



COURT NEWS

Newsletter of the Alabama Judicial System

December, 1984

"Here Comes Santa" . . .

The Montgomery County Youth Facility, in the true spirit of Christmas, will play Santa to the community's needy children for the 10th consecutive year this Christmas. The facility is collecting gifts and financial donations for some 600 children who might not otherwise have a visit from Santa. "The purpose of the Christmas program is two-fold--to answer a need and to show these children who have come in contact with the court and their families that someone cares," said Juvenile Court Judge John Davis.

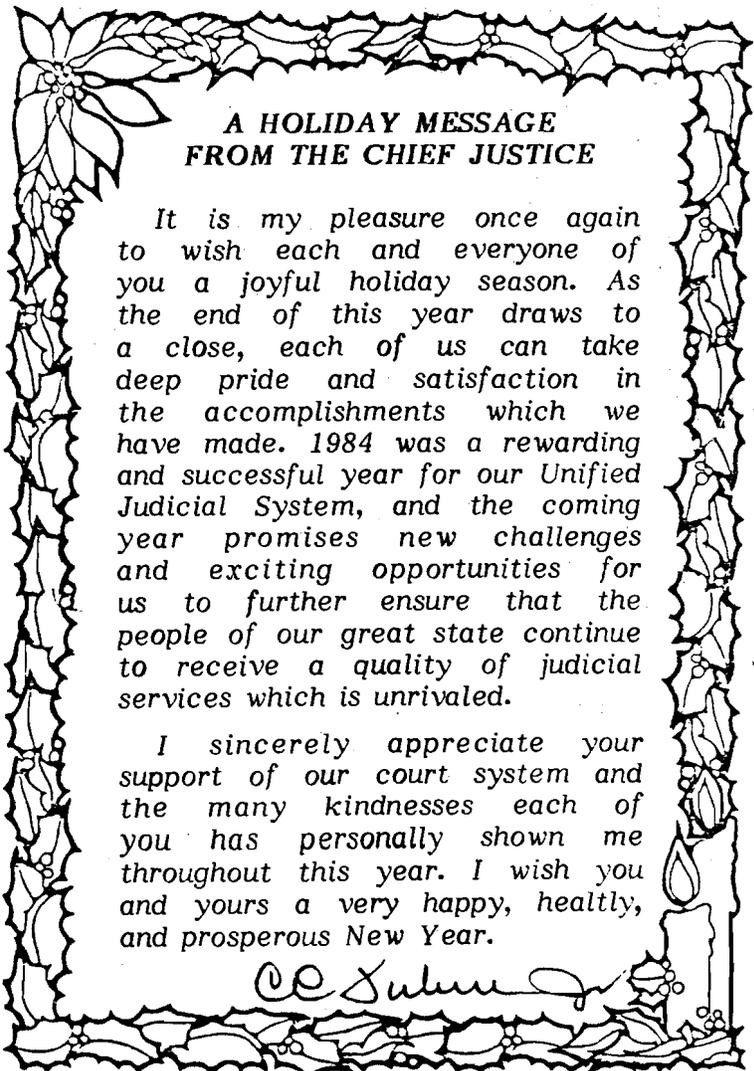
"The people of Montgomery have always been most generous in supporting our Christmas program," added Davis. "I want each and every one of them to know how very much their interest, concern, and contributions mean to these children as well as to the judges and the staff of the juvenile court."

Barbara Crysel, community resources coordinator for the youth facility, said gifts are solicited from throughout the Montgomery area from schools, civic clubs, businesses, and individuals. Probation officers submit names of needy children to Ms. Crysel. "They know the families and they know who needs a little and who needs a lot," said Ms. Crysel. To prevent duplication of services, the names are screened through the Montgomery area Christmas Clearing House, which ensures that a family will not receive gifts from more than one agency.

When a group sponsors a child, they are given the child's first name, age, sex, and clothing size. Sponsors spend an average of \$30 per child and generally provide a complete outfit of clothes as well as a toy or other "fun" thing.

Among the many sponsors this year are three local schools. St. Bede's Catholic School is sponsoring 22 children--grades K-6, one boy and one girl each, and grades 7-8, two boys and two girls each. In December, Juvenile Judges John Davis and Richard Dorrough

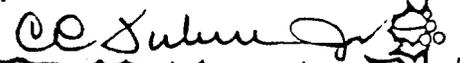
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A HOLIDAY MESSAGE FROM THE CHIEF JUSTICE

It is my pleasure once again to wish each and everyone of you a joyful holiday season. As the end of this year draws to a close, each of us can take deep pride and satisfaction in the accomplishments which we have made. 1984 was a rewarding and successful year for our Unified Judicial System, and the coming year promises new challenges and exciting opportunities for us to further ensure that the people of our great state continue to receive a quality of judicial services which is unrivaled.

I sincerely appreciate your support of our court system and the many kindnesses each of you has personally shown me throughout this year. I wish you and yours a very happy, healthy, and prosperous New Year.



HERE COMES SANTA (Continued from Page 1)

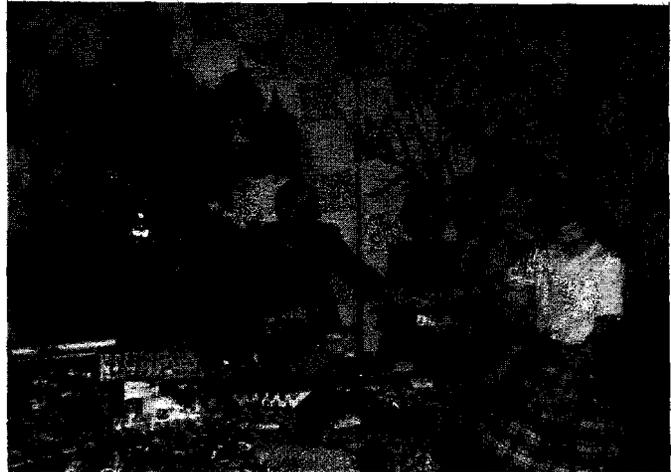
will go to St. Bede where Father Charles Troncale will bless the gifts, after which the children will present them to the judges for distribution.

The two Green Gate schools in Montgomery are sponsoring one family per school, and the Montgomery Academy, grades 7-12, are sponsoring one or two children.

Last year, a total of 118 children were sponsored by various individuals and groups, while donations were received to purchase gifts for another 298 children.

The judges, probation officers, and employees of the facility participate in the shopping spree. "If you think you have a long Christmas list, try buying on this scale," said Ms. Crysel. This year, the gifts will be purchased before store hours at J. C. Penny's, which has generously given the facility a 15 percent discount and is donating the wrapping paper. Members of the Quota Club and other volunteers will assemble at the youth facility on December 8 to wrap the presents. The gifts are usually delivered on Christmas eve or as close to Christmas as possible.

"Somehow the gifts that are missing at the last minute always seem to turn up," said Ms. Crysel. Last year, the center was in desperate need of a bicycle for one of the children. Just when things seemed hopeless, one of the local bicycle shops called and said they had a bicycle they wished to donate. "There are a lot of generous people in our community," said Ms. Crysel. "This pleases me so much--second only to what the kids get," she added.



Family Court Christmas--Each year, St. Bede of Montgomery sponsors a "Family Court Christmas." Gifts are presented for distribution to the needy.

LRE UPDATE **Mock Trial Held in Calhoun County**

The Calhoun County Legal Secretaries Association recently sponsored a mock criminal trial for area high school students. The trial, which was staged in the Calhoun County Courthouse, was held in recognition of national court observance week.

The students served as the venire and a jury of 12 was actually struck and heard the case. The defendant was accused of possession of a narcotic (heroin) and attempting to bribe a police officer.

Judge Malcolm Street presided over the proceedings. He explained in detail what the students could expect as the

trial proceeded and stopped frequently during the evening to explain when objections by counsel were sustained or overruled.

After much deliberation, the jury found the defendant guilty of possession but let him off on the charge of attempted bribery.

The secretaries association has staged the mock trial for the past four years. This year's chairman of the mock trial committee, Bea Pearson, said the purpose of the annual event is to demonstrate to the students and the public what actually happens during a criminal trial.

FY 1984
CASELOAD REVIEW

CIRCUIT COURT

In the circuit court, total case filings declined for the second year in a row. Filings were down by .6 percent, or 812 cases. Declines in case filings were registered in criminal, civil, and domestic relations jurisdictions. Juvenile registered a significant increase in filings of 7.5 percent, or 1,265 cases.

Dispositions registered a small decrease of 2.6 percent, or 3,365 cases. As a result, case pending increased slightly by .9 percent, or 694 cases.

<u>Statewide Circuit Court Caseload</u> <u>FY 1979 - FY 1984</u>										
Category	FY 1979	FY 1980	FY 1981	FY 1982	FY 1983	FY 1984	Change 79-84		Change 83-84	
							#	%	#	%
Filings	118,438	123,141	128,328	128,739	126,219	125,407	6969	5.9%	(812)	(.6%)
Dispositions	118,834	119,537	128,852	123,864	128,290	124,925	6091	5.1%	(3365)	(2.6%)
Pending	59,084	62,688	71,617	76,617	73,262	73,956	14,872	25.2%	694	.9%

Limestone Has Lowest Currency

FY 1984 caseload statistics reveal that the pending cases are being disposed more quickly in the Circuit Court of Limestone County than any circuit in the state. As of September 30, 1984, the court had disposed of 1,010 cases while only 305 cases remained pending. This provides a case currency figure (pending divided by dispositions) of 30 percent, which is the lowest in the state. At the current level of dispositions, it would take less than four months for the court to dispose of its pending caseload.

A total of nine circuits had case currencies of 40 percent or less. Limestone County was followed by Tuscaloosa and Montgomery, with case currencies of 33 percent; Russell County, with 36 percent; Madison, with 37 percent; Franklin and Lee Counties, with 38 percent; and Colbert and Covington Counties, with 40 percent currencies.

Mobile Leads in Reduction of Pending Cases

Though there was a slight increase in the statewide pending caseload, 16 circuits reduced their pending caseloads during FY 1984. Mobile County Circuit Court led the state by reducing their pending caseload by 2,101 cases or by 16 percent. Reductions were recorded in all jurisdictions of the Mobile Circuit Court. Pending was reduced by 117 criminal cases, 599 civil cases, 1,327 juvenile cases, and 58 domestic relations cases.

Tuscaloosa registered the second largest decline in pending caseload with a decrease of 487 cases or 19 percent. Reductions of 113 criminal and 394 domestic relations pending cases were recorded last year in the Tuscaloosa Circuit Court.

The 4th Judicial Circuit, comprised of Bibb, Dallas, Hale, Perry, and Wilcox Counties, showed a reduction of 107 cases, which provided a 5 percent reduction in the pending caseload.

The highest percentage decrease in pending caseload was in the circuit court of Franklin County, which reduced its pending from 407 to 302, a reduction of 105 cases or 26 percent.

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FY '84 Caseload Review (Continued from Page 3)

DISTRICT COURT

District court case filings decreased for the third year in a row. Filings were down by 4,452 cases or 1 percent from the previous year. Dispositions decreased by 14,512 cases or 3 percent, while pending increased 4,240 cases or 3 percent.

Case filings were up in traffic and juvenile, while they were down in criminal, small claims, and civil.

<u>Statewide District Court Caseload</u> <u>FY 1979 - FY 1984</u>										
Category	FY 1979	FY 1980	FY 1981	FY 1982	FY 1983	FY 1984	Change 79-84		Change 83-84	
							#	%	#	%
Filings	438,876	528,303	542,621	501,638	474,596	470,144	31,268	7.1%	(4,452)	(.9%)
Dispositions	436,839	505,180	526,493	490,590	480,334	465,822	28,983	6.6%	(14,512)	(3.0%)
Pending	132,651	155,774	147,707	160,150	154,484	158,724	26,073	19.7%	4,240	2.7%

Russell Lowest in Currency Rating

The District Court of Russell County led the state in case currency with an 8 percent figure. At the court's current rate of disposition, there is less than one month's worth of cases pending.

Statewide, 28 district courts had case currency figures of 30 percent or less. The District Court of Russell County was followed by Fayette County, with a case currency of 11 percent; Limestone County, with 12 percent; Barbour and St. Clair Counties, with 15 percent; and Mobile with 16 percent currency.

Marshall Tops in Reduction of Pending Cases

Twenty-five of the state's 68 district courts reduced their pending caseload during FY 1984. The top five were the District Court of Marshall County, with a reduction of 716 cases, followed by Montgomery, with 531 cases; Bessemer, with 511 cases; Morgan, with 439 cases; and Conecuh, with 412 cases.

Court Calendars Should Be Mailed to Administrative Office of Courts

As circuit and district court calendars for 1985 court schedules are completed, the Administrative Office of Courts requests that court officials forward a copy to Nancy Morochnick at the Administrative Office.

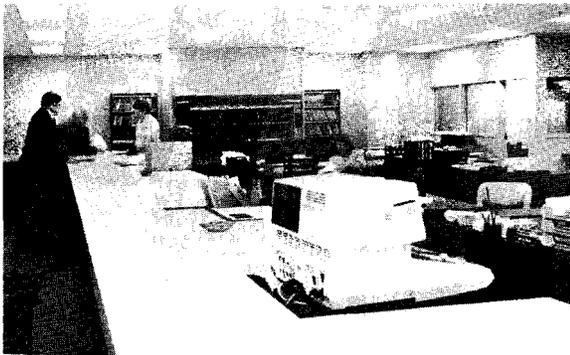
Semi-Annual Report on Cases Due

Forms for the semi-annual report on cases or matters under submission or advisement for six months or longer will be mailed by the Administrative Office to all circuit, district, and active retired judges on December 15. The reporting period will cover 7/1/84 through 12/31/84. The Administrative Office requests that judges return their reports to Nancy Morochnick at AOC.

LEE COUNTY DEDICATES NEW T. K. DAVIS JUSTICE CENTER

"One of the most modern, efficiently designed, and down-right beautiful court structures in the state" was Chief Justice C. C. Torbert, Jr.'s, description of Lee County's new T. K. Davis Justice Center at dedication ceremonies held on November 11.

Located in Opelika at the intersection of Hamilton Road and Frederick Road, the center houses the offices of the circuit and district judges, the circuit clerk, court administrator, juvenile and adult probation officers, the district attorney, sheriff, and the administrator of the SIR program of the board of corrections. Offices of the Lee County tax assessor, tax collector, probate judge, and board of education remain in the soon-to-be renovated courthouse in Opelika.



Spacious Circuit Clerk's Office in new facility.

The new structure boasts one of the state's first to have special facilities where representatives of the electronic and print media can observe the judicial process without interrupting trial proceedings. Torbert applauded all who were responsible for incorporating this advanced design. "Our courts are open; our trials are public; and our citizens have a right and a responsibility to be aware of what is happening within their judicial system," he said.

Presiding Circuit Judge Assists in Decorating Scheme

Judge "Spud" Wright felt that colored seals of the Unified Judicial System would enhance the decor of the new courtrooms in the justice center. In seeking to find out what the official colors for the seal were, he was advised that there were no "official" colors--none had ever been used. With a gleam in his eye, this ardent Auburn football fan decided that he would give some official colors to the seals to be hung in the Lee County facility. After much deliberation, they were ordered to be painted in burnt orange and blue.

Now--unbeknownst to Judge Wright--enter the "professional decorator." Orange and blue did not blend with the color scheme for the courtrooms--order them in maroon and cream.

Upon discovery of this subversive act, Judge Wright calmly picked up the phone and called Probate Judge Hal Smith. "Hal, you know those Unified Judicial System seals that I ordered for the courtroom? Did you know that they had changed the colors? Did you know they were going to paint them maroon and cream? Do you know what maroon is? It's red. Do you know what cream is? It's white." Then Judge Wright added--"Judge, are you going to let them hang red and white seals in the courtroom in Lee County, Alabama--Home of Auburn University?"

Take the time to look at the colorful Unified Judicial seals hanging behind the benches in the new T. K. Davis Justice Center the next time you are in the area!

JURY MANAGEMENT REVIEW

End of year juror cost statistics reveal that the average cost per trial increased from \$523 in FY 1983 to \$531 in FY 1984, an increase of \$8.00 per trial or approximately one-tenth of one percent. Despite this slight increase in average cost per trial, the figure remains more than 11 percent less than the 1982 high of \$599. "With the increasing complexity of litigation which requires longer trials, it is significant that the circuit judges have been able to hold the line on juror costs," said Frank Gregory, Director of the AOC State Court Operations Division. "The absence of significant increases in the cost of jury trials reflects great credit on our judges and court officials who have worked hard to improve the management of juror services within their courts," said Mr. Gregory.

The top five circuits had cost per trial figures of less than \$400. Thirteen circuits had cost per trial of between \$400 and \$500, and, in the remaining 21 circuits, the reported costs per trial exceeded \$500.

Jury Commission Expenses Continue Downward

For the second year in a row, jury commission expenses have been significantly reduced. Over the last two years, jury commission expenses have been reduced by 71 percent or by \$246,449.

This reduction is the direct result of Act 81-788, which provided the Unified Judicial System with alternative means of qualifying and summoning jurors. The new law which authorized the courts to consolidate the qualification and summoning process greatly decreased the clerical workload at the local level. The one-step system, combined with the electronic selection of prospective jurors, has led to a much greater level of efficiency in the jury selection process.

At present, 41 counties are using the one-step system, while four counties are due to begin using the system in January, 1985. During FY 1984, 72,422 summons were electronically generated by the Administrative Office of Courts and mailed to residents in the participating counties.

Sequestration Costs Down

Since the passage of Act 82-566, juror sequestration expenses have been significantly reduced. From a high of \$173,315 in FY 1982, sequestration costs have been reduced to \$78,931, a reduction of \$94,384 or 54.4 percent.

Prior to 82-566, jury sequestration was required in all felony cases unless the accused, his counsel, and the prosecuting attorney all consented to the jurors separating during the trial. In accordance with Act 82-566, the final decision as to sequestering or separating the jurors rests solely with the trial judge.

Jury Costs and Expenses			
Fiscal Year	Average Cost Per Trial	Jury Commission Expenses	Jury Sequestration Expenses
FY 1984	\$531	\$101,078	\$ 78,936
FY 1983	\$523	\$198,339	\$ 89,086
FY 1982	\$599	\$347,524	\$173,315

20th Circuit Leads State in Lowest Cost per Trial

Last fiscal year the 20th Judicial Circuit, which includes Henry and Houston Counties, had the distinction of reporting the lowest costs per trial for the state. The average cost of a trial in the 20th Circuit was \$308 which was well below the statewide average cost per trial of \$531.

The second lowest cost per trial was \$309, reported by the 22nd Circuit (Covington County). The 37th Circuit (Lee County) followed closely with a cost per trial figure of \$311. In the 25th Circuit (Marion and Winston Counties), the cost per trial was \$316, while in the 12th Circuit (Coffee and Pike Counties) the cost per trial was \$370.

JUDICIAL STUDY COMMISSION SCHEDULES JANUARY MEETING

The State Judicial Study Commission will meet January 10-11 at the University of Alabama Law Center in Tuscaloosa.

The commission is established to continuously study and make recommendations to improve the state's justice system.

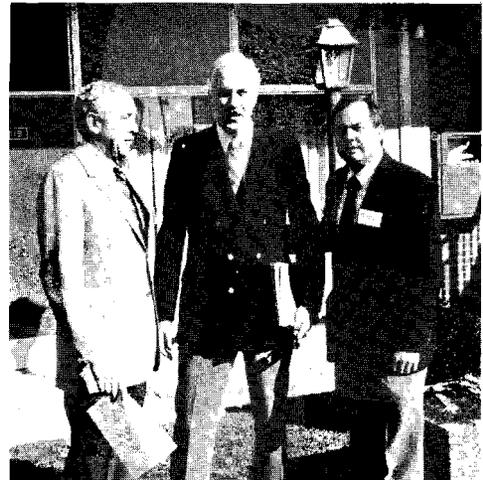
A key part of the January program will be a report by District Judge Aubrey Ford, who has chaired a task force to study ways to improve juvenile probation services in the state. The task force was appointed by Chief Justice Torbert after a request from Governor Wallace that a study of the state's juvenile probation needs be conducted.

Other program activities will include (1) a report from the joint legislative/judicial committee to study and develop plans for a new state court building; (2) a joint presentation on sentencing by Circuit Judge Joe Phelps (15th Circuit) and Representative Beth Marietta (Mobile); (3) a report from Decatur attorney Bob Harris, chairman of the State Bar committee to study restructuring of the appellate courts; and (4) a report on past and current legislative activities.

The commission is composed of representatives from the legislative, executive, and judicial branches of state government. Chief Justice Torbert is chairman, and Heflin attorney John Casey is vice chairman.



Clerks, Registers, and employees gathered in Montgomery in November for Fall Specialty Conference.



Chief Justice C. C. Torbert, Jr., James R. James, Southeastern Regional Director, National Center for State Courts, and Allen L. Tapley, Administrative Director of Courts, chat during James' recent visit to Montgomery.

PRESIDING CIRCUIT JUDGES TO MEET

The annual meeting of the Presiding Circuit Judges is scheduled on Wednesday, January 23, 1985, from 1:00 p.m. to 5:00 p.m., at the Governor's House Motel in Montgomery. During this meeting, the Presiding Judges will discuss with Chief Justice C. C. Torbert, Jr., and Administrative Director of Courts Allen L. Tapley any problems or concerns of the court system. Plans and projects will be reviewed and general administrative and legislative projections will be discussed.

JUDGES MID-WINTER CONFERENCE HAS ADDED DIMENSION

The 1985 Judges Mid-Winter Conference will include a meeting of the Federal-State Judicial Council devoted to an in-depth study of habeas corpus. For state judges, the conference will open on January 24, 1985, with a "State of the Judiciary" address by Chief Justice C. C. Torbert, Jr., and Allen L. Tapley, Administrative Director of Courts. The Federal-State portion begins with a luncheon address by the Honorable John C. Godbold, Chief Judge, Eleventh Judicial Circuit, U. S. Court of Appeals.

The afternoon session will be devoted to "Federal Habeas Corpus and the State Trial Judge: Problems, Pitfalls & Prognoses" by Ira P. Robbins, Barnard T. Welsh Scholar and Professor of Law, The American University of Washington College of Law, Washington, D.C.

On Friday morning, Assistant Attorney General Ed Carnes will present "Practical Aspects and Ramifications of the Manner in Which State Court Orders, Findings and Opinions Are Drafted." These two presentations will be followed by a Response Panel, moderated by U.S. District Court Judge James H. Hancock of the Northern District of Alabama. Panel members will be Professor Robbins and Assistant Attorney General Carnes; State Circuit Judges Joe Colquitt, Tuscaloosa, Joe Phelps, Montgomery, and Douglas Webb, Brewton; Federal District Judges Emmett Cox, Mobile, and Myron Thompson, Montgomery; and U.S. Magistrate Macy Taylor, Birmingham.

During the final session of the Federal-State meeting, judges will participate in group discussions of mutual concerns when the groups are divided by federal

districts. Group leaders for the Northern District will be Judge Kenneth Ingram, 18th Judicial Circuit, and Judge Sam C. Pointer, Chief Judge of the U.S. Northern District; for the Middle District, Judge George Wright, 37th Judicial Circuit, and Judge Truman M. Hobbs, Judge in the U. S. Middle District; and for the Southern District, Judge Hardie B. Kimbrough, 1st Judicial Circuit, and Judge Brevard Hand, Chief Judge of the U.S. Southern District.

Running concurrently with these Federal-State sessions is another series of seminars. The first is a discussion of actions in Bankruptcy Court and its effect on actions in state court, presented by Mobile Attorney David Hannan. How to collect fines and court costs will be discussed by a panel moderated by Judge David Enslin, Fayette, with Judge Jeri Blankenship, Huntsville, Judge Ken Snow, Linden, and Judge Earnie White, Brewton, serving as panel members.

Lt. J. S. Boggs of the Department of Public Safety will discuss the revisions in radar operator certification requirements and its impact on court testimony. The new Worthless Check Unit for district attorneys' offices will be explained by Shelby County Deputy District Attorney Robert L. Williams, Jr.

On Friday, Judge Dwight Hixon, Associate Justice Richard L. Jones, and Court of Civil Appeals Clerk John Wilkerson will discuss "Preserving a Record by Other Means: ARAP 14 & ARJP 20." The final session will be an "Update on School Laws," to be presented by school board attorney Phillip Laird of Jasper.

MORE WINTER CONFERENCES ON TAP

January 24-25, 1985

Seminars Scheduled for Court Reporters

Mid-Winter Seminars for Court Reporters will be held on January 24-25, 1985, at the Sheraton Riverfront Station in Montgomery.

The opening session will be devoted to "Dealing with Job Pressures and Stress," presented by Dr. Hilda Tant of Birmingham. Dr. Robert Chisnell of the University of South Florida in Tampa will conduct a seminar on transcribing street language into a comprehensible written transcript.

Angelo Trimble, Director of Municipal Court Operations at the Administrative Office of Courts, and Lynda Flynt, Staff Attorney, will discuss DUI laws, and Sgt. R. C. Massey, Department of Public Safety, will demonstrate the Photo Electronic Intoximeter.

On Friday, George Earl Smith, Reporter of Decisions for the Supreme Court of Alabama, will discuss how to use Legal References; and Donna Johnson, Director of the Gadsden State School of Court Reporting, will review reference books appropriate for a court reporter's library.

Two seminars on reporting criminal testimony will be conducted by Fulton Prevost and Lonny Hardin, who are with the Department of Forensic Sciences.

Seminars on medical-related testimony will be presented by Dr. John Fisher, Chief of Clinical Pharmacokinetic Services at Druid City Hospital in Tuscaloosa, and Dr. Barry J. McNamara, a Montgomery optometrist.

February 2-3, 1985

New Municipal Judges Orientation Set

Orientation of new municipal judges is set for February 2-3, 1985, at Farrah Hall on the University of Alabama Campus in Tuscaloosa. The two-day program will offer the new judges a bird's-eye view of the practices and procedures of a

municipal court as well as practical advice from experienced judges.

Judge Roy Hasseltine, Rogersville, and Judge Jack Lowther, Vestavia Hills, will open the session with an overview of being a municipal judge--how to conduct court, working with court personnel, and the judge's duties and responsibilities. Judicial Administration techniques will be presented by Administrative Office of courts staff members Angelo Trimble, Lynda Flynt, and Jean Holcomb.

Major Harold Hammond, Director, Driver License Division, Department of Public Safety, will explain the rules and procedures of his division, and Sgt. Jim Collins will discuss the operation of radar.

A mock trial will be conducted to teach court procedures.

Commonly encountered cases will be discussed on the second day of the session. Leading the discussion on traffic will be Judge Woody Dinning, Jr., Demopolis. Judge Curtis Springer, Montgomery, will make a presentation on DUI cases; Judge Eugenia Loggins, Opp, will discuss general welfare cases; and Judge James Lackey, Mobile, will talk about cases involving theft and checks.

Final questions and answers will conclude the session.

February 11-15, 1985

New Circuit and District Judges to Meet

Orientation for new circuit and district judges is scheduled for February 11-15, 1985, at the Sheraton Riverfront Station in Montgomery. The sessions will begin on Monday at 1:00 p.m. and conclude on Friday by noon.

During the week, there will be some joint sessions for circuit and district judges, but most of the sessions will be for each jurisdiction. Twelve new circuit judges and five new district judges will be invited to participate. (Continued on Page)

**28 Incumbent Judges Win Re-election, Two Lose;
14 New Judges Elected, Appointed Since October 1**

Thirty-one state court judgeships, six appellate, and 25 at the trial level, were on the ballot in the 1984 primary and general elections. Twenty-eight incumbents were re-elected, two were defeated, and one incumbent chose to retire.

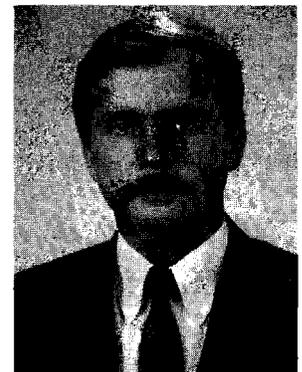
Including three newly elected judges, the appointments to fill the ten new judgeships created in the 1984 legislative session, and one other appointment to fill a vacancy, 14 new judges have assumed the bench since October 1.

New judges elected were:

Appellate Courts-- H. W. "Bucky" McMillan won the democratic primary nomination for a seat on the Court of Criminal Appeals being vacated by the retirement of Judge John Harris. McMillan was unopposed in the general election.

Circuit Courts--Republican W. W. Rabren defeated incumbent Democrat Harold Walden for one of the three circuit judgeships in the 18th Judicial Circuit.

District Courts--Auburn Municipal Judge Richard Lane defeated Lee County District Judge Michael Nix in the democratic primary. Lane was unopposed in the general election.



McMillan

Twenty incumbent judges were unopposed and re-elected to six-year terms. They are:

State Supreme Court--Associate Justices Richard Jones and Jimmy Faulkner.

Court of Criminal Appeals--Judges John C. Tyson, III, Sam Taylor, and John Patterson.

Court of Civil Appeals--Judge Richard Holmes.

Circuit Courts--Judges Joe G. Barnard and John N. Bryan, Jr., 10th Circuit; Judge W. Loy Campbell, 38th Circuit; Judge Charles H. Dodson, Jr., 13th Circuit; Judges Mark Kennedy and Charles Price, 15th Circuit.

District Courts--Judge David Breland, Morgan County; Judge John D. Coggin, Cherokee County; Judge Allen Crow, Calhoun County; Judge Hartwell Lutz, Madison County; Judge Jerry Masters, Henry County; Judge Joe Poole, III, Butler County; Judge William E. Robertson, Talladega County; Judge Thomas Stowe, Jr., Elmore County.

Eight incumbent judges were re-elected but had opposition in either the primary or general election, or both. They are:

Circuit Courts--Judge Inge Johnson, 31st Circuit, primary opposition but unopposed in general election. Judge James D. Sloan, Jr., 7th Circuit, opposition in general election.

District Courts--Judge Lynn Bright, Montgomery County, primary and general election opposition. Judge Aubrey Ford, Jr., Macon County, primary opposition but unopposed in general election. Judge John Oliver, Tallapoosa County, primary opposition but unopposed in general election. Judge Byron N. Waldrop, Marshall County, primary opposition but unopposed in general

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Judges

(Continued from Page 10)

election. Judge Thomas S. Wilson, Tuscaloosa County, primary opposition but unopposed in general election. Judge Phillip Wood, Autauga County, primary and general election opposition.

Ten new judges were appointed on October 1, pursuant to creation of new positions by the legislature in the 1984 regular session. They were:

Circuit Courts--Judge Charles Najjar, Judge J. Richmond Pearson, Judge Wayne Thorn, and Judge Arthur Hanes, Jr., 10th Circuit; Judge Mike Suttle, 11th Circuit; Judge Sam Adams, 12th Circuit; Judge Robert Kendall, 13th Circuit; Judge Richard Dorrough, 15th Circuit; Judge Tom Norton, 28th Circuit.

District Courts--Al Johnson, Russell County. When Jefferson County District Judge Wayne Thorn was appointed to the circuit bench, his vacant position was filled with the appointment of Gerald S. Topazi.



Chief Justice Torbert swears in newly appointed 10th Judicial Circuit Judges. (l-r) Torbert, Arthur Hanes, Jr., Wayne Thorn, J. Richmond Pearson, Charles Najjar.



*Circuit Judge Mike Suttle
11th Judicial Circuit*



*Circuit Judge Robert Kendall
13th Judicial Circuit*



*Circuit Judge Richard Dorrough
15th Judicial Circuit*



*Circuit Judge Tom Norton
28th Judicial Circuit*



*District Judge Al Johnson
Russell County*



*District Judge Gerald Topazi
Jefferson County*

Clipping from SELMA TIMES-JOURNAL

The spotlight still shining on the judge

By JEAN MARTIN
Community Editor

From the circuit court to center stage at the upcoming Tale Tellin' Festival is a natural transition for Judge Edgar P. Russell Jr.

For 25 years, he's entertained jury panels during courtroom delays with amusing incidents

from his time on the bench. And since his retirement in August, he's been polishing his prose and adding to a collection of stories he's writing about the people and events of those years.

"So many interesting people, so many humorous events that it would be a shame to let them go

when I go — so I'm putting them in a book," he said, leafing through the neatly typed pages of the small, black notebook in which he's recording them.

It's from that notebook he'll draw material for stories to tell at the festival.

Russell's flair for the colorful colloquialism and his reputation as a raconteur was inherited from his father, the late E.P. "Heck" Russell who was a wholesale grocer on Water Avenue.

"My daddy was a great story teller," he recalled. "When we were little boys, all three of us (Russell and his brothers, John and Donald) would get in bed with him at night and he'd tell us about a Luke Short western serial running in the Saturday Evening Post.

"Every week he'd tell us the new installment."

He grew up "when conversation was still an art, when all kinds of people told stories," Russell said.

"Joe Evans, circuit clerk at the courthouse, Uncle Jack Phillips, Harry Hooper — they were ones you listened to. All my father's contemporaries grew up telling stories, natural to them.

"Now we're too fussy to sit around a fireplace and talk. The kids are bored, and so regimented they have to have something to entertain them. We've done that, I guess, and we need to do something about it. This revived

interest in story telling will help."

Russell paused, looked back through his notebook, then laughed.

"Daddy used to say he could entertain himself for hours with a spool and a piece of string. He exaggerated but when I see the Christmases my grandchildren have and remember mine — when a gift or two meant something — it upsets me.

"This is getting away from story telling, but it is an ancient art that was born in a simpler time," Russell added.

"Three things are necessary to tell a story and have people enjoy it: 'A sense of humor, a sense of timing and a good memory.

"Personally speaking, if I tell a story well the reason is that I'm people-oriented, always have been. I relate to them in an amicable way. I'd much rather draw them to me with honey than a dose of vinegar."

Russell's book is rich in Black Belt tales, many of them told by Lummie Jenkins, the almost-legendary sheriff of Wilcox County who died only a few years ago.

"Lummie was an amazing man, knew and used a good bit of applied psychology in dealing with people. And he was infallible when it came to who was lying and who was telling the truth.

"When he knew a suspect was lying, he'd apply his 'truth test.'

He'd tell the suspect that he didn't believe he was speaking the truth and he'd have to give him a lie-detector pill that never failed.

"Lummie would get an Alka Seltzer tablet, place it on the suspect's tongue, wait until the man started salivating and the tablet fizzed. It never failed. He found a lot of stolen chickens that way."

Russell also plans to tell about the "Mojo" that Jenkins put on a female bootlegger, and the still operator who ran out from under his hat.

And the colorful characters of the legal profession in Dallas County's earlier history are not neglected, including some from the Civil Rights days which had an occasional humorous side.

At Tale Tellin' he might reminisce "about the time a bunch of us country jake lawyers went to the Supreme Court to try a case." If he does, he'll speak of T.G. "Lawyer" Gayle and "Mr. Arthur" Pitts, both local legends in their time.



Judge Edgar Russell laughs at his story

Clipping from BIRMINGHAM NEWS

Newscope

Missing witness found: He's among jurors

Jefferson County Circuit Judge James Garrett says he usually doesn't go looking for missing witnesses. But in a recent murder trial he was able to help justice along — the easy way.

As jury selection began in the recent trial of a woman charged with slaying her ex-husband, the defense attorney complained that following months of searching he'd been unable to locate a man who had apparently observed the shooting, Garrett says.

So attorneys in the case were somewhat surprised when the missing witness — who'd never known attorneys were looking for him — showed up among the pool of potential jurors from which a jury would be picked for the case in which he was being sought, the judge says.

"I'd say that in the category of weird, that's on a scale of eight or nine," Garrett says.

The man was excused from jury duty and took up his post as a potential witness.

Christmas and New Year's Holiday Schedule

Christmas--Monday and Tuesday,
December 24-25, 1984

New Year's--Tuesday,
January 1, 1985

(Continued from Page 9)

New Judges to Meet

Experienced judges will explain practices and procedures for various courts, as well as provide helpful advice on managing the court and its business.

McAliley Honored by State Child Support Association

Coffee County District Judge Gary L. McAliley was recently selected "1984-85 Judge of the Year" by the Alabama Child Support Association at its annual conference in Birmingham. The Association is composed of district attorneys, judges, county Pension and Security personnel, and child support coordinators.

McAliley received the award for his support of children's rights, his participation on Uniform Parentage Act and Wage Assignment committees, and for other successful and innovative child support

collection methods he has introduced. His collection techniques have resulted in Coffee County's consistently ranking among the top counties in per-child child support collections in the State.

The Association also honored Gordon Bailey, Special Assistant Attorney General for the Calhoun and Cleburne Counties' Department of Pensions and Security. Bailey received the John Hulet Award for the most outstanding individual contribution to the child support program.





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