FILED
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CLERK
SUPREME COURT OF ALABAMA

IN THE SUPREME COURT OF ALABAMA

IN RE: COVID-19 PANDEMIC EMERGENCY RESPONSE

March 13, 2020

ADMINISTRATIVE ORDER SUSPENDING ALL IN-PERSON COURT PROCEEDINGS FOR THE NEXT THIRTY DAYS

The President of the United States having declared a national emergency and the Governor of Alabama having 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, hereby declares a state of emergency for the entire Judicial Branch of the State of Alabama.

The local and state courts of the State of Alabama are open and will remain open under all circumstances, subject to the provisions of this order.

Under the constitutional, statutory, and inherent authority of the Supreme Court, we adopt the following provisions. All in-person proceedings in all state and local courts in Alabama, including, but not limited to, proceedings in the circuit court, district court (including cases on the small claims docket), juvenile court, municipal court, probate court, and appellate courts, are suspended beginning Monday, March 16, 2020 through Thursday, April 16, 2020, subject to the exceptions below.

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

- Proceedings necessary to protect constitutional rights of criminal defendants, including bond-related matters and plea agreements for incarcerated individuals.
- Civil and criminal jury trials that are in progress as of March 13, 2020.
- Proceedings related to protection from abuse.
- Proceedings related to emergency child custody and protection orders.
- Department of Human Resources emergency matters related to child protection.

- Proceedings related to petitions for temporary injunctive relief.
- Proceedings related to emergency mental health orders.
- Proceedings related to emergency protection of elderly or vulnerable persons.
- Proceedings directly related to the COVID-19 public health emergency.
- Any emergent proceeding as needed by law enforcement.
- Other exceptions as approved by the Chief Justice.

The presiding judge or the designee of the presiding judge of each judicial circuit is authorized to determine the manner in which in-person court proceedings for the exceptions listed above are to be conducted. Other exceptions to the suspension of in-person court proceedings must be approved by the Chief Justice. Any permitted in-court proceedings shall be limited to attorneys, parties, witnesses, security officers, and other necessary persons, as determined by the trial judge.

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. Any Alabama state or local rule, criminal or civil, that impedes a judge's or court clerk's ability to utilize available technologies to limit in-person contact is suspended until April 16, 2020.

This order expressly does not prohibit court proceedings 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.

Any deadlines that are set by or subject to regulation by this Court that are set to expire between March 16, 2020 and April 16, 2020, are hereby extended to April 20, 2020. This Court cannot extend any statutory period of repose or statute of limitations period.

Orders of protection and temporary injunctions that would otherwise expire between March 16, 2020, and April 16, 2020, are hereby extended until April 16, 2020, unless the trial court elects to enter an order to the contrary.

This order is subject to modification, revision, or rescission by the Supreme Court at any time during the time periods stated herein.

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

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

Julia Jordan Weller

Julia Jordan Weller
Clerk, Supreme Court of Alabama