



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

ALABAMA COURT NEWS

Newsletter of the Alabama Judicial System

July, 1986

Expedited Process Studied By Child Support Committee

Chaired by Judge Clatus Junkin, Presiding Circuit Judge, 24th Judicial Circuit, the Child Support Enforcement Committee met in an all-day session on June 23, 1986, at the Administrative Office of Courts.

"The purpose of this meeting was to explore the 'quasi-judicial' process which is used in Delaware and the 'administrative process' which is used in Missouri," said Junkin.

As a result of the 1984 amendments to the Social Security Act, all states must adopt some form of "expedited process" which ensures that 90 percent of all IV-D child support cases must be completed from time of filing to time of disposition within three months.

Under the Delaware quasi-judicial process, child support cases are first heard by a family court staff mediator who seeks to gain an agreement from the parties regarding the level of child support. In her presentation, Ms. Susan Paikin, Director of Support, Family Court of Delaware, stated that approximately 65 percent of the child support cases in Delaware (See *Committee*, page 6)

Interagency Conference On Youth Termed Huge Success

Chief Justice C. C. Torbert, Jr., called the first Interagency Conference on Youth, held in Montgomery on June 25-27, 1986, an historic occasion. "For the first time in the history of our state, representatives of the courts, schools, social services, mental health, and youth services have come together to talk about what we can do to help the young people of our state who are in need of assistance," said Torbert.



Chief Justice Torbert signs Interagency Agreement.

The objective of the conference was to foster a new, cooperative partnership between those branches, departments and agencies of government in Alabama which are charged with the delivery of services to youth in need and their families.

"While interagency cooperation is essential, the juvenile

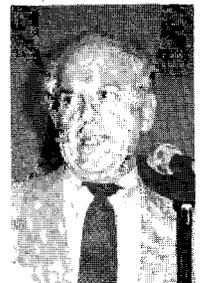
system must also be adequately funded," said Judge William W. Gladstone, 11th Judicial Circuit, Miami, Florida. In his keynote address,



Gladstone

Judge Gladstone went on to state, "Children don't vote. And because they don't vote, they don't have the constituency they need to successfully compete for funding here in Montgomery or in Washington." He urged conference participants to develop local constituencies for youth in need.

Following Judge Gladstone's presentation, William Stephens, nationally known juvenile system consultant, led a "Socratic dialogue" which involved a panel composed of representatives of courts, juvenile probation officers, mental health, human services, youth services and education.



Stephens

The dialogue was a series (See *Interagency*, page 2)

Interagency

(Continued from Page 1)

of questions posed by Mr. Stephens to the panelists about their functions and roles in the juvenile system. As the dialogue progressed, comments from the panelists and from the audience began to point out specific resource, programmatic and coordination problem areas. The dialogue served as a basis for stating the various problems with which the juvenile system in Alabama is confronted.

Conference participants heard presentations on a number of innovative programs from throughout the nation which demonstrated interagency cooperation at the state and local levels.

Dr. Lenore Behar, Chief, Child Mental Health Services, North Carolina Department of Human Resources, presented that state's integrated system of services in local communities for seriously emotionally, mentally, and neurologically handicapped children and adolescents who are also violent and assaultive.

This program arose from the settlement of a class action suit against the state of North Carolina, Willie M. et al. vs. James B. Hunt, et al., filed in 1979. The lawsuit involved four minors and "all others similarly situated" who had been denied appropriate treatment and education.

A detailed process of defining this group of children--referred to as the

"Willie M." population--has been developed. The major focus of treatment and education is in a community-based setting, with treatment in an institutional setting for children who need highly specialized services.

A full continuum of services is provided by the area mental health programs separately or jointly with other public agencies, or is purchased from private providers.

The service needs of each child are identified and an individual habilitation plan is developed. The success of the North Carolina program is attributed to the wide continuum of services offered; a management system which keeps the continuum flexible and responsible; and a case management system that develops the service plans and oversees the implementation of those plans for each client.

In 1985, the state of North Carolina funded \$26 million to serve approximately 1200 "Willie M." children at an average cost of \$21,667 per child.

Susan Bumpus and Paula Alderette of the Maine Department of Mental Health/Mental Retardation explained the Maine Homebuilders program which began in response to dissatisfaction of out-of-home placement of children. The problems associated with returning children to their families following out-of-home placements and the increasing costs of such placements led to the development of the homebased program.

The Homebuilder program provides intensive team services for a 9-12 week period in the home. Approximately 95 percent of the direct contact between the family members and the counselors is in the home. Those contacts are made at times which are most suitable to the family, often weeknights or weekends.

Virginia Beach Department of Social Services staff Sandy Geniesse, Charlotte Maul, and JoAnna Parsick discussed the city's program for treating sexually abused children and their families.



(l-r) Charlotte Maul, JoAnna Parsick, and Sandy Geniesse.

The program is designed not only to stop the offensive behavior but to help the family involved handle the stress of confronting and dealing with the problem. A family trauma team composed of a social worker and detective conduct the investigation. The goal is to minimize the trauma to the child and family and to enhance the treatment process.

A unique feature of the sexual abuse program is the treatment of trauma offenders. This aspect of the program is concerned with the rehabilitation of the offender in order that the victim might be able

(See *Interagency*, page 6)

STATE OF ALABAMA
INTERAGENCY AGREEMENT
ON
SERVICES FOR YOUTH IN NEED

WHEREAS, the State of Alabama is committed to providing a continuum of quality services for youth;

WHEREAS, the delivery of services to youth involves the state court system and numerous executive branch agencies;

WHEREAS, the need of youth with severe and multiple problems may not be specifically addressed or met by the statutory or administrative criteria that regulate the delivery of service by the various agencies;

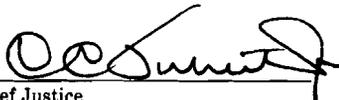
WHEREAS, there is a critical need for agency cooperation and coordination in serving youth who need the services of more than one local or state agency; and

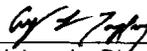
WHEREAS, there is not currently a permanent forum for youth service agencies to address mutual concerns and to develop joint plans for improving the delivery of services to the youth of Alabama;

NOW THEREFORE BE IT RESOLVED, that the Alabama Judicial System, the Department of Mental Health and Mental Retardation, the Department of Human Resources, the Department of Youth Services, and the Department of Education hereby agree to continue to provide membership on the Judicial Study Commission's Interagency Committee on Youth which is tasked with the following responsibilities:

1. Serve as a continuous forum for the discussion of issues, concerns, and legislation of the member agencies;
2. Provide a mechanism to assist the member agencies in determining the long-range needs of youth of Alabama and developing appropriate strategies for meeting those needs;
3. Develop additional interagency agreements and procedures at the state level which would further promote interagency cooperation and assist local courts and agencies with the delivery of services to youth and their families;
4. Promote joint research capabilities to analyze issues of mutual concern to the agencies involved;
5. Foster the establishment and utilization of community-based resources for the delivery of services to youth and their families;
6. Meet at least on a quarterly basis and annually report on the activities and findings of the committee to the Alabama Judicial Study Commission, the Governor, and the heads of all departments represented on the committee; and
7. Promote and coordinate the presentation of an annual interagency conference on youth.

Witness under our hands and the Great Seal of the State of Alabama this 27th day of June, 1986.

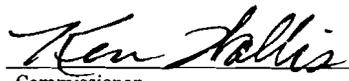

Chief Justice
Alabama Supreme Court

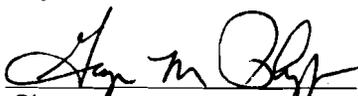

Administrative Director
of Courts


Superintendent
Department of Education




Commissioner
Department of Human Resources


Commissioner
Department of Mental Health


Director
Department of Youth Services

Highlighting the Interagency Conference on Youth was the signing of an Interagency Agreement on Services to youth. The signatories, representing the courts and those executive branch agencies providing services to youth-in-need, pledged their continuing support for maintaining a cooperative, coordinated effort to seek solutions to the problems facing Alabama's youth.

The Judiciary -- Party Nominees For General Election

SUPREME COURT

- Place 1 - *R. P. Almon, Montgomery (D)
 Place 2 - *Janie L. Shores, B'ham (D)
 Place 3 - *Gorman Houston, Eufaula (D)

COURT OF CIVIL APPEALS

- Place 1 - Kenneth Ingram, Ashland (D)

CIRCUIT JUDGES

4th Judicial Circuit

- Charles A. Thigpen, Greensboro (D)

6th Judicial Circuit

- Place 1 - *Steve Wilson, Tuscaloosa (D)

10th Judicial Circuit

- Place 12 - *Roger Halcomb, B'mer (D)

- Place 19 - *Dan Reynolds, B'mer (D)

- Place 20 - *W. C. Zanaty, B'ham (D)

- Place 21 - *Arthur J. Hanes, Jr.,
 Birmingham (D)

- Place 22 - *Wayne Thorn, B'ham (D)

- Place 23 - *Charles Najjar, B'ham (D)

- Place 24 - *J. Richmond Pearson,
 Birmingham (D)

11th Judicial Circuit

- Place 3 - *Ned Michael Suttle,
 Florence (D)

12th Judicial Circuit

- Gary L. McAliley, Enterprise (D)

13th Judicial Circuit

- Place 7 - *Robert G. Kendall, M'ble (D)

- Place 10 - *Douglas Johnstone, M'ble (D)

15th Judicial Circuit

- Place 1 - *Bill Gordon, Mtg (D)

- Place 7 - *Richard H. Dorrrough,
 Montgomery (D)

20th Judicial Circuit

- Place 2 - *Ron Storey, Dothan (D)

21st Judicial Circuit

- Brad Byrne, Atmore (D)

22nd Judicial Circuit

- Place 2 - *William H. Baldwin,
 Andalusia (D)

23rd Judicial Circuit

- Place 2 - *Daniel B. Banks, Jr.,
 Huntsville (D)

26th Judicial Circuit

- Place 1 - *Wayne T. Johnson,
 Phenix City (D)

27th Judicial Circuit

- *William D. Jetton, Guntersville (D)

28th Judicial Circuit

- Place 3 - *Tom Norton, Jr.,
 Bay Minette (D)

30th Judicial Circuit

- Place 2 - *H. Edwin Holladay-Pell City (D)

37th Judicial Circuit

- Place 2 - Robert M. Harper, Auburn (D)

39th Judicial Circuit

- *Henry W. Blizzard, Athens (D)

DISTRICT JUDGES

Barbour County

- *William H. Robertson, Eufaula (D)

Bullock County

- *Dwight Hixon, Perote (D)

Calhoun County

- Place 3 - *Nathaniel Owens, Anniston (R)
 Larry F. Warren, Anniston (D)

Chilton County

- *Marise Mims Sandidge, Clanton (D)

Choctaw County

- Pedro Scurlock, Butler (D)

Clarke County

- *Harold L. Crow, Thomasville (D)

Clay County

- *John E. Rochester, Ashland (D)

Cleburne County

- *Larry G. Pilgrim, Edwardsville (D)

Colbert County

- *George E. Carpenter, Tuscumbia (D)

Covington County

- *Charles T. Morris, Andalusia (D)

Cullman County

- *J. Wilfred Tucker, Cullman (D)

Dale County

- Place 1 - *Val L. McGee, Ozark (D)

- Place 2 - *Fred R. Steagall, Ozark (D)

Dallas County

- Nathaniel Walker, Selma (D)

DeKalb County

- *Robert G. Wilson, Fort Payne (D)

Escambia County

- *Gordon R. Batson, Brewton (D)

Geneva County

- *George A. Black, Geneva (D)

Greene County

- *Richard L. Osborne, Eutaw (D)

Houston County

- Place 2 - *Denny Holloway,
 Dothan (D)

- Brian Dowling, Dothan (R)

Jackson County

- Ralph H. Grider, Scottsboro (D)

Jefferson County

- Place 1 - *John H. Alsbrooks, Jr.,
 Birmingham (D)

- Place 2 - *Pete Johnson, B'ham (D)

- Place 5 - *Gerald S. Topazi, B'ham (D)

- Place 10 - *Ralph E. Coleman, Jr.,
 Hueytown (D)

Lamar County

- Johnny M. Langley, Vernon (D)

Lauderdale County

- *Deborah Bell Paseur, Florence (D)

Lee County

- Place 1 - Mike Nix, Auburn (D)

Limestone County

- George T. Craig, Athens (D)

Marion County

- Jimmy Cashion, Hamilton (D)

Mobile County

- Place 1 - *Lionel Layden, Mobile (D)

- Place 2 - Mike McMaken, Mobile (D)

- Frankie Fields Smith, Mobile (I)
 Norm Davis, Mobile (R)

Pickens County

- Tom Woodard, Reform (D)

Russell County

- Place 2 - *Albert L. Johnson,
 Phenix City (D)

Shelby County

- *Patricia M. "Patti" Smith,
 Columbiana (D)

Sumter County

- *Eddie Hardaway, Jr., Livingston (D)

Tuscaloosa County

- Place 1 - Jim Guin, Tuscaloosa (D)

- Place 2 - Gay M. Lake, Jr.,
 Tuscaloosa (D)

Walker County

- Place 1 - *John L. Madison, Jr.,
 Jasper (D)

Wilcox County

- *Jo "Celeste" Pettway, Alberta (D)

* Incumbent

Verification Of Employment Forms Should Be Sent To The Administrative Office Of Courts

All forms for verification of employment for UJS employees should be directed to the Personnel Division of the Administrative Office of Courts.

Only the AOC maintains official personnel/payroll records for court employees. Directing inquiries to "State of Alabama", "State Person-

nel Department", and "State Comptroller" will result in considerable delays, since the forms must be forwarded.

Direct all requests for verification to: Personnel Division, Administrative Office of Courts, 817 S. Court Street, Montgomery, AL 36130.

Judicial Secretaries Hold Conference At Lake Guntersville

Appellate, circuit, and district judges' secretaries met at Lake Guntersville State Park on July 10-11 for their annual education conference sponsored by the Alabama Judicial College. Courses for the meeting were designed to improve the secretaries' on-the-job effectiveness.

Summer Meeting Scheduled For State Judges

Alabama's circuit and district judges will meet for their annual summer conference in Gulf Shores on July 23-24.

Chief Justice C. C. "Bo" Torbert, Jr., will address the group at its opening session on Wednesday morning. For the remainder of the two-day conference, judges will have options of two courses during each time period.

Among the featured speakers for the conference are Associate Justice Joseph R. Weisberger, Supreme Court of Rhode Island; Atlanta attorney Winifred D. Simpson; and Rudolph F. Pierce, attorney from Boston, Ma.

Both the circuit and district judges associations will elect new officers at the conference.



Eddie D. Mallard, Circuit Clerk of Macon County (r) was recently named Clerk-of-the-Year by the Circuit Clerks and Registers Association. Jerry D. "Pete" Trammell (l) presented the award at the association's annual summer conference.

Judge Robert E. Lewis Honored For Contributions To Alabama's Youth

Etowah County District Judge Robert E. Lewis was presented a certificate of commendation for his contributions to the juvenile courts and to the improvement of services to the youth of Alabama during ceremonies at the Interagency Conference on Youth in Montgomery.

In making the presentation on behalf of the Alabama Judicial System and the Alabama Judicial Study Commission's Interagency Committee on Youth, Chief Justice C. C. Torbert, Jr., cited Judge Lewis for his active support and advocacy for improvements in the



Judge Lewis (l) receives certificate of commendation from Chief Justice Torbert (r).

quality of services provided juveniles and youth-in-need in Alabama. "The Interagency Conference on Youth which is being held here today is a direct result of the efforts of Judge Lewis," said Torbert.

1987 Holiday Schedule

The 1987 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
Martin Luther King, Jr./	
Robert E. Lee's Birthday	*January 19
George Washington's Birthday	*February 16
Mardi Gras Day	March 3
Thomas Jefferson's Birthday	April 13
Confederate Memorial Day	*April 27
Jefferson Davis' Birthday	*June 1
Labor Day	September 7
Columbus Day	*October 12
Veterans' Day	November 11
Thanksgiving Day	November 26
Christmas Day	December 25

*Monday holidays - Act No. 1103 of 1969

Independence Day (July 4) is not listed since it falls on Saturday and does not involve additional time off.

Interagency

(Continued from Page 2)

to lead a normal life and to promote and preserve a normal family relationship. Offenders are not given treatment, however, unless they admit their involvement.

Dallas County's "Circle of Pain" program was presented to conference participants by Gloria Hull, Dallas County Department of Human Resources; Dr. David W. Schell, Cahaba Regional Mental Health Center; Martha Lockett, Selma City School System; and Billy R. Morgan, Youth Aid Division of the Selma Police Department.



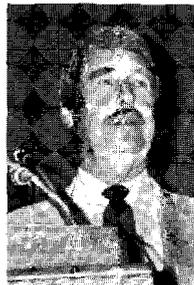
(l-r) David Schell, Martha Lockett, Billy Morgan, and Gloria Hull.

Recognizing that social service agencies too often operate on a "turfdom" concept, Cahaba Mental Health, Dallas County Department of Human Resources, and the Youth Aid Division of the Selma Police Department combined their efforts to improve community services to abused and neglected children--thus, the "Circle of Pain" came into being.

With the combined input and support of the three service agencies, the program strives to avoid abuse of children by the agencies whose purpose is to protect them. Agency representatives

meet together and work with members of the community and court officials to formulate specifically designed programs for the treatment of children who are abused or neglected.

On the final day of the conference, Gilbert Burnett, Chief District Judge, 5th Judicial District, Wilmington, N.C., presented an overview of the Interagency Evaluation



Burnett

Committee which was established in his district. Representatives from most of the organizations in New Hanover County, N.C., which have an interest in children serve on the committee whose purpose is to present to the judge as complete a picture as possible the child's needs and potential aid to identify resources both within and outside the community that can help to meet those needs.

Following this presentation, Judge John W. Davis, who presided over the conference and who chaired the Juvenile Conference Planning Subcommittee, urged all county officials and workers to complete an agreement form, committing to establishing local interagency committees composed of all agencies involved in the delivery of services to youth and to meet on a regular basis.



Davis

Committee

(Continued from Page 1)

are settled at this stage.

If no agreement is reached, the mediator will enter an interim order and the case will be set to be heard before a court master. In these cases, a family court master has all of the powers of a judge including issuance of legal process to compel attendance, set bail, punish civil contempt, and render an enforce judgment.

The order of support rendered by the master may be reviewed de novo before a family court judge, if requested within 15 days, and the order may be appealed to the superior court within 30 days after the review de novo. According to Paikin, few cases are appealed.

Mr. Michael Henry, Director, Division of Child Support, Missouri Department of Social Services, explained the Missouri administrative process to the committee.

Under the Missouri system, the division of family services notifies the absent parent of the child support obligation. If the parent fails to take any action, the Division of Family Services will enter a default administrative order. The parent may also agree to pay the amount requested in the notice or may request a negotiation conference with the division.

If agreement is not reached the case is set for an administrative hearing. (See **Committee**, page 7)

Committee

(Continued from Page 6)

strative hearing before a hearing officer who is employed by the legal services division of the Missouri Department of Social Services. An administrative order entered by the hearing officer has the full force and effect of a circuit court order, including lien effect and enforceability by contempt of court, execution and garnishment.

The absent parent may appeal the administrative order to the Missouri court system.

Ms. Paikin and Mr. Henry also explained their state's child support guidelines to the committee. Both stated that the uniform application of child support guidelines was essential to promoting agreements



Among those attending the committee meeting were: (l-r, top) Judge Eddie Hardaway, Paul Vincent, Michael Henry, David Smith, Susan Paikin, and Gordon Bailey; and (l-r, bottom) Joe Carlton, Judge Clatus Junkin, Susan Crowson, William Werdehoeff, and Judge Robert Hodges.

among the parties at the pre-hearing stage. Since absent parents knew that the child support amounts were based on mandatory formulas, there was less likelihood of arguments over the level of support which was to be paid.

Mr. David Smith, Director of Policy and Planning Division, Office of Child Support Enforcement, provided the committee with a national perspective on expedited processes and child support guidelines. Mr. Smith also explained to the committee the requirements which must be met in order for Alabama to maintain compliance with the 1984 amendments.

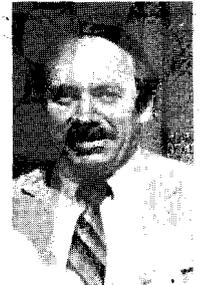
Master Jury Lists Being Compiled

The Administrative Office of Courts will soon receive the updated drivers list information necessary, in most counties, for compilation of new master jury lists as required by §12-16-57, Code of Alabama 1975. Counties using the computerized two-step qualification and summoning process and the drivers list should forward the "Request for AOC Services" forms to this office so that we may prepare and mail your questionnaires. Counties using the one-step summoning process can expect their new lists to be in operation by October 1, 1986.

If you have any questions or need any assistance with your jury process or in refilling your jury box,

Ken Snow To Lead Juvenile And Family Court Judges Council

Marengo County District Judge C. Kendall Snow is the newly-elected President of the Alabama Council of Juvenile and Family Court Judges.



Snow

Other officers of the Council are District Judge John D. Coggin, Cherokee County, 1st Vice President; District Judge David H. Bibb, Morgan County, 2nd Vice President; and Circuit Judge John F. Butler, Mobile, Secretary-Treasurer.



New Circuit Clerks and Registers Association President John Bobby Green, Blount County, third from left, gets congratulations from outgoing president Jerry G. "Pete" Trammell, Cherokee County, second from left. Other newly-elected association officers pictured are (l-r) Kyle Lansford, 1st VP, Shelby Co.; Phyllis Cumbee, Sec.-Treas., Chambers Co.; and Billy S. Yates, 3rd VP, Etowah Co. (Not pictured, John L. Lazenby, 2nd VP, Elmore Co.)

please contact Carolyn Overman at the Administrative Office of Courts.

Schedule For Testing Announced For All Court Clerk Classes

Schedule of test sites and dates for the Unified Judicial System's Court Clerk classes are as follows:

Test Site	Test Date
Alexander City	July 26
Birmingham	July 12
Dothan	July 12
Florence	July 12
Gadsden	July 12
Huntsville	July 26
Mobile	July 26
Montgomery	July 12
Thomasville	July 12
Tuscaloosa	July 19

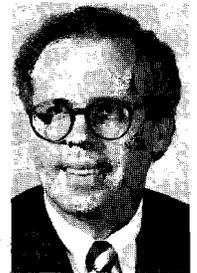
If the July test session is filled, applicants will automatically be scheduled to take the written test in October.

NOTE: Applicants already on the register for a particular class SHOULD NOT REAPPLY for the same class.

Unified Judicial System Applications for Employment forms may be obtained by calling Ginny Anderson at 1-800-392-8077, ext. 257.

J. Don Foster To Serve On Judicial Inquiry Commission

Foley attorney J. Don Foster has been named to serve a four-year term on the Judicial Inquiry Commission. Foster was appointed by the Alabama Board of Bar Commissioners on May 30, 1986. He replaces Broox Holmes, a Mobile attorney.



Foster

Foster received his law degree from the University of Alabama School of Law in 1971. He is associated with the firm of Foster, Bolton and Dyson in Foley.



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