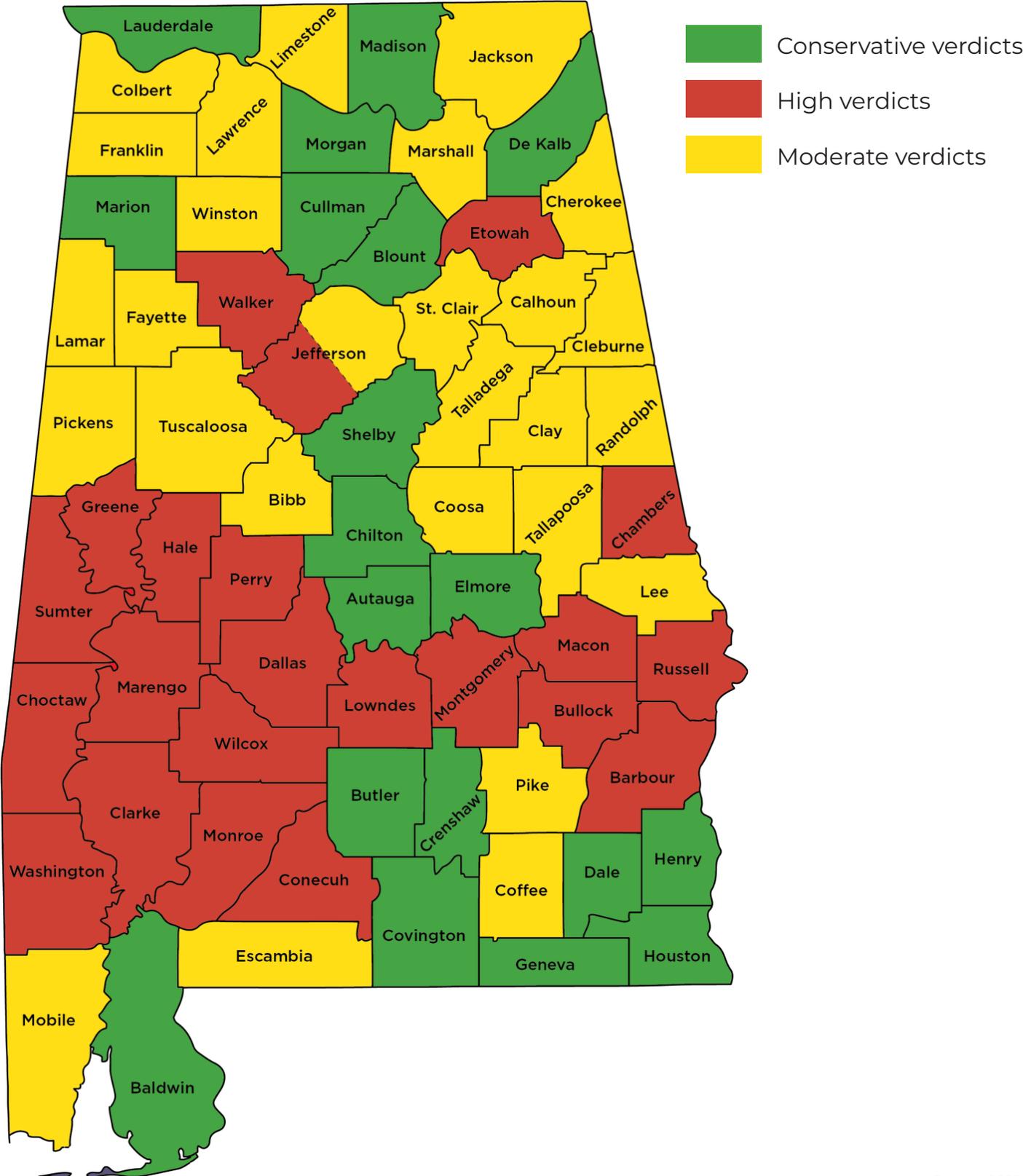


Alabama Venue Map



Revised 2023

Swift Currie's Alabama office advises clients and handles matters relating to the following practice areas:



- Appeals
- Arson and fraud
- Automobile and trucking litigation
- Bad faith litigation
- Breach of contract and warranty disputes
- Catastrophic injury & wrongful death
- Civil rights and governmental liability
- Class action defense
- Commercial litigation
- Construction defect and related matters
- Employment litigation
- Excess and umbrella coverage
- FDCPA and FCRA disputes
- Insurance coverage
- Management liability
- Medical malpractice
- Mining accidents
- Premises liability
- Product liability
- Professional liability
- Real estate litigation
- Road construction design and defect
- Subrogation
- Trade secret and intellectual property litigation
- Workers' compensation

Civil Trial Court Overview

Small Claims

Exclusive jurisdiction for civil claims up to \$6,000. No trial by jury. Answer must be filed within 14 days of service.

District Court

Concurrent jurisdiction with circuit court for civil claims up to \$20,000. No trial by jury. Answer must be filed within 14 days of service.

Circuit Court

Court of general jurisdiction. Jury demand must be made within 30 days of a pleading directed to an issue triable by jury. Appeals from district court handled *de novo*.

Procedural Issues

Answer

Generally, defendants must file an Answer (1) within 30 days of service in Circuit Court, (2) within 14 days of service in District Court, and (3) within 20 days of service in Federal Court.

Removal

In order to remove a case to Federal Court, (1) complete diversity of citizenship must exist with an amount in controversy equal or greater to \$75,000, or (2) the plaintiff's complaint must include claims involving a "Federal Question." A notice of removal must be filed within 30 days after service of the complaint.

Venue

Actions against individuals must be brought either in the county where they reside or the county where the act or omission occurred. Actions against non-resident individuals may be brought in either the county where the individual is served or where the act or omission occurred. Actions against corporations may be brought either where the act or omission occurred, where the corporation's principal office in the state is located, or in the county where the plaintiff resides if the corporation does business by agent in the county. Some counties in Alabama have multiple courthouses—in those areas, separate divisions are treated as different venues.

Forum Non Conveniens

The trial court must transfer a case from one proper venue to another either for the convenience of the parties or in the "interests of justice." Caselaw shows courts are often compelled to transfer a case to the county where the act or omission occurred.

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Alabama Coverage & Commercial Litigation

Partners

F. Lane Finch, Jr.	205.314.2403	lane.finch@swiftcurrie.com
Brian C. Richardson	205.314.2404	brian.richardson@swiftcurrie.com
Brandon J. Clapp	205.314.2406	brandon.clapp@swiftcurrie.com
Murray S. Flint	205.314.2407	murray.flint@swiftcurrie.com

For a complete listing of Swift Currie attorneys, visit www.swiftcurrie.com.