

OFFICE OF THE ATTORNEY GENERAL

85-00502



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SEP 6 1985

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64 NORTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 834-5150

Honorable Charles M. Pendley
President
Northeast Alabama Junior College
P. O. Box 159
Rainsville, AL 35986

Colleges and Universities -
Employees, Employers, Employ-
ment - Fair Dismissal Act -
Education - Act No. 83-644

The county in which the
school's administration
building is located is the
county for determining the
proper probate judge with
regard to the Fair Dismissal
Act.

Dear Mr. Pendley:

We are in receipt of your recent request for an opinion from the Attorney General. Your question involves Act No. 83-644, commonly referred to as the Fair Dismissal Act. You state:

Particularly, I have a question relative to Section 6 of this Act concerning the selection of the third member in the appellate process by the probate judge. Since Northeast Alabama State Junior

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College physically straddles both DeKalb and Jackson counties with land and structures in both counties, to which probate judge should I apply to for nominations in the appellate process?

Section 6 of the statute states in part that ". . . the Probate Judge of the county in which the dispute originated" As most "disputes" would originate in the Administration Building, the county in which the Administration Building is located is the proper county. Therefore, it is the opinion of this office that the Probate Judge of the county in which the Administration Building is located is the proper judge.

I hope this fully answers your question. If, however, we may be of further service, please don't hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK
ATTORNEY GENERAL
By-


ALICE ANN BOSWELL
ASSISTANT ATTORNEY GENERAL

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