

1 SB94
2 173138-1
3 By Senators Marsh, Pittman and Reed
4 RFD: Judiciary
5 First Read: 02-FEB-16

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8 SYNOPSIS: Under current law, an additional circuit
9 judgeship was created in the 29th Judicial Circuit
10 in 1985, by Act 85-546, 1985 Regular Session (Acts
11 1985, p. 795). The 1985 act has been amended
12 multiple times to delay filling such judgeship. The
13 judgeship is to be filled in 2016 under current
14 law.

15 This bill would repeal the provision
16 providing for the establishment of an additional
17 circuit judgeship authorized for the 29th Judicial
18 Circuit.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 To repeal Sections 9, 10, and 11 of Act 85-546 of
25 the 1985 Regular Session (Acts 1985, p. 795), as last amended
26 by Act 2009-552, 2009 Regular Session (Acts 2009, p. 1595),
27 relating to the creation of an additional circuit judgeship in

1 the 29th Judicial Circuit, and to amend Section 12-17-20, Code
2 of Alabama 1975, to delete the provision providing for the
3 establishment of an additional circuit judgeship authorized
4 for the 29th Judicial Circuit.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 12-17-20, Code of Alabama 1975,
7 is amended to read as follows:

8 "§12-17-20.

9 "(a) Except as otherwise provided in this section,
10 each judicial circuit of the state shall have one resident
11 circuit judge.

12 "(b) In the following judicial circuits, there shall
13 be the number of resident circuit judges listed below:

14 "(1) There shall be two circuit judges in the first
15 judicial circuit. The judge occupying judgeship No. 1 shall be
16 the presiding judge.

17 "(2) There shall be three circuit judges in the
18 fourth judicial circuit.

19 "(3) There shall be three circuit judges in the
20 fifth judicial circuit.

21 "(4) There shall be six circuit judges in the sixth
22 judicial circuit.

23 "(5) There shall be five circuit judges in the
24 seventh judicial circuit.

25 "(6) There shall be three circuit judges in the
26 eighth judicial circuit.

1 "(7) There shall be three circuit judges in the
2 ninth judicial circuit.

3 "(8) There shall be 27 circuit judges in the tenth
4 judicial circuit. The judge occupying judgeship No. 23 shall
5 serve the Birmingham domestic relations division, and the
6 judges occupying judgeship Nos. 21, 22, and 24 shall serve the
7 Birmingham civil division. The judge occupying judgeship No.
8 25 shall serve the Bessemer cut-off division. The judges
9 occupying judgeship Nos. 26 and 27 shall serve in the Criminal
10 Division of Jefferson County, Birmingham Division.

11 "(9) There shall be three circuit judges in the
12 eleventh judicial circuit.

13 "(10) There shall be three circuit judges in the
14 twelfth judicial circuit.

15 "(11) There shall be eleven circuit judges in the
16 thirteenth judicial circuit.

17 "(12) There shall be three circuit judges in the
18 fourteenth judicial circuit.

19 "(13) There shall be nine circuit judges in the
20 fifteenth judicial circuit. At least two judges shall be
21 assigned to the criminal division of said circuit, and one or
22 more judges shall be assigned to the civil division, in the
23 discretion of the presiding judge. The judge occupying
24 judgeship No. 7 shall serve the family court division of said
25 circuit.

26 "(14) There shall be four circuit judges in the
27 sixteenth judicial circuit.

1 "(15) There shall be four circuit judges in the
2 eighteenth judicial circuit.

3 "(16) There shall be three circuit judges in the
4 nineteenth judicial circuit. The judge occupying judgeship No.
5 1 shall be a resident of Elmore County, the judge occupying
6 judgeship No. 2 shall be a resident of Autauga County, and the
7 judge occupying judgeship No. 3 shall be a resident of Chilton
8 County. A person qualifying as a candidate for election to a
9 judgeship under this subdivision shall be a resident of the
10 county for the judgeship the person seeks for a period of not
11 less than one year prior to the date the person qualifies as a
12 candidate for election to the office and thereafter during his
13 or her tenure in office.

14 "(17) There shall be five circuit judges in the
15 twentieth judicial circuit.

16 "(18) There shall be two circuit judges in the
17 twenty-first judicial circuit.

18 "(19) There shall be two circuit judges in the
19 twenty-second judicial circuit.

20 "(20) There shall be seven circuit judges in the
21 twenty-third judicial circuit.

22 "(21) There shall be two circuit judges in the
23 twenty-fifth judicial circuit.

24 "(22) There shall be two circuit judges in the
25 twenty-sixth judicial circuit.

26 "(23) There shall be three circuit judges in the
27 twenty-seventh judicial circuit.

1 "(24) There shall be five circuit judges in the
2 twenty-eighth judicial circuit.

3 "(25) There shall be ~~three~~ two circuit judges in the
4 twenty-ninth judicial circuit.

5 "(26) There shall be two circuit judges in the
6 thirtieth judicial circuit.

7 "(27) There shall be two circuit judges in the
8 thirty-first judicial circuit.

9 "(28) There shall be two circuit judges in the
10 thirty-second judicial circuit.

11 "(29) There shall be two circuit judges in the
12 thirty-third judicial circuit.

13 "(30) There shall be three circuit judges in the
14 thirty-seventh judicial circuit. The judge occupying judgeship
15 Number 3 shall preside over the family court division.

16 "(31) There shall be two circuit judges in the
17 thirty-eighth judicial circuit.

18 "(32) There shall be two circuit judges in the
19 thirty-ninth judicial circuit."

20 Section 2. Sections 9, 10, and 11 of Act 2009-546 of
21 the 1985 Regular Session, as last amended by Act 552 of the
22 2009 Regular Session, are hereby repealed.

23 Section 3. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.