

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. ⁹⁶⁻9084

**ADOPTION OF EMERGENCY RULES FOR
FILING OF DISCOVERY AND OTHER MATERIALS
IN CIVIL CASES IN DALLAS COUNTY**

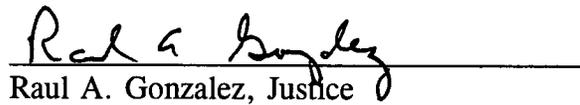
ORDERED:

At the request of the 14th, 44th, 68th, 95th, 101st, 116th, 134th, 160th, 162nd, 191st, 192nd, 193rd, and 298th District Courts and the County Courts at Law of Dallas County, Texas, concurred in by the Dallas Bar Association, the Dallas Association of Defense Counsel, and the Dallas Trial Lawyers Association, the attached emergency rules are adopted, effective May 1, 1996, for filing of discovery and other materials in civil cases in Dallas County, superseding the Texas Rules of Civil Procedure in such courts as provided in such emergency rules. TEX. CONST. art. V, § 31.

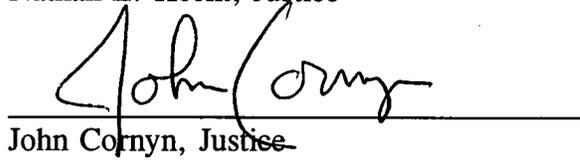
The courts listed above shall record this Order in their Minutes, shall make the attached emergency rules available to members of the bar upon request, and shall ensure that the existence of the emergency rules is published in a manner reasonably calculated to bring it to the attention of attorneys practicing before such courts.

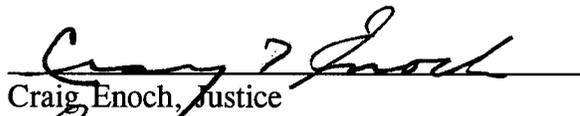
SIGNED AND ENTERED this ^{APR. 1} ~~5th~~ day of March, 1996.

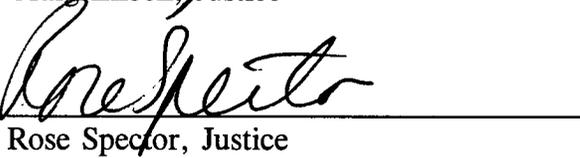

Thomas R. Phillips, Chief Justice

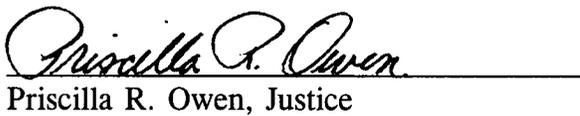

Raul A. Gonzalez, Justice


Nathan L. Hecht, Justice

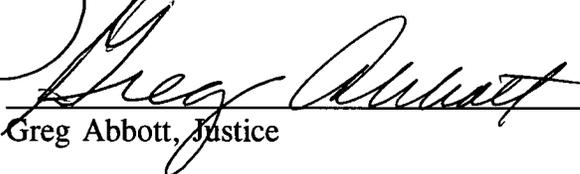

John Cornyn, Justice


Craig Enoch, Justice


Rose Spector, Justice


Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice

**FILING OF DISCOVERY AND RELATED MATERIALS
IN CIVIL CASES IN DALLAS COUNTY, TEXAS**

Because of the expense to private litigants and to the public involved in the filing and storage of discovery and other materials, the following procedures apply, effective May 1, 1996, in the 14th, 44th, 68th, 95th, 101st, 116th, 134th, 160th, 162nd, 191st, 192nd, 193rd, and 298th District Courts and to the County Courts at Law of Dallas County, Texas, in lieu of the Texas Rules of Civil Procedure:

Requests for production or inspection and responses under Rule 167, interrogatories and answers under Rule 168, requests for admissions and responses under Rule 169, notices of depositions under Rules 200, 201 and 208, Texas Rules of Civil Procedure, and business records accompanied by affidavit under Rule 902(10), Texas Rules of Civil Evidence, shall be served as required by the Texas Rules of Civil Procedure but shall not be filed with the Clerk except as follows:

- (a) The trial court may order the materials to be filed;
- (b) A party sending a notice of oral deposition pursuant to the Texas Rules of Civil Procedure may file the notice;
- (c) A party may file those portions of materials related to a request for relief under Rules 166b or 215, Texas Rules of Civil Procedure, or a response to such request, or to some other discovery dispute;
- (d) A party may file materials necessary for the determination of a motion for summary judgment, or for any response or reply to such a motion, or for any other pretrial motion or response or reply to such motion; or
- (e) A party may file materials necessary for a proceeding in an appellate court or for post-judgment purposes.

This rule does not enlarge the types of documents that may be filed.

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 seven months thereafter.

DISTRIBUTION LIST

Hon. Pat McDowell
1st Admin Judicial Rgn
600 Commerce Street, Rm. 612
Dallas, Texas 75202

Hon. John McClellan Marshall
14th District Court
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Dallas, Texas 75202

Hon. Candace Tyson
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Hon. Gary Hall
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Hon. Joe B. Brown
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Hon. Jay Patterson
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Hon. Frank Andrews
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Hon. Anne Ashby
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Hon. David Godbey
160th District Court
600 Commerce St, 4th Flr
Dallas, Texas 75202

Hon. Bill Rhea
162nd District Court
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Hon. David Brooks
191st District Court
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Hon. Michael J. O'Neill
193rd District Court
600 Commerce Street
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Hon. Adolph P. Canales
298th District Court
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Hon. David Evans
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Records Building, 3rd Fl
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Hon. Martin Richter
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Hon. Victoria Welcome
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Hon. W. Bruce Woody
County Court at Law No. 4
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Hon. Charles Stokes
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THE SUPREME COURT OF TEXAS

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THOMAS R. PHILLIPS

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CLERK
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WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
JOHN CORNYN
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

April 9, 1996

Hon. Merrill L. Hartman
192nd District Court
Local Administrative Judge
600 Commerce Street
Dallas, Texas 75202

Dear Judge Hartman,

Please find enclosed, a copy of the order of the Supreme Court that approved local rules for the filing of discovery and other materials in civil cases in Dallas County.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: (see attached)