



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

ALABAMA COURT NEWS

Newsletter of the Alabama Judicial System

December, 1985

Judicial Inquiries, 3-County Docket Keep Judge Busy

Judge Kenneth Ingram presides over the state's 18th Judicial Circuit consisting of Shelby, Coosa and Clay counties. He hears tough and complicated cases--murder, kidnapping and multi-million dollar lawsuits like other circuit judges.



Ingram

But the most demanding, you might call it the most gut-wrenching, job he has is outside his own courtroom. As chairman of the State Judicial Inquiry Commission, Judge Ingram must sit in judgement of his fellow judges--his peers.

"It's not the easiest situation when you're sitting beside a fellow judge at a conference one month and 60 days later you're questioning him at an inquest," Ingram says.

Ingram and two other state judges--Court of Civil Appeals Judge Richard Holmes of Montgomery and Circuit Judge Tom Younger of Huntsville--serve along with two attorneys and two lay citizens on the seven-member, grand
(See *Ingram*, Page 2)

Committees Present Reports To Judicial Study Commission

The Alabama Judicial Study Commission, chaired by Chief Justice C. C. Torbert, Jr., met at the Law Center on the University of Alabama campus on December 5-6, 1985.

"We are indeed fortunate," said Chief Justice C. C. Torbert, Jr., "that we have this forum where members of all branches of our state government can come together to openly discuss the problems which face our judicial system and work together toward their resolution."

The Commission is composed of representatives from the legislative, execu-

tive, and judicial branches of state government, and members of the legal community and is charged with the responsibility to continuously study and make recommendations to improve the state's judicial system.

The Chief Justice gave an overview of the state of the judiciary which included an update on plans for construction of a new judicial building.

The Commission heard a report on the newly implemented DUI Court Referral Officers Program which is being instituted in Dale, Montgomery, Morgan, and
(See *Judicial*, Page 2)

A Message From The Chief Justice

Best Wishes for a Merry Christmas and a Happy New Year, to you and your families.

We have had another fine year and have many accomplishments of which to be proud.

Yet, as we look toward 1986, much remains to be done. It is my hope that we will face the New Year with anticipation and determination--that we will see problems as opportunities and difficulties as challenges.

Meanwhile, I wish for you and yours a Joyous Holiday Season.

C. C. Torbert, Jr.

INGRAM*(Continued from Page 1)*

jury type commission which investigates complaints against judges.

If the commission finds sufficient grounds, it may file a formal complaint against a judge with the Court of the Judiciary. Last year, the commission considered 116 complaints: four were found to have insufficient evidence; 37 were without sufficient basis; 56 were outside the jurisdiction of the commission; two were cancelled; six were resolved by the commission by meeting with the judge involved; two were resolved by court action; one was resolved when the judge involved retired; and one formal complaint was filed with the Court of the Judiciary.

Three state judges have similar tasks on the Court of the Judiciary. They are Court of Civil Appeals Presiding Judge L. Charles Wright of Montgomery and Circuit Judges Ed Tease of Florence and Bill Sullivan of Talladega.

In addition to his judicial duties in the 18th Circuit and his work as chairman of the Inquiry Commission, Ingram served last year as president of the State Association of Circuit Judges.

He lives in the small town of Ashland in Clay County where he grew up but travels regularly to Shelby and Coosa counties to hold circuit court.

Judge Ingram was first

appointed circuit judge in 1968. He is currently 12th on the seniority list of the state's 123 circuit judges and is proud of the improvements made in Alabama's judicial system. A former legislator, he has been a key player in the court modernization effort which started in 1971 and is continuing today.

He's quiet but not shy. "I like being a circuit judge. It's a job that's important to society as well as those who participate in the judicial process, and I feel that collectively the circuit judges contribute their share in making our state a better place to live."

He's equally tough on those judges who might bring the office into disrepute. "A judge not only must live and act in a manner that preserves and enhances justice, he also must do so in a manner which gives that perception to his fellow citizens."

JUDICIAL*(Continued from Page 1)*

Clarke counties. Dale County District Judge Val McGee led the discussion, with District Judges Lynn Clardy Bright (Montgomery County), David H. Bibb and David J. Breland (Morgan County), and Harold Crow (Clarke County), and AOC staff members Angelo Trimble, Director, Municipal Court Operations, and Callie Longshore, Coordinator of Court Referral Programs, participating.

Also included on the program was a report from

the Juvenile Conference Planning Subcommittee. The Subcommittee is composed of representatives from all state agencies and departments charged with delivery of services to the youth of Alabama.

The primary purpose of the Subcommittee is the development of an inter-agency conference which will bring together participants from each of the youth services agencies in an effort to forge a new, cooperative partnership.

A panel discussion was presented involving Ms. Gwendolyn Williams, Commissioner, Department of Pensions and Security; Ms. Jan P. Autery, Department of Youth Services; Dr. Kenneth Blankenship, Department of Education; Ms. Mary Lee Rice, Department of Mental Health and Mental Retardation; and District Judge Robert E. Lewis, Etowah County.

Other activities included a report from Decatur Attorney Bob Harris, who is chairman of the State Bar Task Force concerning possible reorganization of the state's appellate courts. AOC's Administrative Director Allen L. Tapley, Frank Gregory, Director of Trial Court Operations, and Larry Forston, Records Management Supervisor, discussed the need for a centralized judicial records center; and Lane Mann, Legal Counsel, reported on legislation and court rules.

HAPPY HOLIDAYS

Lionel Layden Appointed To Mobile County District Court

Mobile Attorney Lionel L. Layden has been appointed to the Mobile district court bench by Governor George C. Wallace. Judge Layden fills the position left vacant when Judge Douglas I. Johnstone was appointed circuit judge last August.



Layden

Judge Layden received his undergraduate degree from Jacksonville State University and his law degree from the University of Alabama School of Law. Prior to his appointment to the bench, he practiced law in Mobile. He served as an assistant district attorney in Mobile from 1965 through 1969 and has previous experience on the bench as a temporary district judge.

Snodgrass To Serve As Vice-Chairman Of NJC Board Of Directors

Circuit Judge John D. Snodgrass of Huntsville has been elected vice-chairman of the National Judicial College's board of directors.

The college, located on the campus of the University of Nevada-Reno, was founded in 1964 with a goal of improving the administration of justice through judicial education.

Today, the college is recognized as the leading institution for judicial education in the Western hemisphere.

Justice Florence K. Murray of the Rhode Island Supreme Court chairs the board of directors. Judge Snodgrass has served on the board since 1982.

"I am honored to serve on the college's board," Snodgrass said. "Today, the college strives to achieve its initial goal through a year-round program of career judicial education and training."



Snodgrass

Judge Snodgrass is the Presiding Judge of the 23rd Judicial Circuit.

Leave Forms Due By January 3

1985 Leave Accounting Cards, along with all copies of Leave Request and Approval forms for leave taken in 1985, must be forwarded to AOC Personnel Division on January 3, 1986. Before sending in the 1985 Leave Accounting Cards, refer to the procedures in Chapter V of the Personnel Procedures Manual.

All cards must be filled out, signed by both the employee and administrator, and must be accompanied by the Leave Request and Approval forms in order to be audited. No leave can be credited for the year unless these requirements are met.

Please check over the cards carefully to insure that all leave taken is indicated on the cards and the balances for each pay period

are correct.

Proper and accurate leave accounting is necessary because each hour of leave represents potential monies owed by the State.

Additionally, leave cards of employees are subject to audit by the State Examiners of Public Accounts just as carefully as are other fiscal records.

A few additional minutes of time spent checking the Leave Accounting Cards before forwarding them to the AOC may save many additional hours of work explaining errors found during the audit.

We ask for your support in performing this audit. If you have any questions, please contact the AOC Personnel Division.



Chief Justice Urges Cities To Use AOC Court Training

"I'm proud of the relationship between the Unified Judicial System and the local governing officials," Chief Justice C. C. Torbert, Jr., told municipal officials from throughout the state at the annual Committee Day at the Alabama League of Municipalities on November 7.

"In this day of changing laws and increased demands on the court system, it is very important that you have efficient and effective court personnel," he told some 140 local and state officials attending the meeting.



Torbert

"The Municipal Court Operations Division of the

Administrative Office of Courts is constantly assisting cities throughout the state in improving their municipal court operations.

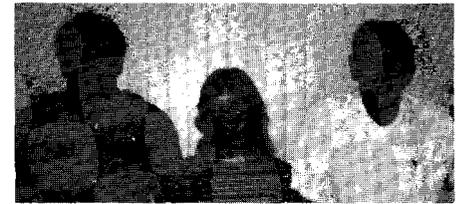
"Through our Alabama Judicial College, municipal judges are kept up-to-date on statutory and procedural changes, and I encourage you to get your court officials involved in these training programs," said Torbert.

At the meeting, the five League standing committees, representing municipalities from throughout the state, acted on policy recommendations for 1986.

The policies approved by the standing committees will be acted upon by the League in full convention in Mobile next May.

AOC Program Helps Cities

Jean D. Holcomb, court analyst for the Municipal Court Operations Division of the Administrative Office of Courts, recently conducted a two-hour training session for municipal courts in Mobile County.



WILMER OFFICIALS--Police Chief Melton Ott, Court Clerk Billie Sue Thomas, and Mayor Thomas E. Manning.

The training session, which covered records management procedures for courts and police departments and court functions, was requested by Mayor Thomas E. Manning of Wilmer, who along with Wilmer's court clerk, Billie Sue Thomas, also hosted the session and introduced Ms. Holcomb.

The discussion focused primarily on proper procedures for filing traffic and non-traffic cases in court. A 23-minute film on issuing arrest warrants was shown and discussed. Approximately 7 court clerks and 35 policemen representing the municipalities of Creola, Citronelle, Mount Vernon, Chickasaw, Prichard, Saraland, and Satsuma were in attendance at the training session.

"Ms. Holcomb has made all the difference in the world in our court clerk's office," said Mayor Manning. "Other people are visiting Wilmer to look at our record-keeping system," he said.

Correct Address Noted For Attorney Fee Forms

The Administrative Office of Courts occasionally receives Attorney Fee Declaration forms for indigent defense services rendered in both district and circuit courts.

These forms should not be mailed to the Administrative Office of Courts. As stated on the forms, they should be mailed to:

State Comptroller
State Capitol, Room 117
Montgomery, AL 36130

Free Publications For Waiting Jurors

Jury waiting rooms need no longer lack reading material. At the request of Robert D. Lipscher, administrative director of New Jersey's courts, the U. S. Postal Service has altered the Domestic Mail Manual to permit jury waiting rooms to receive undeliverable publications.

Trial court personnel nationwide may now arrange with their local post office to obtain such mail.

Martin Receives Citation From Judicature Society

Robert Martin, director of administrative services at the Administrative Office of Courts, has become the second Alabama court official to be honored this year by the American Judicature Society.



Martin

Martin was presented the Society's Special Merit Citation for his efforts to improve the administration of justice in Alabama. Earlier this year, Administrative Director of Courts Allen L. Tapley was presented the Herbert Lincoln Harley Award, named for the founder of the Society. Both Martin and Tapley were nominated for the awards by U. S. Senator Howell Heflin and the awards were presented at a recent judicial conference by Chief Justice C. C. Torbert, Jr.

The Society's president, L. Stanley Chauvin, Jr., of Louisville, Kentucky, said Martin is recognized "for his outstanding efforts toward passage of a new Judicial Article to the Alabama Constitution in 1973 and the successful legislative effort to implement provisions of that new article; for his work contributing to enactment of legislation which upgrades and standardizes the state's juror selection process, provides increased compensation

for state judges and clerks of court, and increases the number of judges in the state to ensure expeditious processing of cases."

Chauvin said Martin's work in public relations and public education about the courts "is in the first tradition of the American Judicature Society."

Torbert lauded Martin for his work with the State Legislature. "Bob has labored to make our system of justice better understood by everyone and he has assisted greatly in creating a good working relationship between the judicial and legislative branches of our state government. When I became chief justice in 1977, he was the individual I depended upon in the transition period after taking office and moving immediately into the changes brought about by the court modernization efforts of 1973-75."

Martin is the first Alabamian to receive the Society's Special Merit Citation. Other recipients of the award this year were the Constitutional Rights Foundation of Los Angeles, Chief Judge Eino M. Jacobson of the Arizona Court of Appeals, and the Colorado Judicial Institute.

Founded in 1913, the Society is a national organization of 30,000 citizens dedicated to strengthen the administration of justice through research, educational programs and publications.

Department Of Public Safety Celebrates 50th Anniversary

The Alabama Judicial System salutes the Department of Public Safety on the occasion of its 50th Anniversary.

Founded by Governor Bibb Graves in 1935, the department has grown from a force of 75 highway patrol officers to a comprehensive, statewide law enforcement agency. It now employs 1200, including 680 state troopers assigned to five divisions.

Col. Byron Prescott, Public Safety Director, said that although much has changed in the department's 50 years, its motto remains the same. "As we look to the future, we continue to abide by Public Safety's motto: 'Courtesy, Service and Protection,'" said Prescott.



Gadsden Group Honors Dunivant

Patsy Dunivant has been named legal secretary of the year by the Gadsden Legal Secretaries Association. She is secretary to Presiding Circuit Judge Julius S. Swann, 16th Judicial Circuit.

Patsy is President of the Gadsden Association and serves on the board of directors of the Alabama Association.

Clatus Junkin Cited By Child Support Group

Clatus K. Junkin, Presiding Circuit Judge of the 24th Judicial Circuit, has been named the "1985-86 Judge of the Year" by the Alabama Child Support Association.

Meeting in Birmingham for its annual conference, the association cited Judge Junkin for his child support collection methods in Pickens County.

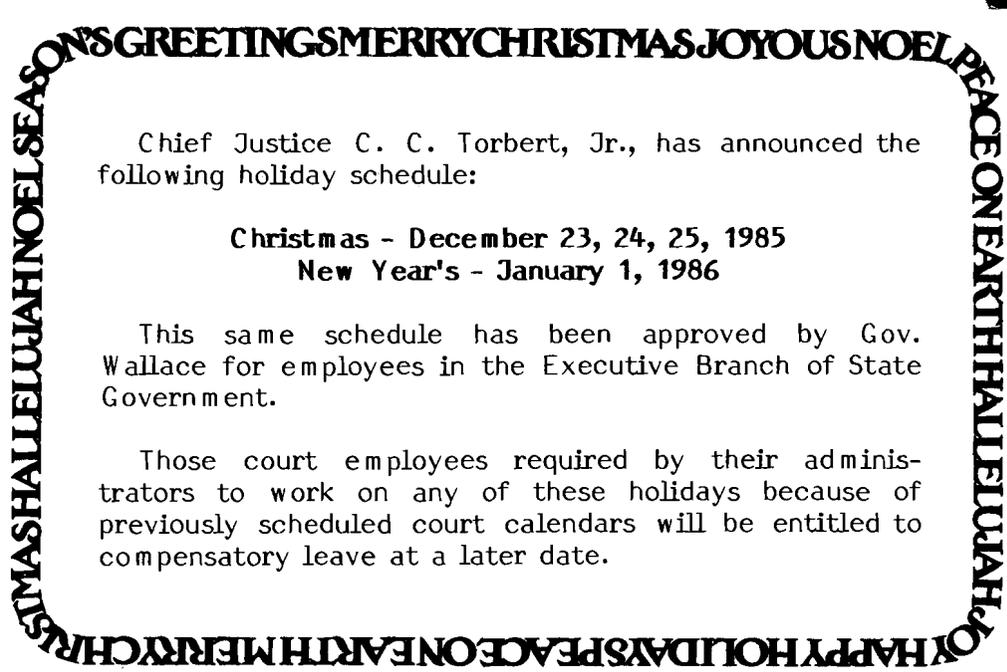
Figures supplied by the Pickens County District Attorney's Office which prosecutes child support cases indicate an increase in child support collections from \$3,000 a month to \$18,000 since July of 1984.

Thomas Leon Beard

Retired Circuit Judge Thomas Leon Beard, 14th Judicial Circuit, died November 3, 1985, in Jasper. He is survived by his widow, Mrs. Christine Beard.

Elected to the circuit bench in 1964, Judge Beard assumed office in January, 1965, and served continuously until his retirement in September, 1980. He was the Presiding Circuit Judge of the 14th Judicial Circuit at the time of his retirement.

Judge Beard served as Walker County Circuit Solicitor from January, 1959, until his election to the circuit bench.



Chief Justice C. C. Torbert, Jr., has announced the following holiday schedule:

Christmas - December 23, 24, 25, 1985
New Year's - January 1, 1986

This same schedule has been approved by Gov. Wallace for employees in the Executive Branch of State Government.

Those court employees required by their administrators to work on any of these holidays because of previously scheduled court calendars will be entitled to compensatory leave at a later date.

Disciplinary Association Elects Betty S. Blow To Board Of Directors

Betty S. Blow, Executive Secretary of the Judicial Inquiry Commission was elected a member of the Board of Directors of the Association of Disciplinary Counsel at its annual meeting last month. She will serve a three-year term on the Board.



Betty Blow will serve a three-year term on the Board.

The Association was established in 1980 with the purpose of improving the effectiveness of judicial disciplinary organizations to the end that they may serve the goal of public confidence in the judicial institution.

Membership is composed of persons employed by judicial disciplinary organizations in an executive capacity or as legal counsel from 50 states.

In-service Workshop Conducted In Dothan



Dr. Dorothy Skeel of the Peabody College of Vanderbilt University conducts an in-service workshop on the use of law-related education materials for Dothan City social studies teachers and supervisors.

Circuit Court Cases Reach All Time High

During FY 1985, circuit court case filings reached an all time high of 129,664. This represents a three percent increase or 4,257 more filings than in FY 1984.

A record number of dispositions was also reported, reflecting a five percent increase for the year. This five percent increase in dispositions resulted in a throughput (dispositions ÷ filings) of 101 percent.

Nineteen of the state's 39 circuits had throughputs of greater than 100 percent, thereby reducing their pending caseloads.

Jury trials also reached a new high during FY 1985 with 3,083 jury trials as compared to 2,950 in FY 1984. These additional 133

jury trials represent a five percent increase over last year.

Due to the increased workload in the circuit court, the legislature created nine new judgeships, which became effective October 1, 1984. While the nine new circuit judges represented an eight percent increase in judgeships, the case filings increase of three percent offset, in part, the reduction in case filings per judge.

In FY 1984, the statewide average case filings per judge was 1,100 cases, while in FY 1985, the average dropped by only 46 cases per judge to 1,054.

While circuit court was setting all time highs, district court cases also increased

from FY 1984 to FY 1985.

District court case filings increased by 10,208 cases or two percent. The only jurisdictions of district court posting increases were small claims and juvenile.

Small claims and juvenile filings increased by 23 percent and 12 percent, respectively. The large increase in small claims is due, in part, to the jurisdiction being raised from \$500 to \$1,000. The 12 percent increase in juvenile filings was the largest increase in a single year since 1978. Juvenile filings in district court have posted consecutive increases since 1977.

Eighteen district courts had better than 100 percent throughput in FY 1985.

Nina Poole Named Woman Of The Year

Nina Poole, chief deputy clerk and bookkeeper in the Perry County Circuit Clerk's office, was recently named Woman of the Year by the Marion Business and Professional Women's Club.



Nina Poole

Perry County Circuit Clerk Mary Auburtin presented the award to Ms. Poole on behalf of the BPW. Circuit Judge Anne Farrell McKelvey was the featured

Clerks, Registers Meet



speaker at the banquet meeting.

Ms. Poole is a past-president of the Marion BPW and currently serves as the group's vice president.





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COURT NEWS, newsletter of the Alabama Judicial System, is published as an informational and educational service to state judicial officials and personnel. Inquiries should be addressed to Administrative Office of Courts, 817 South Court Street, Montgomery, Alabama 36130-0101. Telephone: (205) 834-7990 or (toll-free in state) 1-800-392-8077.

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