



SUPREME COURT OF ALABAMA

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January 5, 2022

The Honorable Kay Ivey
Governor of Alabama
State Capitol
600 Dexter Avenue
Montgomery, Al 36130

The Alabama Senate
Mr. D. Patrick Harris
Secretary of the Senate
Alabama State House, Senate Chamber
11 South Union Street
Montgomery, Al 36130

The Alabama House of Representatives
Mr. Jeff Woodard
Clerk, Alabama House of Representatives
Alabama Statehouse, Room 504
11 South Union Street
Montgomery, Al 36130

Dear Governor Ivey and Members of the Legislature:

As the Chair of the Judicial Resources Allocation Commission, I am pleased to report that on Thursday, December 15, 2021, the Commission conducted its annual meeting to review the need for increasing or decreasing the number of judgeships in each district court and circuit court.

As required by Act No. 2017-42, codified at §12-9A-1, et seq., Ala.Code 1975, the Supreme Court of Alabama adopted a formula to determine the need for increasing or decreasing the number of judgeships in the district courts and the circuit courts that uniformly calculates how civil, criminal, and domestic relations cases are accounted for between circuits and uniformly, fairly, and accurately accounts for criminal cases brought against defendants by counts. The weighted caseload formula adopted by Alabama was developed through workload

assessments conducted by the National Center for State Courts (NCSC). The NCSC has conducted workload assessments for judges, court staff, prosecutors, and public defenders in over 30 states. The adopted formula was applied to the data the Administrative Office of Courts (AOC) collected for Fiscal Year (“FY”) 2019, and the FY 2019 Judicial Weighted Caseload Studies for circuit courts and district courts were produced and adopted by the Supreme Court of Alabama by order dated January 8, 2020.

Judicial officer needs assessment models based on the weighted caseload methodology rely on the use of accurate case counts of new court filings for the most recent year. Typically, the mix and number of court case filings are relatively stable from year to year, with new cases increasing or decreasing slowly across time. The global pandemic, which was recognized to be fully present in the United States, necessitated Chief Justices across the Nation to issue orders limiting in-person court hearings. Alabama was no exception. Needs assessment models for judges during the pandemic are likely to not be accurate, given the changes in the types of cases being filed. The last accurate, normal filings in a fiscal year is 2019.

After considering the FY 2019 Judicial Weighted Caseload Studies and the populations in the various circuits and counties, the Commission adopted the rankings provided in the studies.

The FY 2019 Judicial Weighted Caseload Studies are the third fiscal year studies produced after the Supreme Court adopted a formula on June 21, 2017, that complies with Act No. 2017-42 and mindful that “[n]o judgeship shall be reallocated until three years of data is available after the revision of the factors considered in the Judicial Weighted Caseload Study.” Data are collected by AOC throughout each fiscal year and the formula is applied to the data at the end of the fiscal year. Three fiscal years of data (FY 2017, 2018, and 2019) became available after the revision of the factors considered in the Judicial Weighted Caseload Studies.

In accordance with the Legislature’s charge to determine the need for increasing judgeships, the Commission recognizes that the provisions in the Judicial Resources Allocation Act do not timely meet the current need of 20 additional judgeships. **Therefore, the Commission, by a majority vote, recommends that the Legislature create twelve circuit court judgeships with accompanying staff in each of the following circuits. Please note the rankings by judge need are the weighted caseload indicating the number of judges needed.**

	<u>Ranked / judge need</u>
12 Circuit Judges	
5 th Circuit (Chambers, Macon, Randolph & Tallapoosa): 1	8th/ (-1.60)
6 th Circuit (Tuscaloosa): 1	6th/ (-1.80)
11 th Circuit (Lauderdale): 1	5th/ (-1.84)
13 th Circuit (Mobile): 2	4th/ (-2.63)
19 th Circuit (Autauga, Chilton & Elmore): 2	2nd/ (-2.79)
23 rd Circuit (Madison): 3	1st/ (-3.25)
28 th Circuit (Baldwin): 2	3rd/ (-2.65)

The approximate cost of a circuit judgeship with accompanying staff/benefits is \$450,000.00, or \$5,400,000.00 for twelve additional circuit judgeships.

In addition the Commission, by a majority vote, recommends that the Legislature create eight district court judgeships with accompanying staff in each of the following counties:

8 District Judges:

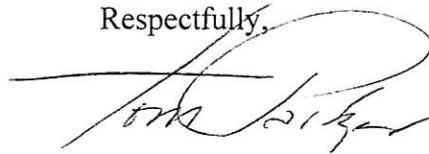
Baldwin	1st/ (-1.99)
Cullman	7th/ (-1.27)
DeKalb	6th/ (-1.31)
Etowah	5th/ (-1.36)
Madison	3rd/ (-1.84)
Mobile	4th/ (-1.78)
Shelby	2nd/ (-1.95)
Tuscaloosa	8th/ (-1.13)

The approximate cost of a district judgeship with accompanying staff/benefits is \$350,000.00, or \$2,800,000.00 for eight additional district judgeships.

The above-listed judicial circuits and counties have immediate, critical needs, and the addition of circuit judges with staff in each of these judicial circuits and district judges with staff in each of the listed counties will help substantially in meeting the current judicial needs and place these circuits and counties more in line with the needs of the rest of the State. I have attached a copy of the Alabama FY 2019 Circuit Court and District Court Judicial Weighted Caseload Studies in support of this recommendation.

Thank you for your consideration of this matter. If you have any questions about the meeting or the Commission recommendations, please do not hesitate to contact me.

Respectfully,



Tom Parker
Chief Justice

Attachments

c: Senator Greg Reed, President Pro Tempore
Representative Mac McCutcheon, Speaker of the House
Representative Victor Gaston, Speaker Pro Tempore
Senator Greg Albritton, Finance and Taxation General Fund Chairman
Steve Clouse, Ways and Means General Fund Chairman
Representative Jim Hill, House Judiciary Chairman
Senator Tom Whatley, Senate Judiciary Chairman
Dr. Rich Hobson, Administrative Director of Courts
Mr. Todd Russell, Administrative Office of Courts Legal Director

Alabama FY2019 Circuit Court Judicial Weighted Caseload Implied Need

Circuit	County	Region	Workload (minutes)	Judge Year Value	Overall Judicial Officer Need (FTE)	District Court Judges (FTE)	Referees (FTE)	Circuit Judge Implied Need (FTE)	Actual Circuit Court Judges	Difference (+ = surplus; - = deficit)	Rank
	Alabama		15,287,037		172.6	10.0	7.3	155.3	146	-9.35	
1	Choctaw, Clarke, Washington	Multiple	131,962	83,850	1.6	0.0	0.0	1.6	2	0.43	31
2	Butler, Crenshaw, Lowndes	Multiple	118,369	83,850	1.4	0.4	0.0	1.0	1	-0.01	24
3	Barbour, Bullock	Multiple	75,833	83,850	0.9	0.1	0.0	0.8	1	0.20	28
4	Bibb, Dallas, Hale, Perry, Wilcox	Multiple	276,799	83,850	3.3	0.0	0.0	3.3	3	-0.30	16
5	Chambers, Macon, Randolph, Tallapoosa	Multiple	385,997	83,850	4.6	0.0	0.0	4.6	3	-1.60	8
6	Tuscaloosa	Single	794,236	90,300	8.8	0.0	1.0	7.8	6	-1.80	6
7	Calhoun, Cleburne	Multiple	584,891	83,850	7.0	1.0	0.1	5.9	5	-0.88	9
8	Morgan	Single	339,777	90,300	3.8	0.0	0.0	3.8	3	-0.76	10
9	Cherokee, Dekalb	Multiple	223,809	83,850	2.7	0.1	0.0	2.6	3	0.43	32
10	Jefferson	Single	2,105,993	90,300	23.3	2.4	1.9	19.0	27	7.98	41
11	Lauderdale	Single	445,749	90,300	4.9	0.0	0.1	4.8	3	-1.84	5
12	Coffee, Pike	Multiple	209,675	83,850	2.5	0.1	0.0	2.4	3	0.60	37
13	Mobile	Single	1,591,722	90,300	17.6	1.0	3.0	13.6	11	-2.63	4
14	Walker	Single	196,091	90,300	2.2	0.0	0.0	2.2	3	0.83	40
15	Montgomery	Single	900,207	90,300	10.0	0.0	1.0	9.0	9	0.03	26
16	Etowah	Single	344,986	90,300	3.8	0.3	0.0	3.5	4	0.48	33
17	Greene, Marengo, Sumter	Multiple	81,039	83,850	1.0	0.0	0.0	1.0	1	0.03	27
18	Shelby	Single	397,109	90,300	4.4	0.0	0.0	4.4	4	-0.40	15
19	Autauga, Chilton, Elmore	Multiple	493,747	83,850	5.9	0.1	0.0	5.8	3	-2.79	2
20	Henry, Houston	Multiple	544,526	83,850	6.5	0.9	0.0	5.6	5	-0.59	12
21	Escambia	Single	120,965	90,300	1.3	0.0	0.0	1.3	2	0.66	38
22	Covington	Single	128,619	90,300	1.4	0.0	0.0	1.4	2	0.58	36
23	Madison	Single	943,660	90,300	10.5	0.2	0.0	10.3	7	-3.25	1
24	Fayette, Lamar, Pickens	Multiple	267,173	83,850	3.2	0.4	0.0	2.8	1	-1.79	7
25	Marion, Winston	Multiple	228,027	83,850	2.7	0.5	0.0	2.2	2	-0.22	19
26	Russell	Single	206,489	90,300	2.3	0.1	0.0	2.2	2	-0.19	20
27	Marshall	Single	233,447	90,300	2.6	0.0	0.0	2.6	3	0.41	30
28	Baldwin	Single	771,886	90,300	8.5	0.8	0.1	7.6	5	-2.65	3
29	Talladega	Single	165,840	90,300	1.8	0.6	0.0	1.2	2	0.76	39
30	St. Clair	Single	238,968	90,300	2.6	0.4	0.0	2.2	2	-0.25	17
31	Colbert	Single	135,853	90,300	1.5	0.0	0.0	1.5	2	0.50	34
32	Cullman	Single	216,827	90,300	2.4	0.0	0.0	2.4	2	-0.40	13
33	Dale, Geneva	Multiple	182,820	83,850	2.2	0.0	0.0	2.2	2	-0.18	21
34	Franklin	Single	98,461	90,300	1.1	0.0	0.0	1.1	1	-0.09	23
35	Conecuh, Monroe	Multiple	84,340	83,850	1.0	0.0	0.0	1.0	1	-0.01	25
36	Lawrence	Single	111,585	90,300	1.2	0.0	0.0	1.2	1	-0.24	18
37	Lee	Single	381,818	90,300	4.2	0.5	0.1	3.6	3	-0.63	11
38	Jackson	Single	156,291	90,300	1.7	0.0	0.0	1.7	2	0.27	29
39	Limestone	Single	194,769	90,300	2.2	0.0	0.0	2.2	2	-0.16	22
40	Clay, Coosa	Multiple	50,395	83,850	0.6	0.1	0.0	0.5	1	0.50	35
41	Blount	Single	126,287	90,300	1.4	0.0	0.0	1.4	1	-0.40	14

Alabama FY2019 District Court Judicial Weighted Caseload Time Study

County Number	County	Workload (minutes)	Judge Year Value	Overall Judicial Officer Need (FTE)	District Court Judges assigned to Circuit (FTE)	Referees (FTE)	District Judge Implied Need (FTE)	Actual District Court Judges	Difference (+ = surplus; - = deficit)	Rank
	Alabama	9,483,692		105.02	10.00	1.70	113.32	106.00	-7.32	
1	Jefferson-Birmingham	611,504	90,300	6.77	1.40	0.00	8.17	10.00	1.83	68
2	Mobile	522,349	90,300	5.78	1.00	0.00	6.78	5.00	-1.78	4
3	Montgomery	287,885	90,300	3.19	0.00	0.00	3.19	3.00	-0.19	28
4	Autauga	115,260	90,300	1.28	0.00	0.10	1.18	1.00	-0.18	29
5	Baldwin	287,611	90,300	3.19	0.80	0.00	3.99	2.00	-1.99	1
6	Barbour	71,113	90,300	0.79	0.10	0.00	0.89	1.00	0.11	37
7	Bibb	91,761	90,300	1.02	0.00	0.00	1.02	1.00	-0.02	35
8	Blount	139,671	90,300	1.55	0.00	0.00	1.55	1.00	-0.55	15
9	Bullock	20,370	90,300	0.23	0.00	0.00	0.23	1.00	0.77	66
10	Butler	63,367	90,300	0.70	0.10	0.00	0.80	1.00	0.20	41
11	Calhoun	216,255	90,300	2.39	1.00	0.00	3.39	3.00	-0.39	21
12	Chambers	134,456	90,300	1.49	0.00	0.00	1.49	1.00	-0.49	17
13	Cherokee	104,006	90,300	1.15	0.00	0.00	1.15	1.00	-0.15	31
14	Chilton	134,924	90,300	1.49	0.00	0.10	1.39	1.00	-0.39	22
15	Choctaw	31,760	90,300	0.35	0.00	0.00	0.35	1.00	0.65	63
16	Clarke	52,427	90,300	0.58	0.00	0.00	0.58	1.00	0.42	48
17	Clay	27,582	90,300	0.31	0.10	0.00	0.41	1.00	0.59	60
18	Cleburne	76,194	90,300	0.84	0.00	0.00	0.84	1.00	0.16	39
19	Coffee	123,640	90,300	1.37	0.10	0.00	1.47	1.00	-0.47	18
20	Colbert	125,214	90,300	1.39	0.00	0.00	1.39	1.00	-0.39	23
21	Conecuh	44,785	90,300	0.50	0.00	0.00	0.50	1.00	0.50	54
22	Coosa	36,059	90,300	0.40	0.00	0.00	0.40	1.00	0.60	61
23	Covington	104,428	90,300	1.16	0.00	0.00	1.16	1.00	-0.16	30
24	Crenshaw	42,596	90,300	0.47	0.20	0.00	0.67	1.00	0.33	46
25	Cullman	295,095	90,300	3.27	0.00	0.00	3.27	2.00	-1.27	7
26	Dale	130,011	90,300	1.44	0.00	0.00	1.44	2.00	0.56	59
27	Dallas	111,117	90,300	1.23	0.00	0.10	1.13	1.00	-0.13	32
28	Dekalb	199,351	90,300	2.21	0.10	0.00	2.31	1.00	-1.31	6
29	Elmore	212,187	90,300	2.35	0.10	0.10	2.35	2.00	-0.35	24
30	Escambia	121,864	90,300	1.35	0.00	0.00	1.35	1.00	-0.35	25
31	Etowah	285,568	90,300	3.16	0.30	0.10	3.36	2.00	-1.36	5
32	Fayette	43,122	90,300	0.48	0.10	0.00	0.58	1.00	0.42	49
33	Franklin	92,978	90,300	1.03	0.00	0.00	1.03	1.00	-0.03	34
34	Geneva	66,369	90,300	0.73	0.00	0.00	0.73	1.00	0.27	42
35	Greene	22,895	90,300	0.25	0.00	0.00	0.25	1.00	0.75	64
36	Hale	40,392	90,300	0.45	0.00	0.00	0.45	1.00	0.55	58
37	Henry	52,628	90,300	0.58	0.10	0.00	0.68	1.00	0.32	44
38	Houston	182,720	90,300	2.02	0.80	0.00	2.82	2.00	-0.82	11
39	Jackson	168,936	90,300	1.87	0.00	0.00	1.87	1.00	-0.87	10
40	Lamar	43,267	90,300	0.48	0.20	0.00	0.68	1.00	0.32	45
41	Lauderdale	126,928	90,300	1.41	0.00	0.00	1.41	1.00	-0.41	19
42	Lawrence	112,826	90,300	1.25	0.00	0.00	1.25	1.00	-0.25	27
43	Lee	171,670	90,300	1.90	0.50	0.00	2.40	2.00	-0.40	20
44	Limestone	163,910	90,300	1.82	0.00	0.00	1.82	2.00	0.18	40
45	Lowndes	31,564	90,300	0.35	0.10	0.00	0.45	1.00	0.55	57
46	Macon	47,917	90,300	0.53	0.00	0.00	0.53	1.00	0.47	52
47	Madison	599,585	90,300	6.64	0.20	1.00	5.84	4.00	-1.84	3
48	Marengo	47,883	90,300	0.53	0.00	0.00	0.53	1.00	0.47	53
49	Marion	120,177	90,300	1.33	0.30	0.00	1.63	1.00	-0.63	13
50	Marshall	230,037	90,300	2.55	0.00	0.00	2.55	2.00	-0.55	14
51	Monroe	42,721	90,300	0.47	0.00	0.00	0.47	1.00	0.53	55
52	Morgan	276,130	90,300	3.06	0.00	0.00	3.06	3.00	-0.06	33
53	Perry	21,611	90,300	0.24	0.00	0.00	0.24	1.00	0.76	65
54	Pickens	41,690	90,300	0.46	0.10	0.00	0.56	1.00	0.44	51
55	Pike	76,483	90,300	0.85	0.00	0.00	0.85	1.00	0.15	38
56	Randolph	52,600	90,300	0.58	0.00	0.00	0.58	1.00	0.42	47
57	Russell	132,066	90,300	1.46	0.10	0.00	1.56	2.00	0.44	50
58	Shelby	365,281	90,300	4.05	0.00	0.10	3.95	2.00	-1.95	2
59	St. Clair	215,495	90,300	2.39	0.40	0.10	2.69	2.00	-0.69	12
60	Sumter	16,426	90,300	0.18	0.00	0.00	0.18	1.00	0.82	67
61	Talladega	173,986	90,300	1.93	0.60	0.00	2.53	2.00	-0.53	16
62	Tallapoosa	117,664	90,300	1.30	0.00	0.00	1.30	1.00	-0.30	26
63	Tuscaloosa	282,519	90,300	3.13	0.00	0.00	3.13	2.00	-1.13	8
64	Walker	154,269	90,300	1.71	0.00	0.00	1.71	2.00	0.29	43
65	Washington	40,846	90,300	0.45	0.00	0.00	0.45	1.00	0.55	56
66	Wilcox	34,360	90,300	0.38	0.00	0.00	0.38	1.00	0.62	62
67	Winston	65,161	90,300	0.72	0.20	0.00	0.92	1.00	0.08	36
68	Jefferson-Bessemer	188,170	90,300	2.08	1.00	0.00	3.08	2.00	-1.08	9