

# COURT NEWS

NEWSLETTER OF THE ALABAMA JUDICIAL SYSTEM

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September, 1979

## PROFILE: Justices Bloodworth, Maddox

Looking down the corridors of the Alabama Judicial Building, pictures of past justices lining the hallways give off an air of distinction--the elderly men with their white hair and long black robes looking very scholarly and poised.

But a closer look at the picture of the 1969 Alabama Supreme Court reveals the youthful faces and postures of the two junior members of that bench.

Now, 10 years later, those two "junior" members have become the senior members of the present Supreme Court bench. And though they have begun to "gray" a little around the edges, the youthful atmosphere of today's Supreme Court is readily evidenced.

Justice James N. Bloodworth and Justice Hugh Maddox brought a wealth of experience with them when they were named to the Supreme Court bench in 1968 and 1969, respectively. As senior members, they now head the two divisions of the Supreme Court, appropriately named the Bloodworth and Maddox divisions.

That wealth of experience proved to be a catalyst in moving the two through the transitional period from the court system of yesteryear to today's Unified Judicial System which boasts a current log of appellate cases.

Justice Bloodworth came to the bench in 1968, elected to fill the unexpired term of the late Justice John L. Goodwyn. He has since been elected to two full six-year terms. Prior to becoming a justice, Bloodworth served 10 years as circuit judge of the Eighth Judicial Circuit and practiced law for 11 years in his hometown, Decatur. He also served at one time as judge of the Recorder's Court in Decatur.

"Trial judges are on the firing line. They have to think and act fast. Here, as an appellate judge, we have more time to think and reflect," Bloodworth notes of the contrast between  
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*Justice Bloodworth*



*Justice Maddox*

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## PROFILE: JUSTICES BLOODWORTH, MADDOX

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his circuit and appellate duties.

"As an appellate judge, not only do we have to reach the right conclusions, but we must also give the right reasons for the decisions.

"Reason is the rule we follow," Bloodworth added.

An active speaker nationwide, Bloodworth likes to boast about the Alabama court system and its current status.

"I'm proud that the Alabama appellate cases are current. I've boasted to conferences across the nation that Alabama is the only state where the appellate judges are current, and I've never had anyone disagree.

"And they should be current," he continues. "You know, the British believe that the chief deterrent to crime is speedy justice, and it's proven true there."

A graduate of the University of Alabama Law School, Bloodworth entered the Army as a private in 1943. He graduated from Infantry Officer's Candidate School, serving overseas in combat as second and first lieutenant. In 1946, he was separated from service as an Infantry Captain and in 1964 he retired from the Army Reserve as Lt. Colonel, JAGC. His list of military awards include Combat Infantry Badge and Bronze Star Medal.

Bloodworth genuinely enjoys his present position as a justice and head of a division of the Supreme Court bench. He has devoted his career to public service.

"Public service, in truth, is a most important function next to the ministry," Bloodworth exclaims.

Justice Bloodworth is an elder in the Presbyterian Church; a member of Kappa Alpha Order (social fraternity), Omicron Delta Kappa (honorary fraternity), Farrah Order of Jurisprudence (scholastic fraternity), and Phi Delta Phi (legal fraternity); Rotarian (past president), Mason, Knights Templar and Shriner.

He also served as faculty advisor and lecturer for National College of the

Judiciary and served as faculty member and lecturer to the American Academy of Judicial Education and the Alabama Police Academy.

He is married to the former Jean Gregg, also of Decatur, and they have three daughters.

"It's not that we're always right, but we're final," he notes of the high court's responsibilities. "It's an awesome responsibility and takes a lot of effort, but I enjoy it. And if it's not a service to my fellow man, then it's been a waste."

Justice Hugh Maddox came on the Supreme Court bench in 1969, appointed by then-Governor Albert Brewer. He has since been elected to two full terms.

Prior to his appointment, Maddox served in private practice in Montgomery and has held several legal positions with both state and federal governments including law clerk, Alabama Court of Appeals; field examiner for the Veteran's Administration; law clerk, Federal District Court; assistant district attorney and Circuit Judge, Fifteenth Judicial Circuit.

Maddox served as legal advisor to Gov. George Wallace and later to Gov. Lurleen Wallace and Gov. Albert Brewer. He has been a professor of law at Jones Law Institute and adjunct professor at Troy State University.

Raised in Andalusia, Maddox received degrees in journalism and law from the University of Alabama.

"I have married my journalism and law degrees in my work here," Maddox explains. "This job requires a great deal of reading, research and writing and we justices have to be able to express our opinions both orally and written."

Maddox is very active in the First Baptist Church where he serves as deacon and Sunday School teacher and spends a great deal of time outside the Supreme Court building working with youth groups.

He has just completed a term as president of the YMCA Youth Legislature and is heavily involved in an upcoming Youth Court program.

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OAKLEY MELTON JR.NEW STATE BAR PRESIDENT  
SUPPORTS MANDATORY CLE

Montgomery attorney Oakley Melton Jr. assumed the presidency of the Alabama State Bar in July.

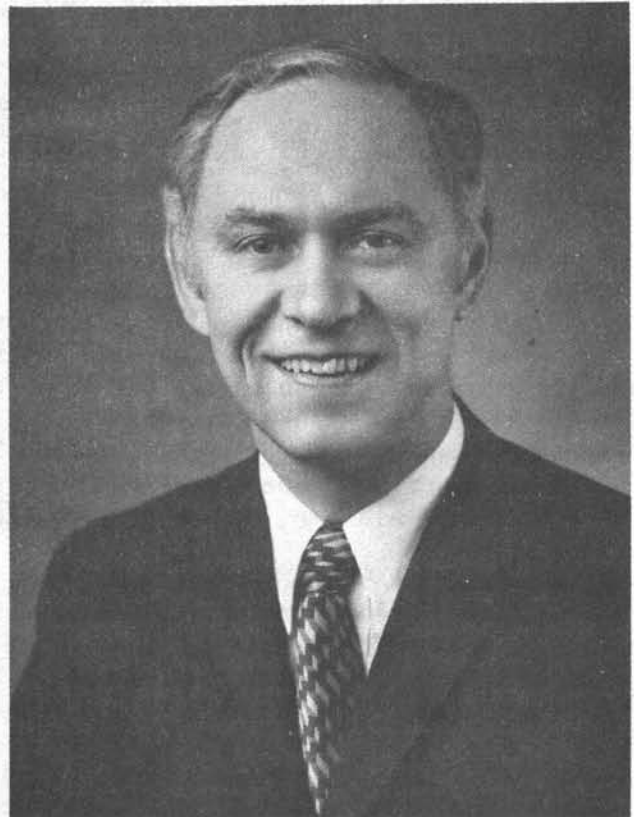
In his remarks to the bar at the Huntsville convention, Melton outlined what he called "some specific plans and programs" to which the State Bar must address itself. The new bar president urged support of mandatory continuing legal education for lawyers and better compensation for state judges.

In the following interview with *COURT NEWS*, Melton gives his opinion on a range of issues.

## MELTON ON LICENSING AND DISCIPLINE

"The most important responsibility of the State Bar is the job of licensing and disciplining of lawyers. These matters are delegated to the bar by the state and directed by the bar with the approval of the Supreme Court of Alabama.

"No other profession holds integrity in higher esteem than the legal profession. No other profession goes to such lengths to ensure that integrity among its members is maintained at all times. To preserve such integrity in our profession, every lawyer, young and old, must be constantly conscious of his own ethical responsibilities and ever vigilant to oversee that all other lawyers religiously comply with the Code of Professional Responsibility. In addition, the bar must carry out its duty in this vital area. Every complaint against a lawyer should have an immediate and complete investigation. If the complaint is unfounded, it should be promptly dismissed and all interested parties so advised. On the other hand, if there is probable cause to believe that the complaint is valid, then formal charges should be made and a speedy hearing held before one of the Disciplinary Boards.



*Oakley Melton Jr.*

"All members of the bar have a responsibility to participate in the policing of our profession. Either lawyers do an effective job in this area and determine their own fate, or others will eventually determine it for us. I am confident that the bar will continue to administer the licensing and discipline of Alabama lawyers in a fair, impartial and efficient manner so we can all be proud of our profession and proud to be lawyers."

## MELTON ON JUDGES; JUDICIAL SYSTEM

"Alabama's Judicial System is one of the best in the country. We have a model system which is the envy of many other states. But no system is better than the people who administer and operate it and the key to a successful judicial system is independent, qualified judges. We now have such judges in Alabama, but we cannot take them for granted, and nothing is so good that it cannot

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## CHIEF JUSTICE ELECTED ALEPA VICE CHAIRMAN; LAUDED BY STATE BOARD

Chief Justice C.C. "Bo" Torbert Jr. has been elected vice chairman of the Alabama Law Enforcement Planning Agency and lauded by that agency's State Supervisory Board as a "friend of law enforcement."

Meeting in Dothan, the ALEPA state board unanimously elected the chief justice as vice chairman. Jefferson County District Attorney Earl C. Morgan serves as chairman of the state board.

The chief justice succeeds the late Jess Lanier of Bessemer, who for many years served as mayor of that Jefferson County municipality. Lanier died last year following an extended illness.

In adopting a resolution praising Torbert for his support of law enforcement, the board thanked the chief justice for his "dedication to law enforcement and to the Criminal Justice System of the state, both as a member of the Supervisory Board and as the presiding official of the Judiciary of the State of Alabama," according to ALEPA Executive Director Robert G. "Bo" Davis.

The resolution further states: "C.C. 'Bo' Torbert is a dedicated proponent of law enforcement and of law and order...and this resolution is given in the memory of this Agency's belief in the Man, in the Servant and in our Brother, C.C. 'Bo' Torbert."

A native of Opelika, Torbert served three terms in the State Legislature, one in the House and two in the Senate. During these terms he was named both the "most outstanding" and "most effective" legislator by the Capitol Press Corps.

He was elected chief justice and took office in January of 1977. Since that time, Torbert has been credited with implementing modernization of the state's court system to the extent that the Alabama Judicial System has been recognized as one of the best systems in the Nation.

## CRIMINAL CODE CONFERENCES SET

The new Criminal Code will become effective January 1, 1980 and the Judicial College is offering two regional conferences for clerks and registers where the new Code will be discussed section by section with the warrants which will be used. Persons attending a conference are requested to bring a copy of the new Code with them (either Volume 13-A of the Code or Act 607, 1977 Legislature). The conferences will be held in Birmingham October 4-5 and Montgomery October 11-12.

A new manual of indictments and warrants is being prepared containing appropriately revised language. It is anticipated that these books will be ready for distribution at the regional conferences.

The Administrative Office of Courts has

placed an order with the Michie Company to get revised editions of Volume 13-A which will contain all amendments engrossed plus the commentary. These books will be available in late October.

## BAILIFFS' JOB-STUDY

### SESSIONS SCHEDULED

Two job analysis sessions for bailiffs are scheduled for this fall. The first will be held in Montgomery in October, and will be conducted by the Department of Government and Public Affairs at Auburn University at Montgomery. The same staff will hold another job study session in November.

Judges and court administrators will be contacted about employees' attendance.

FOR COLBERT COUNTY'S  
FIFTH GRADERS----THE  
SHERIFF IS THEIR "BUDDY"

Though many youngsters develop an initial fear of the "men with the badges," fifth graders in Colbert County can frequently be found stopping by the courthouse to visit their "buddy" the sheriff.

And Sheriff John L. "Buddy" Aldridge has been known to send out one of his deputies to pick up a youngster who had no other means of getting to the courthouse.

This closeness developed over the past year when Aldridge incorporated a "Junior Deputy" program in each of the fifth grade classrooms in the county.

"This is the best thing that's ever happened in Colbert County," Aldridge says with sincere enthusiasm over the program.

Sponsored in Colbert County by an Alabama Law Enforcement Planning Agency grant, the Sheffield Kiwanis Club and the Colbert County Commission, Aldridge got the idea when it was presented by Mobile County Sheriff Tom Purvis at an ALEPA board meeting.

In the program, Aldridge and others from his office visit each of the schools three or four times, presenting slide shows and other materials to educate the fifth graders on the meaning and importance of law enforcement.

"Basically, the program is designed to give them a positive first approach to law enforcement officials and to teach them that we are their friends," Aldridge said.

The program concludes with each student taking an "oath of office" and being fingerprinted. Then the student is given a badge and proclaimed a Junior Deputy of Colbert County.

Aldridge invited each of his newly named deputies to visit him during



SHERIFF JOHN L. "BUDDY" ALDRIDGE  
...Talking To His Junior Deputies

summer vacation, and many have taken him up on the offer.

"They call and come by the office and we split a candy bar and learn a lot together," he exclaims. He has even set up an electric train set in his office to entertain the members of his new force.

"The biggest benefit of the program," Aldridge said, "is the feeling I get from them that they know I'm both their sheriff and their friend."

Aldridge said he has been approached by Sheriff Grady Rose of Lawrence County for information to set up a Junior Deputy program in his county.

And though initial funding for the Colbert County program was set up for two years, Aldridge says there's no way to stop it.

"It's the best contact we have with our youngsters," he says.

## PROFILE: JUSTICES BLOODWORTH, MADDUX

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Justice Maddox reflects on his past experiences together with his present position and says he feels very good about his life.

"I've had a very fulfilling life. Stopping to think that only about 100 persons have served on the Alabama Supreme Court bench--it's very fulfilling.

"The decisions we make here are so important because they affect the entire state. Our actions are circumscribed because we only interpret the laws rather than make them, so there's not much we can do about the problems," Maddox said.

Justice Maddox served in the Air Force Reserve with the rank of Colonel.

He is listed in Who's Who in America, Who's Who in Politics, Who's Who in Government, Personalities of the South and Who's Who in Alabama. He is a member of the Alabama Law Institute, Permanent Study Commission on the Alabama Judiciary, Judicial Planning Committee, Institute of Judicial Administration and the American Judicature Society.

Maddox's No. 1 rule is his commitment to just, speedy and inexpensive determination of every procedure.

"Knowing that nothing is perfect, we do hope the Unified Judicial System will be progressive enough to continue to maintain the best judicial system in the country. We have had the commitment in the past and now we must be eternally vigilant to keep the commitment," Maddox surmises.

He is married to the former Virginia Roberts of Vernon and they have two children.

## NEW STATE BAR PRESIDENT

## SUPPORTS MANDATORY CLE

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be made better.

"In order to improve our excellent Unified Judicial System, it is essential to provide additional compensation for all

of our judges. Such adequate judicial compensation must be authorized and enacted by the Judicial Compensation Commission and the Legislature. We now have far fewer lawyers in the Legislature; however, there is a way to compensate for this reduction in lawyer-legislators. Every legislator has a lawyer or lawyers back home whom he respects and whose opinion he will seriously consider. Such lawyers must contact their legislators and explain to them the importance of adequate judicial compensation as the basis of an independent, qualified judicial branch of government in Alabama. When lawyers make such contacts with their local legislators, I believe the Legislature will respond by recognizing the need and approving such judicial salaries as may be recommended by the Judicial Compensation Commission.

"The 1979 Legislature provided desperately-needed increases in the salaries of Circuit Judges, but nothing was done for District Judges or Appellate Court Judges. It is imperative that Appellate Court Judges and District Judges be provided with salary increases at the next regular session of the Legislature which will begin in February of 1980. I therefore call on and request that all lawyers in Alabama contact their local legislators and urge them to support adequate raises for state court judges in 1980."

## MELTON ON MANDATORY CLE

"Lawyers can improve our profession and our public and private service by improving ourselves. We must constantly strive to do so in order to provide the delivery of competent legal services at reasonable costs by all lawyers. How then do we do this? How do we improve our profession by improving ourselves?

"In Alabama, we have an outstanding continuing legal education program under the able leadership of Camille Cook and John Puryear. Far too many lawyers fail to attend the present programs. I believe the time has come for some form of mandatory CLE in Alabama. A few incompetent lawyers can spoil the whole profession. The bar

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## JUDGE MCALILEY SAYS DISTRICT COURTS PROVIDE INEXPENSIVE WAY TO JUSTICE

"The District Courts provide the most inexpensive form of justice," says Alabama District Judge Gary L. McAliley of Coffee County.

"They make the court system more readily accessible to individuals by not requiring a lawyer in some divisions, reducing court costs and reducing the time from the date the case is filed to the time it's brought to trial," he continued.

McAliley and the Coffee County District Court were the subject of a series of articles appearing in the *ENTERPRISE DAILY LEDGER* outlining the purposes of the district courts, established under the Judicial Article in January 1977.

The District Courts incorporated the old juvenile courts and inferior courts plus other courts and jurisdictions that these courts did not have. They are now divided into five divisions--juvenile court, criminal court, civil court, small claims court and equity court.

"The Alabama Supreme Court sets our rules of court and guidelines--we respond directly to them.

"In 1977, I heard 4,581 cases in the District Court," the judge said. "In 1978, I heard 6,149 cases, and I think the last statistics I looked at for this year showed that we had already reached the 4,500 mark," he continued. "If we keep going at this rate, I'll hear about 7,000 cases this year."

McAliley said that about 68 percent of his cases are generated from Enterprise with the remaining 32 percent coming from Elba.

"We are really just swamped with cases. We're going to need another district judge one of these days," said McAliley. "I think we'll get one when the Coffee County



*District Judge Gary L. McAliley*

Bar Association thinks they need another one to help dispose of their cases more quickly."

He explained that in order to secure another judge position, the County Bar would have to pass a resolution saying a new judge is needed. Then the lawyers would have to take it to a state representative or senator and get them to support it in the legislature.

McAliley explained that support for the district court comes from money generated from court costs and is supplemented by money from the state. The county maintains office space and pays for basic operating expenses.

Being a court of original jurisdiction, McAliley sees one of the court's responsibilities as taking a load off the circuit court.

"We hear all criminal cases, and I take felony pleas--we take care of 60 percent of the criminal cases in the district court."

"We also take care of a lot of divorce cases that subsequently don't have to go

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## NEW STATE BAR PRESIDENT SUPPORTS MANDATORY CLE

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and the Supreme Court of Alabama should take immediate steps to help keep all lawyers basically competent. I have never been to a CLE program that was not beneficial. Alabama judges must attend continuing judicial education programs. Alabama doctors have mandatory continuing medical education. Certified public accountants must have 90 hours per year of continuing accounting education. Alabama exterminators are required to annually attend educational and training programs in their field in order to keep their exterminating licenses. Why should lawyers be different from judges, doctors, CPA's and exterminators in the field of continuing education?

"Between 1975 and 1979, eight states--Colorado, Idaho, Iowa, Minnesota, North Dakota, Washington, Wisconsin and Wyoming--adopted mandatory continuing legal education programs. All of these states report that the programs have been well-accepted, run smoothly and have had a positive impact. Seventy-five percent of Alabama lawyers responding to a recent survey favor MCLE. The Pennsylvania Bar Association recently recommended the adoption of MCLE in the state. Why should Alabama wait any longer before adopting a reasonable MCLE program? The time to act in this important area is now. It is my hope that we will take some action on this matter in the immediate future and that Alabama will become the first state in the Southeast to adopt MCLE."

## MELTON ON NEED FOR PUBLIC SERVICE

"The legal system and administration of justice as we now know it are under constant threats and attacks from many sources. Many persons and organizations would destroy by untested methods a profession and a legal system which has served the people of the United States well for over 200 years; a profession and a legal system which have provided more freedom, more liberty and more justice in America than in any other country on the face of this earth. And yet, with all of our freedom, liberty and justice, the system is still not perfect and we must con-

stantly strive to make it better.

"We are living in a changing world and we are practicing law in a changing profession. It seems that every day is a new ball game. The challenge is to cope with such change in a manner which is in the best interest of our clients and in the best interest of the public at large. Lawyers can and must take the lead in meeting this challenge of change and by meeting this challenge, we can improve the image of the legal profession."

## DISTRICT COURTS PROVIDE

## INEXPENSIVE WAY TO JUSTICE

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to the Circuit Court."

The juvenile court, which is governed by its own set of rules covering the rights of juveniles, has a two-fold purpose.

"We try youngsters under age 18 who would normally be tried in criminal courts," said McAliley. "We also try parents who abuse, neglect or fail to provide support and maintenance for their children."

The juvenile court in Coffee County is staffed with two probation officers and, since the nature of juvenile cases is confidential, two special clerks serve Elba and Enterprise.

"Burglary is by far the most frequent juvenile offense, and larceny is the second most frequent," McAliley said.

McAliley said the number of cases he handles in the juvenile court has increased from about 20 when he first took office in January 1977 to about 65 now, with the majority of those generated from Enterprise.

*Portions of the preceding text were reprinted from articles appearing in the Daily Ledger, Enterprise, Alabama by Ledger Reporter Leigh Viverette.*





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## WILCOX COUNTY

### YOUNGEST JUDGE NAMED

Anne Farrell McKelvey, 26, became Alabama's youngest judge with her appointment to the Wilcox County District judgeship by Gov. Fob James.



Ms. McKelvey, daughter of Mr. and Mrs. C.C. McKelvey of Camden, is a graduate of Auburn University and Cumberland School of Law.

She has been assistant attorney general in the criminal appeals division since 1978.

She replaces the late Judge Stanley D. Godbold who died in late August.

*Anne Farrell McKelvey*

### TORBERT NAMED TO COUNCIL

Chief Justice C.C. (Bo) Torbert Jr. has been elected to the executive council of the National Conference of Chief Justices. Torbert was elected at the conference's annual meeting held in August at Flagstaff, Arizona.

Elected to a two year term, Torbert said he is honored at being selected to serve on the council which governs the work of the Conference of Chief Justices.

Representing judicial leaders from all the states and other jurisdictions of the United States, the conference works to strengthen state judicial systems and provide improved court services.

Chief Justice Lawrence W. I'Anson of Virginia was elected chairman of the conference and Robert J. Sheran, chief justice of Minnesota, was elected vice chairman. Albert W. Barney of Vermont was elected second vice chairman.

## JUDGE PICKENS DIES

Retired Circuit Judge Harry E. Pickens of Bessemer died early Tuesday morning, September 18.

A native of Bessemer, Pickens retired in March after serving the Bessemer division as circuit judge for five years.

A graduate of the University of Alabama, Pickens served as district attorney in Bessemer from 1968 until his appointment to the circuit judgeship. Prior to moving to Bessemer, Pickens served as assistant district attorney in Birmingham.

Surviving Judge Pickens are his wife, Margaret, and a son, Maxwell.

The AOC staff extends condolences to Judge Pickens' family.

## JUDGE DAVIS CHOSEN FACULTY ADVISOR

Montgomery Circuit Judge John W. Davis has been chosen to act as faculty advisor to the fall session of the National College of Juvenile Justice in October.

Presiding over the family court in Montgomery since October 1975, Davis is a graduate of the college.

"I am flattered at being chosen to serve as advisor to the college and I think it is a compliment to me and to the state of Alabama," Davis said.

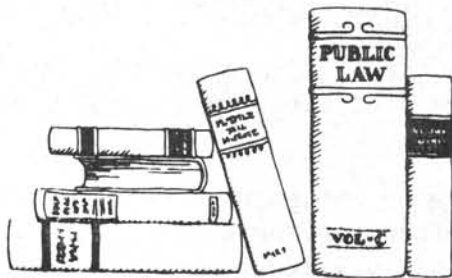
Davis serves as president of the Alabama Association of Juvenile Judges.

## SMITH NAMED TO APPEALS BOARD

Retired District Court Judge Wesley Smith of Sylacauga has been appointed to the State Appeals Board by Chief Justice C.C. (Bo) Torbert Jr.

Effective October 1, Smith will join a board composed of Circuit Judge Hardie B. Kimbrough, District Judge Aubrey Ford Jr., Circuit Clerk Julia L. Trant and Claudene Perran of the Cherokee County clerk's office.

## LEGAL NOTES



## ATTORNEY GENERAL OPINIONS

Corporations In Small Claims CourtShould Have Attorney

In a recently released opinion to District Judge Robert R. Armstrong Jr., the attorney general determined that district court clerks should refuse to file cases in small claims court for corporations which are not represented by an attorney. The text of this opinion is as follows:

"Dear Judge Armstrong:

"The attorney general received your request for an opinion as to the following matter:

"I would like an attorney general's opinion on whether or not the clerk's office should refuse to file any cases for corporations that are being filed by individuals rather than attorneys, or whether they should allow the cases to be filed and then report the individual and the case to the local bar association."

"This office concluded in an opinion to W.W. Haralson of Scottsboro, Alabama dated September 7, 1977 that a corporation can be represented in small claims court only by a licensed attorney. This conclusion was reached in light of the numerous court decisions stating that a corporation was an artificial person and could not appear

in court unless represented by a licensed attorney. Ex parte Lambert, 242 Ala. 165, 5 So. 2d 622 (1942).

"Therefore, it is the opinion of the attorney general that the clerk of the district court should refuse to file any cases in small claims court for corporations who are not represented by an attorney."

Jurors In Probate Court Not Paid By State

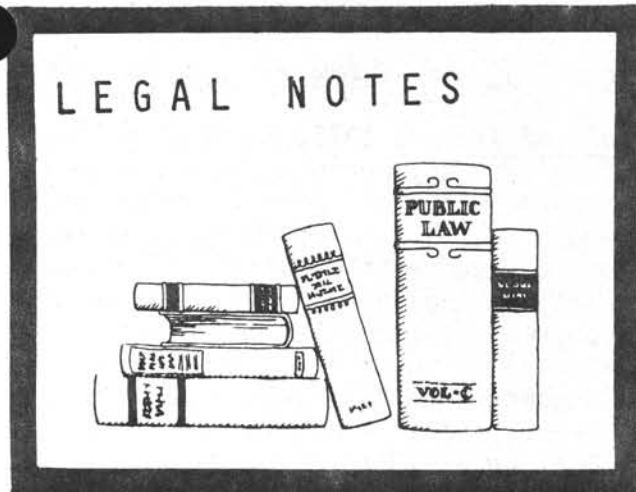
In response to an inquiry from Probate Judge Leland Enzor of Covington County, the attorney general has determined that jurors in probate courts would not be paid by the state. The opinion was based in part on Section 12-19-1, Code Of Alabama 1975, which states that "operating expenses of the Unified Judicial System, exclusive of the expenses of probate and municipal courts, shall be paid by the state."

Attorney General Issues CautionOn Municipal Search Warrants

The attorney general was asked to decide whether a municipal court may issue a search warrant directed to a city police officer. The attorney general felt that he was not able at this time to give a certain answer to the question because the final determination in the matter would have to be made in the courts. However, the opinion did contain a discussion of the pertinent statutes.

The attorney general pointed out that pursuant to Sections 15-5-5, 15-5-6 and 15-5-7 of the Code, as a general rule all search warrants are to be directed to the sheriff or constable to be executed by only these officers except search warrants issued for violations of the fish, game and fur laws, gambling equipment and prohibited liquors. However, Act 1205 of the 1975 regular session may have changed this general law so as to permit city police officers to execute search warrants. (Pertinent sections of this act are now codified at Sections 12-14-1 (b), 12-14-4 and 12-14-32 of the Code.) In light of  
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## ATTORNEY GENERAL OPINIONS

(Continued From Page 10)

this conflict, the attorney general concluded his opinion with the following recommendation:

"We hasten to point out that it is the courts, not this office, which will make the final and binding determination of whether the Judicial Implementation Act authorizes the execution of search warrants by city police officers. We, therefore, counsel caution in directing search warrants to city police officers. Under Section 8-109 of the Act, a municipal court may direct a warrant to a sheriff and the safer course for now would be to do this."

## OPINIONS OF THE SUPREME COURT CLERK

### Procedure For Docketing Petition

#### Filed Pursuant To Rule 27, ARCP

In an opinion dated August 20, 1979, the clerk of the Supreme Court has concluded that "the filing of a petition to perpetuate testimony under Rule 27 (a) before an action is filed, should be treated as an original filing for cost purposes and that it requires a filing fee as provided by Section 12-19-71 (3), Code of 1975."

Therefore, whenever such a petition is filed, the clerk should docket the case like any other original filing; i.e., assign the next case number, collect and

receipt filing fees, prepare case action summary and civil fee sheet and report the case as a filing on the "blue card." Whenever the judge rules on the petition, that case is closed and reported as a disposition.

In the event a case is filed at a later date, it would be the responsibility of the attorney to cross-reference the prefiling discovery petition to the case and to notify the clerk that such a petition had been filed so that the clerk can cross-reference the petition to the case. This is so that all matters pertaining to the case can be presented to the judge at the trial.

### Petition For Discovery Should Be Treated

#### As An Original Filing For Cost Purposes

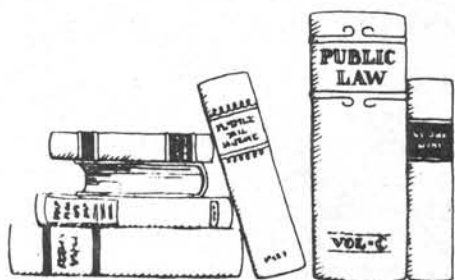
On August 20, 1979, Alabama Supreme Court Clerk J.O. Sentell determined that a petition for discovery filed pursuant to Rule 27, Alabama Rules of Civil Procedure, should be treated as an original filing for cost purposes and, as such, requires the collection of a \$35 docket fee. Rule 27, ARCP, is a device for collecting and perpetuating evidence prior to the actual filing of an action or pending an appeal. A verified petition in the name of the moving party is filed with the circuit clerk and must be served upon all who the moving party expects will eventually be adverse parties in the as yet unfilled lawsuit.

### Clerk May Require Magistrates

#### To Maintain Regular Office Hours

Sentell discussed Rule 18 (II) (A) (3), Alabama Rules of Judicial Administration, pertaining to magistrates, which provides that magistrates "shall be considered the chief officers of the district court magistrates agency, subject to the administrative direction of the clerk of the district court." Sentell stated that this phrase gives authority to district court clerks to require the magistrates to maintain regular office hours as well as designate the office from which the magistrate shall operate.

## LEGAL NOTES

EXPENSES INCURRED IN BRINGING  
AN ACCUSED BACK TO ALABAMA

The Administrative Office of Courts has been asked to determine whether an order taxing costs against a defendant would include expenses incurred in bringing an accused back to Alabama following the issuance by the governor of a requisition pursuant to Code of Alabama 1975, Section 15-9-61.

Research indicates that the legislature, through Code of Alabama 1975, Section 15-9-62, has prescribed only two methods of payment from two different sources, based upon the circumstances:

1. If the criminal is punished by confinement in the penitentiary or death, the expenses shall be paid out of the state treasury, on the certificate of the governor and warrant of the comptroller.
2. In all other cases, they shall be paid out of the county treasury in the county wherein the crime is alleged to have been committed.

There is no provision, such as that contained in Code of Alabama 1975, Section 12-21-144, which allows the court in its discretion or at its direction to tax such expenses as costs.



## SALE OF ABANDONED VEHICLES;

## FEES REQUIRED WHEN FILING REPORT

Code of Alabama 1975, Section 32-13-6, provides that any person making the sale of an abandoned vehicle shall, after deducting expenses related thereto, pay the balance to the register and file a report therewith of the sale. Section 32-13-6 (c), supra, provides that the clerk or register receiving the report of sale shall deduct from the funds paid with such report a fee of \$35 in accordance with Section 12-19-76.

Because this section seems to mandate the source for payment of this fee, it is the opinion of the Administrative Office of Courts that there is no authority to charge the seller for any deficiency in the \$35 fee when the proceeds are insufficient. Further, the \$35 is a filing fee and as such, it should be distributed in accordance with Code of Alabama 1975, Section 12-19-72 (3). Thus, if a deficiency does exist, it will be necessary to prorate the fees collected among the funds provided in Section 12-19-72 (3), supra.

## FINE FOR LITTERING THE HIGHWAY

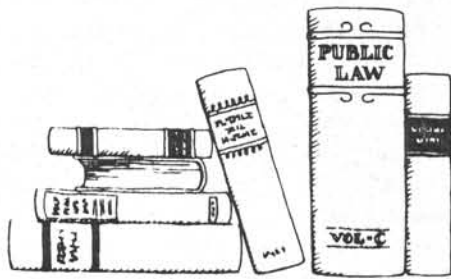
Section 23-5-5, Code of Alabama 1975, has been amended by Act 79-439, regular session 1979, to read as follows:

"Any person who dumps, deposits, places, throws or leaves refuse, paper, litter, rubbish, debris, cans, old iron, brush, boxes, tools, machinery, vehicles, brick, glass, glassware, filthy or odoriferous objects, substances or other trash upon a state or county highway, road or other public thoroughfare, or the right-of-way therefor, or within 20 yards of a state or county highway, road or other public thoroughfare is guilty of a misdemeanor, punishable, upon conviction, by a fine of not less than \$100 nor more than \$500, by imprisonment in the county jail for not less than five nor more than 90 days or by both, or by

(Continued On Page 13)



## LEGAL NOTES



## FINE FOR LITTERING THE HIGHWAY

(Continued From Page 12)

sentence to collect litter along any public road in the county for a specified length of time under such supervision and conditions as the court may provide, or by any combination of the above punishments."

Previously the fine for littering was \$10 under Rule 19, Alabama Rules of Judicial Administration. However, as reported in last month's *Court News*, Rule 19 has been amended by the Supreme Court. The previously prescribed schedule of fines for traffic infractions (including littering the highway) is now a suggested schedule only.

It is recommended that clerks and magistrates discuss the fines to now be collected for traffic offenses with district and municipal judges who handle traffic cases. It is further recommended that notice be taken of the above-quoted amended Section 23-5-5 as the minimum fine for littering under this statute is now \$100 and the maximum \$500.

## JUDICIAL PLANNING COMMITTEE MEETING IS SCHEDULED

A meeting of the Judicial Planning Committee has been scheduled October 22 at 2 p.m. in the conference room of the Administrative Office of Courts. The purpose of this meeting will be to review the recommendations submitted by the JPC planning subcommittees.

Since the JPC's meeting March 21, 1979, meetings have been conducted with the 14 JPC subcommittees to discuss the operations and needs for improvement (Continued on Page 15)

## DUE TO HURRICANE FREDERIC...

## LEAVE POLICY

## FOR AFFECTED COUNTIES

For offices affected by Hurricane Frederic, the administrative director of courts has approved the following policy:

Administrative leave (paid leave which is not charged against the employee's leave account when properly authorized) shall be approved by the local administrator for those periods of time when weather conditions are such that the safety of the employee is threatened.

Details of the procedures pertaining to administrative leave with regard to severe weather can be found in the Personnel Procedures Manual, Chapter 5, page 12.

## OZARK SEMINAR FOR MUNICIPAL JUDGES, MAGISTRATES RESCHEDULED

Due to weather conditions on September 13, caused by Hurricane Frederic, the regional seminar for municipal judges and magistrates scheduled in Ozark has been postponed. The meeting has been rescheduled for October 11, 1979 at the Holiday Inn of Ozark.

Participants who indicated plans to attend the September 13 meeting are invited to participate on October 11 along with other judges and magistrates in that region.

NEWS CLIPS FROM THE STATE PRESS

## It was shaky; now new court system is saving money

BY RALPH HOLMES, News staff writer

MONTGOMERY—Two years ago, Chief Justice C. C. Torbert, shortly after taking office, had to go to the Legislature practically with his hat in his hands.

The new unified court system, set by the adoption of a new Judicial Article to the Alabama Constitution, was costing more than he had planned.

Then, Torbert asked for an additional \$2 million to keep the courts operating through the year.

The system was new then. After a couple of years of smoothing out the wrinkles, Torbert is pleased with the system. "We've got the best system in government," Torbert said.

Torbert is not going to have to go back to the Legislature with his hat in his hands, looking for money again this time.

In fact, at week's end, Torbert announced more than \$2 million in judicial funds have been saved over the past two years. The key, he said, is "a businesslike approach in managing the court system."

The chief justice credited the judges, clerks and registers and the Administrative Office of Courts for the savings.

When Torbert informed Gov. Fob James of the savings, James congratulated him and the judicial system for "a decided effort to provide judicial services to the people of Alabama in an efficient and cost-effective manner."

PART OF THE \$2 million in saved money comes from funds which were left over from last year's budget. That worked out to \$750,000 in what he called encumbered funds. That money will revert back to the state's General Fund on Oct. 1.

Torbert said another \$750,000 and maybe more will be left over from the current budget for the court system. That, too, will go back to the General Fund on Oct. 1.

Also, the court found it not necessary to use \$500,000 in conditional monies from last year's budget. The Supreme Court has returned \$130,000 from this year's budget; the Court of Civil Appeals, \$19,000, and the Court of Criminal Appeals, \$1,450.

"We know that a great deal of this savings has been the result of improved management of juror and witness expenses throughout the system," Torbert said.

"The rest was brought about through the implementation of system-wide expense accounting, efficient purchasing practices and close monitoring of expenses by the Administrative Office of Courts."

Torbert said the savings in tax dollars coincides with the governor's cost-cutting program in the executive department.

BIRMINGHAM NEWS

## Efficient Court Management Saves State \$2 Million

Alabama Chief Justice C.C. "Bo" Torbert said today more than \$2 million in funds appropriated to the state's judicial system were saved during the past two years through the effective and efficient management of judicial services.

Torbert credited judges, clerks and registers and the Administrative Office of Courts for the savings which he said became possible through instituting "a businesslike approach in managing the court system."

Governor Fob James congratulated the chief justice and the judicial system for what he termed "a dedicated effort to provide judicial services to the people of Alabama in an efficient and cost-effective manner."

Torbert said that \$750,000 in encumbered funds from the court system's 1977-78 budget will be reverted to the state general fund on October 1. He said another \$750,000 from the system's 1978-9 fiscal year budget will be reverted to the general fund on the same date prior to any encumbrances for 1978-79 costs. In addition,

another \$500,000 in conditional appropriations for the courts' 1977-78 budget was not used. The Supreme Court has returned \$130,000 from its 1978-79 appropriations, the Court of Civil Appeals, \$19,000, and the Court of Criminal Appeals, \$1,450.

"We know that a great deal of this savings has been the result of improved management of juror and witness expenses throughout the system," Torbert said. "The rest", he said, "was brought about through the implementation of system-wide expense accounting, efficient purchasing practices and close monitoring of expenses by the Administrative Office of Courts," Torbert added.

The chief justice said that this savings in tax dollars coincides with Governor James' cost-cutting program in the Executive Department. "I think it is important for the judicial branch of our state government to work together with the governor in an effort to make state government a less costly burden on our citizens," Torbert said.

THE SOUTHERN STAR  
Ozark, Alabama 36360

## Judicial system saves \$2 million

MONTGOMERY, Ala. (AP) — Alabama Chief Justice C.C. "Bo" Torbert notified Gov. Fob James on Thursday that the state's judicial system has saved \$2 million of its appropriations for the last two years.

Torbert credited judges, clerks, registers and the Administrative Office of Courts for the savings, which he said resulted from "a businesslike approach in managing the court system."

The chief justice said a \$750,000 savings from the system's 1977-78 budget and a \$750,000 savings from the system's 1978-79 budget will be placed back into the state's general fund. MOBILE REGISTER



## JUDICIAL PLANNING COMMITTEE MEETING IS SCHEDULED

(Continued From Page 13)

in the court system. "These meetings have been most helpful and productive," Administrative Director of Courts Allen Tapley said.

"One significant problem identified in the subcommittee meetings was the need for improved communication and cooperation with agencies and various organizations of government which work closely with the courts," Tapley added.

## \*\*\*\*\* FAILURE TO APPEAR PROCEDURE HAS PROVEN EFFECTIVE \*\*\*\*\*

Reports from many district and municipal court clerks who have been using the new Failure To Appear procedure since its inception earlier this year reveal the process has proven effective in getting persons who fail to appear into court.

"After mailing the notice, our courtroom was full of people who wanted to settle their traffic cases," Huntsville Municipal Court Clerk Wallace Dorning said. "The FTA notice has certainly helped to reduce our pending traffic caseload and we plan to send the notice as soon as defendants fail to appear," he continued.

The new procedure promises to save clerical time and reduce caseload, as well as speed up the adjudication process by reducing the time required to get the offender into court. It will also result in a direct savings to the state, as the cost of processing suspensions by the Department of Public Safety is estimated to exceed \$350 per hundred.

The procedure utilizes two forms: Notice of Failure to Appear (UTC-6A), which is sent directly from the court to defendants who do not appear in court on their scheduled court date to answer charges of traffic offenses; and Court Report to the DPS (UTC-6B) on a failure to appear traffic offense, on which courts will report those offenders who do not respond to the UTC-6A notice.

Dothan Municipal Court Magistrate Wanda Brookins reports: "Since we began sending out the notice, a lot of paperwork has been eliminated and time saved by not having to notify DPS of the failure to appear."

Libby Hamner, Tuscaloosa County District Court Clerk agreed. "Over half the defendants have responded immediately after we've mailed the failure to appear notice."

Mobile County District Court Clerk George Edgar said his court had already begun sending out a failure to appear letter, but notes that the new forms are much easier to prepare. "We've had great response to the notice," he said.

Those departments which have not been taking full advantage of the time-saving procedures may contact the Administrative Office of Courts in Montgomery for further information.

\*\*\*\*\*

CHIEF JUSTICE NAMES CLERKS,  
DA'S, LAW OFFICERS AS ADVISORS  
TO PERMANENT STUDY COMMISSION

Chief Justice C.C. "Bo" Torbert Jr. has named three circuit clerks and registers, three district attorneys and three representatives of law enforcement as advisory members of the state Permanent Study Commission on the Judiciary.

The commission, which is composed of

representatives of the state's three branches of government, has been called upon by the chief justice to study and recommend action in five important areas: (1) indigent defense; (2) juvenile justice; (3) caseload distribution, (4) judicial compensation; and (5) court improvement legislation.

Those named advisory members are: circuit clerks and registers--Polly Conradi of Birmingham, Morris Moatts of

(Continued on Page 16)

CHIEF JUSTICE NAMES CLERKS,  
DA'S, LAW OFFICERS AS ADVISORS  
TO PERMANENT STUDY COMMISSION

(Continued From Page 15)

Clanton and John Sawyer of Monroeville. District attorneys--Ron Myers of Opelika, Lavern Tate of Florence and Lewey Stephens, acting executive director of the Office of Prosecution Services. From law enforcement--Col. Jerry Shoemaker, director of the state Department of Public Safety, Sheriff Billy Smith of Linden and Police Chief Kater Williams of Dothan.

The commission will meet October 25-26 at the Judicial College in Tuscaloosa.

SUPPORT PAYMENTS SHOULD BE RECEIPTED  
IN THE CIRCUIT CLERK'S OFFICE

In several recent audits, the state examiners of public accounts have discovered a financial process involving support payments which they have deemed unacceptable. This process involves the check for a support payment being made out to the recipient rather than the circuit clerk. When the circuit clerk received the check, it was listed in a journal and the check was simply mailed to the recipient.

The examiners have taken the position that all monies a clerk or register is required to handle, including support payments, should be receipted into the official bank account of the circuit clerk. At that point, a check should be written out of the official bank account of the clerk to the recipient.

The examiners have also taken the position that, in those cases where the judge rules that support payments be made directly to the recipient, the check should not come through the clerk's office, but should be mailed directly to the recipient. Any time money is received and distributed by the circuit clerk, it should be receipted into the official bank account and then distributed.

Tax Date	Error Correct	Discount	Misc Refund	Sub Total	No Sale	Register
Account #	Void	Vendor Coupon	Store Coupon			Date #
Misc. Tendered	Non Taxable	Clear		5	11	16
Bank C						15
USE OF ELECTRONIC CASH REGISTERS						14
						13
TO BE STUDIED IN THREE COUNTIES						12
Co. Tendered						
Checks Tendered	Repeat	0	1	6	Total	

The Administrative Office of Courts will study the feasibility of using electronic cash registers in logging and issuing receipts in district court clerk offices.

Three pilot courts have been designated to receive the cash registers. Though the registers will be tailored to meet the clerks' needs, they resemble those used in large department stores.

"The goal of this project is to determine the impact of automated systems on the record keeping procedures of a clerk's office," explained Jan Shultz, information systems officer with AOC.

"Such automated systems should facilitate the receiving of court monies including receipting and accounting court fees, fines, forfeitures and court-ordered restitution payments," Shultz continued. "Such systems should reduce future manpower requirements and the amount of time presently required for receiving such monies, especially in handling criminal misdemeanor cases."

The program is expected to begin in January in Mobile, Houston and Chilton County District Courts and will run through the end of the 1980 fiscal year.

These areas were chosen for the study since they offer a spectrum of urban and rural volume caseloads.

The systems will be incorporated in the large cash flow areas such as traffic courts. The study will analyze the efficiency provided by such systems in writing receipts and processing at the end of the day.



## NEWS FROM THE JUDICIAL COLLEGE

### JUDICIAL COLLEGE CONDUCTS

#### NEW EMPLOYEE ORIENTATION

The Alabama Judicial College conducted its first orientation for new employees in clerks' and registers' offices September 20-21 in Tuscaloosa. The purpose of the program was to provide these new employees with an overview of the court system and the Administrative Office of Courts.

Experienced clerks like Morris Moatts of Chilton County, Julia Trant of Houston County, Stella Pierce of Chambers County, Billy Harbin and Jane Smith of Madison County and Libby Hamner of Tuscaloosa County discussed the clerk's office in general, criminal and civil case procedures, financial procedures, working with people in the office and other details of transactions.

Deborah Hughes from South Central Bell presented a segment on telephone usage. From the AOC, Jan Shultz gave an overview of AOC, Chuck Pinkham presented purchasing procedures and Barbara Erickson discussed personnel procedures.

### STATE LAWYERS PARTICIPATE

#### ON JUDICIAL COLLEGE FACULTY

Chief Justice C.C. "Bo" Torbert Jr. said that since formation of the Judicial College, 37 attorneys have participated on the faculty.

Torbert thanked those attorneys who gave their time to participate at the college.

Following is a roster of attorneys who have participated to date:

From Albertville, T.J. Carnes; from Florence, Robert L. Potts and Emmett N. Roden; from Gardendale, Norman G. Winston; from Huntsville, Jeri B. Walker; from Mobile, William H. Saliba; from Opelika, Thomas D. Sanford III; from Tallassee, Ernest C. Hornsby; and from Tuscaloosa, Robert L. McCurley, Sam M. Phelps and Gordon Rosen.

From Birmingham, Roderick Beddow Jr., Timothy M. Conway, Douglas P. Corretti, William B. Hairston Jr., Francis H. Hare Jr.,

### FREDERIC KNOCKED OUT LIGHTS

#### BUT JUDICIAL COLLEGE CLASSES

#### CONTINUED AS SCHEDULED

Hurricane Frederic interrupted electric service at the Judicial College September 13, but through the cooperation of University of Alabama Law School Dean Thomas Christopher, September 14 classes for circuit and district judges continued at the new Law Center.

With flashlights on the podium, Bob McCurley of the Alabama Law Institute, Judge Jim Gullage of the 37th Judicial Circuit in Opelika, Lee Hale, deputy attorney general from Montgomery and Attorney Maury Smith of Montgomery presented aspects of the new Criminal Code as Frederic's winds knocked out the power.

The remainder of the seminars were conducted on schedule at the new Law Center with the help of lights.

The Alabama Judicial College, an affiliate of the Administrative Office of Courts in cooperation with the University of Alabama, provides continuing in-service education for judges, court officials and court support personnel. Fourteen conferences, several offered on regional schedules, will be conducted during 1979-80.



Champ Lyons Jr., Gordon Pate, Clarence M. Small Jr., L. Vastine Stabler and Lanny S. Vines.

From Montgomery, Bishop Barron, Richard Bentley, Robert C. Black, Albert W. Copeland, Vanzetta Penn Durant, Lee Hale, Robert Huffaker, C. Ray Jenkins, Oakley W. Melton, Floyd Minor, Matthias W. Piel, Perry C. Roquemore, Maury Smith, Charles A. Stakely, Thomas W. Thagard Jr. and John D. Whetstone.



## 16 CIRCUITS, 29 DISTRICT COURTS ATTAINED 101 PERCENT THROUGHPUT DURING FIRST SIX MONTHS OF 1979

During the first six months of 1979, 16 circuit courts and 29 district courts achieved a throughput of at least 101 percent. Throughput is defined as the ratio expressed as a percentage of the number of cases disposed to the number of cases filed for a given period. By definition, any court having a throughput over 100 percent has reduced its level of pending cases. These courts accomplished this goal in spite of the fact that the number of cases filed during this six month period exceeded the number filed during the same period of 1978.

Statewide statistics show that during the first six months of this year, 61,228 cases were filed in circuit court compared to 54,799 cases filed for the same period for 1978. This is an 11.7 percent increase in filings over 1978. The statewide statistics also reflect an increase in the filings in district court for the six month period. 227,881 cases were filed in district court in 1979 compared to 210,556 cases for the first six months of 1978. Filings in district court increased by 8.2 percent over the six month period.

The courts attaining their throughput goals for the first six months of 1979 were:

Circuit courts: 3rd Circuit, 130 percent throughput; 4th Circuit, 104 percent; 5th Circuit, 106 percent; 8th Circuit, 133 percent; 9th Circuit, 186 percent; 14th Circuit, 117 percent; 17th Circuit, 105 percent; 19th Circuit, 113 percent.

Twenty-first Circuit, 109 percent; 25th Circuit, 112 percent; 30th Circuit, 103 percent; 32nd Circuit, 108 percent; 35th Circuit, 109 percent; 36th Circuit, 109 percent; 37th Circuit, 108 percent; and 39th Circuit, 135 percent.

District courts: Jefferson-Bessemer, 120 percent throughput; Jefferson-Birmingham, 108 percent; Montgomery, 111 percent; Autauga, 107 percent; Bullock, 105 percent; Butler, 106 percent; Calhoun-Cleburne, 102

percent; Chambers, 101 percent; Chilton, 105 percent; Coffee, 103 percent; Dale, 118 percent; Elmore, 106 percent; Escambia, 116 percent; Fayette, 101 percent; Greene, 102 percent.

Hale, 118 percent; Henry, 103 percent; Lamar, 109 percent; Lauderdale, 108 percent; Limestone, 166 percent; Macon, 106 percent; Marengo, 106 percent; Perry, 103 percent; Pickens, 110 percent; Randolph, 102 percent; St. Clair, 108 percent; Shelby, 105 percent; Talladega, 109 percent; and Tallapoosa, 106 percent.

## ALABAMA HAS DECREASE

### IN TRAFFIC FATALITIES

The National Highway and Traffic Safety Administration has published statistics covering traffic fatalities for the southeastern states for January through June, 1979. While all other states except Mississippi have increases in fatalities over those of 1978, Alabama shows a decrease in this period of 31.

The overall increase or decrease in traffic fatalities by state is reflected as follows:

Alabama, -31

Florida, +207

Georgia, +7

Kentucky, +32

Mississippi, -10

North Carolina, +55

South Carolina, +44

Tennessee, +39

All agencies involved in the criminal justice system should feel proud of this accomplishment, according to the Administrative Office of Courts' Bob Simpson who heads the DWI Referral Program.

## POLICY CHANGE REGARDING

## EDUCATIONAL PROGRAM EXCUSALS

\* \* \* \* \*

All judges and other court officials requested to attend judicial educational programs must be excused in accordance with Section 12-1-18 (b), Code of Alabama, 1975. In order to economize and expedite the process of excusing judges and other court officials from educational programs, the administrative director of courts asks that a request for permission to be excused from a meeting be submitted in writing, or that Ms. Gay Nix or Ms. Sybil Carlson (1-800-392-8077--toll free) or (834-7990--local) be contacted in advance of the scheduled meeting, stating the reason(s) for inability to attend.

Unless otherwise notified, excuses will be accepted and acknowledgements noted on individual educational records. Acknowledgement of excusal by letter from the ADC will be discontinued.

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## people people

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(Continued From Page 9)

## DOT NORWOOD ELECTED OFFICER

## OF NATIONAL CLERKS' ASSOCIATION

Dorothy F. Norwood, assistant clerk of the Alabama Supreme Court, has been elected secretary/treasurer of the National Conference of Appellate Court Clerks. Lewis C. Carter of the Kansas Supreme Court was elected president; Mary Ann Hopkins-Young of the Arizona Supreme Court, president-elect; and Robert St. Vrain of the Missouri Court of Appeals, vice president. The elections came at the group's recent meeting in Monterey, California.

## IT'S A BABY GIRL

## FOR SLOANS OF ANNISTON

Circuit Judge James D. Sloan Jr. and his wife, Sarah, are the proud parents of Sarah Elizabeth, born September 23 and weighing eight pounds.

## RANDOLPH GETS NEW SHERIFF

Gov. Fob James Wednesday named I.B. Moore of Roanoke as sheriff of Randolph County.

Moore, 48, is a former Roanoke police chief and former captain of the detective division of the Montgomery Police Department.

## SAMFORD HAS GRADUATED

## 25 IN PARALEGAL PROGRAM,

## JUDGE THOMAS HUEY REPORTS

Circuit Judge Thomas Huey, presiding judge of the 10th Judicial Circuit, told *Court News* that Samford University in Birmingham has graduated 25 students in its paralegal program during the past two years. Judge Huey is a member of the advisory board of the university's Division of Paralegal Studies.

Anyone interested in entering this field of study at Samford should contact Dean Margaret Sizemore, director of Paralegal Studies, Samford University, 800 Lakeshore Drive, Birmingham, AL 35209 (telephone: 870-2783).

Judge Huey cites the following information about the paralegal program and its benefits:

---many law firms in Birmingham are using legal assistants to their advantage, one firm employing 17;

---legal assistants can literally make money for their employers by enabling them to accept more clients;

---Samford University is in its fourth year of paralegal training and is the first and largest school of Paralegal Studies in the state;

---the Samford University Division of Paralegal Studies has graduated approximately 25 students in the past two years, all of whom have found positions in law offices, banks or corporations, serving under the supervision of attorneys.



# COURT NEWS

NEWSLETTER OF THE ALABAMA JUDICIAL SYSTEM

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