

ALABAMA SMALL CLAIMS RULES

Rule C.

Beginning and defending the case.

Beginning. A case shall be begun by filing with the clerk of the court a short and plain written statement showing what plaintiff claims and why he claims it. A plaintiff may combine as many claims as he has against a defendant in one case and he may sue more than one defendant in one case if his claim involves all of the defendants. This statement shall be called a complaint and the forms of complaint [SM-1, SM-2] appearing in the appendix to these rules shall be sufficient and their use is strongly recommended.

Defending. The defendant shall file a short and plain reply showing what defendant admits, what he denies and why he denies it. This reply shall be called an answer, shall be filed within the deadline set forth at Rule "F", and the form of answer [SM-3] appearing in the appendix to these rules shall be sufficient. If a defendant has a claim against a plaintiff, he shall file it with his answer and send a copy of it to the plaintiff. Said claim shall be in the form applicable to a complaint and it shall be called a counterclaim [SM-6]. Failure of a defendant to make a counterclaim which is based upon things which gave rise to plaintiff's claim will not of itself prevent the defendant from raising such claim in another court or case so long as the defendant either wins his case in the court or prevents the judgment of the court from becoming a final judgment by the filing of a notice of appeal as provided in Rule "M". Answer may not be made by a motion to dismiss. The court shall be very lenient in the allowance of changes or amendments to complaints, answers and counterclaims and continuances of trials when necessary to serve the ends of justice.