



STATE OF ALABAMA  
ADMINISTRATIVE OFFICE OF COURTS  
817 South Court Street  
Montgomery, Alabama 36130

# ALABAMA COURT NEWS

Newsletter of the Alabama Judicial System

July, 1985

## Teacher Workshop Set for July 28 - Aug. 3

Some 35 social studies teachers from throughout the state are going back to school this summer to attend a unique course of instruction. It is the only course of instruction of its kind in Alabama, and one of only a handful of such courses throughout the United States.

The teachers will be attending the 1985 Alabama Courts Teacher Workshop which is set to be held July 28 through August 3, 1985, in Tuscaloosa at the Judicial College.

The teachers have an intensive and highly informative week of activities and classes arranged for them.

On Monday and Tuesday, they will be given a thorough review of the criminal justice system in Alabama including the arrest process by law enforcement officials, grand jury, a trial, sentencing, and concluding with the Board of Corrections and the Board of Pardons and Paroles.

On Wednesday, the teachers will sit as jurors while Tuscaloosa attorneys act out a mock trial case.

(See **Workshop**, Page 2)

## Six Newly Appointed Judges Assume Office, Begin Work

Two new circuit judges and four new district judges have recently assumed office in Tuscaloosa, Escambia, Dale, and Greene Counties. All were appointed by Governor Wallace.

Tuscaloosa County District Judge Thomas S. (Steve) Wilson fills the position vacated by retiring Circuit Judge Claude Harris. Judge Wilson had served on the District Court since January, 1983.

Barbara Woodley Mountain has assumed the position on the Tuscaloosa District Court left vacant by Judge Wilson's appointment. Ms. Mountain becomes the first woman to serve as a judge in the 6th Judicial Circuit.

A graduate of the University of Alabama School of Law, she was engaged in the private practice of law in Tuscaloosa prior to her appointment.

The governor appointed Fred R. Steagall to the new district judgeship in Dale County created at the 1985 session of the Alabama legislature.

A native of Ozark, Steagall received his undergraduate degree from Auburn University at Montgomery, his law degree from Cumberland School of Law, Birmingham, and a Masters degree in Taxation from Emory University, Atlanta.

Appointed to the new Circuit Judgeship in Escambia County was former District Judge Earnest Ray White.

Judge White is a graduate of Jefferson Davis State Junior College, the University of West Florida, and the University of Alabama School of Law. (See **Judges**, Page 2)



Wilson



White



Mountain



Steagall



Batson



Osborne

**WORKSHOP***(Continued from Page 1)*

The juvenile courts take center stage Thursday morning as juvenile judges, juvenile probation officers, and Department of Youth Service personnel discuss the juvenile justice system. On Thursday afternoon, the teachers learn about small claims, district civil and circuit civil jurisdictions.

The attorney general's office, the appellate process, the clerks' and registers' office, and jury and case management are covered on Friday.

The course ends on Saturday following a luncheon for the teachers and a presentation of certificates.

**Along with the technical course work, the teachers will also receive education classes which focus on methods of teaching law and court-related topics in the classroom. Dr. Adolph Crew, Chairman and Professor of Secondary Education, College of Education, will provide instruction to the teachers in the teaching methods area.**

Completion of the week-long workshop, however, does not end the course work responsibility for the teachers. Under Dr. Crew's guidance, each teacher must develop an in-service training program for their particular school district. The in-service training is directed toward informing other social studies teachers about the materials and

information gained at the workshop. In this way, hundreds of additional social studies teachers and thousands of students are made more aware of the function and importance of Alabama's laws and its court system.

**JUDGES***(Continued from Page 1)*

When he was elected to the bench in 1980, he was the youngest District Judge in Alabama history.

Gordon Ray Batson, Route 1, Brewton, was appointed to the office of district court judge in Escambia County vacated by Judge White. Judge Batson earned degrees from Jefferson Davis State Junior College, the University of Montevallo, and the Birmingham School of Law.

Richard Osborne was named to fill the vacancy in the office of District Judge in Greene County. Osborne was sworn into office on May 30, 1985.

He completed his undergraduate studies at Alabama State University in 1972 and received his law degree from the University of Alabama School of Law in 1975.

**Subcommittee On DUI Meets In Huntsville**

The DUI Subcommittee of the Judicial Study Commission met on May 23-24 with Huntsville municipal court and DUI officials.

In addition to hearing and discussing committee reports, the group interviewed Judge William Griffin, presiding judge of the municipal court, regarding the court's method of handling DUI cases and the advantage of having an in-court probation officer to follow through with court orders in such cases.

James Crumrine, probation officer, also presented to the committee a proposal for a Level II program curriculum, which is based in substantial part on the DUI program conducted by the State of Colorado.

The committee selected the Huntsville court to study because the court handled approximately 2,000 DUI cases last year, and, in addition to having probation officers, the court also operates a Level I DUI school.

In addition to Judge Griffin and Crumrine, also meeting with the committee were Ann Gurley, C.A.C., Supervisor of Substance Prevention and Intervention Programs for the Limestone-Madison Community Action Agency; Mary P. Myers, president, Huntsville-Madison County MADD chapter; and Larry Nelson, Huntsville DUI community coordinator.

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## Legislature Passes Court-Related Bills

The legislature ended its 1985 regular session on May 20, its first session under the constitutional provision of budget isolation. A special session is expected to be called in late August or early September.

The concept of budget isolation was to ensure that the general fund and education budgets be adopted early in a session. On that score, budget isolation was a total failure. The education budget passed on May 1, the 25th legislative day, and the general fund budget passed on the 29th legislative day of the 30-day session.

However, the procedures adopted by both houses to deal with budget isolation did dramatically slow the legislative process, particularly in the Senate. Under budget isolation, a three-fifths vote was necessary in order for a bill to clear either house before the budgets.

Both houses passed a bill which would have provided an across-the-board salary increase of \$1,000 to employees, judges, and clerks of court. The governor, however, vetoed the bill, which also contained longevity pay provisions for employees. The Senate overrode the governor's veto, but the motion to override was never brought before the House for a vote. Legislation to provide a salary increase for district judges in 1986 passed the House on an 81-5 vote and was passed out of the Senate Judiciary

Committee, but never reached the Senate floor for a vote. Legislation providing a salary increase for appellate judges passed the Senate on an 18-3 vote, came before the House late on the final day of the session but did not reach a vote.

A total of 1,803 bills was introduced. Only 331 became law and 225 of those were local bills. In the House, 1,081 bills were introduced and 246 became law - 185 local and 61 general. In the Senate, 722 bills were introduced and 85 became law - 40 local and 45 general.

**Several bills which became law affect court officials and court employees. They are:**

Act 85-389 (H. 301) -  
Effective 3/8/85

New Primary Election Date. This act amends §17-16-6 of the Code 1975, to provide that primary elections, except special primary elections and presidential preference primaries, will be held on the first Tuesday in June and runoff elections will be held on the last Tuesday in June following said primary election.

Act 85-353 (S. 215) -  
Effective 4/23/85

State Employees Payroll Deductions. This act provides for deductions for membership dues, voluntary contributions and group insurance premiums

from the salaries of state employees or groups of state employees by the Comptroller, upon request of a group of participating employees equal in number to at least 5% of all state employees.

Act 85-546 (S. 276) -  
Effective 3/21/85

New Judgeships. This act establishes an additional circuit judgeship for the 21st Judicial Circuit (Escambia County) and for the 29th Judicial Circuit (Tallahassee County). It is further provided that Dale and Houston Counties shall each have two resident district judges, creating an additional district judgeship in these counties.

Act 85-649 (S. 285) -  
Effective 3/8/85

Retired Employees Health Insurance. This act amends §36-29-10 relating to group health insurance coverage for retired state employees and teachers so as to:

1. provide that retired employees may elect to continue coverage under the state employees' health insurance plan by deducting a portion of the premium for such coverage from their monthly benefit payments;
2. specifically bring under the provisions of the insurance plan any person receiving a monthly benefit from the teachers' retirement system who at the time

(See *Legislature*, Page 6)

## Seminars Stress Court Operations

Four two-day seminars for municipal court and police officials were held recently in Huntsville, Birmingham, Montgomery, and Mobile. The seminars were sponsored by the Municipal Court Operations Division of the Administrative Office of Courts. They focused on day-to-day court operation.

"Attendance was excellent. Participants were complimentary of the programs which focused on courts' budgets, bookkeeping and payment systems, issues from the Department of Public Safety, information contained in court records, the UTC accountability process, and other areas of court management," said Angelo V. Trimble, Director of the Municipal Court Operations Division.



**SEMINAR PARTICIPANTS**----Day-to-Day court operations were stressed at the recent municipal court seminars.



**PANELISTS**----Discussion leaders at one of the seminars were (l to r) municipal court clerks Beatrice Bobo, Oxford, and Carol Naylor, Tuscaloosa; Jean Holcomb, Court Analyst, AOC; Municipal Judge Ann Richardson, Haleyville; and Ella Williams, municipal court clerk, Childersburg.

## Judicial Secretaries to Meet in Montgomery

Secretaries for district, circuit, and appellate judges have scheduled their Annual Education Conference in cooperation with the Alabama Judicial College on July 11-12, 1985, in Montgomery. The purposes of the conference are to provide an opportunity for improving skills and to study court procedures relating to specific kinds of cases.

Following meetings of the secretaries' associations, the conference will open with a session on Positive Thinking conducted by Dr. Donald Hill, Director, Morningview Counseling Clinic, Montgomery.

The afternoon will be devoted to three areas: Domestic Relations, Circuit Judge Joe Barnard, 10th Judicial Circuit, Birmingham; Juvenile Case Procedures, Circuit Judge John Davis, 15th Judicial Circuit, Montgomery, and DYS staff member Jan Autery; and Orientation for New Secretaries conducted by AOC staff members Thelma Braswell, Robert Tillman, and Barbara Kummel. The afternoon session will conclude with a tour of the Administrative Office of Courts.

Friday sessions will offer the secretaries an opportunity to learn about the current DUI Laws in a session with

Etowah County District Judge Wayne Owen; see a demonstration of the breathalyzer conducted by Corp. Harold Thompson, Department of Public Safety; and hear Driver License Procedures discussed by Alma Fountain and Linda Lewis, Driver Improvement Unit, Department of Public Safety.

The alternate session will be an extended workshop on Communication Skills conducted by Madolyn Clipson, Associate Professor, University of Alabama, Tuscaloosa.

The conference will close with a presentation by Fred Sington, Jr., Gadsden, on New Frontiers for Women.

## Tuscaloosa Joins Information Net

Tuscaloosa County became the sixth court system to participate in the State Judicial Information System (SJIS) network when it became an automated court site on May 20.

Other counties in the network are Montgomery, Mobile, Madison, Houston, and Etowah. Baldwin County is scheduled to be added to the system in the near future.

The SJIS system has applications that operate in circuit criminal, circuit civil, district civil, small claims, domestic relations, traffic, indexing, and witness subpoenas.

"The first phase of automating a court site is allowing the court personnel to familiarize themselves with the equipment and the various applications that have been developed. This is done by training court employees, then letting them 'practice' for several days," said Mike Carroll, Assistant Director for Management Operations, AOC Operations Division.

"At the end of this period, the court may begin using the system in their day-to-day operations. As with any new system, there is a transition period where the existing manual system and the automated system will be run simultaneously. The manual system will be phased out as cases filed before the completion of the automated system are disposed," Mike said.



**ON LINE**----Paul Reece, Program Analyst with AOC, assists Tuscaloosa District Clerk Elizabeth B. Hamner as she works with the Judicial Information Systems.

## Alabama to Host National Meeting

The Alabama Council of Juvenile and Family Court Judges will host the 48th Annual Conference of the National Council of Juvenile and Family Court Judges, July 14-19, 1985, at the Grand Hotel at Point Clear.

"The conference offers an educational component especially designed to provide the tools to meet the challenges facing members of the courts and those in the judicial system serving juveniles and families," said Judge John P. Steketee, President of NCJFCJ.

The Alabama Council will hold two meetings during the conference. The first meeting is scheduled on Tuesday, July 16 for breakfast at 8:00 A.M. Officers will be nominated. The second meeting will

be on Thursday, July 18 at 1:30 P.M.

"We are honored that the National Council of Juvenile and Family Court Judges has chosen Alabama as the site of its 48th annual conference this year. I am sure it will be a profitable meeting," said Allen L. Tapley, Administrative Director of Courts.

## Matisak Appointed Personnel Analyst

Joseph J. "Joe" Matisak has recently joined the Administrative Office of Courts staff as a Personnel Analyst. Joe will be handling all leave accounting and fringe benefits as well as other personnel procedures.

Prior to coming to AOC, Joe served 22 years in the U. S. Air Force. Eighteen of those years were spent in the personnel area. His last assignment was Director of Personnel for National Headquarters Civil Air Patrol/U. S. Air Force, Maxwell Air Force Base.

He is a native of Pennsylvania and a 1961 graduate of Syracuse University with a B. A. degree in Education.



**Joe Matisak**

## Merit Raises Capped At Two Step Maximum

The Unified Judicial System will continue to limit employee merit raises to two steps (5%) because the funding level will not permit consideration of eliminating the two-step cap until the end of FY 1985-86.

Although the State Personnel Board, at its May 23 meeting, abolished the Temporary Rule limiting raises to two steps, Governor Wallace directed his cabinet-level department heads and strongly encouraged other constitutional officers and independent agencies to limit state workers' merit raises to two steps.

Merit raises will be considered for UJS employees based on the annual performance evaluation for this fiscal year and for FY 1985-86. This limit will also apply to probationary raises and raises upon promotion.

Based on the availability of funds, our policy will be reviewed after the next fiscal year.

### Moylan Lecture Tapes Available

Audio tapes of Judge Charles Moylan's presentation on the History and Philosophy of American Law made on April 24, 1985, at the Judges Spring Judicial Courses are available through the Alabama Judicial College. Contact Thelma Braswell at the Judicial College in Tuscaloosa.

## Kelly Price Named To Subcommittee

Kelly Price, coordinator of the Calhoun-Cleburne Mental Health Center DUI Court Referral Program has been appointed by Chief Justice C. C. Torbert, Jr., to replace Robert T. Simpson on the DUI Subcommittee of the Judicial Study Commission.

Price has served as coordinator of the Calhoun-Cleburne program for 11 years and is a member of the faculty of the Alabama Judicial College certification training program for new DUI instructors.

Simpson recently retired from the AOC as state coordinator of DUI programs and was replaced by Callie Longshore, who also serves on the committee.

## LEGISLATURE

(Continued from Page 3)

of retirement was employed by a state-supported post-secondary institution and persons receiving monthly benefits from the employees' retirement system whose retirement was from a local board of education or a state-supported post-secondary institution who participated pursuant to #36-27-6 of the Code:

3. provide that the first year funding shall come from the State Employees' Health Insurance Plan and that the State will assume all subsequent funding.

Act 85-654 (S. 487) -  
Effective 5/29/85

Official Court Reporters Salary Increase. This act provides that official court reporters who are not covered by the state merit system shall receive an annual salary of not less than \$25,850.68, beginning October 1, 1986.

## Change Made In Court News Mailing Method

In order to reduce mailing costs, a new procedure will be used in mailing multiple copies of *Court News*.

Multiple copies up to 10 will be mailed individually instead of being combined in one envelope. This will result in a sizable savings as individual copies cost 11¢ each while multiple copies cost 45¢ per pound, plus the cost of the envelope.

Offices receiving in excess of 10 copies will continue to receive them in one envelope.

We hope this new procedure will not inconvenience anyone. If you have questions or wish to make changes in addresses, etc., please contact us.

## Court Assists In Cherokee County Student Project

The Cherokee County Circuit Court and Circuit Clerk's Office were visited recently by students from the Cherokee County Area Vocational School's "Shadowing Project."

Students of the Business Office Education Class and Future Business Leaders of America visited offices and businesses in the areas of their interest in order to observe actual day-to-day operations in progress.



**IN COURT**----Presiding Circuit Judge Randall Cole and Circuit Clerk Jerry "Pete" Trammell are shown with visiting student Tonya Day.



**BRIEFING**----Veronica Garland, an 11th grade student at Cherokee County High School, is shown some of the court records kept by Circuit Clerk Trammell.

## 1986 State Holiday Schedule

The 1986 holiday schedule for the Unified Judicial System is provided for your information. Please use this schedule in planning your court calendars.

|                              |              |
|------------------------------|--------------|
| New Year's Day               | January 1    |
| Robert E. Lee's Birthday     | *January 20  |
| Mardi Gras Day               | February 11  |
| George Washington's Birthday | *February 17 |
| Thomas Jefferson's Birthday  | April 14     |
| Confederate Memorial Day     | *April 28    |
| Jefferson Davis' Birthday    | *June 2      |
| Independence Day             | *July 4      |
| Labor Day                    | *September 1 |
| Columbus Day                 | *October 13  |
| Veterans' Day                | November 11  |
| Thanksgiving Day             | November 27  |
| Christmas Day                | December 25  |

\*Monday holidays - Act No. 1103 of 1969

## UTC Control Unit Updates Forms for Traffic Courts

The UTC Control Unit of the Administrative Office of Courts has updated forms for use by traffic courts.

The Plea of Guilty, Waiver and Oath, Form UTC-7, for traffic cases has been revised to comply with the most recent series "J" of the Uniform Traffic Citation. The plea includes an affirmation by the defendant that he has not been convicted of two or more traffic violations in the preceding 12 months. All courts should use the UTC-7 when a defendant wishes to enter a plea of guilty before a magistrate but does not have his copy of the traffic citation.

The Waiver of Counsel for Defendant Charged with DUI, Form UTC-20B for state courts, is an adaptation of form UTC-20A which

is currently being used in municipal courts. The UTC-20B should be utilized to serve as proof that a defendant convicted of DUI was represented by counsel or waived his rights to counsel on a DUI charge.

The reverse of the UTC-20A and the UTC-20B outlines the penalties for first, second, and third DUI convictions to inform the defendant of the severity of the offense.

These forms are available to circuit and district courts from AOC printing. Municipal courts may obtain the revised UTC-7 through the usual procedure that other court forms are purchased or duplicated. Courts desiring copies of these and other traffic related materials should contact the UTC Supply and Accountability unit at the AOC.

# Court Clerk Tests Scheduled

Tests for all six Court Clerk classes will be given again in July. Note: Applicants whose names already appear on the register for a particular class **should not reapply** for the same class.

The following is a list of the ten cities where written tests will be given, the scheduled test dates, and the application deadlines. Applications **must be received** at the AOC by the deadline in order to be scheduled for the written examination at the most convenient test location.

| <u>Test Site</u> | <u>Test Date</u> | <u>Application Deadline</u> |
|------------------|------------------|-----------------------------|
| Alexander City   | July 20, 1985    | July 10, 1985               |
| Birmingham       | July 20, 1985    | July 10, 1985               |
| Dothan           | July 20, 1985    | July 10, 1985               |
| Florence         | July 27, 1985    | July 17, 1985               |
| Gadsden          | July 13, 1985    | July 3, 1985                |
| Huntsville       | July 20, 1985    | July 10, 1985               |
| Mobile           | July 13, 1985    | July 3, 1985                |
| Montgomery       | July 20, 1985    | July 10, 1985               |
| Selma            | July 13, 1985    | July 3, 1985                |
| Tuscaloosa       | July 13, 1985    | July 3, 1985                |

Should the application fail to reach the AOC by the deadline or if the July test session is filled, applicants will automatically be scheduled to take the test in October.

As soon as the October test dates have been scheduled, administrators will receive notification of the dates and application deadlines.



**RECORDS DISPOSAL**----Consolidated Docket and Fee Books are disposed of at a landfill after microfilming. Microfilming enables the information from as many as 270 books to be stored in a single microfilm cabinet drawer. The microfilm is checked for quality, and security duplicates are produced before the original records are destroyed.



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