

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 98- 9079

**APPROVAL OF AMENDMENT TO
LOCAL RULES OF CIVIL PROCEDURE AND DECORUM OF THE
DISTRICT COURTS OF TRAVIS COUNTY, TEXAS,
REGARDING FILING OF DISCOVERY AND BUSINESS RECORDS**

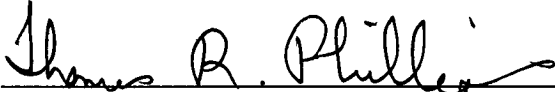
ORDERED:

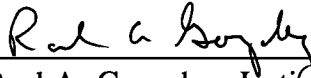
Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court of Texas approves the following local rule:

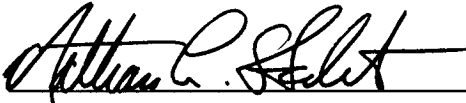
Amendment to Local Rules of Civil Procedure and Decorum of the District Courts of Travis County, Texas, regarding filing of discovery and business records.

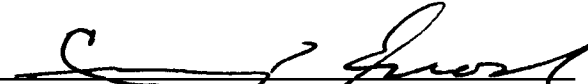
The approval of this rule is temporary, pending further orders of the Court.

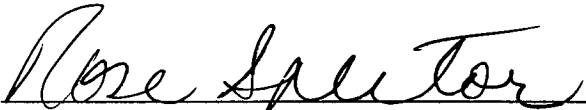
SIGNED AND ENTERED this 29th day of May, 1998.



Thomas R. Phillips, Chief Justice

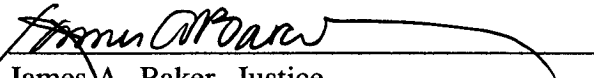

Raul A. Gonzalez, Justice

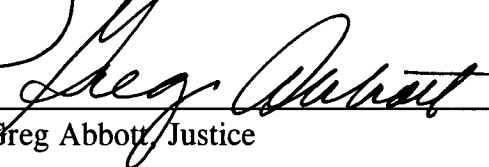

Nathan L. Hecht, Justice

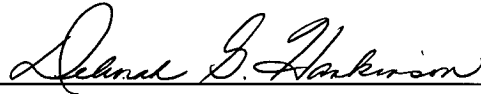

Craig T. Enoch, Justice


Rose Spector, Justice


Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice


PROPOSED AMENDMENT TO TRAVIS COUNTY LOCAL RULES OF
CIVIL PROCEDURE AND RULES OF DECORUM
OF THE DISTRICT COURTS OF TRAVIS COUNTY, TEXAS

Because of the expense to private litigants and to the public involved in the filing and storage of discovery and other materials, effective immediately, the Local Rules of Civil Procedure and Rules of Decorum of the District Courts of Travis County, Texas are hereby amended by adding Rule 4.3 as follows. The procedures set out herein apply in lieu of any conflicting rule in the Texas Rules of Civil Procedure for all civil cases in the District Courts of Travis County, Texas.

- 4.3 a. Notwithstanding the filing provisions of the Texas Rules of Civil Procedure, the following matters shall not be filed with the Clerk:
- 1). requests for production or inspection and responses, under Texas Rules of Civil Procedure 167;
 - 2). interrogatories and answers, under Texas Rules of Civil Procedure 168;
 - 3). notices of depositions under Texas Rules of Civil Procedure 200, 201 & 208;
 - 4). business records accompanied by affidavit under Texas Rules of Civil Evidence 902(10), but the affidavit shall be filed.
- b. The exceptions to this rule are as follows:
- 1). the court may order the materials to be filed;
 - 2). a party may file materials necessary for the determination of a motion for summary judgment, for any other pretrial motion, or for any response or reply to such a motion;
 - 3). a party may file materials necessary for a proceeding in an appellate court.
- c. The party responsible for the service of such materials shall retain the original or an exact copy while the case and any related appellate proceedings are pending, and for at one year thereafter, unless a longer retention is otherwise required.
- d. This rule pertains only to provisions for court filings; all matters specified in Rule 4.3a shall be served as required by the Texas Rules of Civil Procedure.

CERTIFICATE OF APPROVAL

The attached Amendment to Local Rules of Civil Procedure and Rules of Decorum of the District Courts of Travis County is hereby approved and transmitted to the Supreme Court of Texas for final action this 8th day of May, 1998.

A handwritten signature in cursive script, reading "B.B. Schraub". The signature is written in black ink and is positioned above a horizontal line.

B.B. Schraub, Presiding Judge
Third Administrative Judicial Region

Bob Pemberton



THIRD ADMINISTRATIVE JUDICIAL REGION

ADMINISTRATIVE ASSISTANT
DIANNE GRIEPENTROG

B.B. SCHRAUB, PRESIDING JUDGE
101 EAST COURT STREET, ROOM 302
SEGUIN, TEXAS 78155-5742

830-379-8556
FAX 830-372-0400

May 8, 1998

The Honorable Thomas R. Phillips
Chief Justice, The Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711

**RE: PROPOSED AMENDMENT TO LOCAL RULES OF CIVIL PROCEDURE AND
RULES OF DECORUM OF THE DISTRICT COURTS OF TRAVIS COUNTY, TEXAS**

Dear Chief Justice Phillips:

Enclosed you will find proposed Amendment to Local Rules of Civil Procedure and Rules of Decorum of the District Courts of Travis County, Texas.

I have approved this amendment as shown on the enclosed Order.

I respectfully request this matter be submitted to the Supreme Court for their consideration and approval.

Very truly yours,

A handwritten signature in cursive script, appearing to read "B.B. Schraub".

B.B. Schraub

BBS/dg

Enclosure

xc: The Honorable Joseph H. Hart



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

JUSTICES

RAUL A. GONZALEZ
NATHAN L. HECHT
CRAIG T. ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON

May 29, 1998

Hon. B. B. Schraub
Third Admin. Judicial Rgn.
101 E. Court Street, Rm. 302
Seguin, Texas 78155-5742

Dear Judge Schraub,

Please find enclosed, copies of two orders of the Supreme Court that approved amended local rules for the district courts of Travis County.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Joseph H. Hart
Lcl. Admin. Judge

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict
Office of Court Admin

State Law Library