

**RULES FOR MANDATORY CONTINUING JUDICIAL EDUCATION
FOR SUPREME COURT JUSTICES, APPELLATE COURT JUDGES,
CIRCUIT COURT JUDGES, AND DISTRICT COURT JUDGES OF ALABAMA**

Rule 1. REQUIRED CONTINUING JUDICIAL EDUCATION

(a) Except as otherwise provided in these rules, all justices of the Supreme Court, judges of the Court of Civil Appeals, judges of the Court of Criminal Appeals, circuit court judges, and district court judges shall complete each year a minimum of 12 hours of approved continuing judicial education, 1 hour of which shall be on the subject of ethics.

(b) The annual reporting period for the purpose of complying with these rules shall run from January 1 through December 31.

(c) When a justice or judge completes more than 12 hours of continuing judicial education in a year, a maximum of 12 hours may be carried forward and credited toward that justice's or judge's required hours of continuing judicial education for the following year. Credit for completed hours of continuing judicial education above the annual 12-hour minimum may be carried forward for 1 year only.

(d) The effective date of these rules is January 1, 2022.

Rule 2. APPROVED JUDICIAL EDUCATION PROGRAMS

(a) A justice or judge shall receive credit for each hour spent attending educational programs relating to the law or judicial administration sponsored, organized, or approved by any local, state, or nationally recognized organization, such as a bar association or a judges' association.

(b) A justice or judge may seek credit for each hour spent attending educational programs relating to the law or judicial administration that are sponsored by an organization other than the types of organizations described in subdivision (a) of this rule by filing a request for approval with the director of the Alabama Judicial College ("the AJC"). The director of the AJC shall investigate the proposed program and make a recommendation to the Supreme Court regarding its approval. The justice or judge seeking approval under this subdivision shall attach an agenda of the program to the request.

(c) A justice or judge may use teleconferencing or videoconferencing technology to attend prerecorded or real-time online programs approved under this rule.

(d) A justice or judge participating as a teacher, lecturer, discussion leader, or panelist for a continuing judicial-education or legal-education program approved under this rule or any other rule promulgated by the Supreme Court regarding mandatory

continuing judicial or legal education shall receive three hours of credit for each hour of actual participation time; however, presentation of the same material on subsequent occasions within the same reporting period shall accrue credit for only the actual time of participation.

Rule 3. ANNUAL REPORTING

(a) As soon as practicable, district court and circuit court judges shall report their completed hours of continuing judicial education to the director of the AJC. Appellate court justices and judges shall report their completed hours of continuing judicial education to the clerk of their court. All hours completed by a justice or judge within a reporting period shall be reported no later than January 15 following the end of the reporting period.

(b) As soon as practicable after January 31 of each year, the director of the AJC and each appellate court clerk shall prepare and deliver an annual report to each justice or judge subject to these rules notifying the justice or judge of his or her compliance status for the previous reporting period.

Rule 4. NONCOMPLIANCE

(a) A justice or judge who fails to complete 12 hours of approved continuing judicial education by the end of a reporting period, i.e., by December 31 of the relevant year, will be deemed noncompliant.

(b) On or before February 15 of each year, any district court judge or circuit court judge deemed noncompliant for the previous reporting period shall submit a plan for curing the deficiency by March 1, on a form approved by the Supreme Court. The plan shall be submitted to the director of the AJC, who will assess the plan and make a recommendation to the Supreme Court regarding its approval. Any appellate court justice or judge deemed noncompliant for the previous reporting period shall submit directly to the Supreme Court a plan for curing the deficiency by March 1, on the form approved by the Supreme Court.

(c) By April 15 of each year, a noncompliant district court judge or circuit court judge shall complete an approved deficiency plan and shall notify the director of the AJC of the satisfactory completion of the deficiency plan. The director of the AJC shall report all satisfactory completions to the Supreme Court no later than April 20. Completion of an approved deficiency plan by a noncompliant appellate court justice or judge shall be reported directly to the Supreme Court by April 15. Failure to complete an approved deficiency plan by April 15 without good cause shall result in the Supreme Court's reporting the deficiency to the Judicial Inquiry Commission. Successive requests for approval of a deficiency plan will not be considered without a showing of good cause.

(d) As soon as practicable after April 20 of each year, the Supreme Court shall furnish to the Judicial Inquiry Commission a list of those justices and judges who have failed to complete the required hours of continuing judicial education.

Rule 5. EXEMPTIONS

(a) The Supreme Court shall have the authority to relieve any justice or judge of the requirement of completing the minimum hours required under these rules upon a showing of undue hardship caused by reason of disability or another satisfactory reason.

(b) These rules shall not apply to justices or judges over the age of 70 or retired justices or judges.

Rule 6. PETITION FOR SUPREME COURT REVIEW

Any justice or judge that disagrees with any recommendation or determination made by the director of the AJC may petition the Supreme Court for review.

[Adopted 12-17-21, eff 1-1-22]

Note from the reporter of decisions: The order adopting the Rules for Mandatory Continuing Judicial Education for Supreme Court Justices, Appellate Court Judges, Circuit Court Judges, and District Court Judges of Alabama, effective January 1, 2022, is published in that volume of *Alabama Reporter* that contains Alabama cases from __ So. 3d.