

## **ALABAMA SMALL CLAIMS RULES**

### **Rule K.**

#### **Default.**

When a defendant does not answer within the required time or fails to appear when the case is set for trial, the clerk of the court shall enter a default against the defendant. When the amount claimed is a sum certain, such as a note, the clerk may enter a judgment for the amount claimed. When the amount claimed is not a sum certain such as damage to a car, the court, not the clerk, shall enter the default judgment but the plaintiff must furnish to the court some proof, such as a repair bill, before he can receive such judgment. The court can set aside a default judgment for any reason within 14 days after its entry. A defendant shall not be deemed in default if he has served an appearance in the form of a motion to dismiss.