

STATE ALABAMA

SUPREME COURT  
SUE BELL COBB, CHIEF JUSTICE



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**STATEMENT OF CHIEF JUSTICE SUE BELL COBB  
SUPREME COURT COURTROOM  
JUNE 29, 2011**

Good Morning:

For many months, there has been speculation about whether or not I would seek re-election for a second term as Chief Justice of the Alabama Supreme Court. Indeed, it is a high honor to lead the Alabama Supreme Court and the Unified Judicial System. I have been humbled to have the support from citizens all over the state from Athens to Andalusia, from Florence to Fairhope. I hope that the people of Alabama know that we have one of the finest court systems in our nation, not necessarily because of my leadership, but due to the wisdom and courage of two former Chief justices, Senator Howell Heflin, whose vision enabled us to be among the first in the nation to unify its trial courts, and Chief Justice Bo Torbert, who took that vision and made it a reality. Their courage and tenacity allowed us to eliminate non-lawyer trial judges and provide the platform for innovations such as small claims courts, model drug courts, statewide e-filing and countless innovations that have saved taxpayers millions of dollars. Chief Justice Torbert worked tirelessly with the Alabama Legislature to secure adequate funding for the courts, and the task of seeking funding has proven to be a struggle for each of his successors, including myself.

During the past ten years, the Legislature has enacted \$66.3 million in increased costs while only increasing the Court's appropriation \$18.8 million. Absorbing this alarming reduction in funding could not have been accomplished if it had not been for the ingenuity and outstanding efforts of the court officials and state employees who work in the

Administrative Office of Courts and in the courthouses in 67 counties. I am so very proud of them.

It is because of these dedicated public servants that I must make this announcement but yet, I am so reluctant to do so .... I do so after much time spent in prayer and seeking true guidance as to what is in the best interest of the Alabama Court System and my family.

Consequently, for a variety of reasons, I have decided not only to announce that I will not seek another term but also that I will be stepping down as Chief Justice.

This decision has been infinitely more difficult because of the inadequate funding budgeted by the Legislature for our judicial system. I desperately wanted to depart leaving the system on better financial footing than when I came.

Although I look at numerous accomplishments which have been achieved during the last four and one-half years, one of my keenest disappointments has been my inability to convince the members of the Legislature to improve the method in which judges are selected in our state. For three legislative sessions, I worked with fine legislators such as former Representative Jeff McLaughlin, to change our partisan, costly judicial election method. Although our state has had the most expensive appellate court races in the country with Alabama appellate candidates raising \$41 million over a nine year period compared to a grand total of \$7,500 in our sister state of Florida, Republicans and Democrats alike refused to remove partisan labels on judicial races. Alabama appellate court judges should be selected either on merit and retained or rejected by a vote of all the people, or at least campaign without the added political emphasis of party labels. On this issue, I agree with the generalization penned by Author Jim Harrison, "We are at the mercy of political forces which are always self-serving and dead wrong." To do otherwise is to perpetuate the public perception that judges are selected more on campaign contributions than on ability.

Governor Bentley has proven in just six months in office that he understands and appreciates the essential qualities of a good jurist. Put simply, that someone who has the distinct honor to wear a judge's black robe, should have a true and

balanced knowledge of the law and an abiding concern for people. Governor Bentley's judicial appointments since his inauguration have proven he understands the essential role that judges play in our society. Consequently, I trust Governor Bentley's judgment in selecting my replacement.

Now for my personal reasons: My mother is 87 and my daughter, Caitlin, is 15. Another statewide race at this point in time would require me to raise millions of dollars while constantly endeavoring to appear and remain impartial and would require me to sacrifice precious time which I could be spending with my family.

Although I am reluctant to leave for many reasons, I am now entering a new phase of my life. Beginning the first day of August, I will be able to dedicate the bulk of my time to being a better wife, mother, daughter, grandmother, sister, church member and friend.

I urge Governor Bentley to appoint someone who is an experienced trial judge, someone who understands that the most important aspects in people's lives are impacted by the court system: their children, homes, jobs, reputations, freedom, or whether they, in fact, will live or die. I pray that my replacement will dedicate his or her time and energy to improving the access and quality of the justice system and most importantly, will be someone who cares about doing what is right rather than doing what is politically expedient, someone who cares more about the "next generation, than the next election."

I want to thank my family, particularly Bill and Caitlin, for the years of sacrifice which have enabled me to serve the people of Alabama for the past 30 years; my brother, Jimmy, who has daily cared for my parents; my staff who has supported me as I made important decisions in appellate cases while endeavoring to improve the justice system; and lastly, I want to thank my partner in all of my justice system reform efforts, Administrative Director of Courts, Callie Dietz, the finest court administrator in the nation.

I want to thank all of you for being here, for your steadfast support and your friendship. Thank you and God bless you all.

**Total Supreme Court Fundraising Ranked by State, 2000-2009**

Totals:  
**537\*\*\*\*** Candidates Raised  
**\$206,941,244\*\*\*\***

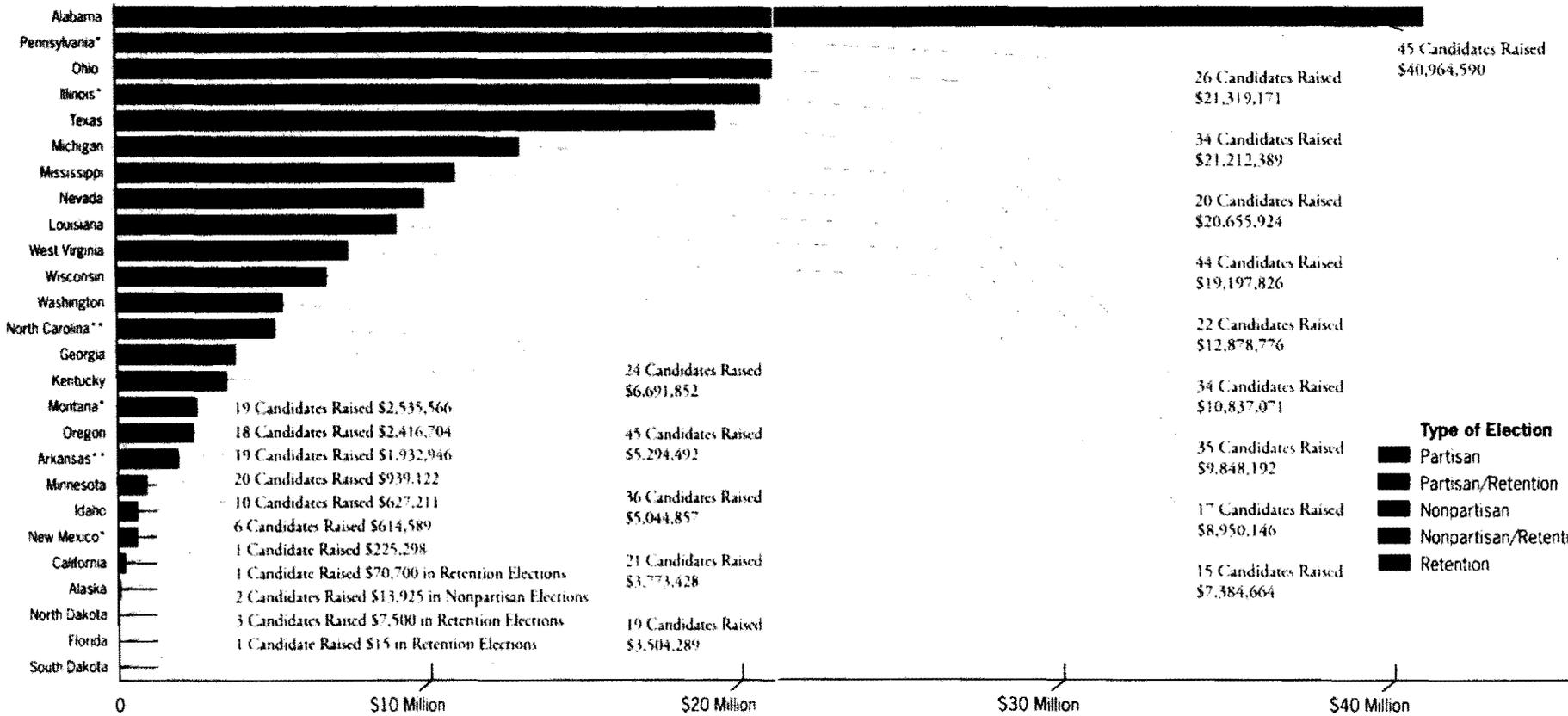


Figure 2  
 \*Four states—Illinois, Montana, New Mexico and Pennsylvania—have hybrid systems that use more than one process to select and retain high court judges. In addition, the American Judicature Society lists Michigan and Ohio as partisan election states, because candidates are nominated through party primaries and conventions. For full details, see the AJS Judicial Selection in the States section: [www.ajs.org](http://www.ajs.org)

\*\* Arkansas and North Carolina held partisan elections for high court through 2000. Both switched to nonpartisan elections in 2002.  
 \*\*\* Reflects the number of names appearing on the ballot for voters to choose among. For instance, where the same candidate has appeared on the ballot in three separate elections, he or she is listed as three candidates.  
 \*\*\*\* Includes money raised by candidates for elections in future years, as well as candidates who withdrew before an election was held.