

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 10~~ seven years or more,  
21       or admitted to practice law by any other state ~~bar association~~  
22       for a combined total of ~~five 10~~ 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.

1

2

3

4

*Mac McRae*

Speaker of the House of Representatives

5

6

*Mac McRae*  
President and Presiding Officer of the Senate

7

House of Representatives

8

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

9

10

11

12

13

Jeff Woodard  
Clerk

14

15

16

17

Senate

31-MAY-19

Amended and Passed

House

31-MAY-19

Concurred in Sen-  
ate AmendmentAPPROVED 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 04:50pm SLF

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. 539

YEAS 87 NAYS 9

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE  
NOTICE & PROOF IS ATTACHED  
TO THE BILL, H.B. 539  
AS REQUIRED IN THE GENERAL  
ACTS OF ALABAMA, 1975 ACT NO.  
919.

JEFF WOODARD, Clerk

DATE:	20-
RD 1 RFD	

This Bill was referred to the Standing Committee of the Senate on <u>11/15/94</u>	
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) <u>1</u> w/sub <u>1</u> by a vote of yeas <u>55</u> nays <u>22</u> abstain <u>2</u> this <u>20</u> day of <u>November</u> , Chairperson <u>Jeff Woodard</u>	

DATE:	20-
RD 2 CAL	

DATE:	20-
RE-REFERRED RE-COMMITTED <u>1</u> 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 <u>539</u>	
YEAS <u>55</u>	NAYS <u>22</u>
PATRICK HARRIS, Secretary	

es, (m)