the Circuit Clerk(s), the Sheriff(s), the District Attorney, and the Public Defender in counties or circuits having a full-time public defender" ... Jury trials shall remain suspended until September 14, 2020."

Based upon the foregoing, it is, therefore, **CONSIDERED** and **ORDERED** in the 29th Judicial Circuit of Alabama as follows:

1. Effective as of the date of this Order, all criminal initial appearances shall remain held via closed-circuit television on each Monday, Wednesday and Friday at 10:30 a.m. Said initial appearances shall be conducted by the "Duty Judge" as previously assigned by the Presiding Circuit Court Judge.
2. The Talladega County **Grand Jury scheduled for June, 2020 is hereby cancelled and will be rescheduled at a later date** by separate Order of the Court.
3. The **August 2020 jury trial term is cancelled** and the Court does hereby set a jury trial term for September 2020 to commence on Monday, September 14, 2020 at 8:30 a.m. The jury trial terms for October, 2020 and December, 2020 remain as scheduled.

4. **All counsel of record for any pending civil or criminal case** currently pending in the 29th Judicial Circuit of Alabama **shall maintain a ZOOM (video-conferencing platform) account** and maintain current contact information with the judicial assistants for all judges in the 29th Judicial Circuit.
5. **All courtrooms will adhere to maximum capacity limitations established by the Presiding Judge and enforced by the Sheriff. All judges have been encouraged to use staggered docket times. All efforts will be used to consolidate the use of larger courtrooms by all judges.**
6. Relative to the office of Presiding Circuit Court Judge Chad E. Woodruff:
 - a. The **May 21, 2020 PLEA DOCKET** for all **incarcerated** Defendants remains set to commence **May 21, 2020 at 9:00 a.m.** ALL COUNSEL FOR INCARCERATED DEFENDANTS WILL BE NOTIFIED WITH FURTHER INSTRUCTIONS IF SAID PLEA DOCKET WILL BE CONDUCTED VIA CLOSED CIRCUIT TELEVISION AND/OR PROVIDED A DESIGNATED TIME FOR YOUR COURT APPEARANCE. The **PLEA DOCKET** for all Defendants that are **NOT INCARCERATED** will be conducted as scheduled and in-person commencing **May 21, 2020 at 1:30 p.m.** BECAUSE OF THE VOLUME OF CASES ON SAID

DOCKET, ALL COUNSEL FOR DEFENDANTS **NOT INCARCERATED** MAY BE PROVIDED A DESIGNATED TIME FOR YOUR COURT APPEARANCE.

b. The **May 28, 2020 Probation Revocation Docket** at 9:00 a.m. will be conducted as scheduled and in-person unless otherwise ordered by this Court.

c. The **Arraignment Docket** for all Defendants that are **NOT INCARCERATED** will be conducted as scheduled and in-person commencing **May 29, 2020 at 9:00 a.m.** BECAUSE OF THE VOLUME OF CASES ON SAID DOCKET, ALL COUNSEL FOR DEFENDANTS

APPEARING ON THE MAY 29, 2020 ARRAIGNMENT DOCKET MAY BE PROVIDED A DESIGNATED TIME FOR YOUR COURT APPEARANCE.

Any **incarcerated** Defendants not previously arraigned on April 21, 2020 will also be arraigned on May 29, 2020.

d. The June 3, 2020 **Sentencing Docket** at 9:00 a.m. will be conducted as scheduled and in-person unless otherwise ordered by this Court. BECAUSE OF THE VOLUME OF CASES ON SAID

DOCKET, ALL COUNSEL FOR DEFENDANTS **APPEARING ON THE JUNE 3, 2020 SENTENCING DOCKET** MAY BE PROVIDED A DESIGNATED TIME FOR YOUR COURT APPEARANCE.

e. The **Youthful Offender Rulings and Youthful Offender Sentencing** will be conducted as scheduled and in-person commencing **June 9, 2020 at 1:30 p.m.**

f. The Court will continue to further use the ZOOM video-conference platform for civil cases pending before the Court on a case-by-case basis. The Court will continue to further use closed-circuit television for criminal cases pending before the Court on a case-by-case basis.

7. **All parties and counsel of record with cases pending before Talladega County Judges Hollingsworth, Fannin and Rumsey should be notified of all court appearances by Separate Order and/or notification from the respective Court.**
8. Nothing in this Order shall prohibit any Circuit Court Judge or District Court Judge from conducting any court proceeding by telephone, video, teleconferencing, or other means that do not involve in-person contact. This Order does not affect courts' consideration of matters that can be resolved without in-person proceedings.
9. The Presiding Circuit Judge has monitored and will continue to monitor all health matters that impact the 29th Judicial Circuit. **Safety measures, including but not limited to, the use of non-touch**

thermometers, face masks, 6-foot social distancing enforcement, courtroom capacity limitations, and daily disinfecting measures have been thoroughly discussed over the last several weeks and will be in place at the Talladega County Judicial Building effective Monday, May 18, 2020. All persons entering the Judicial Building will be screened and provided a mask (if admitted entry). In addition, there will be designated seating areas in each courtroom and floor markings throughout the Judicial Building to maintain social distancing to access all courtrooms and offices.

10. That a copy of this Order be forwarded to all Circuit Court Judges, all District Court Judges, District Attorney Steve Giddens, Sheriff Jimmy Kilgore, Talladega County Circuit Clerk Brian York, Talladega County Sheriff's Department Chief Deputy Clerk Janet Gaither, Talladega County Jail Administrator Shea Brown, Talladega County Bar President Simone Horn, Talladega County Bar Commissioner Sally Bowers, Talladega County Administrator Pat Lyle, and the Administrative Office of Courts, 300 Dexter Avenue, Montgomery, AL 36104.

This the 14th day of May, 2020.

/s/Chad E. Woodruff
CHAD E. WOODRUFF
PRESIDING CIRCUIT JUDGE

IN THE SUPREME COURT OF ALABAMA
IN RE: COVID - 19 PANDEMIC EMERGENCY RESPONSE
MAY 13, 2020

ADMINISTRATIVE ORDER NO. 7:
RESUMPTION OF IN-PERSON HEARINGS AUTHORIZED AFTER MAY 15,
2020, AND CONTINUED SUSPENSION OF JURY TRIALS UNTIL
SEPTEMBER 14, 2020

On May 8, 2020, Governor Kay Ivey announced the amendment of the "Safer at Home Order," effective May 11, 2020.

This Court hereby extends the state of emergency for the Judicial Branch of the State of Alabama pending further order. All administrative orders issued by this Court in relation to the COVID-19 pandemic, except for Administrative Order No. 3 pertaining to briefing and filing deadlines, are hereby extended and shall remain in effect, except as set forth below.

Subject to the approval of the Presiding Circuit Judge of each circuit and subject to the provisions of this order, in-person hearings in the circuit courts, district courts, juvenile courts, municipal courts, and probate courts are authorized to recommence after May 15, 2020.

For the purposes of determining whether to recommence in-person court hearings, the Presiding Circuit Judge is granted authority to make decisions regarding the safety and welfare of all court personnel in all courts within the circuit. The Presiding Circuit Judge is specifically authorized to adopt procedures that, in his or her discretion, will implement the recommendations and requirements of the "Safer at Home Order" so as to protect court employees and other individuals accessing all courts within the circuit. In making such determinations and before adopting any order or procedures, the Presiding Circuit Judge should consult with other judges in the circuit, the Chairman of the County Commission(s), the Circuit Clerk(s), the Sheriff(s), the District Attorney, and the Public Defender in counties or circuits having a full-time public defender.

Presiding Circuit Judges are authorized to extend the restriction of in-person court proceedings in any court beyond May 15, 2020, provided that a written order is entered and forwarded to the Chief Justice and provided that the order does not extend beyond August 15, 2020.

Jury trials shall remain suspended until September 14, 2020.

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

Witness my hand and seal this the 13th day of May, 2020.

A handwritten signature in cursive script that reads "Julia Jordan Weller". The signature is written in black ink and is positioned to the right of the typed name.

Julia Jordan Weller
Clerk of Court
Supreme Court of Alabama