

IN THE SUPREME COURT OF ALABAMA
April 27, 2011

ORDER

IT IS ORDERED that Rule 5.1, Alabama Rules of Juvenile Procedure, and the Court Comment to that rule be adopted to read in accordance with the appendix attached to this order;

IT IS FURTHER ORDERED that the adoption of this rule and the Court Comment shall be effective immediately;

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 5.1:

"Note from the reporter of decisions: The order adopting Rule 5.1 and the Court Comment to that rule, effective April 27, 2011, is published in that volume of the Alabama Reporter that contains Alabama cases from ___ So. 3d."

Cobb, C.J., and Woodall, Stuart, Bolin, Parker, Murdock, Shaw, Main, and Wise, JJ., concur.

I Robert G. Esdale, Sr., as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 27th day of April, 2011

Robert G. Esdale, Sr.
Clerk, Supreme Court of Alabama

APPENDIX

RULE 5.1. SALARY SUBSIDIES FOR JUVENILE PROBATION OFFICERS

For those juvenile probation officers who are not part of the state courts' personnel system and who are therefore not covered by Rule 9, Alabama Rules of Judicial Administration, the Administrative Office of Courts shall allocate to each county salary subsidies for juvenile probation officers at a ratio of one salary subsidy per 15,000 population or fraction thereof. The total number of salary subsidies to be allocated to each county shall be based on the 2000 federal decennial census or the last federal decennial census, taking the lower number of the two. The Administrative Director of Courts shall review the salary-subsidy allocations annually and may choose to increase the allocations, provided, however, that the Administrative Director of Courts cannot decrease the allocations below the minimum level of one salary subsidy per 15,000 population or fraction thereof.

The Administrative Office of Courts shall expend funds to provide a salary subsidy of twenty-two thousand dollars (\$22,000) or one-half of the total salary actually paid to a juvenile probation officer, whichever is greater, for the number of juvenile probation officers' subsidies provided to a county based on the ratio provided above. If the Administrative Office of Courts reduces funding by a certain percentage for state juvenile probation services, the salary subsidies for those juvenile probation officers covered by this rule shall be reduced by the same percentage.

Court Comment to Rule 5.1
Adopted Effective April 27, 2011

Because the allocation of salary subsidies for juvenile probation officers in counties that are in the state courts' personnel system are covered in Ala. Code 1975, § 12-5A-5(b)(1) and (b)(2), and Rule 9, Alabama Rules of Judicial Administration, this rule provides for the allocation of salary subsidies for juvenile probation officers in those counties that are not in the state courts' personnel system, i.e., Jefferson, Madison, Montgomery, Morgan, and Shelby Counties. The 2000 federal decennial census is used as the baseline because it was in 2000 that the other 62 counties were brought into the state courts' personnel system.