

Alabama Rules of Criminal Procedure

Rule 15. Preparation for trial; pleadings and motions.

Rule 15.1. Pleadings and motions.

(a) PLEADINGS FOR THE STATE. A formal charge shall be by indictment, information, or complaint.

(b) PLEADINGS BY THE DEFENDANT. The pleas available to the defendant are the pleas of (1) guilty, (2) not guilty, (3) not guilty by reason of mental disease or defect, and (4) not guilty and not guilty by reason of mental disease or defect. Defenses and objections raised before the trial shall be raised only by motion to dismiss or by motion to grant appropriate relief, as provided in this rule. Demurrers, pleas in abatement, motions to quash, and all other pleas are abolished.

Committee Comments

This rule is designed to simplify the procedure and avoid the technical distinctions that serve as traps for the unwary. To that extent it parallels the simplification of the Alabama Rules of Civil Procedure.

Under this rule, the form or styling of the motion is not important, and substance shall govern over form.