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**Attorney General Steve Marshall Welcomes Federal Court Ruling Upholding
Constitutionality of Alabama’s System of Electing Appellate Judges**

(MONTGOMERY) – Attorney General Steve Marshall welcomed a federal court decision Wednesday upholding the constitutionality of Alabama’s system of electing appellate judges.

The Middle District Court of Alabama ruled against the Alabama NAACP and four individual voters who sought an injunction against the State’s method of electing appellate judges statewide on grounds that it contravenes Section 2 of the Voting Rights Act as well as constitutional prohibitions against intentional racial discrimination.

“Today, the federal court held that the State of Alabama’s long-standing system of electing appellate judges does not conflict with the Voting Rights Act or violate the Fourteenth or Fifteenth Amendments,” said Attorney General Marshall.

“We presented evidence, and the Court agreed, that Alabama’s method of electing appellate judges is not designed to discriminate against African Americans and that it does not discriminate against them. Alabama’s statewide system of electing appellate judges was first approved more than one hundred years ago and is similar to election methods used in other States. Election outcomes are the result of partisan shifts in the State’s voting population and not due to an intent to favor or to disfavor any particular ethnic group.”

In its ruling upholding Alabama’s appellate judge election system, the Court noted Alabama’s historical shifts in political leadership which owe their existence to “visionary political strategy” rather than a prejudicial method of electing judges.

The Court decision noted: “African Americans have served at the highest reaches of state government and they can do so again. There is a time for everything. Lest it be forgotten, Oscar Adams was appointed to the Supreme Court two years before George Wallace’s last election as governor, and Justice Oscar Adams ran and won in 1982 on the same ballot with George Wallace. Justice Adams’s success was the result of visionary political thinking by a strongly unified Democratic Party that rejected the politics of the past. But that time has slipped away; in politics, time victimizes times. Not so the law; it eschews the noise of now.”

“Based on the evidence, Alabama’s at-large, statewide system of electing appellate judges today is benign of racial hostility, either overt or covertly lurking in the recesses of Section 2, and is not racially discriminatory either in its adoption or maintenance,” the Court concluded.

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Attorney General Marshall congratulated the members of his Constitutional Defense team, including Deputy Attorney General James Davis, former Assistant Attorney General Laura Howell, and Assistant Attorneys General Misty Messick and Winfield Sinclair, for their hard work in successfully defending the State's case.

Link to Court's [Decision](#)