

ACT #2019- 539

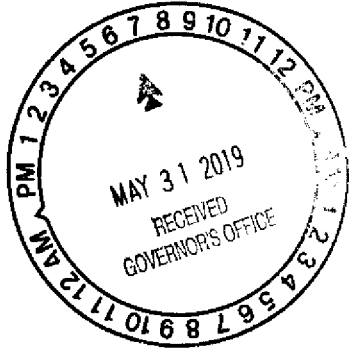
1 HB529

2 201756-3

3 By Representatives Faulkner, Fridy, Hill and Jones (M)

4 RFD: Judiciary

5 First Read: 30-APR-19



1  
2 ENROLLED, An Act,

3 To amend Sections 12-11-1 and 12-12-1, Code of  
4 Alabama 1975, relating to the qualifications for serving as a  
5 circuit court judge or a district court judge; to further  
6 provide for the minimum times of state licensure to practice  
7 law; and to prohibit persons with certain professional  
8 disciplinary actions from qualification.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Sections 12-11-1 and 12-12-1, Code of  
11 Alabama 1975, are amended to read as follows:

12 "§12-11-1.

13 "(a) There is provided in every county in the state  
14 a circuit court with all the jurisdiction and powers that are  
15 conferred on the circuit court by the Constitution and laws of  
16 this state.

17 "(b) Persons elected to or appointed to a circuit  
18 court judgeship ~~after January 1, 2010,~~ must have been ~~licensed~~  
19 ~~by the Alabama State Bar Association~~ admitted to practice law  
20 in this state a combined total of ~~five~~ seven years or more,  
21 or admitted to practice law by any other state ~~bar association~~  
22 for a combined total of ~~five~~ seven years or more, prior to  
23 beginning a term of office or appointment to serve a vacant  
24 term of office. In addition, the person must not have received  
25 from any state or state bar association a suspension or

1 disbarment within the 10 years preceding election or  
2 appointment.

3 "§12-12-1.

4 "(a) The district court of Alabama, a trial court of  
5 limited jurisdiction, is created and established, effective  
6 January 16, 1977, and shall be subdivided according to  
7 districts and styled the district court of the county. Persons  
8 elected or appointed to a district court judgeship ~~after~~  
9 ~~January 1, 2010,~~ must have been licensed by the Alabama State  
10 ~~Bar Association~~ admitted to practice law in this state a  
11 combined total of ~~three five~~ four years or more, or admitted  
12 to practice law by any other state ~~bar association~~ for a  
13 combined total of ~~three five~~ four years or more, prior to  
14 beginning a term of office or appointment to serve a vacant  
15 term of office. In addition, the person must not have received  
16 from any state or state bar association a suspension or  
17 disbarment within the 10 years preceding election or  
18 appointment.

19 "(b) Sessions of the district court shall be held in  
20 each county seat, each municipality containing a population of  
21 1,000 or more where no municipal court exists, to be  
22 restricted to municipal cases, and at other locations within  
23 counties in which geographical venue, as described in Section  
24 12-12-36, lies in more than one place.

1           "(c) (1) All courts which are not authorized by  
2 Article 6 of the Constitution shall retain their power through  
3 January 15, 1977, at which time they shall be abolished.  
4 Judgments of courts which cease to exist at the end of that  
5 day shall continue in effect, and the courts of the unified  
6 system are vested with jurisdiction to enforce such judgments.

7           "(2) All cases then pending in courts which cease to  
8 exist shall be transferred to the appropriate district or  
9 circuit court. Cases which could be filed in district court  
10 under the provisions of this chapter shall be transferred to  
11 the district court; provided, that any case containing a  
12 demand for a jury trial filed before January 15, 1977, which  
13 could have been granted in the court where filed, shall be  
14 transferred to the appropriate circuit court."

15           Section 2. This act shall become effective January  
16 1, 2020, following its passage and approval by the Governor,  
17 or its otherwise becoming law.

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*Mac McCutcheon*

Speaker of the House of Representatives

*[Signature]*

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 15-MAY-19, as amended.

Jeff Woodard  
Clerk

Senate	<u>31-MAY-19</u>	Amended and Passed
House	<u>31-MAY-19</u>	Concurred in Senate Amendment

APPROVED 6-10-19  
TIME 4:30pm

*Kay Ivey*  
GOVERNOR

Alabama Secretary Of State

Act Num....: 2019-539  
Bill Num....: H-529

Recv'd 06/10/19 04:50pmSLF

SPONSOR

walkner

SPONSORS

ty

es, (M)

HOUSE ACTION

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 529

YEAS 87 NAYS 9

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees \_\_\_\_\_

SENATE ACTION

DATE: \_\_\_\_\_

20\_\_

RD 1 RFD

This Bill was referred to the Standing Committee of the Senate on July 15 and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) 1 w/sub 1 by a vote of 5 yeas 3 nays 3 abstain 0 this 22 day of July 2019  
Gene Ware Chairperson

DATE: 5/22

20\_\_

RF 5/22 5/22

RD 2 CAL

DATE: \_\_\_\_\_

20\_\_

RE-REFERRED \_\_\_\_\_

RE-COMMITTED

Committee \_\_\_\_\_

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 529

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

PATRICK HARRIS,  
Secretary