

SUPREME COURT *

Number of judges: 9

Area of election and jurisdiction:
State-wide

Method of selection: Partisan election

Length of term: 6 years

Method of retention: Re-election

Method of filling mid-term vacancies:
Gubernatorial appointment

When appointed judges may run for election:
Next general election after 1 year in office

Qualifications:
Licensed to practice law in state, 1 year resident of state, maximum age of 70

Salary:
\$152,000 + 1.25% per year of service
\$152,000 - potential max. \$190,000 **

Cases Heard: ***

The Alabama Supreme Court reviews decisions rendered by the other courts of the state. Also has authority to determine certain legal matters over which no other court has jurisdiction and to issue such orders necessary to carry out its general superintendence over the courts in Alabama. Has exclusive jurisdiction over all appeals where the amount in controversy exceeds \$50,000 and appeals from the Alabama Public Service Commission.

COURT of CRIMINAL APPEALS *

Number of judges: 5

Area of election and jurisdiction:
State-wide

Method of selection: Partisan election

Length of term: 6 years

Method of retention: Re-election

Method of filling mid-term vacancies:
Gubernatorial appointment

When appointed judges may run for election:
Next general election after 1 year in office

Qualifications:
Licensed to practice law in state, 1 year resident of state, maximum age of 70

Salary:
\$151,000 + 1.25% per year of service
\$151,000 - potential max. \$189,000 (range of Courts of Civil Appeals and Criminal Appeals) **

Cases Heard: ***

The Alabama Court of Criminal Appeals hears all appeals of felony and misdemeanor cases, including violations of city ordinances and all post-conviction writs in criminal cases. Circuit courts also exercise appellate jurisdiction over cases appealed from district and municipal courts. An appeal to the circuit court is tried as though it were a new trial (referred to as a "trial de novo") and may be tried with or without a jury.

COURT of CIVIL APPEALS *

Number of judges: 5

Area of election and jurisdiction:
State-wide

Method of selection: Partisan election

Length of term: 6 years

Method of retention: Re-election

Method of filling mid-term vacancies:
Gubernatorial appointment

When appointed judges may run for election:
Next general election after 1 year in office

Qualifications:
Licensed to practice law in state, 1 year resident of state, maximum age of 70

Salary:
\$151,000 + 1.25% per year of service
\$151,000 - potential max. \$189,000 (range of Courts of Civil Appeals and Criminal Appeals) **

Cases Heard: ***

The Alabama Court of Civil Appeals hears all civil appeals where the amount in controversy does not exceed \$50,000. The Supreme Court may transfer civil cases appealed to the Supreme Court and within its appellate jurisdiction, with some exceptions. Has jurisdiction of all appeals from administrative agencies in which a judgment was rendered in the circuit court. Exercises jurisdiction over appeals in workmen's compensation cases and domestic relations cases, including annulment, divorce, alimony, child support, adoption, and child custody cases.

CIRCUIT COURT

Number of judges: 140 in 40 circuits

Area of election and jurisdiction:
Circuits of 1 to 5 counties

Method of selection: Partisan election

Length of term: 6 years

Method of retention: Re-election

Method of filling mid-term vacancies:
Gubernatorial appointment ****

When appointed judges may run for election:
Next general election after 1 year in office

Qualifications:
Licensed to practice law in state, 1 year resident of state, maximum age of 70

Salary:
\$112,000 + 1.25% per year of service
\$112,000 - potential max. \$140,000 **

Cases Heard: ***

Circuit courts hear all civil matters where the amount in controversy exceeds \$10,000 and all criminal prosecutions involving felony offenses. The circuit court also has original jurisdiction concurrent with the district court in juvenile matters and in all civil matters where the amount in controversy exceeds \$3,000 but does not exceed \$10,000, exclusive of interest and costs.

DISTRICT COURT

Number of judges: 98 in 67 counties

Area of election and jurisdiction:
County

Method of selection: Partisan election

Length of term: 6 years

Method of retention: Re-election

Method of filling mid-term vacancies:
Gubernatorial appointment ****

When appointed judges may run for election:
Next general election after 1 year in office

Qualifications:
Licensed to practice law in state, 1 year resident of state, maximum age of 70

Salary:
\$111,000 + 1.25% per year of service
\$111,000 - potential max. \$139,000 **

Cases Heard: ***
District courts have original jurisdiction over criminal misdemeanors, hold preliminary hearings in felony prosecutions, and can receive guilty pleas in felony cases not punishable by death. District courts exercise concurrent jurisdiction with the circuit courts in juvenile matters and in civil actions where the amount in controversy does not exceed \$10,000. These courts have exclusive jurisdiction over all civil actions where the amount in controversy, exclusive of interest and costs, does not exceed \$3,000. These actions are referred to as small claims cases. Citizens may file any case in the small claims division of the district court without a lawyer.

PROBATE COURT

Number of judges: 72 in 67 counties

Area of election and jurisdiction:
County

Method of selection: Partisan election

Length of term: 6 years

Method of retention: Re-election

Method of filling mid-term vacancies:
Gubernatorial appointment ****

When appointed judges may run for election:
Next general election after 1 year in office

Qualifications:
Varies by local statute

Salary:
Varies by local statute

Cases Heard: ***
Probate courts have jurisdiction in each county over all matters dealing with the probate of wills, the administration of estates of those persons dying without a will, determination of the property rights of widows, and adoption proceedings, unless such are removed to the juvenile or district court. Another important duty of the probate court is the recording of all land partitions and sales within the county and the maintenance of indexes showing where and when deeds, mortgages, and other instruments of conveyance are recorded.

MUNICIPAL COURT: ***

Municipal courts have jurisdiction over cases arising under municipal ordinances. Judges are appointed by the governing body of the municipality and must be reappointed. Municipal judges must be licensed to practice law in the state. Salary is set locally.

REMOVAL OF JUDGES

Alabama judges may be removed in one of two ways:

- 1) The Judicial Inquiry Commission investigates complaints against judges and files complaints with the Court of the Judiciary. The Court of the Judiciary may censure, suspend, or remove a judge. Decisions of the Court of the Judiciary may be appealed to the Supreme Court.
- 2) Judges may be impeached.

USEFUL WEBSITE LINKS

National Center for State Courts:
www.ncsconline.org

American Judicature Society:
www.ajs.org

Administrative Office of Courts:
www.alacourt.org

NOTES

* The appellate courts do not try cases, have juries, witnesses, or court reporters. These courts review actions or decisions of the trial courts by reviewing the record on questions of law or allegations of procedural error. In carrying out this review, the appellate courts are restricted to the evidence and exhibits presented at the trial court level. Source: Administrative Office of Courts.

** Judicial salaries as of 10/01/03. Source: National Center for State Courts.

*** Source: Administrative Office of Courts.

**** Gubernatorial appointments are made from lists of candidates submitted by judicial nominating commissions in Baldwin, Jefferson, Madison, Mobile, Talladega, and Tuscaloosa counties. Each county determines the size, composition, and procedures for its nominating commission. Source: Administrative Office of Courts.

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