

STATE OF THE JUDICIARY ADDRESS



DELIVERED BEFORE A JOINT SESSION
OF THE ALABAMA LEGISLATURE

TUESDAY, MARCH 8, 2011

SUE BELL COBB
CHIEF JUSTICE
SUPREME COURT OF ALABAMA

ABOUT THE UNIFIED JUDICIAL SYSTEM

In 1975, the Alabama Legislature passed Act 1205 (later codified as Title 12, Code of Alabama, 1975), thereby creating the Alabama Unified Judicial System. Prior to passage of this Act, all trial court employees were county employees.

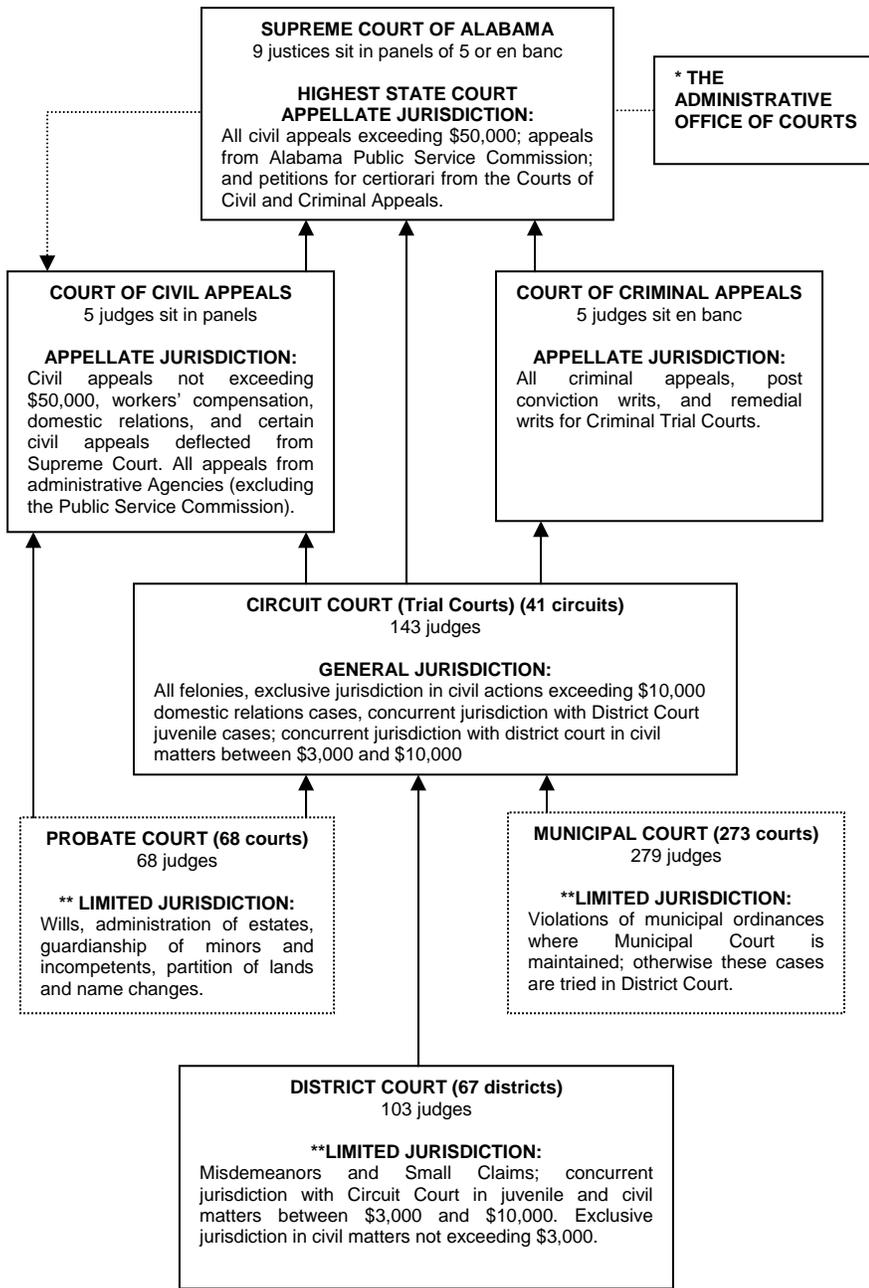
On October 1, 1977, these county employees became State employees (Circuit and District Judges, Circuit Clerks, Court Specialists, and Official Court Reporters were assumed by the State on January 16, 1977). State assumption meant uniform classifications for all court positions, uniform benefits, (including health insurance, retirement and leave accrual), and a uniform pay scale. On October 1, 2000, per Act 98-392, over 270 Juvenile Probation Service employees in 62 counties were transitioned from county to State employment.

Each elected/appointed official is the appointing authority for his or her office staff, with the AOC as the employer. Some employees are "confidential", aka "non-merit", meaning they are at-will appointees, and some are "merit", meaning they have completed a competitive recruitment process and have certain rights of tenure and appeal.

The AOC provides certain services for UJS officials and employees, now numbering over 2,100 statewide. These services include, for example, a centralized Human Resources Division (Personnel and Payroll), Finance Division (Purchasing, Budget and Expense Accounting, and Property Management), a Legal Division (including Municipal Courts and Legislation), Court Services and Information Technology Division, Family Courts Division, the Alabama Sentencing Commission, the Judicial Study Commission, and Judicial Education for officials, employees, and the public.

Through innovation, automation, and its dedicated employees, the judicial branch of government serves the citizens of the State in an exemplary manner. The Alabama UJS serves as a model for the nation.

UNIFIED JUDICIAL SYSTEM STRUCTURE



* Under the administrative authority of the Chief Justice.
 ** Appeals from courts of limited jurisdiction go to Circuit Court for trial de novo (a new trial).

STATE OF THE JUDICIARY ADDRESS¹

Chief Justice Sue Bell Cobb

March 8, 2011

Governor Bentley, Lieutenant Governor Ivey, Speaker Hubbard, distinguished members of the House and Senate, my colleagues of the Judiciary Branch, distinguished guests and fellow citizens of the Great State of Alabama:

It is my honor and privilege as Chief Justice of the Supreme Court and Chief Administrative Officer of the Unified Judicial System to address you this afternoon regarding the state of the Alabama Judiciary. Once again, I thank you for allowing me to enter your chamber so that I can deliver this, my fourth State of the Judiciary Address.

Joining us today in the House gallery are important members of the Court system. As I recognize them, I ask them to stand and remain standing: The Associate Justices of the Supreme Court of Alabama; Presiding Judge Samuel Welch and the Judges of the Alabama Court of Criminal Appeals; Presiding Judge William Thompson and the Judges of the Alabama Court of Civil Appeals; and the Administrative Director of Courts, Callie Dietz. I am also honored by the presence and support of a large number of outstanding trial judges and circuit clerks. In the interest of time, instead of individually introducing them, I ask all of these fine elected officials to stand. Thank you so much for being here.

I would also like to recognize Alyce Spruell, President of the Alabama State Bar and the first female president of the Bar.

This State of the Judiciary follows the State of the State address given by Governor Bentley. Governor Bentley has already proven himself to be a true leader. A true leader tells people what they need to hear rather than what they want to hear.

The Governor gave us a full dose of reality regarding the current budget situation. The outlook is bleak. Proration is upon us. Governor Bentley is willing to make a number of difficult decisions which will help close the gaping hole in the General Fund.

I support these measures which will improve the State's "bottom line." I simply want to emphasize that whether our court employees suffer a five or ten percent decrease in salary because of furloughs, and an increase in deductions to their wages because of increased contributions for retirement and medical benefits, I hope we will keep in mind that the average salary for one-third of our employees is \$30,000.

But, I would be remiss as the leader of the Court System if I did not highlight to you, the branch of government who appropriates, that the possible reduction in funding to the courts will have a devastating impact on our ability to provide equal justice under the law.

You have received a copy of this address. Attached to it is an eight-page appendix highlighting the numerous measures that I and the Administrative Director of Courts, Callie Dietz, have made to improve the

¹ Actual remarks may differ from prepared remarks.

efficiency of the judicial system. I urge you, the Legislature, the press, and the citizens, to review the lengthy list of cost-saving measures.

The Court System at all levels must be adequately funded. Simply put, civilized society depends on the Court System, and the Court System depends upon you, the Legislative branch, to fund us so that we can carry out our constitutional duties.

Last year, the trial courts were forced to lay off one hundred twenty employees. After making reductions in every operating category from travel to juror costs, I am now authorizing the lay-off of a minimum of seventy-four employees. The Governor's recommendation for appropriation for the courts for the 2012 fiscal year is ten percent less than what was received in the 2011 fiscal year. On behalf of the entire Court System, we are grateful to Governor Bentley that his recommendation is not even greater. Nevertheless, a ten percent reduction will cause hundreds of layoffs to a work force that is already down to 2005 numbers.

There are numerous accomplishments of the appellate and trial courts I could discuss with you today. I will highlight only three:

- (1) The Supreme Court disposed of eleven percent more cases than were filed last year. This is a historic achievement.
- (2) The Court of Criminal Appeals once again has the second highest caseload per judge in the nation.
- (3) The Court of Civil Appeals has reduced the resolution of crucially important termination of parental rights cases to fifty-six days after submission to the Court.

Although there are hundreds of other accomplishments I could highlight, my emphasis today is what you heard Governor Bentley in his State of the State address discuss the need for sentencing reform. I hope that this Legislature will join with the Governor and me in bringing the citizens' urgent fiscal needs in line with the need for public safety and craft a sentencing policy which can accomplish both.

How many times as a trial judge did I say to victims of crime, troubled youth or dysfunctional families, "I wish I could snap my fingers and make things better. I wish I could snap my fingers and undo all the harm that has caused you to be in court today. Unfortunately, I do not have that kind of power."

No human being has that kind of power. Judges can, however, use their power in sentencing juvenile and adult offenders in a way that significantly reduces the likelihood that offenders will again cause harm, and ultimately makes life better for the offender, for his or her potential victims, and for the community. This power, the power "to fix people rather than fill prisons," is the power that is growing in the criminal justice system in Alabama.

FULFILLING THE POWER AND MISSION OF A UNIFIED JUDICIAL SYSTEM

As Chief Justice of a unified court system, I feel privileged to be given the opportunity to enhance that “positive coercive power” possessed by every trial judge in our state. Because of the wisdom and political courage of former Chief Justice Howell Heflin, in 1973 Alabama became one of the first states to unify its judicial system. The result was the placement of the administrative oversight of the trial courts with the Chief Justice. Adequate and reasonable funding of the court system became the responsibility of the state. Consolidation such as this empowers state court leaders to promote policy changes that are in the best interest of the people. Thus, the courts can fulfill their ultimate mission to fairly, impartially, and swiftly resolve disputes and administer justice in order to make the public safer.

MAKING THE PUBLIC SAFER UNDER INCREASED BUDGETARY CONSTRAINTS

The constitutional power or authority invested in every trial judge to detain or incarcerate offenders is a momentous thing. As a trial judge, I did not have the ability to instantly improve people’s lives or situations, but I did possess the power to lock them up. Taking away a person’s freedom is an enormous responsibility and should never be taken lightly by any judge. We now know that there has been an overreliance on incarceration of nonviolent offenders. Unfortunately, research now demonstrates that our costly reliance on incarceration of nonviolent offenders has not necessarily made us safer. As Chief Justice Ray Price of Missouri said:

“Perhaps the biggest waste of resources in all of state government is the over-incarceration of nonviolent offenders and our mishandling of drug and alcohol offenders. It is costing us [m]illions of dollars, and it is not making a dent in crime.

“...

“I could quote different statistics and relationships to you all morning, but the simple fact is, we are spending unbelievable sums of money to incarcerate nonviolent offenders, and our prison population of new offenders is going up – not down – with a recidivism rate that guarantees this cycle will continue to worsen at a faster and faster pace, eating tens of millions of dollars in the process.”

The Public Safety Performance Project of the Pew Center on the States has reported that we in the United States lock up more of our citizens than any other country in the world. In the past, Alabama has certainly not been the exception to this trend. Alabama has the most overcrowded prison system in the United States, at one hundred ninety percent of institutional capacity, and, unfortunately, the least funded. Alabama ranks sixth in the country in the number of adults in prison or jail, with one in seventy-five behind bars, compared to one in one hundred nationally. Alabama’s per diem per inmate could be doubled and yet not meet the national average. Alabamians are more at risk because of our failure to keep corrections funding at the same pace as our prison population. This has resulted in Alabama having one of the largest ratios of inmates to correctional officers in the country.



Despite our failure to adequately fund corrections, corrections costs consume an even larger portion of our state's General Fund budget. Over the last twenty years, the annual cost of corrections in Alabama has more than quadrupled – growing from \$105 million in 1988 to \$577 million in 2008. Yet for all this spending, taxpayers are not seeing a solid return in terms of public safety. In fact, recidivism rates are also on the rise.

Let me be absolutely clear: we *must* lock up violent and serious offenders for lengthy sentences so they cannot continue to harm innocent people. However, where nonviolent offenders are concerned, there is an alternative to the costly cycle of crime, incarceration, and reoffending. We need to be certain we are locking up those of whom we are afraid – not just those with whom we are mad.

THE ALABAMA SENTENCING COMMISSION

As the administrative leader of the court system, I stated in my 2010 State of the Judiciary Address that

“...we pledge ourselves to the change necessary to stop the revolving door. I see a day when someone breaks the law – that he or she will go before a judge committed to fixing people rather than filling prisons, a judge empowered by the Legislature to do just that.”

In an effort to make that pledge a reality, many steps have been taken by court leaders and the Alabama Legislature. Of enormous significance was the creation by the Legislature of the Alabama Sentencing Commission in 2000. The Sentencing Commission's mission is to review Alabama's criminal justice system and recommend changes that provide just and adequate punishment for crime, improve public safety, address prison overcrowding, and establish a fair and effective sentencing system while providing judges with flexibility in sentencing options and meaningful discretion in imposing sentences.

The Sentencing Commission has determined that public safety and crime prevention can best be improved in Alabama by encouraging the use of alternative sentencing options for nonviolent offenders. To reach these goals, the Commission drafted and adopted voluntary sentencing standards, which the Legislature approved in 2006. Since then, the Commission has continued providing recommendations, assistance, and training in implementing the new sentencing guidelines.

Currently, one of the most exciting initiatives of the Alabama Sentencing Commission is the Cooperative Community Alternative Sentencing Project (CCASP).

The ongoing success of the Alabama Sentencing Commission in achieving its mission demonstrates the power of cooperation in providing Alabama with a safer, more cost efficient criminal justice system. Alabama is moving away from anger-based and fear-based “sentencing that ignores cost and effectiveness to evidence-based sentencing that focuses on results.” In other words, lock up people of whom we are afraid, not those with whom we are just mad.

THE IMPORTANCE AND EXPANSION OF DRUG COURTS AND COMMUNITY CORRECTIONS IN EVIDENCE-BASED SENTENCING

We must recognize that although judges possess the power to imprison or not to imprison, it is the Legislature and County Commissions that have the power to fund or not to fund local alternatives to locking up nonviolent adult or juvenile offenders. This clearly explains why interbranch cooperation is essential to making the public safer and reducing recidivism.

As Chief Justice, following the recommendations of the Alabama Sentencing Commission, I made the statewide replication of model drug courts a top priority. With the assistance of the Legislature and its agreement to our request for an earmark of \$3.5 million for model drug courts, the expansion of this proven method of reducing recidivism has been gratifying. Counties with model drug courts have grown in four years from seventeen drug courts to fifty-eight drug courts. In 2010 this Legislature passed a bill that established minimum standards for Alabama's drug courts. Alabama judges and district attorneys have chosen to use their *power* and dedicate significantly more time and effort each week in model drug courts. Consequently, they have witnessed firsthand how their "positive coercive power" can transform people's lives.

The expansion and implementation of community corrections programs is also imperative in order to "stop the revolving door." I committed to the Alabama Legislature that our judges would be leaders in their respective counties by promoting important community punishment alternatives. Securing appropriate funding, which requires a voluntary partnership between county, state, and criminal justice stakeholders, continues to be the most significant challenge. However, thanks to the assistance of the Pew Center on the States, the Vera Institute of Justice, and the Crime and Justice Institute, and the participation of trial judges and local stakeholders, the success of the joint CCASP program demonstrates the progress that can be made with the cooperation of key parties.

A MANDATORY JUDICIAL CONFERENCE: TAKING EVIDENCE-BASED PRACTICES TO ALABAMA'S JUDGES

History was made in 2010. With the funding provided by our concerned out-of-state partners, the U.S. Department of Justice's Bureau of Justice Assistance (BJA) and the State Justice Institute, and with support from the Pew Center on the States, I was able to use my authority as administrative head of the trial courts to order all judges having jurisdiction over criminal felony offenders to attend a sentencing workshop at the Alabama Judicial College.

The goal was clear. Fifty percent of those "behind the wire" are violent offenders and should be incarcerated for sufficiently long sentences to protect the public and deter others from committing similar crimes. The focus of the mandatory training session was appropriate sentencing for nonviolent offenders. We wanted our sentencing judges to examine their sentencing practices, recognize the importance of their gate keeping function and its impact on public safety, and understand the importance of risk and need factors in determining sentences. We also wanted the judges to have an opportunity to express their concerns, frustrations, and ideas concerning community corrections and sentencing matters. A bipartisan group of local and national experts presented Alabama's judges with evidence that sentencing certain lower-risk



offenders to mandatory supervision rather than prison *does* improve public safety and save precious state dollars.

The success of this important training event depended on two elements: an order mandating judges' attendance with a direction to reschedule all cases unless specifically excused, and *mandatory* tours of four Alabama prisons.

During the training session, the concept was repeatedly presented to Alabama jurists: Why are you putting criminal offenders behind bars? Is it because you are angry at them, or because you are afraid of them? The overwhelming majority of judges had confined hundreds of inmates, a large number of them nonviolent offenders imprisoned for technical violations of probation, as well as repeat nonviolent offenders sentenced under Alabama's Habitual Felony Offender Act. These sentencing decisions were and are made by well-intended judges who lack local sentencing options. Now they sentence having personally seen at least two of Alabama's massively overcrowded correctional institutions.

At the conclusion of this history training event, I was gratified by countless comments from the trial judges. Although a number of judges initially took umbrage at my order of mandatory attendance, and many of them during training sessions stated quite fervently their opinions which conflicted with the overall message of the expert presenters, the prison tours were sobering and certainly motivated many to re-evaluate their sentencing policies.

As a result of the evidence presented at the conference demonstrating the effectiveness of community corrections, combined with a first-hand look at prisoners warehoused in overcrowded, decaying, underfunded facilities, many judges promised not just to consider the voluntary sentencing guidelines, but to apply them in all drug cases. Judges also offered their own recommendations for improvements to Alabama's sentencing laws. Now we have a grant that allows all of you, the members of the Alabama Legislature, to tour two of the prisons you struggle to fund. I plead with you to go on this prison tour and see for yourselves the conditions of our corrections system.

WHERE DO WE GO FROM HERE?

In 2010, the Alabama Legislature enacted several important sentencing reforms. These included enactment of minimum standards for drug courts, an amendment to the Community Punishment and Corrections Act to allow participation in Community Corrections programs of offenders convicted of selling controlled substances, and enactment of the technical violator bill which limited incarceration in the penitentiary for technical violations of probation.

In addition, before the Legislature adjourned, a bipartisan, interbranch Public Safety and Sentencing Coalition was established. Among its members are legislators, members of the judiciary, district attorneys, defense lawyers, the Board of Pardons and Paroles, the Sentencing Commission, law enforcement, and victims' advocates. The Coalition has conducted a detailed analysis of Alabama's prison population. The study showed that the number of felony convictions in Alabama had increased thirty-one percent since 2001. Similarly, the Department of Corrections' (DOC) jurisdictional population had increased twenty-seven

percent since 2000, and its in-house population has increased sixteen percent since 2000. Although Alabama's overall in-house prison population is approximately one hundred ninety percent of designed capacity, three facilities are respectively at three hundred fourteen percent, two hundred seventy-one percent, and two hundred fifty-seven percent of designed capacity. The study has shown that Alabama has a major problem with the revolving door of recidivism. Within the current inmate population, 40.5 percent have had a previous sentence of imprisonment. Even more staggering is the fact that 24.4 percent of the current DOC population had returned to the DOC jurisdiction within three years of a previous release.

The study also revealed that a significant percentage of DOC's in-house population are not violent offenders. The number one offense for admission in DOC was possession of receipt of a controlled substance. The other nonviolent offenses included in the Top Ten list were distribution of a controlled substance at number three, third-degree burglary at number four, and first-degree possession of marijuana at number seven.

After being educated as to the drivers of our burgeoning prison population, the Coalition has endorsed the following concepts which have been incorporated into legislative proposals:

- (1) The creation of a new Class D felony classification and the reclassification of certain drug and property offenses as Class D felonies;
- (2) Revising the valuation threshold for property offenses;
- (3) Restructuring and reclassifying offenses involving marijuana and controlled substances;
- (4) Establishing a compliance incentive credit for probationers who comply with the conditions of probation so probation officers may focus limited resources on probationers who need more intense supervision;
- (5) Mandatory re-entry supervision for offenders incarcerated with DOC and near the end of their sentence;
- (6) Codifying minimum standards for jurisdictions in Alabama which are emulating Hawaii's Opportunity Probation with Enforcement (HOPE) Program;
- (7) Amending Alabama's driver's license suspension law to remove certain drug-related offenses to assist participants in drug court and other rehabilitative programs in mobility;
- (8) Improvements in last year's Technical Violator Act; and
- (9) A First Time Offender Bill.

Change is never easy, but change is essential. We must modify our laws in a way that enhances public safety and focuses limited tax dollars on programs that reduce recidivism, thereby stopping the revolving door.

CONCLUSION

As Chief Justice, I cannot "snap my fingers" and instantly improve life for the citizens of our state. I can, however, use whatever power or influence I have to encourage meaningful change that is proven to make communities safer. This is not a partisan issue, a conservative or liberal issue, or just a legislative and executive branch issue. It is an issue of enhancing public safety while saving desperately needed state and



local funding. I want to encourage leaders of all three branches and political persuasions to work together. All of us working together can use our power to transform the lives and communities of those we have taken an oath to protect – “to the best of [our] ability, so help [us] God.”

Thank you for your service to the citizens of our fine state, and I leave with the prayer that I am sure is on all of our lips – God bless the State of Alabama and the United States of America.



APPENDIX

Cost Saving Measures Implemented by the Unified Judicial System 2008-2011

HUMAN RESOURCES OR PERSONNEL:

- A hiring freeze on all Unified Judicial System employees (unless there was a critical need) was implemented in September 2008, three months prior to any other governmental freeze being declared.
- Promotions and reclassifications were frozen in September of 2008.
- Annual merit pay raises were frozen at the same time in 2008.
- Professional service contracts were limited and granted only on the basis of critical need. The major professional service contract currently is to conduct the e-citation program of traffic tickets with the Department of Public Safety. Loss of this contract would significantly cripple the revenue to the State's General Fund from traffic tickets.
- The Administrative Office of Courts has not hired replacements for most central office employees who have resigned, retired, or otherwise left employment since 2008. The actual number of central office employees paid from the State's General Fund has been reduced by moving existing staff to grant or trust fund monies wherever possible.
- The Court Security Program was eliminated and those duties have been assumed by an existing Administrative Office of Court employee who is equally well qualified to perform them. This individual is providing a higher quality of service at no additional cost.
- Vacancies in permanent and temporary positions have not been filled since the beginning of the new fiscal year except in three areas: (1) where a judge loses a mandated employee (i.e., judicial assistant or court reporter); (2) a circuit clerk falls below 70% staffing; or (3) a position is grant funded.
- Part-time bailiffs have been eliminated except in capital murder cases.
- Existing full-time bailiff and court attendant position costs have been assumed by county or local funds or in a few cases have been divided between state and county funds.
- Law schools have been contacted to provide intern and extern placements of students to assist judges with legal research during the summer and to possibly assist circuit clerks' offices.



SUPPLIES AND PURCHASING:

- The Administrative Office of Courts eliminated the purchase of drug testing supplies for the 62 Juvenile Probation Officer (JPO) offices statewide and worked with the State Comptroller to develop procedures for them to be reimbursed out of special state general funds that had been set aside for the purpose but were never used. The total savings was approximately \$62,000.
- Property Management Inventories have been conducted at a more efficient rate than ever before. Currently staff has traveled to every courthouse in the state with the State Auditor's staff, and the Administrative Office of Courts staff is now returning to each courthouse to re-label every piece of property on the inventory. New procedures have been implemented to better maintain property in the future, and the remaining counties will be completed within the year. All old, non-functional equipment is being retrieved and sold at state surplus. The Unified Judicial System is currently one month into the new property audit by the State Auditor's Office. Thus far 93% of all property has been accounted for, and the Auditor's staff is ahead of schedule in their visits.
- Supply purchases have been limited to short term quantities and only items that are essential for operating. All supplies are now ordered via computers, saving staff time, postage, and paper.

TECHNOLOGY

- All court forms, except four which require carbonless, multi-part paper, have been placed on the e-forms website to be printed as needed. Staff of the print shop has been reduced to one person, and the quantity of items produced has been significantly reduced. The savings in paper and postage to deliver boxes of forms across the state was estimated to be over \$52,000 annually. All the printing has been significantly curtailed.
- All court officials and employees are on direct deposit and utilize a secure website for payroll warrant information, thus saving the cost of paper, postage, and staff time to run payroll. This resulted in savings of over \$32,000 annually.
- All personnel evaluations, time sheets and other personnel actions are completed online, thus saving paper, postage, and staff time.
- The Administrative Office of Courts eliminated weekly mail outs to all court officials, saving a substantial amount of postage, paper, and staff time. Virtually all correspondence with UJS officials and employees is now either by internet or telephone.
- PC-based software that takes the place of a fax machine has been implemented. This technology enables officials and staff to receive and send faxes from their computers, thus eliminating the need for fax machines.
- AOC has implemented a voice response system and website for the child support and traffic help desks so that payments can be checked and many questions answered without the need to speak to a call representative. This has greatly reduced time and frustration for individuals calling for help.

- The Child Support Center representatives have continued to encourage use of direct deposit for custodial parents for efficiency and safety reasons. Currently over two-thirds of these parents are using direct deposit.
- Alabama is one of three states in the nation that is e-filing almost 100% in civil matters. We now have a criminal e-filing program which is still being expanded and applications are being developed in the Family Court and Juvenile arena. This is an enormous savings in staff time and in paper and postage.
- Almost all legal research is now done by technology so that money has been saved on the purchase of legal research books and manuals.
- Registration for all judicial training events has been put on-line, saving staff time, paper, and postage.
- Instead of printing training and conference manuals, we have begun to put information on flash drives for participants. This presents a savings of paper, printing projects, staff time, and supplies such as notebooks and tabs.
- AOC assisted in the first prison-to-court video hearing between inmates at Holman Prison and the circuit court in Escambia County. Expansion of this technology on a statewide basis to prisons and county jails will result in a significant savings to the courts, the Department of Corrections (DOC), and local Sheriffs' offices in travel and staff time and overtime. AOC is currently working with DOC to assist them in utilizing the court e-mail system to provide reports and notifications to judges and clerks, which will also produce a savings in staff time and postage.

TRAVEL AND JUDICIAL EDUCATION:

- All in-state and out-of-state travel was limited. In-state travel was approved on the basis of necessity in the performance of an official or employee's job. For example, approximately \$150,000 has been saved from travel of juvenile probation officers through the use of mandating that case numbers be assigned to reimbursement requests. Out-of-state travel must be grant-funded or reimbursed by a third party.
- Travel for AOC employees has been shifted to grants or trust funds as much as possible, including travel for training and hosting conferences and training events for various court associations.
- The Judicial College has worked directly with the State Bar Association and has instituted a plan to provide training at the National Judicial College for new judges which does not impact the State General Fund. AOC officials will meet with State Bar Association officials in the near future to continue this funding.
- All judicial education programs except for judges' and clerks' conferences have been significantly curtailed unless the group wants to meet without reimbursement or if the program utilizes video conferencing. This does not include programs such as the municipal, guardian ad litem, and court referral officer programs which are self-funding.
- The Judicial College has written and received a number of grants to provide much needed training for judges through the National Judicial College and the State Justice Institute (SJI), including two trainings for judges, defense attorneys, and prosecutors on capital murder and



sentencing reform. These trainings were at no cost to the State General Fund and will significantly reduce the cost of re-trying capital murder cases due to error.

EQUIPMENT

- Equipment needs have been scrutinized. Whenever there is critical need for equipment or replacement of equipment and the AOC can justify approval through grants or trust fund, the UJS has done so. For example, the Family Court Division equalized cell phones for juvenile probation officers in each county resulting in a savings of approximately \$25,000 annually.
- Equipment purchases, furnishings, and courthouse renovations were limited and considered on a critical need basis.
- State automobiles needing major repairs were sent to surplus.
- The AOC Information Technology Help Desk has increased efforts to repair rather than replace equipment (e.g., computers, scanners, keyboards, and memory). However, we are facing a number of “aged-out” computers and printers that will have to be replaced throughout the trial courts.
- Whenever possible clerks and law library funds have been used locally to replace out of date equipment to save state dollars.

COURTS IN GENERAL

- AOC has asked judges and clerks to request that jurors (who can) voluntarily waive juror pay if possible. This has resulted in savings to the State General Fund on pay and mileage for those serving on jury duty.
- Retired and active judges have been asked and most have agreed to accept assignments on a continuing basis in counties with high caseloads and an insufficient number of judges. This has enabled understaffed circuits to handle their caseloads and perform their work in a more timely fashion without the expenses of additional judgeships being created.
- Sequestered jurors have been limited to capital murder cases and sequestered only under exigent circumstances.
- AOC has instituted a Case and Jury Management Team to provide training to judges, clerks, and other personnel. The team has provided training in these areas to improve the juror summoning process to reduce costs associated with jury trials. Additionally, good case management principles are being encouraged to help our judges more efficiently manage their case loads as they continue to significantly increase.
- Heating, air conditioning, and lights are being turned off when employees leave for the day at the Heflin-Torbert Judicial Building in order to save energy and reduce costs. Janitorial services at the Heflin-Torbert Judicial Building have also been reduced to three days per week.