

**House Judiciary Reported Substitute for HB307**

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5 A BILL

6 TO BE ENTITLED

7 AN ACT

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

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

28 (1) The specific criminal case assigned to the Attorney

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

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

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

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

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

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

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

47 (2) A retired judge appointed as a visiting judge may
48 be entitled to compensation pursuant to Sections 12-18-10 or
49 12-18-61, Code of Alabama 1975.

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

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

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

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

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

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

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

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

73 (3) The prohibition against empaneling a special jury
74 in a capital murder case in Section 12-16-100, Code of Alabama
75 1975, is superseded if the special jury is empaneled in
76 accordance with this subsection.

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

83 **Section 3. The presiding circuit judge of each circuit,**
84 **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.