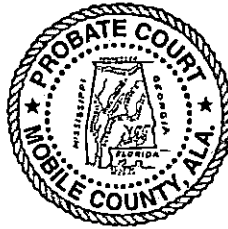


Don Davis
Judge of Probate

C. Mark Erwin
Chief Clerk/Administrator

W. Rushing Payne, Jr.
Chief of Staff/Chief Deputy Clerk



Judicial Division - (251) 574-6001
Recording Division - (251) 574-6040
Records Division - (251) 574-6070
Elections Division - (251) 574-6080
Accounts Division - (251) 574-6101
Facsimile - (251) 574-6003

PROBATE COURT OF MOBILE COUNTY, ALABAMA

MEMORANDUM

TO: ALL LAWYERS PRACTICING BEFORE THE PROBATE COURT OF MOBILE COUNTY

FROM: DON DAVIS

RE: UPDATE - RECOMMENDATIONS AND MEASURES BEING TAKEN AS A RESULT OF THE CORONAVIRUS PANDEMIC

DATE: MARCH 23, 2020

Friends

The Court's staff in endeavoring to remain operational and responsive to the needs of our citizens. There are some things you can do to help us:

1. Minimize *direct* contact with members of the Court's staff. If you need something - call or send an email with the request. If you desire a *direct* meeting with a member of the Court's staff you **MUST** make an appointment to do so **IN ADVANCE**. The Court's staffing chart (with direct dial telephone numbers and email addresses) is available through the Court's website.
2. File **ALL** pleadings electronically. We have a number of lawyers who have not utilized the Court's electronic filing program. Please do so **ASAP**. If you need assistance with this - contact Ms. Miranda Phelps, who leads the Court's IT Division [251.574.6090 or mphelps@probate.mobilecountyal.gov].
3. Record **ALL** documents (deeds, mortgages, etc.) electronically. Again, we have a number of lawyers who do not utilize this program. There are 3 providers that will facilitate your document being filed electronically with payment to the Court. If you need assistance with this - contact Ms. Miranda Phelps, who leads the Court's IT Division [251.574.6090 or mphelps@probate.mobilecountyal.gov].
4. The clerk's *windows* in the Public Records Room are **CLOSED**. **NO** direct contact is permitted. The Public Records Room is **OPEN** for citizens to conduct record searches. You can submit copy requests for records by telephone, mail and email. Recall that most of Mobile County's public records are available electronically through the Court's website. You can obtain basic information about most documents through the website at no charge. There is a charge if you want to look at and/or print a document. The fee is very reasonable. If you have an emergent document

request and desire a direct meeting, contact Mike Avery, who leads the Court's records operation [251.574.6063 or mavery@probate.mobilecountyal.gov]. You can also contact Mike Avery to place an order for documents that will be ready for you to pick up with payment of the appropriate copying fee. Any copies that are ordered where payment will occur at the time of pick up - will be available at the Court's Judicial Intake window on the First Floor of the Mobile County Government Center Annex. **DO NOT GO TO THE RECORDS ROOM TO PICK UP YOUR ORDERED COPIES.** If you need assistance with how to electronically access the Court's public records - contact Ms. Miranda Phelps, who leads the Court's IT Division [251.574.6090 or mphelps@probate.mobilecountyal.gov].

5. We are conducting in-person hearings in the mental health involuntary commitment cases, emergent temporary protective order requests and other emergent requests in guardianship and conservatorship cases. At these hearings, only necessary persons are being permitted in the courtroom and all recommended coronavirus recommendations are being utilized (sanitization - social distancing, etc.). In regards to respondents who are patients at a hospital, we are requiring the hospital to certify in writing before the respondent is taken into custody that the respondent's temperature was taken (and within normal ranges) and the respondent is not exhibiting any symptoms of coronavirus. Precautionary measures are also being taken in regard to respondents located in the general public at the time they are taken into custody. All respondents are required to wash their hands with hand sanitizer immediately before they enter the courtroom. We also have gloves and masks available for lawyers - which will be provided upon request. **Please note that we cannot utilize video conferencing in mental health involuntary commitment cases.**

6. We have the ability, per the provisions of the Alabama Supreme Court's directive regarding hearings, to conduct hearings utilizing video technology. Our court is equipped to conduct video conferences/hearings utilizing various on-line video conferencing platforms. These include, but are not limited to, Court Call, Zoom and Skype. Members of the Court's staff may be contacting you to determine if your matter is ready for a video conference. However, if you have a matter you believe can be conducted by video conference, please contact the Court's Judicial Division. In other words, take the initiative and affirmatively contact the Court's Judicial Division and do not wait on the Court's staff to contact you.

7. Please note that if there is a dispute as to a matter to be presented to the Court, the use of video conferencing will be in the discretion of the Court.

8. Please note that the Alabama Supreme Court's orders limiting in-person courtroom proceedings have no effect on out-of-court activities, including, but not limited to, depositions and mediations.

If you have any questions concerning the aforesaid, please contact Mark Erwin, Chief Clerk of the Court, at 251.574.6115 or merwin@probate.mobilecountyal.gov. Thank you for your attention to these matters.



Don Davis