

Alabama Rules for Expedited Civil Actions

Rule H.

Applicability of the Alabama Rules of Civil Procedure and the Alabama Rules of Evidence.

The Alabama Rules of Civil Procedure and the Alabama Rules of Evidence shall apply to all matters not specifically addressed in these Rules.

[Effective 1-1-2017.]

Comments

If a point of procedural law is addressed by these Rules, then these Rules apply. If these Rules are silent on the point in question, then the Alabama Rules of Civil Procedure shall control.

It is recognized that the admission into evidence of affidavits, reports, or letters of experts, as provided in Rule E, would normally be improper as hearsay. However, the provisions in Rule E are essential to the proper functioning of the expedited system. Moreover, Rule 1101(a), Ala. R. Evid., allows variation from those rules where "other rules of the Supreme Court of Alabama" so provide. These Rules are such "other rules." The same applies to the authenticity of exhibits as provided in Rule G of these Rules.

Note from the reporter of decisions: The order adopting the Alabama Rules for Expedited Civil Actions effective January 1, 2017, including Justice Murdock's and Justice Shaw's special writings dissenting to that order, is published in that volume of *Alabama Reporter* that contains Alabama cases from 200 So. 3d.