

1 HB673  
2 169608-1  
3 By Representative Hill (J)  
4 RFD: Judiciary  
5 First Read: 19-MAY-15

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8 SYNOPSIS: Under current law, there are minimum  
9 requirements relating to licensure as an attorney  
10 for justices and judges. This bill increases those  
11 requirements.

12  
13 A BILL  
14 TO BE ENTITLED  
15 AN ACT

16  
17 Relating to justices and judges; to amend Sections  
18 12-2-1, 12-11-1, and 12-12-1, Code of Alabama 1975, to  
19 increase the minimum requirements relating to licensure as an  
20 attorney for justices and judges.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Sections 12-2-1, 12-11-1, and 12-12-1,  
23 Code of Alabama 1975, are hereby amended to read as follows:

24 "§12-2-1.

25 "(a) The Supreme Court, except as otherwise  
26 provided, shall consist of a chief justice and eight associate  
27 justices, who shall be elected by the qualified electors of

1 the state at the general elections as provided by law for the  
2 election of members of the House of Representatives in  
3 Congress and who shall hold their offices for the term of six  
4 years from the first Monday after the second Tuesday in  
5 January next succeeding their election and until their  
6 successors are elected and qualified. Subject to the  
7 provisions of the Constitution respecting filling of vacancies  
8 in judicial offices, members of the Supreme Court shall be  
9 elected as follows: The Chief Justice and three associate  
10 justices shall be elected at the general election in November,  
11 1976, two associate justices shall be elected at the general  
12 election in November, 1978, and three associate justices shall  
13 be elected at the general election in November, 1980.  
14 Thereafter members of the Supreme Court shall be elected in  
15 the general election next preceding the expiration of the  
16 respective term for which the incumbent holds office.

17 "(b) Persons elected to the Supreme Court, or  
18 appointed to fill a vacant term of office on the Supreme  
19 Court, after January 1, 2010, must have been licensed by the  
20 Alabama State Bar Association a combined total of ~~10~~ 15 years  
21 or more, or by any other state bar association for a combined  
22 total of ~~10~~ 15 years or more, prior to beginning a term of  
23 office or appointment to serve a vacant term of office.

24 "§12-11-1.

25 "(a) There is provided in every county in the state  
26 a circuit court with all the jurisdiction and powers that are

1 conferred on the circuit court by the Constitution and laws of  
2 this state.

3 "(b) Persons elected to or appointed to a circuit  
4 court judgeship after January 1, 2010, must have been licensed  
5 by the Alabama State Bar Association a combined total of ~~five~~  
6 twelve years or more, or by any other state bar association  
7 for a combined total of ~~five~~ twelve years or more, prior to  
8 beginning a term of office or appointment to serve a vacant  
9 term of office.

10 "§12-12-1.

11 "(a) The district court of Alabama, a trial court of  
12 limited jurisdiction, is created and established, effective  
13 January 16, 1977, and shall be subdivided according to  
14 districts and styled the district court of the county. Persons  
15 elected or appointed to a district court judgeship after  
16 January 1, 2010, must have been licensed by the Alabama State  
17 Bar Association a combined total of ~~three~~ six years or more,  
18 or by any other state bar association for a combined total of  
19 ~~three~~ six years or more, prior to beginning a term of office  
20 or appointment to serve a vacant term of office.

21 "(b) Sessions of the district court shall be held in  
22 each county seat, each municipality containing a population of  
23 1,000 or more where no municipal court exists, to be  
24 restricted to municipal cases, and at other locations within  
25 counties in which geographical venue, as described in Section  
26 12-12-36, lies in more than one place.

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

7           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, 2016 following its passage and approval by the Governor, or  
17 its otherwise becoming law.