

1 SB207
2 208758-2
3 By Senator Barfoot (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 09-FEB-21

SYNOPSIS: This bill would propose an amendment to the Constitution of Alabama of 1901, to provide that the Judge of Probate of Montgomery County would be required to be an attorney licensed in this state.

Also, under existing law, the circuit courts of the state have jurisdiction over equitable matter.

This bill would propose an amendment to the Constitution of Alabama of 1901, which would allow the Judge of Probate of Montgomery County to exercise equity jurisdiction concurrent with that of the circuit court in cases originally filed in the Probate Court of Montgomery County if the judge of probate is an attorney licensed to practice law in the State of Alabama.

A BILL
TO BE ENTITLED
AN ACT

1 manner as a case filed in circuit court. The Alabama Rules of
2 Civil Procedure shall apply in the cases except as otherwise
3 specifically provided by law. This amendment is
4 self-executing, but the Legislature may enact additional laws
5 to implement this amendment if needed.

6 Section 2. The appropriate election official shall
7 assign a ballot number for the proposed constitutional
8 amendment on the election ballot and shall set forth the
9 following description of the substance or subject matter of
10 the proposed constitutional amendment:

11 "Relating to Montgomery County, proposing an
12 amendment to the Constitution of Alabama of 1901, to provide
13 that the Judge of Probate of Montgomery County would be
14 required to be an attorney licensed in this state and to
15 authorize the Judge of Probate of Montgomery County to
16 exercise equity jurisdiction concurrent with that of the
17 circuit court in cases originally filed in the Probate Court
18 of Montgomery County if the Judge of Probate is an attorney
19 licensed to practice law in the State of Alabama.

20 "Proposed by Act _____"

21 This description shall be followed by the following
22 language:

23 "Yes () No ()."