

PROBATE COURT OF MOBILE COUNTY, ALABAMA

**GENERAL ORDER - MENTAL HEALTH
INVOLUNTARY COMMITMENT CASES**

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 advocates (petitioners' lawyers) and guardians ad litem 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 advocates and guardians ad litem 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 are applicable, they are further **DIRECTED** to promptly contact Ms. Kelsey Baker [251.574.6011 or kbaker@probate.mobilecountyal.gov] to notify the Court of their circumstances.
4. All advocates 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.
5. All guardians ad litem are **DIRECTED** to instruct all witnesses (except the Respondent) 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.

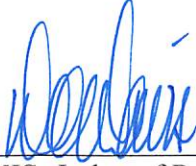
6. The social distancing guidelines of the United States Centers for Disease Control (“CDC”) shall be utilized within the courtrooms of the Court at all times.
7. Witnesses (excluding petitioners and parties in interest) shall remain outside the courtrooms of the Court until they are called to appear before the Court to offer testimony.
8. All law enforcement officers 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.
9. All law enforcement officers are **DIRECTED** to require respondents 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. All law enforcement officers are **DIRECTED** to require respondents to wear a face mask (to be provided by the Court) prior to entry into the courtrooms of the Court.
11. All persons (including respondents, advocates, guardians ad litem, petitioners, witnesses, representatives of AltaPointe Health Systems, Inc. and law enforcement officers 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.
12. Before a respondent is taken into custody by the Mobile County Sheriff’s Department from a health care facility, said health care facility must have submitted to the Court on the prior business day a written statement confirming that the subject respondent is not known to have tested positive for, or have experienced any of the symptoms of, the COVID-19 virus within the past 14 days, and has not been exposed to a person that has tested positive for, or is exhibiting symptoms of, the COVID-19 virus within the past 14 days. If any of the above scenarios apply to the respondent, the statement must also include confirmation that the conditions listed in paragraph (2)(a), (2)(b), or (2)(c), whichever is applicable, have been satisfied so that respondent may appear in Court. If such statement is not timely provided, the scheduled hearing of said respondent is **CANCELLED** and will be rescheduled to another date.
13. Before a respondent is taken into custody by the Mobile County Sheriff’s Department in the general community (not a health care facility), the deputy(ies) involved are **DIRECTED** to inquire of the respondent as to whether: (a) the respondent has exhibited any of the symptoms of COVID-19 during the previous 48 hours; and (b) the subject respondent is not known to have tested positive for the COVID-19 virus or to have been exposed to any person with a diagnosed case of the COVID-19 virus within the past 14 days. If the respondent responds affirmatively to such query, the deputy(ies) involved are **DIRECTED** to contact the Court [Ms. Kelsey Baker [251.574.6011 or kbaker@probate.mobilecountyal.gov] to notify the Court of their circumstances and request instructions as to how to proceed.

14. This Order shall remain in effect until further order of the Court.

15. The Clerk of the Court is **DIRECTED** to forward copies of this Order to Mr. Tuerk Schlesinger, Mr. Phil Cusa, the Honorable Sam Cochran, by electronic and United States Mail.

16. The Clerk of the Court is **DIRECTED** to forward copies of this Order immediately by electronic mail to all lawyers that regularly handle mental health causes. Thereafter, the Clerk of the Court is **DIRECTED** to forward copies of this Order to all pending mental health involuntary commitment causes at least 72 hours before any scheduled hearing in said causes.

DATED: December ^{22nd} 2020



DON DAVIS, Judge of Probate