

IN THE SUPREME COURT OF ALABAMA
September 20, 2018

ORDER

IT IS ORDERED that the Committee Comments to Rule 83, Alabama Rules of Civil Procedure, be adopted to read in accordance with the appendix to this order;

IT IS FURTHER ORDERED that these Committee Comments to Rule 83 are effective immediately;

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 83:

"Note from the reporter of decisions: The order adopting the Committee Comments effective September 20, 2018, is published in that volume of Alabama Reporter that contains Alabama cases from ___ So. 3d."

Stuart, C.J., and Bolin, Parker, Shaw, Main, Wise, Bryan, Sellers, and Mendheim, JJ., concur.

Witness my hand this 20th day of September, 2018.



Clerk, Supreme Court of Alabama

<p>FILED September 20, 2018 1:35 pm Clerk Supreme Court of Alabama</p>
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APPENDIX

Committee Comments to Rule 83, Adopted September 20, 2018

The committee remains concerned with the damage to uniformity that can result from local rules. However, the committee does not wish to discourage case-management plans for local circuits and believes that such plans do not violate Rule 83. Further, the recommendations of the Circuit Judges Time Standards Committee and the District Judges Time Standards Committee to be implemented by the courts and appropriate agencies of the Unified Judicial System strongly endorse case-management plans. Such plans can establish tracks with scheduling and discovery provisions that are appropriate for various types of litigation. In fact, the Jefferson Circuit Court has operated under a case-management plan for over 20 years with notable efficiency, and that plan (which serves as an example of a proper case-management plan) may be found on the Web site of the Jefferson Circuit Court (<http://10jc.alacourt.gov/DCMPRevision.html>). To avoid any misunderstanding regarding the scope and intent of Rule 83, the committee notes that the language in the April 14, 1992, Amendment to Rule 83 or in the Committee Comments to that amendment is not intended to affect the validity of an appropriate case-management plan.

Any case-management plan is subject to the Supreme Court of Alabama's general supervisory power to reject or to require amendment. Any circuit adopting a case-management plan shall ensure that it is published (including, but not limited to, being made available on the Web site of the circuit), so that the provisions of the case-management plan are readily available to the public.