

ALABAMA RULES OF JUDICIAL ADMINISTRATION

Rule 1.

Bonding of court officials and employees.

(A) The administrative director of courts (“ADC”) is authorized to procure coverage under any blanket fidelity bond applicable to state officials and employees in general for all officials and employees of the Unified Judicial System whose salaries are paid in whole or part by the state.

(B) If coverage as provided in Subsection (A) is not secured, the ADC shall procure from a qualified and responsible company or companies a fidelity bond or bonds in such amount or amounts as determined to be sufficient by the ADC with the approval of the Supreme Court, covering all state court officials and employees and such officials and employees of the Administrative Office of Courts (“AOC”) who should, in the discretion of the ADC, be included within the coverage of such bond or bonds. All bonds acquired pursuant to this subdivision shall be made payable to the State of Alabama, and shall be conditioned as to honesty and faithful performance of official duties by persons in all positions so covered.

(C) The fidelity bond or bonds as provided in Subsections (A) and (B) shall be in lieu of all other bonds required by statute for the respective officials and employees.

[Amended 12-7-76; Amended 3-15-78; Amended 10-2-78, retroactive to 10-1-78; Amended 9-28-87, eff. 10-1-87.]

Comment

The provisions in Subdivision (B) are retained for application in the event a blanket bond is not available under (A). Coverage by the fidelity position bond or bonds under both Subdivisions (A) and (B) shall not be restricted only to officials of the trial courts, but may be expanded to cover any employees of the trial courts or of the AOC. This exercise of discretion by the ADC will ensure that all individuals whose nature of work may include handling public funds are bonded by the state.

This rule is based in part upon Ala.Code 1975, Section 12-17-252, which authorizes the Supreme Court to provide for the bonding of all officials who will be handling money and, as provided in Subdivision (C), supersedes all other provisions of the Ala.Code 1975, relative to required bonds for the positions

herein covered. All statutes pertaining to the bonding of probate and municipal officers and employees are continued in effect. See Ala.Code 1975, Section 11-43-13, for coverage of municipal court clerks and magistrates and Ala.Code 1975, Section 12-13-33, for probate judges.