

1 SB47
2 134028-1
3 By Senator Ward
4 RFD: Judiciary
5 First Read: 07-FEB-12
6 PFD: 10/07/2011

2
3
4
5
6
7
8 SYNOPSIS: This bill would require that the Supreme
9 Court adopt rules to implement an expedited civil
10 actions.

11 This bill would provide for expedited civil
12 actions in certain civil cases where damages do not
13 exceed \$100,000.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT

18
19 Relating to civil actions in circuit court, district
20 court, municipal court, and probate court; to provide for
21 expedited civil actions under certain circumstances; and to
22 require the Supreme Court to adopt rules to implement an
23 expedited civil action.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. The Supreme Court shall adopt rules to
26 promote the prompt, efficient, and cost-effective resolution
27 of civil actions. The rules shall: (1) apply to civil actions

1 in circuit courts, district courts, municipal courts, and
2 probate courts in which the amount in controversy, inclusive
3 of all claims for damages of any kind, whether actual or
4 exemplary, a penalty, attorney's fees, expenses, costs,
5 interest, or any other type of damage of any kind, does not
6 exceed one hundred thousand dollars (\$100,000); and (2)
7 address the need for lowering discovery costs in these actions
8 and the procedure for ensuring that these actions will be
9 expedited in the civil justice system.

10 Section 2. The Supreme Court may not adopt rules
11 under this act that conflict with any of the following state
12 laws or procedures:

13 (1) The Rules of Civil Procedure.

14 (2) Domestic relations and family law.

15 (3) Property law.

16 (4) Tax law.

17 Section 3. This act shall become effective on the
18 first day of the third month following its passage and
19 approval by the Governor, or its otherwise becoming law.