

Alabama Rules of Appellate Procedure

Rule 22.

Appeals in habeas corpus.

Appeals in habeas corpus proceedings shall be governed by Code of Alabama, § 12-22-90; except that habeas corpus appeals in child-custody cases shall be governed by provisions of these rules that govern appeals in civil cases.

[Amended 5-7-2015, eff. 8-1-2015.]

Committee Comments

This rule basically continues Alabama practice under Code of Ala., § 12-22-90. It does resolve a question as to where habeas corpus appeals in child custody go by providing that such appeals are governed by the various provisions of these rules governing appeals in civil cases. As such, appeal would lie to the Court of Civil Appeals.

Note from the reporter of decisions: The order amending Rule 22, Rule 28(a)(5), Rule 32(a)(7), and Rule 40(f), effective August 1, 2015, and adopting the Committee Comments to those amendments to Rule 28(a)(5), Rule 32(a)(7), and Rule 40(f) is published in that volume of *Alabama Reporter* that contains Alabama cases from ____ So. 3d.