STATE OF ALABAMA) IN THE CIRCUIT AND DISTRICT COURTS OF THE

TALLADEGA COUNTY) 29TH JUDICIAL CIRCUIT OF ALABAMA

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UNITED YORK
CIRCUIT CLERK

ADMINISTRATIVE ORDER REGARDING COURT PROCEEDINGS FOR THE 29TH JUDICIAL CIRCUIT

CANCELLATION OF SEPTEMBER 14, 2020 TRIAL TERM

This matter coming on before the Court on the 19th day of August, 2020 based on the Court's own motion; the Court having received and reviewed all prior Administrative Orders from the Alabama Supreme Court, including the continued suspension of jury trials until September 14, 2020; 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 authority granted to the Presiding Circuit Judge to set and cancel jury trial terms in the 29th Judicial Circuit**; the Court having authorized and/or employed the use of safety measures throughout the Talladega County Judicial Building and Sylacauga Annex, the use of ZOOM video-conferencing platform in civil and criminal proceedings, the use of closed-circuit television for incarcerated inmates with pending cases, and other means to safely and

efficiently dispose civil and criminal cases and/or matters pending in the 29th Judicial Circuit of Alabama court system while remaining open subject to the directives and/or guidelines provided by the Alabama Supreme Court; the Court having consulted with Circuit Judge William E. Hollingsworth, IV, the Sheriff, District Attorney and Clerk of Court; and the Presiding Judge having been granted authority to make decisions regarding the safety and welfare of all court personnel; the Court having taken judicial knowledge of the March 13, 2020 Administrative Order and all subsequent Orders from the Alabama Supreme Court; and upon consideration thereof, the Court finds as follows:

I. The President of the United States previously 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. Accordingly, 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 13, 2020, the Supreme Court of Alabama authorized the Presiding Circuit Judge of each circuit subject to the provisions outlined by the Supreme Court, to recommence in-person hearings in their respective judicial circuit. In addition, the

Presiding Circuit Judge of each circuit was authorized to commence jury trials on or after September 14, 2020.

III. Prior to this Court entering this standing order, the Court has carefully reviewed current COVID-19 health information for the State of Alabama, Talladega County and adjacent counties as provided by the Alabama Department of Public Health. In addition, this Court has carefully reviewed the volume of criminal and civil cases disposed in Circuit Court over the last 90 days based on adopted policies and procedures necessary to effectively and safely dispose said cases. Further, this Court has carefully reviewed the limited number of remaining cases set to commence during the September 14, 2020 jury trial term.

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

1. This Court finds it is not in the best interest of Judicial Building employees, attorneys of record, parties, trial witnesses, security, prospective jurors and the families of prospective jurors to proceed with the September 14, 2020 jury trial term based on the volume of cases having been disposed in Circuit Court in comparison to the number of cases that remain pending for jury trial in September, 2020.

Accordingly, the **September 14, 2020 jury trial term is hereby cancelled.**

2. All remaining jury trial cases currently set for the September 14, 2020 jury trial term **are hereby reset for the October 5, 2020 jury trial term.**

3. The December 7, 2020 jury trial term remains as scheduled.

4. 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.

5. All courtrooms will continually adhere to maximum capacity limitations established by the Presiding Judge and enforced by the Sheriff. All judges have been encouraged to continually use staggered docket times and court appearances.

6. 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 to dispose of any pending non-jury matter.

7. 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, mandatory masks, hand-sanitizing stations, social**

distancing enforcement, plexiglass partitions, and daily use of sanitation "foggers" shall remain in place.

8. That a copy of this Order be forwarded to all Circuit 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 19th day of August, 2020.

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