

Report on the

**Supreme Court  
State of Alabama  
Montgomery, Alabama**

**October 1, 2016 through September 30, 2020**

Filed: November 19, 2021



**Department of  
Examiners of Public Accounts**

**401 Adams Avenue, Suite 280  
Montgomery, Alabama 36104-4338  
P.O. Box 302251  
Montgomery, Alabama 36130-2251  
Website: [www.examiners.alabama.gov](http://www.examiners.alabama.gov)**

*Rachel Laurie Riddle, Chief Examiner*



Rachel Laurie Riddle  
*Chief Examiner*

**State of Alabama**  
Department of  
**Examiners of Public Accounts**

P.O. Box 302251, Montgomery, AL 36130-2251  
401 Adams Avenue, Suite 280  
Montgomery, Alabama 36104-4338  
Telephone (334) 242-9200  
FAX (334) 242-1775

Honorable Rachel Laurie Riddle  
Chief Examiner of Public Accounts  
Montgomery, Alabama 36130

Dear Madam:

An examination was conducted on the Alabama Supreme Court, Montgomery, Alabama, for the period October 1, 2016 through September 30, 2020. Under the authority of the *Code of Alabama 1975*, Section 41-5A-19, I hereby swear to and submit this report to you on the results of the examination.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Daniel Dupree', is written over a light blue horizontal line.

Daniel Dupree  
Examiner of Public Accounts

rb

---

---

## *Table of Contents*

---

---

		<i>Page</i>
<b>Summary</b>		A
Contains items pertaining to state legal compliance.		
<b>Schedule of State Legal Compliance and Other Findings</b>		C
Contains detailed information about findings pertaining to state legal compliance and other findings.		
Exhibit #1	Schedule of Cash Receipts, Disbursements and Balances General Fund and Special Revenue Fund 1751	1
Exhibit #2	Schedule of Cash Receipts, Disbursements and Balances Administrative Fund	2
Exhibit #3	Schedule of Cash Receipts, Disbursements and Balances Docket Fee Fund	3
Exhibit #4	<b>Justices and Official</b> – a listing of the Court Justices and Official.	4

---



Department of  
**Examiners of Public Accounts**

**SUMMARY**

**Supreme Court  
October 1, 2016 through September 30, 2020**

This report presents the results of an examination of the Alabama Supreme Court (the “Court”) and a review of the Court’s compliance with applicable laws and regulations of the State of Alabama. This examination was conducted in accordance with the requirements of the Department of Examiners of Public Accounts under the authority of the *Code of Alabama 1975*, Section 41-5A-12. Our examination was performed to determine whether the public officers, agents, and employees of the Court properly and lawfully accounted for all money and other public assets, or resources received, disbursed, or in the custody of the Court. Our examination included determining compliance by the Court with state laws and regulations that pertain to financial transactions; personnel; safeguarding of state-owned assets, property, and resources; information dissemination, processing, and retention; and official actions, rulemaking procedures, and meetings. As a part of our examination, we also reviewed internal control policies and procedures relating to the areas listed above. Our examination did not encompass managerial and operational matters, such as whether the Court accomplished its mission or its regulatory, enforcement, investigative, or other oversight activities in an efficient, fair, timely, or legal manner.

The Court operates under the authority of the following sections of the *Code of Alabama 1975*:

- Sections 12-2-1 through 12-2-21
- Sections 12-2-30 through 12-2-38
- Section 12-2-50
- Sections 12-2-70 through 12-2-72
- Sections 12-2-90 through 12-2-100
- Sections 12-2-110 through 12-2-112
- Sections 12-2-130 through 12-2-132
- Section 12-2-157
- Sections 12-2-159 through 12-2-160
- Section 12-19-91
- Sections 12-4A-1 through 12-4A-2
- Sections 12-9A-1 through 12-9A-8
- Sections 12-10A-1 through 12-10A-6

The Court consists of a chief justice and eight associate justices elected by the qualified electors of the state. Justices hold their offices for a term of six years.

The Supreme Court operates from the following funds:

- **State General Fund Appropriation** – Fund 100 used for the general operations of the Supreme Court. Amounts unexpended revert at fiscal year-end.
- **Supreme Court – Federal** – Fund 1751 established by the State Comptroller in March 2020 to account for federal funds received by the Supreme Court.
- **Administrative Fund Checking Account** – Maintained at ServisFirst Bank for copy and certificate fees. The fund is disbursed for any judicial purposes the Supreme Court may direct on the monthly written requisition of the Chief Justice.
- **Docket Fee Checking Account** – Maintained at ServisFirst Bank solely for the deposit of docket and clerk fees collected. Amounts collected in the fund are paid to the State Treasury and the Supreme Court Library quarterly.

The Court owned nonconsumable personal property consisting of automobiles, office furniture, computers, and equipment. Nonconsumable personal property in the custody of the Court was compared with property records maintained by the Property Inventory Control Division of the State Auditor’s Office. No discrepancies were noted.

### **FINDINGS**

The following instances of noncompliance with State laws and regulations and other matters were found during the examination as shown on the Schedule of State Legal Compliance and Other Findings and they are summarized below.

- ◆ 2020-001 Relates to the Court not E-Verifying new employees within three business days after the employees began work for pay.
- ◆ 2020-002 Relates to the Court not submitting a professional services contract and a legal services contract to the Contract Review Permanent Legislative Oversight Committee.

### **EXIT CONFERENCE**

An exit conference was held on September 29, 2021. The following individuals attended: Tom Parker, Chief Justice; Associate Justices Jay Mitchell, William B. Sellers, Brad Mendheim, Mike Bolin, Tommy Bryan, Sarah Stewart, Kelli Wise; Julia Weller, Clerk of Court, and Larry Israel, Chief Financial Officer. Associate Justice Greg Shaw by telephone. Representing the Department of Examiners of Public Accounts were: Daniel Dupree, Accounts Examiner; Robin Hutcheson, Audit Manager; and Jason Paulk, Chief Legal Counsel.

---

*Schedule of State Legal  
Compliance and Other Findings*

---

---

***Schedule of State Legal Compliance and Other Findings***  
***For the Examination Period Ended September 30, 2020***

---

---

Ref. No.	Finding/Noncompliance
2020-001	<p><b><u>Finding:</u></b> The Court did not verify two employees’ employment eligibility through E-Verify by the third business day after the employees started work for pay. The employees’ employment eligibility was verified five to eighteen business days after the employees started work. As a result of the Court not verifying the employees’ employment eligibility through E-Verify within 3 business days of starting work, the Court could hire and employ an unauthorized alien.</p> <p>The <i>Code of Alabama 1975</i>, Section 31-13-15 (a) states, “No business entity, employer, or public employer shall knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Alabama.”</p> <p>Furthermore, the <i>E-Verify User Manual</i>, Section 2.2 states, “E-Verify cases must be created no later than the third business day after the employee starts work for pay.”</p> <p><b><u>Recommendation:</u></b> The Court should E-Verify all new employees within three business days of the employee's first day of employment.</p>
2020-002	<p><b><u>Finding:</u></b> The Court did not submit a contract for information technology consulting services paid on a state warrant from appropriated funds, and a contract for legal services to the Contract Review Permanent Legislative Oversight Committee. As a result, the Legislative Oversight Committee and the public were not aware of the Court’s contracts for professional and legal services.</p> <p>The <i>Code of Alabama 1975</i>, Section 29-2-41 states: “Each state department entering into a contract to be paid out of appropriated funds, federal or state, on a state warrant which is notified by the committee is required to submit to the committee any proposed contract for personal or professional services...”</p> <p>The <i>Code of Alabama 1975</i>, Section 29-2-41.2(b) states: “Notwithstanding any other provisions of this article, all contracts for employment of an attorney to provide legal services, including contracts involving an attorney providing legal services under an agreement with the Attorney General, shall be reviewed by the committee.”</p> <p><b><u>Recommendation:</u></b> The Court should submit professional services contracts that are paid on a state warrant out of appropriated funds, and legal services contracts to the Contract Review Oversight Committee.</p>

***Schedule of Cash Receipts, Disbursements and Balances***  
***General Fund and Special Revenue Fund 1751***  
***For the Period October 1, 2016 through September 30, 2020***

	2019-2020	2018-2019	2017-2018	2016-2017
<b>Receipts</b>				
General Fund Allotments	\$ 11,436,606.00	\$ 10,783,276.00	\$ 11,049,127.00	\$ 10,979,963.00
Interfund Federal Programs	10,832.00			
Total	11,447,438.00	10,783,276.00	11,049,127.00	10,979,963.00
<b>Disbursements</b>				
Personnel Costs	6,926,412.10	6,706,761.89	6,627,111.58	6,122,291.05
Employee Benefits	2,635,594.17	2,564,413.64	2,534,615.28	2,336,346.13
Travel, In-State	10,893.27	20,018.40	7,466.84	20,061.67
Travel, Out-of-State	3,318.25	4,336.55	7,320.07	8,408.44
Repair and Maintenance	220,346.79	86,248.68	118,520.38	189,778.67
Rentals and Leases	27,614.71	28,752.05	25,710.88	25,615.77
Utilities and Communication	167,388.44	150,107.98	180,989.56	193,747.61
Professional Services	118,881.94	78,187.09	86,899.56	178,895.71
Supplies, Materials, and Operating Expenses	252,960.70	224,487.34	246,638.78	263,476.07
Transportation Equipment Operations	8,112.40	4,898.84	7,782.33	3,104.72
Grants and Benefits	250,697.00	250,697.00	247,231.00	250,697.00
Other Equipment Purchases	104,021.71	53,160.07	47,790.10	61,186.94
General Fund Reversion	351,992.33	609,688.30	914,299.53	1,431,218.32
Total	11,078,233.81	10,781,757.83	11,052,375.89	11,084,828.10
Excess (Deficiency) of Receipts Over Disbursements	369,204.19	1,518.17	(3,248.89)	(104,865.10)
Cash Balances at Beginning of Year	34,035.81	32,517.64	35,766.53	140,631.63
Cash Balances at End of Year	403,240.00	34,035.81	32,517.64	35,766.53
Reserved for Unpaid Obligations	(403,240.00)	(34,035.81)	(32,517.64)	(35,766.53)
Unreserved Cash Balances at End of Year	\$	\$	\$	\$



***Schedule of Cash Receipts, Disbursements and Balances***  
***Administrative Fund***  
***For the Period October 1, 2016 through September 30, 2020***

	2019-2020	2018-2019	2017-2018	2016-2017
<b><u>Receipts</u></b>				
Certificate and Copy Fees	\$ 24,359.77	\$ 25,757.35	\$ 30,352.59	\$ 36,597.76
Interest	232.95	270.64	205.96	155.59
Total	<u>24,592.72</u>	<u>26,027.99</u>	<u>30,558.55</u>	<u>36,753.35</u>
<b><u>Disbursements</u></b>				
Meetings, Seminars, and Ceremonies	7,439.88	14,990.09	7,543.17	6,439.77
Legal Expenses			14,160.90	
Miscellaneous	16,288.34	15,751.82	7,030.39	3,492.71
Bank Charges	18.00	6.00	65.76	6.00
Total	<u>23,746.22</u>	<u>30,747.91</u>	<u>28,800.22</u>	<u>9,938.48</u>
Excess (Deficiency) of Receipts Over Disbursements	846.50	(4,719.92)	1,758.33	26,814.87
Cash Balances at Beginning of Year	<u>73,634.82</u>	<u>78,354.74</u>	<u>76,596.41</u>	<u>49,781.54</u>
Cash Balances at End of Year	<u>\$ 74,481.32</u>	<u>\$ 73,634.82</u>	<u>\$ 78,354.74</u>	<u>\$ 76,596.41</u>

***Schedule of Cash Receipts, Disbursements and Balances***  
***Docket Fund***  
***For the Period October 1, 2016 through September 30, 2020***

	2019-2020	2018-2019	2017-2018	2016-2017
<b>Receipts</b>				
Docket Fees	\$ 99,000.00	\$ 99,450.00	\$ 108,050.00	\$ 112,550.00
Interest	47.16	47.22	41.83	37.86
Total	99,047.16	99,497.22	108,091.83	112,587.86
<b>Disbursements</b>				
State Treasurer	98,340.00	96,480.00	107,015.00	106,420.00
Supreme Court and State Law Library	2,860.00	2,820.00	3,135.00	3,130.00
Refunds	150.00	50.00		250.00
Bank Charges	10.00	6.00	6.00	
Total	101,360.00	99,356.00	110,156.00	109,800.00
Excess (Deficiency) of Receipts Over Disbursements	(2,312.84)	141.22	(2,064.17)	2,787.86
Cash Balances at Beginning of Year	26,323.48	26,182.26	28,246.43	25,458.57
Cash Balances at End of Year	\$ 24,010.64	\$ 26,323.48	\$ 26,182.26	\$ 28,246.43

---

---

***Justices and Official***  
***October 1, 2016 through September 30, 2020***

---

---

<b>Justices</b>		<b>Term Expires</b>
Hon. Tom Parker	Chief Justice	2025
Hon. Michael Bolin	Associate Justice	2023
Hon. Greg Shaw	Associate Justice	2021
Hon. Kelli Wise	Associate Justice	2023
Hon. Tommy Bryan	Associate Justice	2025
Hon. William B. Sellers	Associate Justice	2025
Hon. Brady Mendheim	Associate Justice	2021
Hon. Sarah Stewart	Associate Justice	2025
Hon. Jay Mitchell	Associate Justice	2025
Hon. Jim Main	Associate Justice	2019
Hon. Glenn Murdock	Associate Justice	2019 (1)
Hon. Lyn Stuart	Chief Justice	2019
Hon. Roy Moore	Chief Justice	2019 (2)

**Official**

Julia J. Weller  
Clerk of Court  
300 Dexter Avenue  
Montgomery, AL 36104  
Phone: (334) 229-0700  
judicial.alabama.gov

(1) Retired January 2018

(2) Resigned April 2017