



IN THE SUPREME COURT OF ALABAMA

July 22, 2025

ORDER

IT IS ORDERED that Rule 44, Alabama Rules of Judicial Administration, be amended to read in accordance with Appendix A to this order;

IT IS FURTHER ORDERED that the Committee Comments to the Amendment of Rule 44 Effective September 1, 2025, be adopted to read in accordance with Appendix B to this order;

IT IS FURTHER ORDERED that the amendment of Rule 44 and the adoption of the Committee Comments thereto are effective September 1, 2025; and

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 44:

"Note from the reporter of decisions: The order amending Rule 44, Alabama Rules of Judicial Administration, and adopting the Committee Comments thereto, effective September 1, 2025, is published in that volume of *Alabama Reporter* that contains Alabama cases from __ So. 3d."

Stewart, C.J., and Shaw, Wise, Bryan, Sellers, Mendheim, Cook, McCool, and Lewis, JJ., concur.

Witness my hand and seal this 22nd day of July, 2025.

Megan B. Rhodelsek

**Clerk of Court,
Supreme Court of Alabama**

**FILED
July 22, 2025**

**Clerk of Court
Supreme Court of Alabama**



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APPENDIX A

Rule 44. Electronic Filing of Documents

(A) Electronic Filing. Any document electronically filed in a case, other than an appellate case, in which electronic filing is authorized must be accepted by the clerk of the court, except that the Administrative Office of Courts ("the AOC") has the discretion to determine the types of documents that are not available for electronic filing. The clerk of the court is not responsible for verifying that the version of the electronically filed document available for viewing through the court's electronic-filing system is complete, clear, and accurately depicts the document as transmitted. Individuals who file documents electronically in a case must remain diligent in keeping track of the updated list of document types that are not available for electronic filing. The AOC will publish policies and procedures pertaining to electronic filing to be placed on the AOC's website.

(B) Difficulties Caused by Technology. If a party misses a filing deadline because of a technical inability to electronically file a document, the party must file the document within the time prescribed in this rule, accompanied by a motion to accept the document as timely filed, before the court will accept the document. The motion must include a declaration stating the reason or reasons for missing the deadline and requesting that the document be accepted as timely filed. The document and motion must be filed no later than the first day on which the court is open for business following the deadline date for filing the document. If the court grants the motion to accept the document as timely filed, the document will be deemed timely filed on the date the court grants the motion, except that this rule may not extend any statutory deadline, such as a deadline imposed by a statute of limitations or statute of repose.



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APPENDIX B

Committee Comments to the Amendment of Rule 44 Effective September 1, 2025

This rule applies to nonappellate cases only. Rule 57(k), Ala. R. App. P., addresses technical difficulties when submitting electronic filings in appellate cases.