



House Judiciary Reported Substitute for HB307

A BILL
TO BE ENTITLED
AN ACT

Relating to courts; to create the Speedy Trial Act; to authorize the Chief Justice of the Alabama Supreme Court to appoint visiting judges in certain circumstances; to provide a process for requesting a visiting judge appointment; to provide for the powers of a visiting judge; to provide for the compensation and support of a visiting judge; and to create the Speedy Trial Fund and provide for the use of monies in the fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Speedy Trial Act.

Section 2. (a) The Chief Justice of the Alabama Supreme Court, upon request from the Attorney General or a district attorney, may appoint a sitting or retired circuit judge to temporarily serve in a given circuit as a visiting judge for a specific case or cases arising from one or more violent crimes, as defined in Section 12-25-32, Code of Alabama 1975.

(b) A request submitted pursuant to this section shall include both of the following:

(1) The specific criminal case assigned to the Attorney



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General or district attorney's office that he or she believes needs a visiting judge.

(2) The reasons the Attorney General or district attorney believes that the case needs a visiting judge.

(c)(1) The Chief Justice shall make a determination on a qualifying request made pursuant to this section within 30 days after receipt of the request.

(2) If the Chief Justice determines that approving the request would serve the public interest, he or she shall appoint a visiting judge. The Chief Justice may take into account the availability of funds when making a determination.

(3) A visiting judge shall serve until the final adjudication of the matter for which he or she was appointed.

(d) A visiting judge appointment shall confer on the visiting judge all powers, authority, and jurisdiction of the respective judgeship to which he or she has been appointed.

(e)(1) A visiting judge shall be paid all actual and necessary expenses as approved by the Chief Justice.

(2) A retired judge appointed as a visiting judge may be entitled to compensation pursuant to Sections 12-18-10 or 12-18-61, Code of Alabama 1975.

(f) A county shall provide adequate courtroom space for hearings and trials set by a visiting judge.

(g)(1) A sitting judge appointed as a visiting judge may assign his or her official court reporter for hearings and trials set by the judge in the host circuit.

(2) If a special roving reporter is available in the host circuit, a visiting judge may request to have the special

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roving reporter assigned to his or her hearings and trials in the host circuit.

(3) If the options provided in subdivisions (1) and (2) are not available, a visiting judge may request a special court reporter for hearings and trials set by a visiting judge.

(4) If the options provided in subdivisions (1) through (3) are not available, the Attorney General or a district attorney may contract with a court reporter for hearings and trials set by a visiting judge.

(h)(1) A visiting judge shall make every effort to conduct jury trials during the host circuit's scheduled jury weeks.

(2) On motion from the Attorney General or district attorney, a visiting judge may empanel an additional jury if required to expedite the administration of justice.

(3) The prohibition against empaneling a special jury in a capital murder case in Section 12-16-100, Code of Alabama 1975, is superseded if the special jury is empaneled in accordance with this subsection.

(i) The Speedy Trial Fund is created in the State Treasury. Monies in the fund, at the discretion of the Chief Justice, may be used exclusively for expenses authorized by this section and shall be budgeted and allotted in accordance with Sections 41-4-80 through 41-4-96 and Sections 41-19-1 through 41-19-12, Code of Alabama 1975.

Section 3. The presiding circuit judge of each circuit, in his or her discretion and the best interests of justice,



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85 may reassign a case to any other circuit or district judge in
86 the circuit without regard to division or specialty.

87 Section 4. This act shall become effective on June 1,
88 2025.