

Alabama Rules of Appellate Procedure

Rule 48.

Contempt of court as penalty for willful noncompliance with these rules.

For a willful noncompliance with any material and substantive requirement of these rules, an attorney, clerk, court reporter, or other officer of the court may be held in contempt of court by the appellate court after reasonable notice of such noncompliance.

Committee Comments

It is the spirit of Rule 48 that noncompliance of a mere technical nature, e.g., size of paper, margins, etc., will not be used as the basis of contempt citations, but only a willful failure to comply with a substantive requirement of the rules which affects materially the orderly process of the appeal. Noncompliances contemplated by this rule include failure of the trial clerk to file the clerk's record, failure of the court reporter to file the reporter's transcript, and the failure of an attorney to file a brief.