Procedure for Incorporation

1. Reserving the Corporation Name

The proposed name of the corporation must be reserved with the Corporations Section of the secretary of state's office. The first step is to request the Secretary to search the files of existing Alabama corporations, current name reservations, and name registrations. If the Secretary finds that the proposed name is available (meaning not so similar to another corporate name as to confuse the public) he will then issue a Certificate of Name Reservation. The fee for the certificate is $12.00 and is collected by the judge of probate in the county of record, when the Articles of Incorporation are filed in his office.

2. Preparing the Articles of Incorporation

The next step is to complete preparation of the Article of Incorporation in the format prescribed by Section 10-2B-2.02, Code of Alabama 1975, as last amended.

3. Filing with the Office of the Judge of Probate

The following documents must be presented to the office of the Judge of Probate in the county in which the corporation's registered office is to be located:

(a) Certification of Name Reservation issued by the Secretary of State; and
(b) Articles of Incorporation, original and two confirmed copies; and
(c) Filing fees of $35.00 to the Judge of Probate and $40.00 to the Secretary of State.

4. Review and Certification

The Judge of Probate then reviews and certifies, if acceptable, the Articles of Incorporation and retains the original for permanent recording in his office. One conformed copy is returned to the incorporator, together with the original Certification of Incorporation.

NOTE: We suggest that you make prior contact with the Judge of Probate in the county where the Articles are expected to be filed, since some counties also charge a recording fee.