

COVID-19 ADMINISTRATIVE ORDER#8

THIRD CIRCUIT COURTROOM AND COURTHOUSE GENERAL PROCEDURES TO RESUME IN-PERSON HEARINGS

After consultation with the Judges of the 3rd Judicial Circuit, County Administrators of each county, the Circuit Clerks, the Sheriffs, District Attorney and Health Officials, it has been determined that the safety and welfare of all court personnel and the public would be best served by extending the suspension of in-person proceedings until the individual County Commissions determine that it is safe to reopen the courthouse buildings in accordance with their reopening plans.

Pursuant to and authority provided by the Alabama Supreme Court in Administrative Order Number 7 entered on May 13, 2020, it is ORDERED that all Circuit Court, District Court, Juvenile Court, Municipal Court, and Probate Court in-person proceedings may resume on a limited basis following the County Commission's determination that it is safe for the public and employees to reopen the building.

The Clerks' Offices may continue to operate as they have under the existing Alabama Supreme Court Order by limiting in person contact, while keeping the courts open. Following the County Commission's determination that it is safe for the public and employees to reopen the building, the Circuit Clerk, in his/her discretion may reopen the office to the public

The courts are encouraged to continue to handle cases through virtual hearing, video conferencing and teleconferencing.

In order to provide some uniformity for the public, the attorneys and the parties, the following safety measure must be implemented.

1. Upon entry to the building, security will check the temperature of each person and deny entry to the building if they exhibit any symptoms of Covid-19. No member of the public, attorney, party or court personnel will be allowed to enter the building if they have a temperature in excess of 100.4 degrees, display Covid-19 symptoms or have had close contact or exposure to someone with Covid-19.

2. Six feet of social distancing shall be observed by all members of the public, attorneys and court personnel always and at all locations in the courthouses and in the courtrooms.
3. Persons entering the courthouses and courtrooms shall be required to wear appropriate face covering. Judges may grant permission for removal of face coverings to anyone in his/her courtroom in each Judge's sole discretion.
4. Each Judge shall determine and post outside of his/her courtroom the maximum occupancy level for their courtroom and adjacent meeting areas.
5. Judges are encouraged to schedule special settings over general docket calls.
6. The use of electronic document exchange for exhibits is encourage consistent with this Court's Virtual Proceedings Order.
7. Continued use of virtual hearings, teleconferencing and videoconferencing are encouraged for Circuit, District and Juvenile courts.
8. Judges are encouraged to provide public access to open court hearings by entering Orders containing videoconferencing or telephone login information.
9. COVID-19 symptomatic inmates for Circuit and District Court shall not be transported and any emergency issues relating to such inmate will be handled by videoconference.
10. Special consideration will be given to attorneys, parties, witnesses and jurors that are considered vulnerable to COVID-19.
11. All Judges may secure their chambers to limit access.

These procedures are designed for the safety and welfare of the public, court personnel, attorneys and the judges. Judges are encouraged to confirm that the individual County Commission is in full compliance with

their plan to re-open and to insure compliance with the Supreme Court's Bench Book: Guidelines, Suggestions and Best Practices for Alabama Circuit and District Judges During the Covid-19 Pandemic.

NOTE: This list does not contain all procedures for all courts and some courts may have additional procedures. This list is meant to give some general guidance to the attorneys, parties, public and personnel to prepare for court in the weeks ahead.

DONE this 17th day of June, 2020.

/s/Burt Smithart, Presiding Circuit Judge
Third Judicial Circuit of Alabama