



COURT NEWS

Newsletter of the Alabama Judicial System

October, 1983

FY 83-84 FINANCIAL OUTLOOK

In a September memorandum to court officials, the Executive Director of Courts Allen Tapley announced that merit raises will be granted and all vacancies and vacancies may be filled in a normal and timely manner during fiscal year 1983-84.

"By delaying merit raises and not filling vacancies as they occurred, we were able to generate enough savings last year to survive a recession," Tapley said. "We are now in a position to return to our normal personnel policy regarding merit raises and filling of vacancies. This change in policy is the direct result of court officials' sharply reducing expenditure levels in their offices."

With the exception of \$300,000 transferred from the judicial branch, the \$46,703,220 Unified Judicial System budget for FY 1983-84 is the same as the FY 1982-83 projected budget.

"Aside from granting merit raises and filling vacancies, we must be as conservative in our financial operations in FY 1983-84 as we were last fiscal year," Tapley said.

To ensure that a "freeze" is not reinstated on merit raises and filling of employee vacancies, all court system officials and employees are requested to observe the following:

- Utilize temporary and part-time employees only when there is a critical need and only after ADC approval.
 - Limit use of part-time bailiffs as much as possible.
 - Continue suspension of requests for new positions, reclassifications, or promotions involving increased costs.
 - Schedule travel in the most cost-effective manner.
 - Limit long distance telephone calls and the use of postage to the extent possible.
 - Limit the use and ordering of forms and supplies.
 - Continue to use ADC print shop for printing all single copy forms.
- (Continued on Page 2, Column 1)*

Cost-Effective Printing Methods Adopted

As a result of the cost-cutting program at the Alabama Office of Courts, all printing is now done in-house. Many court officials from throughout the state requested that the program be retained as soon as funds permitted.

"The program has been successful in an effort to reduce the state's expenditure of the funds for a cost-effective and timely manner," said Allen Tapley.

Cost-cutting is the key. In the past, printing was done by a private contractor. It is now printed internally by the Alabama Office of Courts which includes state courts.

As a result of these changes, the state's expenditure of the funds for a cost-effective and timely manner has been reduced.

"As a result of these changes, we anticipate that the state's expenditure of the funds for a cost-effective and timely manner will be reduced."

FY 83-84 FINANCIAL OUTLOOK

(Continued from Page 1, Column 1)

- Delay purchase of equipment and payment of professional dues until 4th quarter. Equipment purchases will be made at that time only if funds are available.
- Minimize the number of jurors called.
- Sequester jurors only

when essential and be as economical as possible in choosing meals and restaurants for jurors.

Chief Justice C. C. "Bo" Torbert praised court officials and employees for their response to the budget restrictions brought about by proration. "I want to thank

each court official and employee for their splendid support during this most trying year. I'm sure that he will again be able to keep expenditures to a minimum so that we will be able to continue to grant merit increases and fill vacancies throughout FY 1983-84," said Torbert.

JUDICIAL COLLEGE PROGRAMS INSTITUTED

"The Alabama Legislature recognized Judicial Education as a vital function of the Unified Judicial System by appropriating \$300,000 for FY 1983 to provide education and training for judges, clerks and registrars, and court support personnel," said Chief Justice C. C. "Bo" Torbert, Jr. "We all owe a debt of gratitude to the many legislators and judicial officials who supported us in this most important matter," added Torbert.

The \$300,000 Judicial College budget provides funds for many of the conferences which were held in previous years. "While the appropriation provides for limited in-state educational needs, no funding is provided for out-of-state training during FY 83-84," said Allen L. Tapley, Administrative Director of Courts.

Since the new appropriation became a reality on August 1, Thelma Brumwell, Director of the Alabama Judicial College, has contacted all court branches of the College and the coordinated schedule of meetings has been developed (see page 7). Meetings with planning committees are now in progress to develop the goals and select faculty. The plans developed by committees to date point to an outstanding year of progress. All officials should make plans to attend and participate and encourage participation on the part of their employees.

"This past year of proration has demonstrated the importance of judicial education programs and in keeping all of us abreast of the constant changes in law and procedure. Everyone is very pleased and grateful to have these programs restored and look forward to using them to continue to make progress in our court system," said Thelma Brumwell.

Birmingham Criminal Division Goes to Individual Calendar

The Birmingham Criminal Division broke with tradition on August 29, 1983, by changing from a master to an individual calendaring system. The new system features computerized judge assignments and conflict-free case settings for attorneys. "While the new system is still in the experimental stage, we believe it will provide us with increased management control over our caseload," said Judge Joe Jasper, presiding judge of the Birmingham Criminal Division.

When the pending criminal caseload peaked at 2,615 felony cases on January 31, 1982, the Criminal Division judges recognized that some changes must be made if they were to reduce their pending caseload. With the assistance of the State Court Operations staff of the Administrative Office of Courts, procedures and statistics were reviewed and a case management plan was developed.

Foremost among the changes was the assignment of Judges William Cole and Charles Crowder to hear all criminal cases filed prior to September 1, 1982. Utilizing an individual calendar for the first time, Judges Cole and Crowder reviewed each of the 2,200 pending felony cases filed prior to September 1, 1982. Their review indicated that approximately 40-50 percent of these cases could be disposed of administratively while the remaining cases were set for trial.

Circuit Judges Joe Jasper, Jim Garrett, and Jim Hard continued to use the master

calendar system in managing the more current criminal caseload. For both the "old" and "new" caseloads, their objectives were to increase the disposition rates of their trial dockets, and, when it was necessary to continue cases, to reset them for a time certain on the earliest possible trial docket.

By creating a high degree of trial certainty, the felony pending caseload was reduced from 2,615 on January 31, 1982, to 1,969 cases on January 31, 1983. In a letter to Judge Joe Jasper, Chief Justice Torbert congratulated the Criminal Division judges on "reducing the pending caseload by 25 percent."

Based on the success of Judges Cole and Crowder, the Criminal Division judges decided to switch the entire division to the individual calendar. Under the new system, criminal case files are sent from the clerk's office to the court administrator's office for initial entry into the computer system. The cases are then randomly assigned to the five Criminal Division judges by the computer.

Pretrial and trial settings from each of the five judges are entered into the computer and a report is generated which identifies all attorney scheduling conflicts. Case setting information is entered into the computer at the earliest possible moment so that attorney conflicts can be resolved weeks in advance of

the actual pretrial and trial. "With nearly 4,000 criminal case filings a year, the computerized assignment and conflict-free scheduling for attorneys will save a great deal of 'lost time' and will help to shorten the time between filing and disposition," said Judge Cole.

Prior to the assignment of cases to the individual judges, the district attorney's staff reviews the cases and makes notations as to those cases which are to be considered for joinder or consolidation. "As part of our criminal case management procedure, all cases involving a particular defendant should be assigned to one judge. This policy helps reduce scheduling conflicts involving cases with the same defendant and assists the deputy district attorneys, who are assigned to individual judges, prepare their cases," stated Jasper.

As a rule, arraignments are not held in the 10th Judicial Circuit because local legislation provides that defendants may sign a waiver of arraignment and plea of not guilty form. In most cases this allows the criminal division to bypass this time-consuming procedure. Since indigent defense counsel is normally appointed in the district court and will remain with the case in circuit court, arraignment is not needed for this purpose.

Under the new calendaring system, the first setting of a criminal case is for pretrial. Pretrials are
(Continued on Page 4, Col. 1)

(Continued from Page 3, Column 3)

primarily for the purpose of hearing motions, taking pleas, and assigning trial dates. Following the setting of pre-trial and trial dates, this information is entered into the computer and the notices are electronically produced.

"To increase the certainty of trial, we are leaving spaces on our trial dockets

to allow room for cases unreached the previous week and for those cases which take longer than expected to try. If one of us completes our docket early, we back each other up by taking additional cases from one of the judges," said Jasper.

"We have not established firm time standards, but we

are attempting to stay within the 60-90 day filing-to-disposition time frame. We believe that our new calendaring system, along with our computerization efforts, will make us much more efficient and will allow us to stay ahead of our increasing caseload," Jasper stated.

DEFERRED COMPENSATION

Are you paying substantial amounts of income tax?

Are you a member of a family with multiple incomes or a single person with no dependents?

Are you approaching retirement?

Are you currently saving on an after-tax basis?

Do you want an income when you are no longer working?

If you answered "yes" to any of the above questions, you may be interested in participating in the State of Alabama's Public Employees Deferred Compensation Plan. This plan is designed specifically for Alabama State Employees and it allows you to defer a portion of your current salary to a later time. The advantage of the deferred compensation plan is that the amount of your salary deferred will not be included in your income for tax purposes until such time as you withdraw the funds from the plan.

The deferred compensation plan is not a short-term savings and investment program since any monies you defer would generally not be available to you until you leave State service or you retire. For this reason, employees who cannot afford to set aside money over a long period of time or who have not established funds for emergencies or who may have substantially more taxable income after they retire may wish to consider some other type of investment.

All elected officials and full time

officers and employees of the State of Alabama are eligible to participate in this program. There is, however, a limit to the amount of your salary which can be deferred. Normally, up to 25 percent of your gross compensation to a maximum of \$7,500 can be deferred in any one given year. The minimum amount which can be deferred is \$10 per month.

The Alabama State Personnel Board contracted with PEBSCO to design, implement, and administer this program. If you are interested in finding out more about the State of Alabama Public Employee's Deferred Compensation Plan, you may wish to contact the Office of the Plan Administrator for the State of Alabama Public Employee's Deferred Compensation Plan in Montgomery at (205) 277-7820. The plan administrator's office can assist you in contacting a local PEBSCO representative who can provide you with additional information concerning the deferred compensation plan and how it may be of assistance to you.

ANNOUNCEMENTS FROM PERSONNEL

DENTAL RIDER, DEATH BENEFITS IMPLEMENTED; BASIC HEALTH POLICY COST INCREASED BY \$12

On October 1, State employees who are members of the Employees' Retirement System (ERS), will be covered under a pre-retirement death benefit plan equivalent to a term life insurance policy. The plan, authorized by Act 83-616 of the 1983 regular session, provides a death benefit equal to a member's annual salary in addition to the return of the member's retirement contributions, plus interest. Previously, the retirement systems only matched contributions of a member up to \$5,000 upon death.

On October 1, free dental coverage for State employees began. Dependent coverage under the plan will be effective November 1 and will cost \$14.10 per month. AOC will provide dental coverage cards for employees to fill out as soon as they can be obtained. Current employees have until November 1 to sign up for separate dental or medical dependent coverage. Persons hired after November 1 or current employees who wait until next year's enrollment periods will have to subscribe to a combined dental and medical dependent coverage package.

A summary of the dental rider coverage follows:
(1) Diagnostic and preventative care--100% coverage, no deductible.

This includes routine examinations, x-rays and cleaning. Flouride applications and space maintainers are covered for children under 19. Limit--two visits per person per year. (2) Other Care--50% coverage, \$25 deductible per person per year up to a maximum of \$75 deductible per year for dependent coverage. This includes most other care except for orthodontic and cosmetic work and drugs.
(3) Maximum of \$750 coverage per person per year.

This information was obtained from Marc Reynolds of the State Retirement Systems.

When a copy of the rider's detailed coverage is available, it will be sent to judges, clerks of court and administrators.

That's the good news. The bad news is that the board has increased premiums for the basic medical/hospital insurance to cover a 20% increase in claims payments last year. The dependent coverage premium will increase on November 1 from \$65 to \$77.

The new premium for dependent coverage including the dental rider will be \$99.10 per month.

COURT CLERK EXAMS

As you know, the testing program for Court Clerks was brought to a standstill as a result of proration of the 1982-83 budget. It was only this past June that tests were once again given, after a break of eight months.

Because of the need to test on a regular schedule, a decision has been made to administer the Court Clerk I-VI tests on a quarterly basis. At this time, it is anticipated that testing will begin in January 1984.

Clerks and Registers will be notified well in advance of the exact test dates in January.

ADMINISTRATIVE LEAVE FOR JEWISH HOLIDAYS

Governor George C. Wallace has declared that state employees of the Jewish faith who took annual leave on Rosh Hashanah (September 8) or Yom Kippur (September 16, the day preceding the Holiday) may be granted administrative leave for the days involved. Their leave accounting cards should be adjusted accordingly before the cards are forwarded to the AOC in December.

KEEP US INFORMED

Have you moved recently? Have you notified the Personnel Division of this address change via a Personnel Action Form? Have you also notified the Recruitment section (Ginny Anderson and Dorothy White) of your new address?

Employee files and employment applications are maintained separately, and an address change sent to the Personnel Operations section (Linda Price, Amanda Rieves, and Tammie Taunton) would not constitute notification to the Recruitment section. Therefore, if you are on one
(Continued on Page 6, Col. 3)

PAY PERIOD CHANGES ANNOUNCED

In early August, the Administrative Director of Courts announced in a memorandum to all administrators of the Unified Judicial System that the pay periods will be changed in October for Court Officials and in January for employees. Both

changes will be in compliance with Act 83-509 of the 1983 Regular Legislative Session.

All court officials, which include judges, clerks and registers, court reporters, and all supernumerary personnel, will be paid semimonthly beginning October 1, 1983. Payments will be on the 15th of the month for service through that date, and on the 1st of the following month for service performed during the last half of the preceding month. This change will ensure that court officials are paid their constitutional salaries within either the fiscal or calendar year.

On January 6, 1984, the payroll period for court employees will change from the 10-workday period which begins on Wednesdays and ends on Tuesdays to a 10-workday period beginning on Mondays and ending on Fridays. Paydays will continue to be every other Friday.

Along with changing the payroll periods, court employees will be paid two weeks in arrears beginning January 6, 1984. Court employees are now paid three days in arrears. Under the current system (Figure 1),

Figure 1
Current System

DECEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

the December 23rd payday is for the payroll period covering December 7-20.

Under the new system, the January 6th payday will cover the new payroll period (Figure 2), beginning Monday, December 12, and ending Friday, December 23. Since employees will have already been paid for the period December 12-20 under the old system, they will, in effect, be paid twice for the 7-day period, December 12-16 and December 19-20.

Personnel with five or more years of continuous service as of December 23, 1983, will not be required to repay the State for this overpayment when they separate from State service. However, any employee with less than five years of service will be required to reimburse the State for these seven days by reduction of the final paycheck upon separation.

Employees appointed on December 21 or later will not be involved in the overpayment and will be paid two weeks in arrears on January 6th, in accordance with the new schedule.

Figure 2
New System

DECEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

JANUARY						
S	M	T	W	T	F	S
						1
						2
						3
						4
						5
						6
						7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Since leave is earned and credited to an employee's leave account at the end of each pay period, the changes in pay periods will result in a corresponding change to the leave accounting periods. To adjust the leave accounting system to the new pay period, no leave will be earned during the 3-day period of December 21-23, 1983. However, any leave taken during these days will be deducted from employees' leave balances.

The 1984 leave accounting cards for employees are being prepared to reflect the new pay period schedule and will be distributed to administrators in the near future.

(Continued from Page 5, Col. 3)

of the Court Clerk Registers, it is absolutely essential that the Recruitment section be notified of your new address.

As stated in the Personnel Procedures Manual (Chapter II, Page 4), "An applicant's name will be removed from the register..." if there is "written evidence that the eligible cannot be located by postal authorities."

1983

ALABAMA JUDICIAL COLLEGE
CONTINUING EDUCATION PROGRAMS

1984

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
1983 OCTOBER									
NOVEMBER					FALL CONFERENCE NOV 17-18 MONTGOMERY				
DECEMBER									JUD STUDY COMM DEC 8-9 TUSCALOOSA
1984 JANUARY	PRESIDING CIRCUIT JUDGES CONF JAN 18 MID-WINTER CONFERENCE JAN 19-20 MONTGOMERY								
FEBRUARY	NEW JUDGES ORIENTATION FEB 13-17 TUSCALOOSA			EDUCATION MEETING FEB 11-12 TUSCALOOSA	MID-WINTER CONF FEB 2-3 DOTHAN				
MARCH					SPRING SPECIALTY CONFERENCE MAR 22-23 BIRMINGHAM				
APRIL	SPRING JUDICIAL COURSES APR 24-26 TUSCALOOSA								MUNI COURT CLERKS & MAGISTRATES SEM MAY 9-10, MOBILE MAY 16-17, HVILLE MAY 23-24, MIGY JUN 6-7, BHAM
MAY				LEAGUE CONF MAY 5 BIRMINGHAM					
JUNE			ANNUAL CONFERENCE JUN 7-8 BIRMINGHAM		ANNUAL CONFERENCE JUN 14-15 GULF SHORES				DUI INSTR CERT JUN 18-21 TUSCALOOSA
JULY	ANNUAL CONFERENCE JUL 11-12 MOBILE						ANNUAL CONFERENCE JUL 12-13 EUFULA	ANNUAL CONFERENCE JUL 19-20 BIRMINGHAM	
AUGUST									DUI INSERVICE TRNG AUG 9-10 BIRMINGHAM
SEPTEMBER									APPELLATE JUDGES



COURT NEWS

Newsletter of the Alabama Judicial System

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, AL 36130-0101. Telephone: (205) 834-7990 or (toll-free in state) 1-800-392-8077.

William A. Campbell
Director of Research and Planning and Editor

Ann C. Henn
Assistant Editor

C. C. TORBERT, JR.
Alabama Chief Justice

ALLEN L. TAPLEY
Administrative Director of Courts

ROBERT E. HODNETTE, JR., President
Alabama Association of Circuit Judges

DOMINICK J. MATRANGA, President
Alabama Association of District Judges

CHARLES R. JOHANSON, III, President
Alabama Association of Municipal Judges

AUBREY FORD, JR., President
Alabama Council of Juvenile and Family Court Judges

G. RONALD HARWELL, President
Alabama Association of Clerks and Registers

RON U. EMBRY, President
Alabama Shorthand Reporters Association

PATRICIA W. KIRKLAND, President
Alabama Circuit Judges' Secretaries Association

CYNTHIA T. YELVERTON, President
Alabama District Judges' Secretaries Association



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

BULK RATE
U.S. POSTAGE
—PAID—
MONTGOMERY, AL
PERMIT 109