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



1 Enrolled, An Act,

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Relating to judges; to provide for additional circuit 5 judgeships and additional district judgeships; to provide for the authority of the judges and for the compensation and 6 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 Office of Courts to provide certain statistical data annually.

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- 11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
- Section 1. (a) (1) There is created an additional 12 13 circuit judgeship for the Eleventh Judicial Circuit which 14 shall be designated as Circuit Judgeship Number 4.
 - (2) There is created an additional circuit judgeship for the Nineteenth Judicial Circuit which shall be designated as Circuit Judgeship Number 4. The judge elected to Judgeship Number 4 may reside in any county within the Nineteenth Judicial Circuit. The judge occupying Judgeship Number 4 shall be assigned to the domestic relations division of the circuit.
- 21 (3) There is created an additional circuit judgeship for the Twenty-third Judicial Circuit which shall be 22 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 designated as Circuit Judgeship Number 6. 26
- (5) There is created an additional district judgeship 27 28 for Baldwin County which shall be designated as District



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



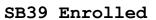
- 57 circuit judgeship for the Sixth Judicial Circuit which shall 58 be designated as Circuit Judgeship Number 7.
- (2) There is created an additional circuit judgeship
 for the Nineteenth Judicial Circuit which shall be designated
 as Circuit Judgeship Number 5. The judge elected to Judgeship
 Number 5 may reside in any county within the Nineteenth
 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.
- (c) The initial judges elected to the additional
 judgeships created pursuant to subsection (a) shall serve for
 a six-year term holding office from the first Monday following
 the second Tuesday in January after the general election at
 which the judges are elected.
- (d) The initial judges elected to the additional judgeships created pursuant to subsection (a) shall have and



- 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
- shall be in effect until January 1, 2027.
- 101 Section 4. (a) The Administrative Office of Courts
- 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

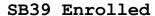


- of offense.
- 114 (7) Number of total criminal counts filed broken down
- 115 by type of offense.
- 116 (8) Number of criminal cases resolved via dismissal.
- 117 (9) Number of criminal cases resolved via plea
- 118 agreement.
- 119 (10) Number of criminal cases resolved via some form of
- 120 pre-trial 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
- 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
- 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





| 141 | Committee. |
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| 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. |





President and Presiding Officer of the Senate Speaker of the House of Representatives SB39 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-23 180 By: Senator Givhan