



# IN THE SUPREME COURT OF ALABAMA

May 25, 2023

## ORDER

IT IS ORDERED that Rule 21 and Rule 26, Rules of Procedure for the Alabama Court of the Judiciary, be amended to read in accordance with Appendices A and B, respectively, to this order;

IT IS FURTHER ORDERED that the amendment of Rule 21 and Rule 26 are effective immediately; and

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 21 and Rule 26:

**"Note from the reporter of decisions:** The order amending Rule 21 and Rule 26, Rules of Procedure for the Alabama Court of the Judiciary, effective May 25, 2023, is published in that volume of *Alabama Reporter* that contains Alabama cases from \_\_ So. 3d."

**Parker, C.J., and Shaw, Wise, Bryan, Sellers, Mendheim, Stewart, Mitchell, and Cook, JJ., concur.**

**Witness my hand and seal this 25th day of May, 2023.**

*Megan B. Rhodebeck*

**Clerk of Court,  
Supreme Court of Alabama**

**FILED  
May 25, 2023  
Clerk of Court  
Supreme Court of Alabama**



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## APPENDIX A

### **Rule 21. TRANSCRIPT OF PROCEEDINGS**

The proceedings before the Court shall be transcribed by a court reporter designated by the Court. The parties, with the approval of the Court, may agree to a different method, other than a reporter's shorthand or machine method, of recording and transcribing the proceedings.



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## APPENDIX B

### **Rule 26. SELECTION AND APPOINTMENT OF ALTERNATE JUDGES**

In the event of disqualification or inability of a member of the Alabama Court of the Judiciary to serve, that member's replacement shall be selected from alternates. The Supreme Court of Alabama shall select an alternate judge of an appellate court; the Circuit Judges' Association shall select an Alternate 1 and an Alternate 2 from the circuit judges of the state; the District Judges' Association shall select an alternate from the district judges of the state; the Governor shall select, subject to Senate confirmation, an Alternate 1 and an Alternate 2 who are not lawyers; and the governing body of the Alabama State Bar shall select an Alternate 1 and an Alternate 2 from the membership of the State Bar.

Whenever any member of the Alabama Court of the Judiciary is disqualified or otherwise unable to serve on a case, then that member shall notify the Chief Judge and the Secretary of the Court. The Chief Judge shall appoint the first alternate to replace the regular member of the Court who is disqualified or unable to serve. In the event that the first alternate is disqualified or unable to serve, then the Chief Judge shall appoint the second alternate, if applicable. In the event that the Chief Judge is disqualified or unable to serve, then the Secretary will appoint the alternate to take the place of the Chief Judge.