

Rules of Procedure for the Alabama Court of the Judiciary

Rule 26.

Selection and appointment of alternate judges.

In the event of disqualification or inability of a member of the Alabama Court of the Judiciary to serve, that member's replacement shall be selected from alternates. The Supreme Court of Alabama shall select an alternate judge of an appellate court; the Circuit Judges' Association shall select an Alternate 1 and an Alternate 2 from the circuit judges of the state; the District Judges' Association shall select an alternate from the district judges of the state; the Governor shall select, subject to Senate confirmation, an Alternate 1 and an Alternate 2 who are not lawyers; and the governing body of the Alabama State Bar shall select an Alternate 1 and an Alternate 2 from the membership of the State Bar.

Whenever any member of the Alabama Court of the Judiciary is disqualified or otherwise unable to serve on a case, then that member shall notify the Chief Judge and the Secretary of the Court. The Chief Judge shall appoint the first alternate to replace the regular member of the Court who is disqualified or unable to serve. In the event that the first alternate is disqualified or unable to serve, then the Chief Judge shall appoint the second alternate, if applicable. In the event that the Chief Judge is disqualified or unable to serve, then the Secretary will appoint the alternate to take the place of the Chief Judge.

[Added 3-12-74; Amended 5-25-2023.]

Note from the reporter of decisions: The order adopting the Rules of Procedure for the Alabama Court of the Judiciary was issued on March 11, 1974. Two subsequent orders adopting Rule 26 and amending Rule 2 were issued on March 12, 1974, and on March 15, 1976, respectively. Apparently, these orders were never published.

Note from the reporter of decisions: The order amending Rule 21 and Rule 26, Rules of Procedure for the Alabama Court of the Judiciary, effective May 25, 2023, is published in that volume of *Alabama Reporter* that contains Alabama cases from __ So. 3d.