

ALABAMA RULES OF JUDICIAL ADMINISTRATION

Rule 21.

Small Claims.

(A) *Published instructions.* There shall be published, in a form approved by the administrative director of courts (“ADC”), a manual or list of instructions as a guide for using the small claims court. These instructions shall include information as to how an action is commenced in the small claims court, the costs involved, preparation for trial, a description of the trial procedure, a description of the appeal procedure, available collection procedures, and any other information pertaining to the small claims court which the ADC deems advisable. The instruction on trial preparation shall include specific suggestions regarding the particular evidence to bring to the trial of the most common type of cases, including vehicle and other property damage cases, intentional torts, and collection of commercial accounts and loans.

(B) *Forms.* The Administrative Office of Courts (“AOC”) shall promulgate all forms to be used in the office of the clerk for all proceedings in small claims court.

(C) *Sessions.* It is desirable that sessions of small claims court be held regularly.

[Amended eff. 10-1-87.]

Comment

The small claims division of district court was established by Acts 1975, No. 1205, Section 4-103, to afford litigants a means of settling lawsuits in an inexpensive manner and without the necessity of hiring an attorney. The Act requires the Supreme Court to promulgate uniform rules of simplified civil procedure to aid litigants in presenting their claims. The Supreme Court, in November, 1976, adopted the “Alabama Small Claims Rules.” In addition, a brochure entitled “Alabama’s Small Claims Court” has been developed and is available in each court for use by individual claimants and defendants.

The AOC has developed simplified forms for filing complaints, answers, and counterclaims, which forms are available in each small claims court for use by parties.

This Rule replaces former Rule 17.