



Perfection of Service

Per the Rules, service of motions is required, and said service is the responsibility of the filing party. See the committee notes to *Ala. R. Crim. Pro* 34 and also *Ala R. Civ. Pro. 5*.

The Court has been made aware of inconsistencies in the process of filing notices, motions, and the like within Municipal Court. At the request of City Legal, the Court has reviewed the Rule and discussed methods of correction. After due consideration, the Court has established the following policy.

- All filings in Municipal Court will not be considered by the Court if notice to the Court of proper and timely service is not indicated as required by the Supreme Court of Alabama. Notice of service on all filings is now mandatory for any filing (excluding Ex Parte Motions) to be considered for ruling.
 - Please be advised that filings with the Municipal Court Clerk's Office through court@cityofmobile.org, hand delivery, or US Postal Service are not considered service on any other party. The Municipal Court Clerk's Office is not equipped to provide service on behalf of any party. Therefore, all parties are responsible for the service of their own motions and/or filings, pursuant to the Alabama Rules of Criminal Procedure.
 - The Municipal Court does not accept filings through *Alafile*, therefore, this is not a sufficient method of service.
 - The Court strongly advises and encourages the filing party to specifically indicate any communication with opposing party to alleviate delay of rulings by a Municipal Court Judge.
 - The Court will observe a period of five business days to allow a timely filing of a response from the recipient party, if no indication of previous agreement of the parties is provided in the motion.
- Filings within 24 hours of the hearing date will not be considered without specific written indication as to the agreement of all parties.
 - Exceptions to this policy include medical emergencies, emergency filings, or natural disasters.

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