

**FILED IN OFFICE**

IN THE 32<sup>ND</sup> JUDICIAL CIRCUIT  
STATE OF ALABAMA  
ORDER 2025-01

JAN 27 2025

LISA McSWAIN  
CIRCUIT COURT  
CULLMAN COUNTY

*An Amended Order Adopting Procedures For Excusing  
Prospective Jurors Prior To Court Appearance Date*

Whereas the Alabama Supreme Court recently issued an order instructing all presiding circuit judges of this State to adopt local procedures that permit prospective jurors claiming an undue or extreme physical or financial hardship to obtain an excuse from jury service before the prospective juror's summoned date; and

Whereas a local administrative order was previously adopted authorizing certain individuals in this judicial circuit to grant excuses from jury service for reasons of undue hardship prior to the date jurors are scheduled to report; and

Whereas it is generally acknowledged that a mother actively nursing an infant constitutes a hardship and qualifies the mother to be excused or deferred from jury service pursuant to Code of Alabama § 12-16-63(b)(2);

Whereas, even though serving as a juror is one of the most important duties of American citizenship and provides individuals with an opportunity to directly participate in the administration of justice in their community, there sometimes exist circumstances that make jury service impracticable.

Therefore, in consideration of the foregoing, it is hereby ORDERED as follows:

1. A prospective juror summoned to appear for jury service in this judicial circuit may request, in advance of the summoned date, to be excused or to have his or her service postponed to a later date because of any undue or extreme physical or financial hardship.

2. Any prospective juror who is actively nursing an infant or who is the *sole* care giver for another person who is unable to care for himself or herself due to mental or physical deficiencies or tender age shall qualify as a person entitled to be excused from jury service pursuant to § 12-16-63, Ala. Code 1975. An individual summoned for jury service who is able to obtain an appropriate substitute caregiver during the period of jury service does not qualify as a sole caregiver.

3. A request for postponement or to be excused from jury service because of an extreme hardship may be made in advance of the date a prospective juror is summoned to appear by filing a request at [juror.alacourt.gov](http://juror.alacourt.gov), using a smart phone, tablet, or computer. If a prospective juror does not have internet access a request may also be made by contacting the Cullman County Circuit Court Clerk either in person or telephone. An individual seeking to be excused or to have jury service postponed shall provide sufficient facts to enable an authorized court official to make an informed decision regarding the request.

4. Pursuant to Section 12-16-145 of the Code of Alabama (1975), for good cause shown, the following named court officials shall have authority to excuse or postpone jury service of a summoned juror: Circuit Court Clerk, Lisa McSwain; Lisa Andrews; Cherie Griffin; Debbie Nelson; and Ashley Wilhite. Except for those individuals named herein, the authority of any court official designated by a previous order to excuse or postpone jury service to a future date is hereby revoked. The authority of designated court officials to excuse or postpone jury service shall not apply in capital murder cases. In those cases, only a judge shall be authorized to excuse jurors in conformity with existing court rules and procedures.

5. The Cullman County Circuit Court Clerk is directed to create and to maintain a written or electronic record identifying each individual that has been disqualified or excused

from jury service or whose service has been postponed pursuant to this Order. In addition, the record shall contain a brief statement as to the reason for the disqualification, postponement or excusal and the name of the court official making the decision. All records regarding excusing a prospective juror or postponement of jury service shall be maintained for a period of at least four years or as may be otherwise ordered.

6. A decision on the request to be excused or to postpone jury service to a later date shall be made by an authorized official as soon as reasonably practicable upon receipt of the request. The prospective juror shall be promptly informed of the decision regarding his or her request to be excused from jury service by telephone, email or by letter mailed at least four days prior to the date listed on the juror summons.

7. Nothing herein shall be construed to preclude a prospective juror from asking to be excused from jury service due to hardship on the date listed in the jury summons, but any such request shall be made prior to the beginning of *voir dire*.

8. A copy of this Order shall accompany each juror summons issued to individuals summoned for jury service in the 32nd Judicial Circuit, State of Alabama.

9. The Cullman County Circuit Court Clerk shall provide a copy of this order to the Administrative Director of Courts.

Done this the 22<sup>nd</sup> day of January, 2025.

/s/ Gregory A. Nicholas  
Gregory A. Nicholas  
Presiding Circuit Judge  
32<sup>nd</sup> Judicial Circuit  
State of Alabama