

SB39 ENROLLED



1 IVCUW6-3
2 By Senators Givhan, Elliott, Livingston, Butler, Chambliss,
3 Barfoot, Scofield, Albritton, Orr
4 RFD: Judiciary
5 First Read: 07-Mar-23
6 2023 Regular Session



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1 Enrolled, An Act,

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4 Relating to judges; to provide for additional circuit
5 judgeships and additional district judgeships; to provide for
6 the authority of the judges and for the compensation and
7 benefits of the judges; to prohibit the Judicial Resources
8 Allocation Commission from reallocating any vacant judgeships
9 until January 1, 2027; and to require the Administrative
10 Office of Courts to provide certain statistical data annually.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. (a) (1) There is created an additional
13 circuit judgeship for the Eleventh Judicial Circuit which
14 shall be designated as Circuit Judgeship Number 4.

15 (2) There is created an additional circuit judgeship
16 for the Nineteenth Judicial Circuit which shall be designated
17 as Circuit Judgeship Number 4. The judge elected to Judgeship
18 Number 4 may reside in any county within the Nineteenth
19 Judicial Circuit. The judge occupying Judgeship Number 4 shall
20 be assigned to the domestic relations division of the circuit.

21 (3) There is created an additional circuit judgeship
22 for the Twenty-third Judicial Circuit which shall be
23 designated as Circuit Judgeship Number 9.

24 (4) There is created an additional circuit judgeship
25 for the Twenty-eighth Judicial Circuit which shall be
26 designated as Circuit Judgeship Number 6.

27 (5) There is created an additional district judgeship
28 for Baldwin County which shall be designated as District



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29 Judgeship Number 3.

30 (6) There is created an additional district judgeship
31 for DeKalb County which shall be designated as District
32 Judgeship Number 2.

33 (7) There is created an additional district judgeship
34 for Mobile County which shall be designated as District
35 Judgeship Number 6.

36 (b) The additional judgeships created pursuant to
37 subsection (a) shall be filled at the 2024 General Election.

38 (c) The initial judges elected to the additional
39 judgeships created pursuant to subsection (a) shall serve for
40 a six-year term holding office from the first Monday following
41 the second Tuesday in January after the general election at
42 which the judges are elected.

43 (d) The initial judges elected to the additional
44 judgeships created pursuant to subsection (a) shall have and
45 shall exercise all the jurisdiction, power, rights, and
46 authority and shall possess all of the qualifications, perform
47 all of the duties, and shall be subject to all of the
48 responsibilities and duties of the office to which other
49 judges are subject.

50 (e) The annual compensation of the additional judges
51 elected pursuant to subsection (a) shall be in accordance with
52 Chapter 10B of Title 12, Code of Alabama 1975, including, but
53 not limited to, the provision that no judge first elected or
54 appointed to office after October 1, 2021, may be provided a
55 salary supplement or expense allowance.

56 Section 2. (a)(1) There is created an additional



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57 circuit judgeship for the Sixth Judicial Circuit which shall
58 be designated as Circuit Judgeship Number 7.

59 (2) There is created an additional circuit judgeship
60 for the Nineteenth Judicial Circuit which shall be designated
61 as Circuit Judgeship Number 5. The judge elected to Judgeship
62 Number 5 may reside in any county within the Nineteenth
63 Judicial Circuit.

64 (3) There is created an additional circuit judgeship
65 for the Twenty-eighth Judicial Circuit which shall be
66 designated as Circuit Judgeship Number 7.

67 (4) There is created an additional circuit judgeship
68 for the Thirty-seventh Judicial Circuit which shall be
69 designated as Circuit Judgeship Number 4.

70 (5) There is created an additional district judgeship
71 for Madison County which shall be designated as District
72 Judgeship Number 5.

73 (6) There is created an additional district judgeship
74 for Shelby County which shall be designated as District
75 Judgeship Number 3.

76 (b) The additional judgeships created pursuant to
77 subsection (a) shall be filled at the 2026 General Election.

78 (c) The initial judges elected to the additional
79 judgeships created pursuant to subsection (a) shall serve for
80 a six-year term holding office from the first Monday following
81 the second Tuesday in January after the general election at
82 which the judges are elected.

83 (d) The initial judges elected to the additional
84 judgeships created pursuant to subsection (a) shall have and



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85 shall exercise all the jurisdiction, power, rights, and
86 authority and shall possess all of the qualifications, perform
87 all of the duties, and shall be subject to all of the
88 responsibilities and duties of the office to which other
89 judges are subject.

90 (e) The annual compensation of the additional judges
91 elected pursuant to subsection (a) shall be in accordance with
92 Chapter 10B of Title 12, Code of Alabama 1975, including, but
93 not limited to, the provision that no judge first elected or
94 appointed to office after October 1, 2021, may be provided a
95 salary supplement or expense allowance.

96 Section 3. Notwithstanding Section 12-9A-2, Code of
97 Alabama 1975, or any other law to the contrary, a moratorium
98 on the reallocation of judges by the Judicial Resources
99 Allocation Commission for reallocating any vacant judgeships
100 shall be in effect until January 1, 2027.

101 Section 4. (a) The Administrative Office of Courts
102 shall provide the following statistics for each fiscal year by
103 circuit as provided in subsection (b):

104 (1) Number of civil cases filed broken down by
105 category.

106 (2) Number of civil cases resolved via a motion to
107 dismiss or voluntary dismissal.

108 (3) Number of civil cases resolved via a motion for
109 summary judgment.

110 (4) Number of civil cases in which a jury is empaneled.

111 (5) Number of civil cases tried to a jury verdict.

112 (6) Number of criminal cases filed broken down by type



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113 of offense.

114 (7) Number of total criminal counts filed broken down
115 by type of offense.

116 (8) Number of criminal cases resolved via dismissal.

117 (9) Number of criminal cases resolved via plea
118 agreement.

119 (10) Number of criminal cases resolved via some form of
120 pre-trial diversion or alternative resolution program.

121 (11) Number of criminal cases in which a jury is
122 empaneled.

123 (12) Number of criminal cases tried to a jury verdict.

124 (13) Number of juvenile cases filed broken down by
125 dependency and delinquency.

126 (14) Number of juvenile cases resolved.

127 (15) Number of domestic cases filed broken down by
128 category.

129 (16) Number of domestic cases resolved.

130 (17) Number of probate cases appealed to the circuit
131 court.

132 (18) Any other information or data deemed relevant by
133 the Alabama Supreme Court.

134 (b) The information required in subsection (a) shall be
135 provided to all of the following by January 15 of each year:

136 (1) The Speaker of the House of Representatives.

137 (2) The President Pro Tempore of the Senate.

138 (3) The chair of the Senate Finance and Taxation,
139 General Fund Committee.

140 (4) The chair of the House Ways and Means General Fund



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141 Committee.

142 (5) The chair of the Senate Judiciary Committee.

143 (6) The chair of the House Judiciary Committee.

144 (7) The Legislative Fiscal Officer.

145 (8) The chair of the Legislative Council.

146 (9) The vice chair of the Legislative Council.

147 (10) The Senate Minority Leader.

148 (11) The House Minority Leader.

149 Section 5. This act shall become effective immediately
150 following its passage and approval by the Governor, or its
151 otherwise becoming law.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

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Senate 11-May-23

I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives

Passed: 23-May-23

By: Senator Givhan