

ALABAMA RULES OF JUDICIAL ADMINISTRATION

Rule 27.

District court clerks.

(A) *Establishment of district clerk's office.* The Supreme Court may, upon written request of the clerk of the circuit court and the judges of the district court (after their consultation with the presiding circuit judge), the county commission, the president of the local bar, if any, the district attorney, and the administrative director of courts ("ADC"), authorize a separate clerk's office for the district court of a county. In determining the need for a separate district clerk's office, the Supreme Court shall consider, among other factors, the following criteria:

- (a) Caseload of the district court;
- (b) Personnel to be under the supervision of the district court clerk;
- (c) Revenues generated by the district court; and
- (d) Sound management practices.

(B) *Nomination and appointment of district court clerk.* Should a separate clerk's office for the district court be authorized, the ADC, with the advice and consent of the presiding judge of the circuit court and a majority of the district court judges of the district concerned, shall appoint, from a list of names submitted to the ADC, a clerk of the district court for the district wherein such separate office is authorized.

Thirty (30) days prior to such appointment, the ADC shall send to the chief justice of the Supreme Court, the presiding judge of the circuit, the circuit clerk, and the presiding judge of the district concerned, notice of the upcoming appointment, including the date the appointment is to be made.

Nominations for the office of clerk of the district court shall be submitted to the ADC not later than seven (7) days prior to the date of appointment. Nothing in this rule, or any other rule, shall prevent the ADC from submitting nominations for the office of clerk of the district court.

[Amended 11-9-76; Amended 9-28-87, eff. 10-1-87.]

Comment

Ala.Code 1975, Section 12-17-161, permits the Supreme Court to authorize a separate district clerk's office. This rule sets out the criteria and procedure for establishing a separate office of district clerk.

This Rule replaces former Rules 34 and 35.