

1 SB291
2 210530-3
3 By Senator Albritton
4 RFD: Judiciary
5 First Read: 02-MAR-21

SYNOPSIS: This bill would create an additional circuit judgeship, designated Circuit Judgeship Number 8, in the Twenty-third Judicial Circuit comprised of Madison County, an additional circuit judgeship in the Nineteenth Judicial Circuit comprised of Autauga, Chilton, and Elmore Counties designated as Circuit Judgeship No. 4, and an additional circuit judgeship, designated Circuit Judgeship Number 6, in the Twenty-eighth Judicial Circuit comprised of Baldwin County. This bill would provide for the authority of the judges, and for the compensation and benefits of the judges.

This bill would also further provide for the reallocation of circuit judgeships by the Judicial Resources Allocation Commission.

A BILL
TO BE ENTITLED
AN ACT

1 To provide for an additional circuit judgeship in
2 the Twenty-third Judicial Circuit comprised of Madison County;
3 to provide for an additional circuit judgeship in the
4 Nineteenth Judicial Circuit comprised of Autauga, Chilton, and
5 Elmore Counties; to provide for an additional circuit
6 judgeship in the Twenty-eighth Judicial Circuit comprised of
7 Baldwin County; to further provide for reallocation of vacant
8 circuit judgeships; to provide for the termination of certain
9 judgeships; and to repeal Section 12-9A-5, Code of Alabama
10 1975, relating to the Judicial Weighted Caseload Study.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. (a) There is created an additional
13 circuit judgeship for the Twenty-third Judicial Circuit which
14 shall be designated Circuit Judgeship Number 8.

15 (b) There is created an additional circuit judgeship
16 for the Nineteenth Judicial Circuit which shall be designated
17 as Circuit Judgeship Number 4.

18 (c) There is created an additional circuit judgeship
19 for the Twenty-eighth Judicial Circuit which shall be
20 designated as Circuit Judgeship Number 6.

21 Section 2. (a) Circuit Judgeship Number 8 in the
22 Twenty-third Judicial Circuit, Circuit Judgeship Number 4 in
23 the Nineteenth Judicial Circuit, and Circuit Judgeship Number
24 6 in the Twenty-eighth Judicial Circuit shall be filled in the
25 manner appropriate to fill a vacancy in their respective
26 circuits, effective October 1, 2021.

1 (b) The first judges appointed to the additional
2 circuit judgeships pursuant to subsection (a) shall serve
3 pursuant to Amendment 950 now appearing as Section 153 of the
4 Official Recompilation of the Constitution of Alabama of 1901,
5 as amended.

6 (c) The judges appointed to the additional circuit
7 judgeship pursuant to subsection (a) shall have and shall
8 exercise all the jurisdiction, power, rights, and authority
9 and shall possess all of the qualifications, perform all of
10 the duties, and shall be subject to all of the
11 responsibilities and duties of the office to which other
12 circuit judges are subject.

13 Section 3. The annual compensation of the circuit
14 judges serving pursuant to Section 2 shall be in accordance
15 with Chapter 10A of Title 12, Code of Alabama 1975, including,
16 but not limited to, the provision that no circuit judge first
17 elected or appointed to office after October 1, 2001, shall be
18 provided a salary supplement or expense allowance.

19 Section 4. Effective January 16, 2023, or at any
20 point prior if the position is vacated, the Circuit Judgeships
21 in Place 16 and Place 21 of the 10th Judicial Circuit, are
22 terminated.

23 Section 5. Notwithstanding Section 12-9A-2, Code of
24 Alabama 1975, or any other law to the contrary, the Judicial
25 Resources Allocation Commission shall reallocate the first
26 circuit judgeship that becomes vacant after the effective date
27 of this act as provided under existing law. The commission may

1 not reallocate the second circuit judgeship that becomes
2 vacant after the effective date of this act and that judgeship
3 shall terminate. Thereafter, the commission may reallocate any
4 subsequent circuit judgeship that becomes vacant as provided
5 under existing law.

6 Section 6. Section 12-9A-5, Code of Alabama 1975,
7 relating to the Judicial Weighted Caseload Study, is repealed.

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