

ALABAMA

Alabama originally was part of the Mississippi Territory. It became a territory in its own right in 1817, followed by statehood two years later. Initially a single district state, Alabama was divided into the Northern and Southern Districts in 1824, but the same judge presided over both districts.¹ The Middle District followed in 1839, again with only one judge for all three districts.²

AL.MD.01 is the original judgeship which—prior to the addition of a second seat in 1886—first served the entire state, then two and then all three of the state’s districts. The 1886 seat being for the Southern District,³ AL.MD.01 retained jurisdiction over the Middle and Northern Districts until 1936, when it was assigned exclusively to the Middle District.⁴ AL.SD.02 was created in 1966 to serve both the Middle and Southern Districts⁵ until an additional judgeship was authorized for the Middle District four years later.⁶

AL.ND.02 was legislated in 1938 as a temporary slot, with the provision that the next vacancy on this court would not be filled. When Judge Davis died later in that same year, AL.ND.01 ended and AL.ND.02 continued as a permanent line. AL.ND.09 also was created as a temporary position in 1990, but it was not converted and as a consequence Judge Acker’s line (AL.ND.03.04) ended, as mandated by the 1995 act.⁷ AL.ND.10 was also created as a temporary position,⁸ stipulating that the first vacancy occurring on the court 10 or more years after the confirmation of the Judge Proctor would not be filled.

With the reorganization of the Fifth Circuit in 1980,⁹ Alabama joined Florida and Georgia in the

¹Act of March 10, 1824, 4 STAT. 9.

²Act of February 6, 1839, 5 STAT. 315. For more detail see, Tony Freyer and Timothy Dixon, *Democracy and Judicial Independence: A History of the Federal Courts of Alabama, 1820-1994* (Brooklyn: Carlson Publishing, 1995).

³Act of April 21, 1820, 3 STAT. 564. See Judge Charles Tait’s line.

⁴Act of June 5, 1936, 49 STAT. 1476.

⁵Act of March 18, 1966, 80 STAT. 75.

⁶Act of June 2, 1970, 84 STAT. 294.

⁷Acts of December 1, 1990, 104 STAT. 5089; November 28, 1995, 109 STAT. 635. The latter act stipulated that any vacancy occurring on the Northern District five or more years after the confirmation of the judge appointed to the temporary judgeship, namely Judge Blackburn on May 24, 1991, would not be filled. This happened on May 31, 1996 when Judge Acker retired.

⁸Act of November 2, 2002, 116 STAT. 1758.

⁹Act of October 15, 1980, 94 STAT. 1994. See Harvey C. Couch, *A History of the Fifth Circuit 1891-1981* (Washington: Judicial Conference of the United States, 1984); Deborah J. Barrow and Thomas G. Walker, *A Court Divided: The Fifth Circuit Court of Appeals and the Politics of Judicial Reform* (New Haven: Yale University Press, 1988).

new Eleventh where it remains. Alabama has fourteen judgeships, distributed as follows: three each in the Middle and Southern Districts, and eight in the Northern District.

Statutory History		
<i>Seat</i>	<i>Legislation</i>	<i>Authority</i>
AL.MD.01	Act of April 21, 1820	3 STAT. 564
AL.MD.02	Act of June 2, 1970	84 STAT. 294
AL.MD.03	Act of October 20, 1978	92 STAT. 1629
AL.ND.01	Act of February 25, 1907	34 STAT. 931
AL.ND.02	Act of March 26, 1938	52 STAT. 120
AL.ND.03	Act of December 24, 1942	56 STAT. 1092
AL.ND.04	Act of May 19, 1961	75 STAT. 80
AL.ND.05	Act of June 2, 1970	84 STAT. 294
AL.ND.06	Act of October 20, 1978	92 STAT. 1629
AL.ND.07	Act of October 20, 1978	92 STAT. 1629
AL.ND.08	Act of October 20, 1978	92 STAT. 1629
AL.ND.09	Act of December 1, 1990	104 STAT. 5089
AL.ND.10	Act of November 2, 2002	116 STAT. 1758
AL.SD.01	Act of August 2, 1886	24 STAT. 213
AL.SD.02	Act of March 18, 1966	80 STAT. 75
AL.SD.03	Act of July 10, 1984	98 STAT. 333

Seat Histories					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
AL.MD.01.01	Tait, Charles	May 13, 1820	February 1, 1826	Resigned	Jeffersonian Democrat
AL.MD.01.02	Crawford, William	May 22, 1826	February 28, 1849	Deceased	Democrat

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<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
AL.MD.01.03	Gayle, John	March 13, 1849	July 21, 1859	Deceased	Whig
AL.MD.01.04	Jones, William Giles	January 30, 1860 ¹⁰	January 1, 1861	Resigned	Democrat
AL.MD.01.05	Busteed, Richard	January 20, 1864 ¹¹	January 1, 1874	Resigned	Unionist
AL.MD.01.06	Bruce, John	February 27, 1875	October 1, 1901	Deceased	Republican
AL.MD.01.07	Jones, Thomas Goode	December 17, 1901 ¹²	April 28, 1914	Deceased	Democrat
AL.MD.01.08	Clayton, Henry De Lamar	May 2, 1914	December 21, 1929	Deceased	Democrat
AL.MD.01.09	Kennamer, Charles Brents	February 20, 1931	June 3, 1955	Deceased	Republican
AL.MD.01.10	Johnson, Frank M., Jr.	January 31, 1956 ¹³	June 21, 1979	Elevated to Fifth Circuit	Republican
AL.MD.01.11	Thompson, Myron H.	September 26, 1980	Active	Active	Democrat
AL.MD.02.01	Varner, Robert E.	April 21, 1971	June 12, 1986	Retired	Republican
AL.MD.02.02	Dubina, Joel F.	September 12, 1986	October 1, 1990	Elevated to Eleventh Circuit	Republican
AL.MD.02.03	Albritton, William H., III	May 9, 1991	May 17, 2004	Retired	Republican

¹⁰Recess appointment, September 29, 1859.

¹¹Recess appointment, November 17, 1863.

¹²Recess appointment, October 7, 1901.

¹³Recess appointment, October 22, 1955.

Seat Histories					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
AL.MD.02.04	Watkins, William Keith	December 21, 2005	Active	Active	Republican
AL.MD.03.01	Hobbs, Truman M.	April 3, 1980	February 8, 1991	Retired	Democrat
AL.MD.03.02	DeMent, Ira, III	March 13, 1992	April 15, 2002	Retired	Republican
AL.MD.03.03	Fuller, Mark E.	November 14, 2002	Active	Active	Republican
AL.ND.01.01	Hundley, Oscar Richard	Not confirmed ¹⁴	May 24, 1909	Not confirmed	Republican
AL.ND.01.02	Grubb, William Irwin	May 18, 1909	October 27, 1935	Deceased	Democrat
AL.ND.01.03	Davis, David Jackson	January 22, 1936 ¹⁵	December 7, 1938	Deceased	Democrat
AL.ND.02.01	Murphree, Thomas A.	May 17, 1938	September 5, 1945	Deceased	Democrat
AL.ND.02.02	Lynne, Seybourn Harris	December 20, 1945	January 9, 1973	Retired	Democrat
AL.ND.02.03	Hancock, James Hughes	April 10, 1973	May 1, 1996	Retired	Republican
AL.ND.02.04	Johnson, Inge Prytz	October 8, 1998	Active	Active	Democrat
AL.ND.03.01	Mullins, Clarence H.	April 7, 1943	May 31, 1953	Retired	Democrat

¹⁴Recess appointment, April 9, 1907.

¹⁵Recess appointment, December 10, 1935.

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AL.ND.03.02	Grooms, Harlan H.	July 31, 1953	February 3, 1969	Retired	Republican
AL.ND.03.03	McFadden, Frank H.	August 8, 1969	January 1, 1982	Resigned	Republican
AL.ND.03.04	Acker, William Marsh, Jr.	August 18, 1982	May 31, 1996	Retired	Republican
AL.ND.04.01	Allgood, Clarence W.	February 5, 1962 ¹⁶	January 9, 1973	Retired	Democrat
AL.ND.04.02	Guin, Junius Foy, Jr.	April 10, 1973	February 2, 1989	Retired	Republican
AL.ND.04.03	Nelson, Edwin L.	January 23, 1990	May 17, 2003	Died	Republican
AL.ND.04.04	Hopkins, Virginia Emerson	June 15, 2004	Active	Active	
AL.ND.05.01	Pointer, Sam C., Jr.	October 8, 1970	November 19, 1999	Retired	Republican
AL.ND.05.02	Bowdre, Karon O.	November 6, 2001	Active	Active	Republican
AL.ND.06.01	Clemon, U.W. ¹⁷	June 26, 1980	Active	Active	Democrat
AL.ND.07.01	Haltom, Elbert B., Jr.	May 29, 1980	December 31, 1991	Retired	Democrat
AL.ND.07.02	Smith, C. Lynwood, Jr.	December 22, 1995	Active	Active	Democrat

¹⁶Recess appointment, October 5, 1961.

¹⁷First African American district judge appointed from Alabama.

Seat Histories					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
AL.ND.08.01	Propst, Robert B.	May 29, 1980	July 15, 1996	Retired	Independent
AL.ND.08.02	Buttram, H. Dean, Jr.	October 8, 1998	June 30, 2002	Resigned	Democrat
AL.ND.08.03	Coogler, L. Scott	May 22, 2003	Active	Active	
AL.ND.09.01	Blackburn, Sharon Lovelace ¹⁸	May 24, 1991	Active	Active	Republican
AL.ND.10.01	Proctor, R. David	September 17, 2003	Active	Active	
AL.SD.01.01	Toulmin, Harry Theophilus	January 13, 1887	November 12, 1916	Deceased	Democrat
AL.SD.01.02	Ervin, Robert Tait	January 23, 1917	January 31, 1935	Retired	Democrat
AL.SD.01.03	McDuffie, John	February 7, 1935	November 1, 1950	Deceased	Democrat
AL.SD.01.04	Thomas, Daniel Holcombe	March 6, 1951	August 25, 1971	Retired	Democrat
AL.SD.01.05	Hand, William Brevard	September 21, 1971	January 19, 1989	Retired	Republican
AL.SD.01.06	Vollmer, Richard W., Jr.	May 11, 1990	December 31, 2000	Retired	Republican
AL.SD.01.07	Steele, William H.	March 13, 2003	Active	Active	
AL.SD.02.01	Pittman, Thomas Virgil	June 29, 1966	July 15, 1981	Retired	Democrat

¹⁸First female district judge appointed from Alabama.

Seat Histories					
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AL.SD.02.02	Cox, Emmett Ripley	November 18, 1981	April 18, 1988	Elevated to Eleventh Circuit	Republican
AL.SD.02.03	Butler, Charles R., Jr.	October 14, 1988	March 28, 2005	Retired	Republican
AL.SD.02.04	DuBose, Kristi	December 21, 2005	Active	Active	Republican
AL.SD.03.01	Howard, Alex T., Jr.	October 8, 1986	October 21, 1996	Retired	Republican
AL.SD.03.02	Granade, Callie V.	February 4, 2002	Active	Active	Independent

