

## **Alabama Rules of Criminal Procedure**

### **Rule 34. Form, content, and service of motions and requests.**

#### *Rule 34.4. Service and filing.*

Unless otherwise provided in these rules, notice of any hearings at which the defendant's presence is required shall be served on the defendant, and, if the defendant is represented by counsel, also upon counsel. As to all other notices or documents, where the defendant is represented by counsel, service shall be made upon the attorney of record. Service upon the defendant and the attorney shall be accomplished by delivering or by mailing copies to their last known addresses, or, if no address is known, by leaving copies with the clerk of the court. Reasonable alternative methods of service on the attorney may be approved by the court.

[Amended effective March 1, 1994.]

#### **Committee Comments**

There are at present no real guidelines covering service of motions and requests in Alabama criminal practice. Rule 5, A.R.Civ.P., is adequate to handle this procedure.