



COURT NEWS

Newsletter of the Alabama Judicial System

February, 1985

Pilot Law-Related Education Forum Held in Dothan

Houston County Project Called Prototype for State

Spearheaded by Dr. Gene Watson, Superintendent of Dothan City Schools, and Presiding Circuit Judge Jerry W. White of the 20th Judicial Circuit, a law and court-related education program is under development in Houston County.

A forum linking resource personnel with teachers from both the city and county school systems kicked off the project on Jan. 29.

At a dinner hosted by the Dothan-Houston County Chamber of Commerce, Chief Justice C. C. "Bo" Torbert, Jr., and Associate Justice Hugh Maddox made keynote addresses.

Dr. Watson served as Master of Ceremonies. Alfred Saliba, chamber president, welcomed the group. Others at the head table were: Judge White; Louie Sellers, Superintendent, Houston County Schools; Joel Ramsey, President, Houston County Bar Association; and John Crather, Chairman, Law Enforcement Subcommittee, Chamber of Commerce.

Those who have agreed to serve as resource people to social studies teachers include circuit, district, and municipal judges; the district attorney; local attorneys; municipal policemen; sheriff's department employees; state troopers; firemen; juvenile and adult probation officers; and Southeast Alabama Youth Services personnel.

The 5th, 8th, 9th, and 12th grades will receive assistance from the resource group.

Following the dinner, the resource personnel met with the teachers in a planning session. (Continued on Page 2)

Supreme Court Justices Make Keynote Speeches

Some 150 Houston County teachers, judges, attorneys, law enforcement officials, and others met in a Law-Related Education Forum in Dothan, January 29, and were told by Chief Justice C. C. "Bo" Torbert, Jr., "There is simply too much at stake for us to fail."

Chief Justice Torbert and Associate Justice Hugh Maddox were the keynote speakers at the forum, which matched resource people with teachers of the appropriate school grades for the purpose of devising an effective law-related education program.

"The impact of this experiment on the youth of Dothan and Houston County can be tremendous. But it will require the dedication and hard work of all involved to see that it does not falter in the future. There is simply too much at stake for us to fail," Torbert said.

"We would like to see law and court-related education formally adopted into the social studies curriculum at the state level so that we can ensure that young people in Alabama have a fundamental understanding of the rights which we all enjoy and of the legal system which guarantees and protects those rights," he said.

Torbert quoted a 1982 resolution passed by the Conference of Chief Justices which "recognizes the value of law-related education and encourages all states to implement such a curriculum, to the end that our youth will honor, defend, and enhance a national heritage which fosters individuals' rights and responsibilities in a free society under the law."

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Houston County Project

Their purpose was to determine what staff development is needed for teachers on topics and other related areas, what form it will take, who will do it, and when.

Suggestions were made on formats and techniques for accomplishing the task and the kinds of guidance needed, such as debates, discussion groups, lectures, audio visual presentations, "field trip" visits, simulations, etc.

"You just can't say enough about the great work the Houston County group is doing in law-related education," said William A. Campbell, Director of Research and Planning of the Administrative Office of Courts.

Campbell, who directs law-related education activities for AOC, said, "The enthusiasm, cooperation, and work of these people--particularly Dr. Watson and Judge White--is outstanding."

Allen L. Tapley, Administrative Director of Courts, noted that law-related education has been an important activity of the Administrative Office of Courts for several years.

"We have long recognized the importance of educating young people about our system of justice and the role they should play in that system. We are extremely pleased to have the opportunity to work with Judge White and school officials in Houston County in developing this law-related education program," Tapley said.

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Supreme Court Justices

Justice Maddox reminded the audience that our system of government "is of laws and not of men." He commended the efforts of the Houston County group and encouraged them to continue their efforts in law-related education.

Both he and Chief Justice Torbert expressed the hope that the program will go beyond teaching mere facts about the structure of the legal and judicial system.

"Our youth do need to know the facts about our laws and court system, how it works and how it functions--but facts are not at the heart of law-related education.

Facts alone will not breed respect for the law," Torbert said.

"The very foundation of law-related education is the development of an ethical and moral consciousness in our youth," he concluded.

Chief Justice Torbert and Justice Maddox joined Dr. Gene Watson, Superintendent of Dothan City Schools, and Judge Jerry W. White, Presiding Circuit Judge of the 20th Judicial Circuit, in a news conference prior to the dinner forum.

The entire Supreme Court will meet in formal session in Dothan on May 3.

Jurisdiction of Small Claims Court

On January 11, 1985, Governor Wallace signed into law Act No. 85-52 (H. 14), which became effective immediately upon its passage and approval by the Governor. This Act amends §12-12-31, Code of Alabama 1975, to increase the jurisdictional limit of the small claims court to \$1,000.00.

Chief Justice Convenes Judicial Study Commission

Following a luncheon and introductory remarks by University of Alabama President Dr. Joab L. Thomas and Dean of the University of Alabama Law School Charles W. Gamble, Chief Justice C. C. Torbert, Jr., convened the annual meeting of the Judicial Study Commission (JSC) at noon, Jan. 10, 1985. As chairman of the JSC, Chief Justice Torbert opened the conference with a "state of the court system" address which focused on the workload of the system and the results of the 1984 Judicial Study Commission recommendations.

"In spite of the fact that case filings in the circuit and district courts decreased this past year, filings remain significantly above the FY 1979 levels," said Torbert. "Because increases in case filings had outstripped existing judicial manpower in a number of circuit courts, it was necessary that the JSC, in 1984, recommend the creation of eight new circuit judgeships. The legislature agreed with our recommendation and further authorized an additional circuit and district judgeship," concluded Torbert.

At the request of the JSC, the 1984 legislature also passed a resolution regarding the critical need for a new judicial building. The resolution called for the appointment of a committee, chaired by the Chief Justice, to make an in-depth study and to report to the legislature its findings and recommendations.

The Chief Justice discussed the meetings and activities of the committee and the visit by the Chief Justice and committee members Rep. Tom Coburn and Judge Richard L. Holmes to view the recently constructed judicial buildings in Colorado, Idaho, and Kansas. The JSC approved the building committee's report.

In its deliberations, the JSC received reports and made recommendations on the following topics:

- Approved a recommendation that support be given for an additional district judgeship for Houston County based on a study by the Administrative Office of Courts staff. "Though other judicial needs exist, the most critical need in the state is in the District Court of Houston County," commented Torbert.

- Unanimously accepted the report of the advisory committee on juvenile probation services, chaired by Judge Aubrey Ford, District Judge from Macon County, which recommended that the state court system assume all probation officers, clerical, and support staff involved in the intake and field supervision of juveniles.

In a letter dated May 29, 1984, addressed to Chief Justice Torbert, Governor George C. Wallace expressed concern for the current state of probation services in the juvenile court and requested that the Alabama Judicial Study Commission address this matter. In response to the letter, Chief Justice Torbert appointed an advisory committee on juvenile probation services to perform an in-depth study of the Alabama juvenile probation system.

In its report, the committee concluded that the problems in the delivery of probation services to juveniles in Alabama could only be addressed at the state level. Due to funding problems and the difficulties created by juvenile probation officers' reporting to the juvenile judge, county commission, and the Department of Youth Services, the committee recommended that the juvenile probation system be administered at the state level by the judicial branch of government through the Administrative Office of Courts.

No detention personnel were included in the report or its recommendation.

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Retired Judges Save State Money

Retired Alabama judges are saving the state thousands of dollars each year by serving as hearing officers in employee appeals to the State Personnel Board.

Not only are the judges providing a monetary savings to the personnel department, they are, in the opinion of both the personnel board and the State Employees' Association, providing speedy and fair hearings when employees appeal disciplinary or dismissal actions.

The retired judges serve without additional compensation, receiving only standard state per diem expenses for travel. Securing hearing officers from the private sector would cost the personnel board a minimum of \$60 per hour.

State Personnel Director Dr. Halycon Ballard said she could not determine the exact amount of savings. "However," she said, "since 1982 the retired judges have heard 132 appeals." If the average time on a case equalled 20 hours and the personnel department hired private hearing officers at the rate of \$60 per hour, the total cost of hearing officers for those 132 appeals would have been \$158,400.

Four years ago when Dr. Ballard and the Personnel Board were faced with a four-and-a-half year backlog of appeals, the board began hiring private hearing officers to handle the cases. After determining that her department could not afford this process, Dr. Ballard approached Chief Justice C. C. Torbert, Jr., requesting that retired judges be assigned to hear the employee appeals. The chief justice agreed to seek out a number of retired judges who would be willing to serve as hearing officers for the board.

Since 1982, a total of 11 retired circuit and district judges have served as hearing officers. Dr. Ballard estimated that hearing one appeal, making a finding of the facts, placing recommendations in writing to the board, and the travel time involved

takes an average of at least 20-30 hours of work for a judge.

"The retired judges provide other benefits," she said. "From the state's point of view not only is there a direct savings but since the judges are now hearing appeals 60-90 days after they are filed, there is a reduction in back pay liability on the part of the state if an employee is reinstated.

"From the employee's viewpoint their case is heard quickly and because the retired judges are totally independent from any possible government pressure, the employee, at the very least, perceives that he is receiving a fair and impartial hearing. From the perspective of the personnel board, due process can be implemented in the truest spirit of that concept."

Dr. Ballard says there has been great acceptance of the retired judges from both employees and the various state departments. She also says that because the retired judges have years of legal experience and are careful to ensure that there is due process in each case, she hopes fewer decisions will be appealed to state and federal courts.

Paul Smith, executive director of the State Employees' Association, also feels that state employees are getting quick, impartial hearings on their appeals. "We have a great deal of confidence in and respect for the retired judges who hear these cases," Smith said. "I think state employees are glad to have independent judges sitting as hearing officers."

Dr. Ballard said that in recent years, appeals have been increasing both in number and in the complexity of the issues on appeal. "Not many years ago the board would have only a small number of appeals each year, few enough for the board to resolve them without hearing officers." The numbers, however, have grown significantly. In 1982, the retired judges heard

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State and Federal Judges Meet in Montgomery

The mid-winter conference of circuit and district judges was a precedent-setting meeting. For the first time in the history of Alabama's Unified Judicial System, the state's appellate and trial court judges met with federal circuit and district judges and magistrates.

According to Judge John Godbold, presiding Judge of the 11th U. S. Circuit Court of Appeals, the relationship between state and federal judges has undergone a remarkable change in recent years.

"Twenty years ago, state and federal judges were shouting at each other, if talking at all. Today, state and federal judges are learning from each other and borrowing and sharing ideas. We are lighting a lot of candles rather than cursing the dark. We are pursuing the ends of justice, which is what our jobs are about," Judge Goldbold said.

In a luncheon address to state and federal judges, Judge Godbold identified several ways in which the judges of the 11th Circuit are working with state judges.

He cited 1) procedures for the certification of questions of state law to state supreme courts; 2) the use of joint discovery in complicated cases by stipulation; 3) the sharing of probation and sentencing information where not confidential; 4) the coordination and scheduling of cases to avoid attorney conflicts; and 5) the shared use of court facilities.

"It was an outstanding and very successful educational program," said Chief Justice C. C. Torbert, Jr. "We are delighted that all of our state judges had the opportunity to meet and talk with members of the federal judiciary from throughout the state."

Every federal district judge and magistrate in Alabama was in attendance at the meeting, as well as Presiding U.S. Circuit Judge Godbold and U.S. Circuit Judges Frank Johnson and Robert Vance.

"Our joint discussions of habeas corpus and other issues have pointed out that our federal and state judges not only share common problems, but we have a mutual goal--that of enforcing and upholding the United States Constitution," said Torbert.



Alabama to Participate in National Law-Related Education Program

The Alabama court system was recently chosen as one of seven states to participate in a national law-related education technical assistance project. Funded by the United States Department of Education, the project is a cooperative endeavor of the Constitutional Rights Foundation, Law in a Free Society, and the National Institute for Citizen Education and the Law. These groups are nationally recognized for their promotion of law and court-related education in primary and secondary school systems throughout the United States and for their development of written and visual resource materials for teachers.

Along with Alabama, Arkansas, Kansas, Louisiana, New Hampshire, Washington, and Wisconsin are participating in the project.

"Interestingly enough, Alabama is the only state court system participating in the project," said Allen Tapley, Administrative Director of Courts. **"I think that the judiciary in Alabama can be proud of the fact that we have taken a leadership role**

in promoting law and court-related education in our public schools," Tapley said.

The immediate goal of the seven-state project is the "institutionalization" of law-related education in the state school system. "This fits in well with our long-range objective of recommending that the 'teaching objectives' developed in the Houston County LRE program be formally adopted into the state social studies curriculum," commented Tapley.

Last Fall, Dr. Wayne Teague, State Superintendent of Education, gave his commitment to work toward the goal of "institutionalizing" LRE into the state school curriculum.

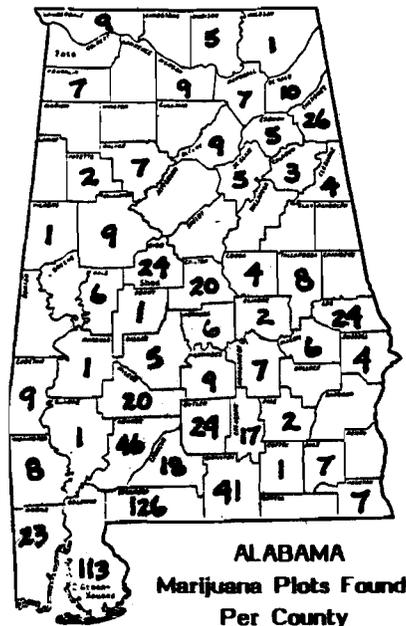
As part of the project, technical assistance will be made available to Alabama to assist in the development of "teaching objectives" and the enhancement of the week-long teacher workshops for social studies teachers at the Judicial College.

Homegrown Marijuana Plants Destroyed

According to figures recently released by the Department of Public Safety, home-grown marijuana plants valued at \$40.2 million were destroyed during Alabama's 1984 Domestic Marijuana Eradication Program. The marijuana was located in 49 counties throughout Alabama, and each marijuana plant, regardless of size, is valued at \$500, a figure set by the U. S. Drug Enforcement Administration.

The Domestic Marijuana Eradition Program is sponsored by the Drug Enforcement Administration. Police departments, sheriffs' offices, DEA agents, and Public Safety personnel combine forces to locate the marijuana, which is subsequently destroyed by local, state and federal officers. This is the third year Alabama has participated in the program.

Citizens may anonymously report illegal drug and alcohol activity by calling, toll-free, 1-800-392-8011.



Mr. James Oscar Sentell

Mr. James Oscar (J. O.) Sentell, Jr., 75, Clerk of the Alabama Supreme Court for 14 years, died at his home in Montgomery on January 20.

"Mr. J. O. was a dedicated and capable public servant. We shall all miss him deeply," said Chief Justice C. C. Torbert, Jr.

Mr. Sentell, a native of Luverne, became the fifth Clerk of the Supreme Court in 1968 and served until his retirement on June 30, 1982.

He began his law career with a practice in his native Luverne and continued to practice there and in Montgomery for more than 25 years.

In 1962, he became the first assistant U. S. Attorney for the Middle District of Alabama, a position he held until joining the state court system.

While Clerk of the Supreme Court, he served with three chief justices and 18 associate justices.

Mr. Sentell was one of the founders and the first president of the National Conference of Appellate Court Clerks. He received the first distinguished service award presented by the conference in 1979.

Mr. Sentell is survived by his wife, Elizabeth, two sons, and one daughter.



New Directors of Judicial College Faculty Association Installed

... Doris T. Turner, Clerk, 6th Judicial Circuit, elected Chairperson of the Board

Three new members of the Board of Directors of the Alabama Judicial College Faculty Association were installed by Allen L. Tapley, Administrative Director of Courts, during the semiannual meeting of the Board, January 23, 1985, in Montgomery.

The new members are: Claud D. Neilson, Presiding Judge, 17th Judicial Circuit; A. Ted Bozeman, Judge, District Court of Lowndes County; and Deborah C. Hunt, Official Court Reporter, 20th Judicial Circuit. Doris T. Turner, Clerk, 6th Judicial Circuit, was selected to serve a second consecutive term.

Members of the Board of Directors are

selected by the various judicial associations and serve for a term of one year.

Ms. Turner was elected Chairperson of the Board of Directors and succeeds Judge Gay M. Lake, Jr., District Court of Tuscaloosa County. James E. Berry, Assistant Director, Alabama Judicial College, was selected as Secretary/Treasurer.

Three additional members serve on the Board by virtue of their respective offices: C. C. Torbert, Jr., Chief Justice, Supreme Court of Alabama; Allen L. Tapley, Administrative Director of Courts, Administrative Office of Courts; and Thelma P. Braswell, Director, Alabama Judicial College.

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**Chief Justice Convenes
 Judicial Study Commission**

• At the request of The Honorable Joseph D. Phelps, Circuit Judge, 15th Judicial Circuit, the JSC approved the appointment of a subcommittee on sentencing, to be appointed by the Chief Justice, to continue consideration of this subject and to prepare a report for the next full meeting of the JSC. Further, it was agreed that there should be a meeting between circuit judges, adult probation officers, and district attorneys

to discuss this matter and to develop ideas towards a more uniform approach to sentencing.

• Approved a recommendation by the Administrative Office of Courts to authorize by court rule, rather than legislation, the delivery, in certain instances, of civil and criminal witness subpoenas by first class mail.

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Retired Judges Save State Money

52 appeals. In 1983, they heard 39 and to date this year, they have heard 41. "A lay board finds it difficult to handle such a large caseload," she said.

Torbert said the judicial system is pleased to assist another state agency. He indicated that the experience of retired judges serves them well in filling the hearing officer role. "I extend my personal appreciation to these judges for their voluntary participation in cooperating with Dr. Ballard and the personnel board," Torbert said.

The retired judges who have heard appeals during the past three years include: James O. Haley, Ingram Beasley, Thomas Huey, and David Haigler of Birmingham; Gardner F. Goodwyn, Jr., and Walter Bridges of Bessemer; Newton B. Powell of Decatur; David L. Rosenau of Athens; Hugh Rozelle of Uriah; Hobdy G. Rains of Gadsden; and Cecil Strawbridge of Vernon.

In addition to hearing state personnel appeals, these judges are also assigned to routinely hold trials in courts throughout the state.

From the *Montgomery Advertiser*, January 31, 1985

Sixth-graders Jail Goldilocks

By MAY LAMAR
 Advertiser Staff Writer

Saying that "everybody has rights," a mock jury of Montgomery sixth-graders found Goldilocks guilty Wednesday of breaking and entering the home of the Three Bears.

The mock trial was one of two at Dozier Elementary School that pitted storybook adversaries against one another Wednesday in an effort to teach children about the workings of the American legal system.

In the Goldilocks case, the blonde freeloader was sentenced to an imaginary 30 days in jail despite arguments by a student defending her that "it wasn't her fault if the bears had

cheap furniture."

Goldilocks' sentence was met with rousing applause from student onlookers.

The students are members of the school's Law Awareness Program. "We think this teaches them something about the law," said Betty Hopper, teacher of the sixth-grade class.

The second mock trial of the day brought new meaning to the term "class-action suit" as the Big Bad Wolf squared off against The Three Little Pigs, Peter, Little Red Riding Hood and The Little Boy that Cried Wolf.

The wolf, sued for assault and bat-

tery and destruction of property, defended himself by declaring that it "was all an accident."

But the jury, made up of students from Ernestine Green's sixth-grade class found the wolf guilty after about five seconds of deliberations.

"Mean, mean, ugly and mean. We're going to stamp out ugly and mean," the mock jury chanted after the second conviction was announced.

The beast was sentenced to join a club for chronic liars, and, in a precedent-setting decision, was ordered to take Little Red Riding Hood's grandmother disco dancing.

The Judicial Personnel Division--A Busy Place!

Every time someone is hired, reclassified, gets a merit raise, has an insurance change, takes leave without pay, or is involved in any of the some 62 different personnel actions, it is up to the Personnel Division of the Administrative Office of Courts to see that it is accomplished.

Since there are more than 1,600 people in the judicial system, that adds up to a lot of work. And that work is done by just seven people.

Last year, the Personnel Division handled 4,070 actions.

"Our people are dedicated. They know that each action affects an individual--sometimes with great impact. That's why they strive to do things right. It's not just paper-work--it's people," said Woody Parramore, Judicial Personnel Officer.

Parramore is right, because the actions taken by his department hit us where we live--in the pocketbook! Whenever a personnel action necessitates a payroll change, the Personnel Division forwards a personnel action form to the payroll office.

Their work does not end at this point, however. After the payroll is made up, it is returned to the Personnel Division for auditing and certification.

The Personnel Division is also responsible for recruitment and examination of prospective employees for positions at AOC, and for all merit positions in the trial courts.

This requires coordinating testing once each quarter in ten locations throughout the state.

They accept all applications for testing, screen each application, contract with local schools officials to give the tests, arrange for test sites, grade the tests, notify applicants of test results, and maintain a register of eligible applicants for each position.

The Personnel Division processed some 1,200 applications for testing for Court Clerk I and Court Clerk II during the last fiscal year.

In addition to these registers, promotional registers for Court Clerk classifications III through VI are maintained by the personnel staff.

Many people have harsh things to say about computers, but the personnel staff is not among them. "There is no way so few could do so much for so many without the aid of the computer," Parramore said.

The people in the personnel division ensure proper enrollment of each employee and court official in the appropriate retirement and state health insurance plan. They also provide guidance on filing claims, although they do not make determinations as to the validity of the claims.

Leave records for the entire court system are audited annually by the Personnel Division.

"The phone never stops ringing, so in addition to being experts in their particular fields, each of our people must also excel in public relations. That comes easy to them because they are dedicated to helping others with their problems," Parramore said.

Surprise Reunion Honors Judge Snodgrass

More than 20 present and former employees of Madison County Presiding Circuit Judge John David Snodgrass held a surprise reunion during the Christmas season.

Those attending included law clerks, secretaries, and court reporters.

The idea, formulated by the judge's secretary, Marilyn Michael, and several of the recent law clerks, was nearly upset when the judge left early. Fortunately, he returned to find a room filled with present and former employees assembled.

Bryan Murphy, a former law clerk for Judge Snodgrass, traveled the greatest distance. He came to Huntsville from Denver, where he is practicing law.

The judge, who has been on the bench since 1968, has hired a newly graduated lawyer every year as his law clerk and bailiff. Some of them who could not be present telephoned the judge during the festivities. Steve Cooley, now a State Senator, called from Florida; Sam Webb called from Mobile; and Circuit Judge Jim Brotherton called from Montgomery.

The reunion was highlighted by a buffet and hours of reminiscing and singing Christmas songs.

"It is very gratifying to me to see so many of my former employees and friends here tonight. Your presence is deeply appreciated. You have added immeasurably to this Christmas season," the judge told them.

Judge Evans Visits with Justice O'Connor

Conecuh County District Judge **Sue Bell Evans** had the distinct pleasure recently to meet with Justice **Sandra Day O'Connor** while in Washington.

"It was really a thrill for me. She is a remarkable person," said Judge Evans, "and I think she enjoyed meeting a young

female judge from Alabama."

Judge Evans said they talked about a number of things during their 20-minute visit, after which a clerk from Justice O'Connor's office took her on a special tour of the Supreme Court building.

JUDGE HOLMES HONORED

Alabama Civil Appeals Judge **Richard Holmes** has been named **Montgomery's Man of the Year**. Holmes was selected for the 1984 honor by the city's high school students involved in the **YMCA's Tri-Hi-Y** and **Hi-Y** service clubs. The honoree was selected for his continuous service to the city's young people. Holmes is the immediate past president of the YMCA Youth Legislature board of directors and is a past president of the Central YMCA Board.

NEW PROCEDURE OF CONFIDENTIALITY SUGGESTED FOR JUVENILE TRAFFIC CASES

The Administrative Office of Courts has developed Form UTC-22, Report of Traffic Tickets Filed in Juvenile Courts, to be used for reporting UTC's written on traffic offenders ages 18 and under, who will be adjudicated in juvenile courts. The report is designed to provide courts with a method of accounting for each UTC and to furnish information to auditors which will be useful in completing the audit trail on traffic tickets.

The UTC-22 ensures the confidentiality of juvenile records because it does not contain identifying information about the juvenile. It is no longer necessary to report traffic cases which have been transferred to Juvenile Court to the Department of Public Safety.

The clerk of the court in which the case is originally filed should complete the UTC-22. Circuit, district and juvenile courts should forward Part 1 of the completed form to the UTC Supply and Accountability Unit of the Administrative Office of Courts.

Part 2 should be retained for the court records.

Municipal court clerks should not send a copy of the form to the AOC but should maintain the form in the court file for accountability purposes.

The changes in procedure will be reflected in the next revision of the UTC Manual but should be implemented immediately.

An initial supply of these forms has been sent to all circuit, district and juvenile courts. Clerks may order additional forms from AOC printing/purchasing.

Municipal courts will purchase these forms through the same channels as other court forms.

You may contact Liz Ward at the Administrative Office of Courts if you have any questions regarding this change. Toll free 1-800-392-8077.

Public Safety Institutes DUI Overtime Program

State Troopers began working overtime on January 11 to apprehend drunk drivers. "The troopers will be patrolling for one reason only--and that is to arrest drunk drivers," said Col. Byron Prescott, Director, Alabama Department of Public Safety. "These arrests will be in addition to those made during regular patrolling."

Funded by a \$175,000 federal grant for use in DUI enforcement, the overtime program will run through July.

Prescott said troopers' efforts will be

concentrated during high-incident traffic periods at locations reported or known to be trouble spots. Participating in the program are those troopers who have proven themselves to be particularly adept at apprehending drunk drivers.

"Alcohol-related accidents were responsible for 50 to 60 percent of all traffic fatalities last year," said Prescott. "We are extremely pleased to receive this grant which will further enable Public Safety to remove drunk drivers from Alabama's roadways," he added.

The following articles are reprinted from the Retirement Systems of Alabama ADVISOR



An Excellent Improvement

House bill 26 of the Special Session, 1984, which was signed into law by Governor George Wallace on January 11, 1985, permits members of the Teachers' Retirement System and Employees' Retirement System who have attained the age and service requirements for surviving spouse benefits to nominate such person as they desire to receive any benefits payable upon the death of a member prior to retirement. The bill was sponsored by Representative Jimmy Holley, and handled in the Senate by Senator Hinton Mitchem, who also sponsored a Senate companion.

Prior to the enactment of this legislation, the spouse of a member who had completed twenty-five years of service, or ten years of service if age 60 or older, was automatically the member's beneficiary for preretirement death benefits as a matter of law. If the member had no spouse he could designate any person to receive a lump sum preretirement death benefit equal to one times salary plus accumulated contributions. However, if the member were married, his spouse would automatically have received a monthly surviving spouse benefit or, in some cases, the surviving spouse would have had a choice between receiving the monthly surviving spouse benefit and the lump sum preretirement death benefit.

Under the provisions of the new bill the member now has the choice

of remaining under the old surviving spouse provision or electing to nominate some other person to receive the preretirement death benefit.

Further information as to the procedure for implementing a change in beneficiary designation under the new law will be released as it is developed. In the meantime members may contact the Teachers' or Employees' Retirement Systems by calling 832-4140 or writing to 135 South Union Street, Montgomery, Alabama 36130 if they have any questions concerning the Act.

POST RETIREMENT EMPLOYMENT

A retired member who is employed with an Employees' or Teachers' Retirement System member agency may continue to receive full retirement benefits provided that the retired member *does not work full-time*, nor earn more than the maximum allowed by Social Security as set from year to year. The *calendar year earnings* from a member agency are subject to the limitation. For 1985, the maximum is \$7320 for individuals age 65 or older. The maximum for individuals under age 65 is \$5400 for 1985.

Regardless of the agency which employs the disability retiree, including

nonmember agencies, the retirement benefit will be reduced if the retiree is able to engage in gainful employment paying more than the difference between the annual disability benefit and the average final salary calculated at the time of retirement. Therefore, a member who receives a disability benefit and who is employed with a member agency may continue to receive the full benefit *only* if the salary earned from the member agency does not exceed the lesser amount of the two limitations (Social Security maximum or maximum for disability retirement).

The Retirement System should be notified immediately when a retired member's salary exceeds the maximum allowed so that the appropriate benefit adjustment or benefit suspension may be accomplished.

1984

ALABAMA JUDICIAL COLLEGE
CONTINUING EDUCATION PROGRAMS

1985

GROUP MONTH	CIRCUIT JUDGES	DISTRICT COURT JUDGES	JUVENILE COURT JUDGES	MUNICIPAL COURT JUDGES	CLERKS AND REGISTERS	CLERK/REGISTER EMPLOYEES	COURT REPORTERS	JUDICIAL SECRETARIES	OTHER GROUPS
1985 JANUARY	PRESIDING CIRCUIT JUDGES CONF JAN 23 MID-WINTER CONFERENCE JAN 24-25 MONTGOMERY						MID-WINTER CONF JAN 24-25 MONTGOMERY		JUD STUDY CMM JAN 10-11 TUSCALOOSA
FEBRUARY	NEW JUDGES ORIENTATION FEB 11-15 MONTGOMERY				MID-WINTER CONF FEB 20-21 MONTGOMERY				
MARCH				ORIENTATION MAR 2-3 TUSCALOOSA		REGIONAL SPRING SPECIALTY COURSES MAR 20-21, DECATUR			MUNI COURT CLERKS & MAGISTRATES SEM MAR 28-29, HVILLE
APRIL	SPRING JUDICIAL COURSES APR 23-25 TUSCALOOSA					APR 3-4, MONTG'Y APR 10-11, E'GREEN APR 17-18, B'HAM			APR 11-12, MOBILE APR 18-19, B'HAM
MAY				LEAGUE CONFERENCE MAY 18 MONTGOMERY					MAY 9-10, MTGY
JUNE					ANNUAL CONFERENCE JUN 13-14 GUNTERSVILLE				DUI INSTR CERT JUN 24-27 TUSCALOOSA
JULY			NCJFCJ CONFERENCE JUL 14-18 POINT CLEAR					ANNUAL CONFERENCE JUL 11-12 MONTGOMERY	
AUGUST	ANNUAL CONFERENCE AUG 12-13 GULF SHORES								DUI INSERVICE TRNG AUG 8-9 MONTGOMERY
SEPTEMBER									APPELLATE JUDGES SEP 19-20

NOTE: The Municipal Court Judges Orientation Program dates were changed from February 2-3 to March 2-3, 1985.



COURT NEWS

Newsletter of the Alabama Judicial System

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