

1 HB688
2 140298-1
3 By Representatives Hill and England
4 RFD: Ways and Means General Fund
5 First Read: 12-APR-12

8 SYNOPSIS: This bill would increase docket fees in all
9 civil cases in the circuit and district courts
10 excluding child support cases and in all criminal
11 cases in the circuit, district, and municipal
12 courts and would provide for distribution of the
13 funds.
14

15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 Relating to the courts in this state; to increase
20 the docket fees in certain civil and criminal cases in the
21 circuit, district, and municipal courts in this state; and to
22 provide for distribution of the revenue.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. In addition to the docket fees now
25 authorized by law, additional docket fees shall be assessed in
26 all circuit, district, and municipal courts as follows:

1 (1) In civil cases in the circuit and district
2 courts, except child support cases and as further provided for
3 small claims cases, an additional docket fee of forty dollars
4 (\$40) and in small claims cases an additional docket fee of
5 fifteen dollars (\$15).

6 (2) In criminal cases in the circuit, district, and
7 municipal courts, including traffic cases, but excluding
8 parking violations, an additional docket fee of forty dollars
9 (\$40).

10 Section 2. (a) There is established in the State
11 Treasury the "State Judicial Administration Fund." Two-thirds
12 of the docket fees collected pursuant to Section 1 shall be
13 distributed to the fund and used by the Administrative Office
14 of Courts as determined by the Administrative Director of
15 Courts for the operation of courts in this state.

16 (b) All funds distributed to the fund pursuant to
17 this section are continuously appropriated for operation of
18 the courts of this state.

19 Section 3. (a) There is established in each judicial
20 circuit of this state the "Presiding Circuit Judge's Judicial
21 Administration Fund" and in each county in this state the
22 "Circuit Clerk's Judicial Administration Fund." One-sixth of
23 the docket fees collected in each circuit pursuant to Section
24 1 shall be distributed to the Presiding Judge's Judicial
25 Administration Fund in the circuit. One-sixth of the docket
26 fees collected in each county pursuant to Section 1 shall be

1 distributed to the Circuit Clerk's Judicial Administration
2 Fund in the county.

3 (b) The funds distributed pursuant to subsection (a)
4 shall be expended for and are continuously appropriated for
5 the support of local court operations, including, but not
6 limited to, salaries and benefits of court employees where
7 necessary for the efficient operations of the courts in the
8 circuit and for other expenses as individually determined
9 necessary by the presiding circuit judge or any circuit clerk
10 to promote efficient administration of justice. Funds
11 distributed pursuant to subsection (a) shall not reduce the
12 amount payable to the presiding circuit judge or any circuit
13 clerk under any local act or general act or reduce or affect
14 the amounts of funding allocated by the Administrative Office
15 of Courts to the budget of the presiding circuit judge or any
16 circuit clerk.

17 Section 4. All expenditures of funds pursuant to
18 this act shall be audited as all other state funds are
19 audited.

20 Section 5. The docket fees assessed pursuant to this
21 act shall not be waived or remitted by the court unless all
22 docket fees associated with the case are waived or remitted.

23 Section 6. This act shall become effective 30 days
24 following its passage and approval by the Governor, or its
25 otherwise becoming law.