

Bond Case Briefs

Municipal Finance Law Since 1971

COUNTIES - ALABAMA

Mobile County v. Rich

Supreme Court of Alabama - March 11, 2016 - So.3d - 2016 WL 933065

District attorney filed complaint against county seeking declaratory relief and damages with regard to funding of employees of district attorney's office. County filed counterclaims. The Mobile Circuit Court ordered county to provide certain funding. Parties appealed.

The Supreme Court of Alabama held that:

- Local acts requiring county to provide certain funding to district attorney's office were constitutional;
- Local acts required county to fund all but \$15,000 of salaries for office employees;
- "trial coordinators" who were actually performing work of "legal stenographers" were entitled to be paid as legal stenographers;
- County was not entitled to reimbursement of funds paid to office, even though office had received funding from outside sources;
- County was not required to provide funding for salaries of certain individuals working in investigation unit of office; and
- Failure of past district attorneys to insist that county adhere to statutorily-mandated funding requirements did not prevent self-executing modification of salary-funding-schedule amounts.

Local acts requiring county to provide certain funding to district attorney's office did not violate constitutional provision that no money shall be paid out of treasury except upon appropriations made by law. County's payments were not paid out of State treasury, and there was no argument that actual warrants received by employees of district attorney's office were not properly issued pursuant to lawful appropriations.

Local acts requiring county to provide certain funding to district attorney's office did not violate constitutional provision that legislature shall have no power to require any county to grant extra compensation to any public officer, employee, agent, or contract after service shall have been rendered; trial court did not grant "back pay" or amounts due for salary increases that should have occurred in the past, and attorneys were employees at will.