



IN THE SUPREME COURT OF ALABAMA

December 2, 2022

ORDER

IT IS ORDERED that Rule 27(a), Rule 27(d), and Rule 32(b)(5), Alabama Rules of Appellate Procedure, be amended to read in accordance with Appendices A, B, and D, respectively, to this order;

IT IS FURTHER ORDERED that the Committee Comments to the amendments to Rule 27(a) and Rule 27(d) and the Committee Comments to the amendment to Rule 32(b)(5) be adopted to read in accordance with Appendices C and E, respectively, to this order;

IT IS FURTHER ORDERED that the amendments to Rule 27(a), Rule 27(d), and Rule 32(b)(5), and the adoption of the Committee Comments thereto are effective January 1, 2023; and

IT IS FURTHER ORDERED that the following note from the reporter of decisions be added to follow Rule 27 and Rule 32:

"Note from the reporter of decisions: The order amending Rule 27(a), Rule 27(d), and Rule 32(b)(5), Alabama Rules of Appellate Procedure, and adopting the Committee Comments thereto, effective January 1, 2023, is published in that volume of Alabama Reporter that contains Alabama cases from __ So. 3d."

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

Witness my hand and seal this 2nd day of December, 2022.

Megan B. Rhodeseck

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

**FILED
December 2, 2022**

**Clerk of Court
Supreme Court of Alabama**



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APPENDIX A

Rule 27(a), Ala. R. App. P.

(a) Content of Motions; Response; Reply. An application for an order or other relief shall be made by filing a motion for such order or relief with certificate of service on all other parties, unless another form is elsewhere prescribed by these rules. The motion shall contain or be accompanied by any matter required by a specific provision of these rules governing such a motion, shall state with particularity the grounds on which it is based, and shall set forth the order or relief sought. If a motion is supported by briefs, affidavits, or other papers, they shall be served and filed with the motion. Any party may file a response in opposition to a motion, other than one for a procedural order (for which see subdivision (b)), within 7 days (1 week) after service of the motion; but the court may shorten or extend the time for responding to any motion. Any reply to a response must be filed within 7 days (1 week) after service of the response; but the court may shorten or extend the time for replying to any response. A reply must not present matters that do not relate to the response.



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APPENDIX B

Rule 27(d), Ala. R. App. P.

(d) Form and Length of Motions, Memoranda in Support of or in Opposition Thereto, and Replies. A motion, any memorandum in support of or in opposition to the motion, and any reply to a memorandum in opposition to the motion shall comply with the provisions of Rule 32(b)(5) governing form; a motion shall not exceed 2,000 words (10 pages for a motion filed pro se), any memorandum in support of or in opposition thereto shall not exceed 3,000 words (15 pages for a memorandum filed pro se), and any reply to a memorandum in opposition to the motion shall not exceed 1,000 words (5 pages for a reply filed pro se), as also provided in Rule 32(b)(5). A sufficient number of copies shall be filed with the original with the clerk of the appellate court to provide each Judge or Justice of the court with one copy, but the court may require that additional copies be furnished



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APPENDIX C

Committee Comments to Amendments to Rule 27(a) and Rule 27(d)
Effective January 1, 2023

The rule has been amended to clarify that a party filing a motion may file a reply to a response in opposition to the motion. Any reply shall not exceed 1,000 words (5 pages for a reply filed pro se).



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APPENDIX D

Rule 32(b)(5), Ala. R. App. P.

(5) Motions and Other Papers; Memoranda in Support of, or in Opposition to, Motions; and Replies. In addition to the provisions governing form set out in Rule 27, motions and other papers seeking relief shall be produced in the form prescribed by subdivision (a) and shall not exceed 2,000 words (10 pages for motions and other papers filed pro se); any memorandum in support of, or in opposition to, a motion or other paper shall be produced in the form prescribed by subdivision (a) and shall not exceed 3,000 words (15 pages for a memorandum filed pro se); and any reply to a memorandum in opposition to a motion or other paper shall be produced in the form prescribed by subdivision (a) and shall not exceed 1,000 words (5 pages for a reply filed pro se).



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APPENDIX E

Committee Comments to Amendment to Rule 32(b)(5)
Effective January 1, 2023

Rule 32(b)(5) has been amended to be consistent with Rule 27(d), which provides that a memorandum in support of or in opposition to a motion shall not exceed 3,000 words (15 pages for a memorandum filed pro se) and that a reply to a memorandum in opposition to a motion shall not exceed 1,000 words (5 pages for a reply filed pro se).