

1 SB176  
2 173638-1  
3 By Senator Ward  
4 RFD: Finance and Taxation General Fund  
5 First Read: 09-FEB-16

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8 SYNOPSIS: This bill would authorize the Chief Justice  
9 of the Alabama Supreme Court to reallocate circuit  
10 judgeships in the event of vacancies and based on  
11 criteria established by the Judicial System Study  
12 Commission.

13  
14 A BILL  
15 TO BE ENTITLED  
16 AN ACT

17  
18 Relating to courts; to authorize the Chief Justice  
19 of the Alabama Supreme Court to reallocate circuit judgeships  
20 in the event of vacancies and based on criteria established by  
21 the Judicial System Study Commission.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. The Judicial System Study Commission  
24 shall establish criteria for determining the need for  
25 increasing or decreasing the number of judgeships in each  
26 judicial circuit in the state and submit a report thereon to  
27 the Chief Justice of the Alabama Supreme Court by January 1,

1 2016, and the first of each year thereafter. The report shall  
2 list the circuits with the greatest need for additional  
3 judgeships and list the circuits with an excess of judges. The  
4 report shall detail with specificity the facts upon which the  
5 commission relied and the criteria used.

6 Section 2. (a) In the event of a vacancy due to  
7 death, retirement, resignation, or removal from office of a  
8 circuit judge, the Chief Justice of the Alabama Supreme Court  
9 may reallocate that judgeship to another circuit. In  
10 determining whether to reallocate the judgeship, the Chief  
11 Justice shall consider the recommendation of the judicial  
12 study commission as set forth in its annual report.

13 (b) Upon the reallocation of the judgeship, all  
14 remaining judgeships in the circuit from which the judgeship  
15 was reallocated shall be renumbered appropriately.

16 (c) The state resources allocated to fund the  
17 reallocated judgeship shall continue to fund the judgeship in  
18 the circuit to which it was reallocated.

19 Section 3. The vacancy shall be filled according to  
20 the law for the circuit to which a judgeship is reallocated  
21 and the person appointed to fill the judgeship shall serve the  
22 required time period pursuant to Alabama law before running  
23 for election at which time the reallocated judgeship shall be  
24 subject to election in the circuit to which the judgeship was  
25 reallocated.

26 Section 4. The judge appointed to the reallocated  
27 judgeship pursuant to this act shall have and exercise all the

1 jurisdiction, power, rights, and authority and shall possess  
2 all of the qualifications, perform all of the duties and shall  
3 be subject to all of the responsibilities and duties of the  
4 office to which other circuit judges are subject.

5 Section 5. The annual compensation of the circuit  
6 judges appointed pursuant to this act shall be in accordance  
7 with Chapter 10A of Title 12, Code of Alabama 1975.

8 Section 6. All laws or parts of laws which conflict  
9 with this act are repealed.

10 Section 7. This act shall become effective  
11 immediately following its passage and approval by the  
12 Governor, or its otherwise becoming law.