

## PROBATE COURT OF MOBILE COUNTY, ALABAMA

### GENERAL ORDER


In accordance with the existing State of Alabama emergency decrees (as amended), the Supreme Court of Alabama's emergency orders (as amended) and the Mobile County Commission's emergency decrees (as amended) relating to the COVID-19 pandemic, the Court **ORDERS** as follows:

1. All lawyers and *pro se* parties are **DIRECTED** to wear a face mask or covering upon entering the courtrooms of this Court and to continuously wear said face mask or covering until departure from the courtrooms of this Court.
2. All lawyers and *pro se* parties are **DIRECTED** to **NOT** appear before the Court if they have tested positive for, or have experienced any of the symptoms of, the COVID-19 virus, or if they have been exposed to a person that has tested positive for, or is exhibiting symptoms of, the COVID-19 virus, during a certain period of time, described below, preceding the hearing they are scheduled to attend.
  - a. If anyone has tested positive for the COVID-19 virus AND has experienced symptoms, or has experienced symptoms of the COVID-19 virus but has not tested positive, that person may **NOT** come to Court unless **all** three of the following conditions are met: 1) 10 days have passed since that person first experienced symptoms, 2) that person has remained fever-free for 24 hours (without the use of fever-reducing medication), and 3) symptoms have improved.
  - b. If anyone has tested positive for the COVID-19 virus but is *asymptomatic*, that person may **NOT** come to Court until after 10 days have passed from the date of the positive test.
  - c. If anyone has been exposed to someone that has tested positive for, or is exhibiting symptoms of, the COVID-19 virus, AND the exposed person is *asymptomatic* and remains asymptomatic, that exposed person may **NOT** come to Court unless **one** of the following conditions are met: 1) 7 days have passed from the date of last exposure AND the person received a negative test 5 days or later following date of last exposure, or 2) 10 days have passed since the date of last exposure and the person does not get tested for COVID-19.
3. If any of those scenarios described in paragraph 2 are applicable, they are further **DIRECTED** to promptly contact Tracy McCafferty [251.574.8783 or [tmccafferty@probate.mobilecountyal.gov](mailto:tmccafferty@probate.mobilecountyal.gov)] to notify the Court of their circumstances.
4. All lawyers and *pro se* parties are **DIRECTED** to inquire of any person they desire to call as a witness at a hearing as to whether they have recently tested positive for, or have experienced any of the symptoms of, the COVID-19 virus, or if they have been exposed to a person that has tested positive for, or is exhibiting symptoms of, the COVID-19 virus. If they any of those circumstances are applicable, that person may **NOT** come to

Court unless they have satisfied the appropriate conditions in paragraph 2. If that person has not satisfied the appropriate conditions in paragraph 2, the lawyer or *pro se* party should promptly contact all other parties in interest in the cause (or their lawyer) to advise of the circumstances and ascertain their position regarding continuance of the hearing in question. The lawyer or *pro se* party should also promptly contact Tracy McCafferty [251.574.8783 or [tmccafferty@probate.mobilecountyal.gov](mailto:tmccafferty@probate.mobilecountyal.gov)] to notify the Court of the circumstances and request instruction.

5. All lawyers and *pro se* parties are **DIRECTED** to instruct their client(s) and all witnesses they expect to call as a witness to testify at a hearing before the Court that said persons are **DIRECTED** to wear a face mask or covering upon entering the courtrooms of this Court and to continuously wear said face mask or covering until departure from the courtrooms of this Court.
6. The social distancing guidelines of the United States Centers for Disease Control (“CDC”) shall be utilized within the courtrooms of the Court at all times.
7. Only essential witnesses shall be requested to appear before the Court. Spectators who are not going to offer testimony in a cause will not be permitted in the courtrooms of this Court. Notwithstanding the aforesaid, media representatives with credentials will be permitted in the courtrooms of the Court if space exists. Notwithstanding the aforesaid, spectators and media representatives are **NOT** permitted to attend hearings in adoption causes without prior approval of the Court.
8. Witnesses (excluding petitioners and parties in interest) shall remain outside the courtrooms of the Court until they are called to appear before the Court to offer testimony.
9. All persons desiring to enter the courtrooms of the Court are **DIRECTED** to utilize hand sanitizer (to be provided by the Court at the doors of the courtrooms of the Court) prior to entry into the courtrooms of the Court.
10. This Order does not apply to mental health involuntary commitment causes (addressed by separate order).
11. This Order shall remain in effect until further order of the Court.
12. The Clerk of the Court is **DIRECTED** to forward copies of this Order with all notices of hearing issued by the Court in all causes, with the exception of mental health involuntary commitment causes (addressed by a separate order).

DATED: December 21<sup>st</sup>, 2020

  
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DON DAVIS, Judge of Probate