IN THE SUPREME COURT OF ALABAMA

October 16, 2026

ORDER

IT IS ORDERED that Rule 14, Rule 22, Rule 71B(f), and Rule 71C(f), Alabama Rules of Civil Procedure, be amended to read in accordance with Appendices A, C, E, and G, respectively, to this order;

IT IS FURTHER ORDERED that the Committee Comments to the amendments of Rule 14, Rule 22, Rule 71B(f), and Rule 71C(f) be adopted to read in accordance with Appendices B, D, F, and H, respectively, to this order;

IT IS FURTHER ORDERED that the amendments to Rule 14, Rule 22, Rule 71B(f), and Rule 71C(f), and the adoption of the Committee Comments thereto, are effective October 16, 2026; and

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 14, Rule 22, Rule 71B, and Rule 71C:

> "**Note from the reporter of decisions:** The order amending Rule 14, Rule 22, Rule 71B(f), and Rule 71C(f), Alabama Rules of Civil Procedure, and adopting the Committee Comments thereto, effective October 16, 2026, is published in that volume of *Alabama Reporter* that contains Alabama cases from __ So. 3d."

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

Witness my hand and seal this 16th day of October, 2026.

Megan B. Rhodebeck

Clerk of Court,
Supreme Court of Alabama

FILED
October 16, 2026

Clerk of Court
Supreme Court of Alabama

IN THE SUPREME COURT OF ALABAMA

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APPENDIX A

Rule 14. Third-Party Practice

(a) When a Defending Party May Bring in a Third Party.

(1) Timing of the Summons and Complaint. A defending party may, as third-party plaintiff, serve a summons and complaint on a nonparty who is or may be liable to it for all or part of the claim against it. But the third-party plaintiff must, by motion, obtain leave of court if it files the third-party complaint more than 10 days after serving its original answer.

(2) Third-Party Defendant's Claims and Defenses. The person served with the summons and third-party complaint -- the "third-party defendant":

(A) must assert any defense against the third-party plaintiff's claim under Rule 12;

(B) must assert any counterclaim against the third-party plaintiff under Rule 13(a), and may assert any counterclaim against the third-party plaintiff under Rule 13(b) or any crossclaim against another third-party defendant under Rule 13(g);

(C) may assert against the plaintiff any defense that the third-party plaintiff has to the plaintiff's claim; and

(D) may also assert against the plaintiff any claim arising out of the transaction or occurrence that is the subject matter of the plaintiff's claim against the third-party plaintiff.

(3) Plaintiff's Claims Against a Third-Party Defendant. The plaintiff may assert against the third-party

defendant any claim arising out of the transaction or occurrence that is the subject matter of the plaintiff's claim against the third-party plaintiff, but the failure to do so has the same effect as the failure to assert a compulsory counterclaim under Rule 13(a). The third-party defendant must then assert any defense under Rule 12 and any counterclaim under Rule 13(a), and may assert any counterclaim under Rule 13(b) or any crossclaim under Rule 13(g).

(4) Motion to Strike, Sever, or Try Separately. Any party may move to strike the third-party claim, to sever it, or to try it separately.

(5) Third-Party Defendant's Claim Against a Nonparty. A third-party defendant may proceed under this rule against a nonparty who is or may be liable to the third-party defendant for all or part of any claim against it.

(b) When a Plaintiff May Bring in a Third Party. When a claim is asserted against a plaintiff, the plaintiff may bring in a third party if this rule would allow a defendant to do so.

(dc) District Court Rule. Except in actions on the small-claims docket, Rule 14 applies in the district courts.

IN THE SUPREME COURT OF ALABAMA

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APPENDIX B

Committee Comments to Amendment to Rule 14
Effective October 16, 2026

Rule 14(a) twice refers to counterclaims under Rule 13. In each case, the operation of Rule 13(a) depends on the state of the action at the time of the pleading filed. If the plaintiff and the third-party defendant have become opposing parties because one has made a claim for relief against the other, Rule 13(a) requires assertion of any counterclaim that grows out of the transaction or occurrence that is the subject matter of that claim. Subdivision (a)(2)(B) and (a)(3) reflect the distinction between compulsory and permissive counterclaims.

The term "counterclaim" in former Rule 14(b) has been changed to "claim," and the limit imposed by the former reference to a "counterclaim" is deleted. The plaintiff should be on equal footing with the defendant in making third-party claims, whether the claim against the plaintiff is asserted as a counterclaim or as another form of claim.

Otherwise, the changes are intended to be stylistic only.

IN THE SUPREME COURT OF ALABAMA

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APPENDIX C

Rule 22. Interpleader

(a) Grounds.

(1) By a Plaintiff. Persons with claims that may expose a plaintiff to double or multiple liability may be joined as defendants and required to interplead. Joinder for interpleader is proper even though:

(A) the claims of the several claimants, or the titles on which their claims depend, lack a common origin or are adverse and independent rather than identical; or

(B) the plaintiff denies liability in whole or in part to any or all of the claimants.

(2) By a Defendant. A defendant exposed to similar liability may seek interpleader through a crossclaim or counterclaim.

(b) Relation to Rule 20. This rule supplements -- and does not limit -- the joinder of parties allowed by Rule 20.

(c) Release from Liability. A party seeking interpleader may either deposit or deliver the claimed money or property with or to the court or as otherwise directed by the court. The court may then order the party discharged from liability on claims to the money or property and may continue the action between the claimants to the money or property.

(d) Attorney Fees. If a party has requested an award of attorney fees in a pleading, the court may award the party a reasonable sum for attorney fees to be paid out of the money or property.

(dc) District Court Rule. Rule 22 applies in the district courts.

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APPENDIX D

Committee Comments to Amendment to Rule 22
Effective October 16, 2026

Former Rule 22(b) ("Release From Liability; Deposit or Delivery") stated that "[a]ny party seeking interpleader ... may deposit with the court the amount claimed, or deliver to the court or as otherwise directed by the court the property claimed." Under the rule, any money claimed had to be deposited with the court before the claimant could request a release from liability. But if the claimant sought interpleader with respect to property rather than money, the property could be delivered to the court or to some other custodian "as otherwise directed by the court." New Rule 22(c) ("Release from Liability") allows the court to order either "money" or "property" to be deposited with, or delivered to, a person or entity other than the court. This rule gives the court discretion to determine the best way to preserve the money or property in the specific circumstances of the case. For example, a court might determine that cryptocurrency, a tax-deferred retirement plan, or a diversified brokerage investment account should be deposited with, or delivered to, a financial institution other than the institution that holds the court's accounts.

Otherwise, these changes are intended to be stylistic only.

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APPENDIX E

Rule 71B(f), Ala. R. Civ. P.

(f) Procedure After Filing. The clerk of the circuit court or the court promptly shall enter the award as the final judgment of the court. Thereafter, as a condition precedent to further review by any appellate court, any party opposed to the award may file, in accordance with Rule 59, a motion to set aside or vacate the judgment based upon one or more of the grounds specified in Ala. Code 1975, § 6-6-14, or other applicable law. The court shall not grant any such motion until a reasonable time after all parties are served pursuant to paragraph (e) of this rule. The disposition of any such motion is subject to civil and appellate rules applicable to orders and judgments in civil actions.

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APPENDIX F

Committee Comments to Amendment to Rule 71B(f)
Effective October 16, 2026

The amendment provides that the court, in addition to the clerk, may enter a judgment on an arbitration award.

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APPENDIX G

Rule 71C(f), Ala. R. Civ. P.

(f) Procedure After Filing. The clerk or the court promptly shall enter the award as the final judgment of the court. After service pursuant to paragraph (e) of this rule, the prevailing party may seek execution on the judgment as in any other case.

IN THE SUPREME COURT OF ALABAMA

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APPENDIX H

Committee Comments to Amendment to Rule 71C(f)
Effective October 16, 2026

The amendment provides that the court, in addition to the clerk, may enter a judgment on an arbitration award.