

1 SB56
2 196363-4
3 By Senator Livingston (N & P)
4 RFD: Local Legislation
5 First Read: 05-MAR-19

1 SB56

2
3
4 With Notice and Proof

5
6 ENROLLED, An Act,

7 Relating to Jackson County; to provide for
8 additional court costs in civil and criminal cases in the
9 circuit and district courts; and to provide for the
10 distribution of the proceeds to the Jackson County Judicial
11 Employees Fund be used to provide staffing for employees of
12 the office of the circuit clerk and courts of Jackson County.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. This act shall be known and cited as the
15 Jackson County Preservation of Justice Act.

16 Section 2. The Legislature hereby finds and declares
17 the following:

18 (1) The financial restraints existing in the State
19 General Fund budget have resulted in a shortfall to the
20 Unified Judicial System that has caused the layoff of many
21 judicial employees. In Jackson County, three employees in the
22 circuit clerk's office who were scheduled for layoff have been
23 temporarily retained with alternate funding other than funds
24 appropriated to the Unified Judicial System; however, this
25 alternate funding cannot be relied upon in the future.

1 Revenue from this act will restore funding for some judicial
2 employees in the circuit.

3 (2) This act addresses this problem by increasing
4 court costs.

5 Section 3. In addition to any court costs and fees
6 authorized by law, additional court costs shall be assessed in
7 certain Jackson County Circuit Court and District Court cases
8 as follows:

9 (1) In the circuit court:

10 a. In civil cases, except for domestic relation
11 cases, one hundred dollars (\$100).

12 b. In domestic relations cases, seventy-five dollars
13 (\$75).

14 c. In criminal cases, including cases appealed from
15 the district and municipal courts, twenty dollars (\$20).

16 (2) In District Court:

17 a. In civil cases, excluding unlawful detainer,
18 small claims, and child support cases, twenty dollars (\$20).

19 b. In criminal cases, including DUI cases, but
20 excluding other traffic cases and negotiating worthless
21 negotiable instrument cases, twenty dollars (\$20).

22 Section 4. (a) The Circuit Clerk of the Jackson
23 County shall collect the additional court costs assessed as
24 provided in Section 3 in the same manner as other court costs
25 are collected and deposit the proceeds monthly in the Jackson

1 County Judicial Employees Fund, which shall be established in
2 the county treasury. The fund shall be administered by the
3 circuit court clerk. The presiding circuit judge shall direct
4 the expenditures from the fund solely to provide staffing for
5 the office of the circuit clerk and the courts of Jackson
6 County as the presiding circuit judge and circuit clerk
7 jointly determine is necessary for the offices of the judges
8 and clerk in Jackson County for the administration of the
9 judicial system in a timely and efficient manner.

10 Section 5. The presiding circuit judge of Jackson
11 County may enter into a memorandum of understanding with the
12 Administrative Office of Courts for the payment of all or a
13 portion of the funds from the Jackson County Judicial
14 Employees Fund to the Administrative Office of Courts for the
15 purpose of providing the staffing needs of the judicial system
16 of Jackson County. If the Administrative Office of Courts
17 fails or refuses to enter into or withdraws from a memorandum
18 of understanding to receive funds from the Judicial Employees
19 Fund, or if the presiding circuit judge determines that
20 staffing needs should be otherwise provided, then all or a
21 portion of the proceeds of the fund may be expended for the
22 staffing needs as deemed appropriate by the circuit clerk and
23 presiding circuit judge.

24 Section 6. In the event that the Administrative
25 Office of Courts funds staffing positions in the judicial

1 system of Jackson County in a manner that the presiding
2 circuit judge determines to be adequate for the timely and
3 efficient administration of the system, the presiding circuit
4 judge shall certify that determination to the Jackson County
5 Legislative Delegation. In the event the presiding circuit
6 judge makes that certification, the court costs authorized by
7 this act shall no longer be collected effective on the first
8 day of the month immediately following the certification.

9 Section 7. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB56
Senate 03-APR-19
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Passed: 14-MAY-19

By: Senator Livingston