

1 HB388
2 164841-1
3 By Representatives Pringle, Williams (JW), Wilcox, Gaston,
4 Sessions, Drummond and Clarke (N & P)
5 RFD: Mobile County Legislation
6 First Read: 02-APR-15

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the Probate Court of Mobile County; to
14 authorize the judge of probate to accept the electronic filing
15 of judicial filings in the probate court in the same manner as
16 electronic filings are accepted in the Circuit Court of Mobile
17 County; to provide that the electronic filings are subject to
18 the Alabama Rules of Civil Procedure; to further provide for
19 fees in the probate court by authorizing the judge of probate
20 to collect reasonable fees for access and printing of judicial
21 pleadings through the Internet or other electronic means; and
22 for the distribution and use of the fees provided in the same
23 manner as special recording fees in the probate court; and to
24 provide for the payment of estimated costs in advance under
25 certain conditions.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) The Probate Court of Mobile County
2 may accept the filing of judicial pleadings under the same
3 rules and procedures that govern the filing of judicial
4 pleadings in the Circuit Court of Mobile County and subject to
5 any existing or future orders, procedures, or protocols of the
6 Supreme Court of Alabama relating to electronic filing of
7 judicial pleadings.

8 (b) The provisions of the Alabama Rules of Civil
9 Procedure relating to electronically filed pleadings shall
10 apply to judicial proceedings in the Probate Court of Mobile
11 County upon implementation of electronic filing of judicial
12 pleadings.

13 Section 2. The Judge of Probate of Mobile County may
14 collect reasonable fees from persons and entities for access
15 to and for printing of judicial pleadings through the Internet
16 and other electronic means which do not exceed the fee persons
17 and entities must pay for access to and printing of judicial
18 pleadings in the Circuit Court of Mobile County.

19 Section 3. All fees paid to the Judge of Probate of
20 Mobile County in accordance with Section 2 shall be held by
21 the Judge of Probate of Mobile County in the Probate Court of
22 Mobile County's special recording fee account and utilized and
23 disbursed by the Judge of Probate of Mobile County in
24 accordance with Act 98-646, as in effect on the effective date
25 of this act, notwithstanding any provision to the contrary
26 contained therein.

1 Section 4. The Judge of Probate of Mobile County may
2 require estimated court costs in cases filed in the Probate
3 Court of Mobile County to be paid in advance at the time of
4 filing of the pleadings.

5 Section 5. All laws or parts of laws which conflict
6 with this act are repealed.

7 Section 6. This act shall become effective
8 immediately following its passage and approval by the
9 Governor, or its otherwise becoming law.