

# Supreme Court of Texas

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Misc. Docket No. 22-9029

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## Preliminary Approval of Amendments to Rules 38.1(a), 52.3(a), 53.2(a), and 55.2(a) of the Texas Rules of Appellate Procedure

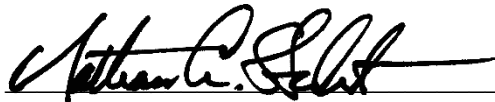
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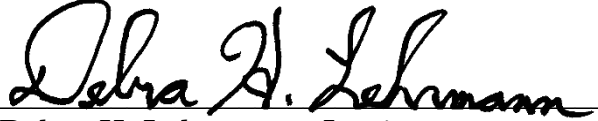
**ORDERED** that:

1. The Court invites public comments on the proposed amendments to Texas Rules of Appellate Procedure 38.1(a), 52.3(a), 53.2(a), and 55.2(a) set forth in this order.
2. The Court requests that comments be submitted in writing to [rulescomments@txcourts.gov](mailto:rulescomments@txcourts.gov) by July 1, 2022.
3. The Court will issue an order finalizing the amendments after the close of the comment period. The Court may change the amendments in response to public comments. The Court expects the final amendments to take effect on August 1, 2022.
4. The Clerk is directed to:
  - a. file a copy of this order with the Secretary of State;
  - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this order to each elected member of the Legislature; and
  - d. submit a copy of the order for publication in the *Texas Register*.

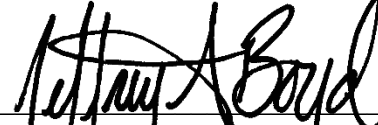
Dated: April 8, 2022.



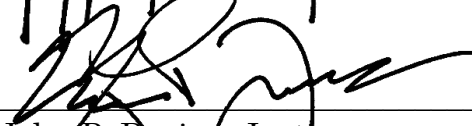
Nathan L. Hecht, Chief Justice



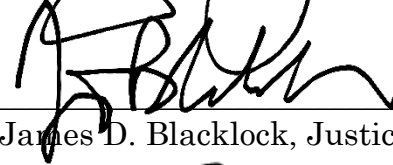
Debra H. Lehrmann, Justice



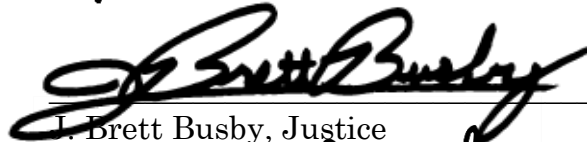
Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



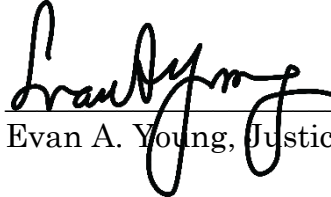
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

## Texas Rules of Appellate Procedure

### Rule 38. Requisites of Briefs (Redline Version)

#### 38.1. Appellant's Brief

The appellant's brief must, under appropriate headings and in the order here indicated, contain the following:

- (a) *Identity of Parties and Counsel.* The brief must give a complete list of all parties to the trial court's judgment or order appealed from, ~~and except as otherwise provided in Rule 9.8. The brief must also give a complete list of the names and addresses of all trial and appellate counsel, except as otherwise provided in Rule 9.8~~ appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for current counsel, their mailing address, telephone number, and email address. If new counsel is added or if any current counsel changes their firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

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### Rule 38. Requisites of Briefs (Clean Version)

#### 38.1. Appellant's Brief

The appellant's brief must, under appropriate headings and in the order here indicated, contain the following:

- (a) *Identity of Parties and Counsel.* The brief must give a complete list of all parties to the trial court's judgment or order appealed from, except as otherwise provided in Rule 9.8. The brief must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for current counsel, their mailing address, telephone number, and email address. If new counsel is added or if any current counsel changes their firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

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## Rule 52. Original Proceedings

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### 52.3. Form and Contents of Petition (Redline Version)

The petition must, under appropriate headings and in the order here indicated, contain the following:

- (a) *Identity of Parties and Counsel.* The petition must give a complete list of all parties, ~~and~~. The petition must also give a complete list of the names, and addresses of all counsel appearing in the trial or appellate courts; their firm name at the time of the appearance; and, for current counsel, their mailing address, telephone number, and email address. If new counsel is added or if any current counsel changes firm affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

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### 52.3. Form and Contents of Petition (Clean Version)

The petition must, under appropriate headings and in the order here indicated, contain the following:

- (a) *Identity of Parties and Counsel.* The petition must give a complete list of all parties. The petition must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm name at the time of the appearance; and, for current counsel, their mailing address, telephone number, and email address. If new counsel is added or if any current counsel changes firm affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

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## Rule 53. Petition for Review

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### 53.2. Contents of Petition (Redline Version)

The petition for review must, under appropriate headings and in the order here indicated, contain the following items:

- (a) *Identity of Parties and Counsel.* The petition must give a complete list of all parties to the trial court's final judgment, ~~and the names and addresses of all trial and appellate counsel.~~ The petition must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm name at the time of the appearance; and, for current counsel, their mailing address, telephone number, and email address. If new counsel is added or if any current counsel changes firm affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

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### **53.2. Contents of Petition (Clean Version)**

The petition for review must, under appropriate headings and in the order here indicated, contain the following items:

- (a) *Identity of Parties and Counsel.* The petition must give a complete list of all parties to the trial court's final judgment. The petition must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm name at the time of the appearance; and, for current counsel, their mailing address, telephone number, and email address. If new counsel is added or if any current counsel changes firm affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

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## **Rule 55. Briefs on the Merits**

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### **55.2. Petitioner's Brief on the Merits (Redline Version)**

The petitioner's brief on the merits must be confined to the issues or points stated in the petition for review and must, under appropriate headings and in the order here indicated, contain the following items:

- (a) *Identity of Parties and Counsel.* The brief must give a complete list of all parties to the trial court's final judgment, ~~and the names and addresses of all trial and appellate counsel.~~ The brief must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm name at the time of the appearance; and, for current counsel, their mailing address, telephone number, and email address. If new counsel is added or if any current

counsel changes firm affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

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## **55.2. Petitioner's Brief on the Merits (Clean Version)**

The petitioner's brief on the merits must be confined to the issues or points stated in the petition for review and must, under appropriate headings and in the order here indicated, contain the following items:

- (a) *Identity of Parties and Counsel.* The brief must give a complete list of all parties to the trial court's final judgment. The brief must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm name at the time of the appearance; and, for current counsel, their mailing address, telephone number, and email address. If new counsel is added or if any current counsel changes firm affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

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