

ALABAMA RULES OF JUDICIAL ADMINISTRATION

Rule 3.

Courtrooms, offices, ancillary space, access to such spaces, utility service, etc., to be provided by counties and municipalities.

(A) Counties to provide courtrooms, offices, and ancillary space, access to such space, and utility services to courts, judges, clerks, district attorneys, and court officials.

Counties shall provide and maintain within each county's courthouse for their county's circuit and district court judges, circuit and district court clerks, other court employees, and the district attorney for their county, such courtrooms, offices, and ancillary spaces as are necessary to conduct the business of the Unified Judicial System in their counties. Such courtrooms and offices shall be adequate in size and shall be maintained in good repair and in a safe, clean, and sanitary condition.

Counties shall provide access to these courtrooms, offices, and ancillary spaces for their county court officials and employees, the district attorney and his or her employees, and the general public on Monday through Friday, inclusive, of each week (excepting legal holidays or other days when the courts in their counties are lawfully closed by statute or judicial order as provided in Rule 5(c), Ala. R. Jud. Admin.) between, at a minimum, the hours of 8:00 A.M., local time, and 4:30 P.M., local time.

Counties shall provide utility service for the offices of their county's circuit and district judges, clerks, court employees, and district attorneys, including, but not limited to, electrical service, heating and air conditioning as necessary to maintain reasonably comfortable work environments, and local telephone service; provided, however, that long-distance telephone charges for judges, clerks, and registers shall be paid out of the annual appropriation of the Unified Judicial System and long-distance telephone charges incurred by the district attorneys' offices shall be paid by the district attorneys' offices.

(B) Municipalities to provide similarly for district courts adjudicating municipal law.

The obligations of the above section (A) shall apply to municipalities in circumstances where the state district courts in a county hear and adjudicate cases involving violations of municipal ordinances.

(C) Option for counties and municipalities to provide additional personnel and services.

Counties and municipalities may, at their option, provide additional court-support personnel, services, equipment, and furnishings. Any such personnel, when providing services or performing work for state judicial officers or their staffs, shall work at the direction and pursuant to the supervision of the judicial officers and their staffs.

(D) *Administrative Director of Courts' authority to contract for additional court services.*

The Administrative Director of Courts, with the approval of the Chief Justice, shall have the authority to contract with county commissions, municipalities, private individuals, corporations, or other entities for such additional court services in an individual county as are necessary or appropriate to facilitate the orderly function of the Unified Judicial System in that county.

[Amended 6-5-79, eff. 10-1-79; Amended 9-28-87, eff. 10-1-87; Amended 7-27-2009.]

Comment

This rule is based on Ala. Code 1975, Section 11-3-11(a)(1), which gives the county commission the power to house the courts in the rooms of the courthouse and to designate the rooms to be occupied by the court officials entitled to rooms therein, and on Ala. Code 1975, Section 12-19-4, which directs municipalities to furnish courtrooms and related facilities where the district courts are required to sit for the enforcement of municipal ordinances.

Historically, counties have provided and maintained control of the courthouse and the offices therein. Upon state assumption of the judicial system, this rule was implemented to ensure that adequate facilities are maintained for trial courts without interruption in judicial services.

Note from the reporter of decisions: The order amending Rule 3, Alabama Rules of Judicial Administration, effective July 27, 2009, is published in that volume of *Alabama Reporter* that contains Alabama cases from 11 So. 3d.