

1 SB162  
2 147875-1  
3 By Senators Holtzclaw, Taylor, Williams and Whatley  
4 RFD: Veterans and Military Affairs  
5 First Read: 07-FEB-13

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8 SYNOPSIS: This bill would authorize the Chief Justice  
9 of the Alabama Supreme Court to establish veterans'  
10 treatment courts to provide specialized dockets to  
11 handle criminal cases involving veterans and active  
12 members of the U. S. Armed Forces. The bill would  
13 also authorize the Administrative Office of Courts  
14 to seek federal funding for the purposes of the  
15 program.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
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21 Related to veterans and active members of the U.S.  
22 Armed Forces; to add a new Chapter 26 to Title 12, Code of  
23 Alabama 1975, to authorize the Chief Justice of the Alabama  
24 Supreme Court to establish veterans' treatment courts and to  
25 seek funding for that purpose.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. The Legislature recognizes the importance  
2 of active military personnel, veterans, and military  
3 facilities to the well-being, safety, and economic development  
4 of the State of Alabama. The Legislature further recognizes  
5 and finds it is in the best interests of the State of Alabama  
6 to develop voluntary veterans' treatment courts to avoid  
7 unnecessary incarceration of veterans who have developed  
8 mental health or other problems, with the goal to divert  
9 veterans with those issues from the traditional justice system  
10 and to give them treatment and tools for rehabilitation and  
11 readjustment.

12           Section 2. The following new Chapter 26 is added to  
13 Title 12 of the Code of Alabama 1975, consisting of Sections  
14 12-26-1 through 12-26-3, to read as follows:

15           Chapter 26. Veterans' Treatment Courts.

16           §12-26-1.

17           As used in this chapter, unless the context  
18 otherwise indicates, "veterans' treatment court" means a  
19 specialized sentencing docket in select criminal cases in  
20 which the defendant is a veteran or member of the United  
21 States Armed Forces, to enable veterans agencies and social  
22 services agencies to provide treatment for that defendant. The  
23 court shall not provide treatment, but shall contract or  
24 collaborate with experienced and expert treatment providers.

25           §12-26-2.

1 (a) The Chief Justice of the Supreme Court may  
2 establish veterans' treatment courts for veterans and members  
3 of the United States Armed Forces.

4 (b) The Supreme Court may adopt administrative  
5 orders and court rules of practice and procedure as necessary  
6 to implement this chapter.

7 §12-26-3.

8 (a) The Administrative Office of Courts may seek  
9 federal funding for the establishment, maintenance, or  
10 expansion of veterans' treatment courts. Any funds received  
11 shall be continuously appropriated and used for the purposes  
12 of this chapter.

13 (b) The Administrative Office of Courts may enter  
14 into contracts and cooperative agreements with departments and  
15 agencies to provide treatment and other social services to  
16 participants. The departments and agencies shall collaborate  
17 and, to the extent possible, provide financial and other  
18 assistance to the judicial branch in order to establish and  
19 maintain veterans' treatment courts.

20 Section 3. All laws or parts of laws which conflict  
21 with this act are repealed.

22 Section 4. This act shall become effective  
23 immediately following its passage and approval by the  
24 Governor, or its otherwise becoming law.