

ALABAMA RULES OF JUDICIAL ADMINISTRATION

Rule 9.

State court's personnel system.

The administrative director of courts ("ADC") shall establish such rules, regulations and procedures as are necessary for the operation of the state courts' personnel system. Included in such rules and regulations shall be appointment procedures, classification plans, and pay schedules according to class for all appointed positions in the state courts' personnel system for which salaries are not otherwise provided for by law. In addition, said rules and regulations shall prescribe due process procedures, which shall apply in personnel actions involving a loss or reduction in pay and appeals therefrom; except that such due process rights shall not apply to confidential positions, i.e., those positions which may by law or rule be terminated at the pleasure of the appointing authority.

In addition, these regulations and procedures shall provide for the following: the establishment, maintenance, and cancellation of employment registers for non-confidential court personnel positions on which rankings shall be determined based on merit, taking into consideration aptitude, experience, knowledge, skill, physical fitness, veterans' preference to which other applicants for state employment are lawfully entitled, and any other pertinent matters demonstrating fitness for employment; the application of annual performance evaluations; the administration of merit pay increases; work hours; attendance and leave; and the order and manner in which lay-offs shall be effected. Such rules and regulations may also include such other provisions relating to employment that may be necessary or appropriate for the operation of the state court personnel system; provided that such other rules and regulations shall not diminish any benefits for court personnel to which they are otherwise entitled by law.

[Amended 9-28-87; eff. 10-1-87.]

Comment

Ala.Code 1975, Section 12-17-2, provides that the ADC shall establish job descriptions, regulations, rates of compensation and administrative procedures applicable to court personnel. This rule further clarifies the role of the ADC in managing the personnel system for the Judicial Department and requires that he prescribe due process procedures that shall apply to court personnel who are by law subject to the merit system.

This rule also makes it clear that the rules and regulations established by the ADC shall not diminish any benefits to which employees of the judicial branch are entitled pursuant to Ala.Code 1975, Section 12-1-15(a). Ala.Code 1975, Section 12-1-15(a), provides that officers and employees of the judicial branch shall be entitled to the same benefits to which other state officers and employees are entitled, including, but not limited to, group hospital, medical, and surgical insurance.

(This Rule replaces former Rule 10.)