

**IN THE SUPREME COURT OF TEXAS**

Misc. Docket No. 97-9093

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**APPROVAL OF AMENDMENTS TO THE LOCAL RULES  
FOR THE DISTRICT COURTS,  
HARRIS COUNTY, TEXAS**

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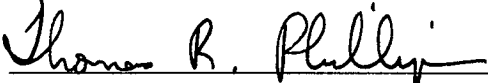
**ORDERED:**

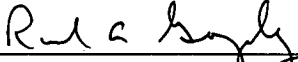
Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court approves the following local rules, which have been submitted to this Court:

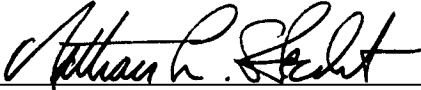
Amendment to the Local Rules for the District Courts of Harris County, Texas, adding Rule 3.7, Filing Discovery with the Court

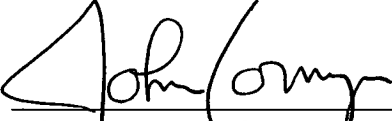
The approval of these rules is temporary, pending further orders of the Court.

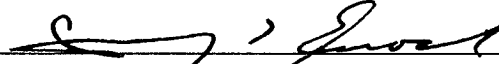
SIGNED AND ENTERED this 9<sup>th</sup> day of June, 1997

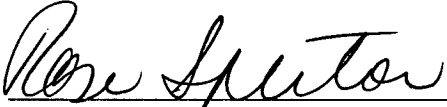
  
Thomas R. Phillips, Chief Justice


  
Raul A. Gonzalez, Justice


  
Nathan L. Hecht, Justice

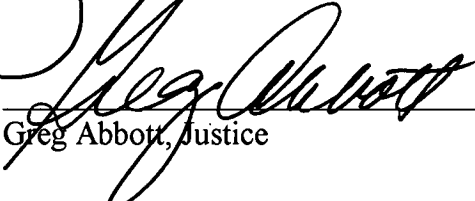
  
John Cornyn, Justice

  
Craig Enoch, Justice

  
Rose Spector, Justice

  
Priscilla R. Owen, Justice

  
James A. Baker, Justice

  
Greg Abbott, Justice

3.6 DISMISSAL DOCKETS.

3.7 FILING DISCOVERY WITH THE COURT

(1) Discovery and Related Materials Required To Be Filed:

Texas Rules of Civil Procedure:

- Rule 168. Answers and Objections to "Interrogatories to Parties"
- Rule 169. Answers and Objections to "Requests for Admission"
- Rule 621a. Answers and Objections to "Discovery and Enforcement of Judgment"

Texas Civil Practice and Remedies Code:

- Sec. 18.001 "Affidavit Concerning Cost and Necessity of Services"
- Sec. 18.002 "Form of Affidavit"

(a) Discovery responses and related material listed in Rule 3.7(1) shall be served upon all other counsel or parties and filed with the Clerk as required by the Texas Rules of Civil Procedure and the Texas Practice and Remedies Code.

(2) Discovery and Related Materials Not to Be Filed Except on Special Order.

Texas Rules of Civil Procedure:

- Rule 167. "Discovery and Production of Documents and Things for Inspection, Copying or Photographing; and Responses"
- Rule 168. "Interrogatories to Parties"; Interrogatories but not answers or objections.
- Rule 169. "Requests for Admission"; Requests but not answers or objections.
- Rule 621a. "Discovery and Enforcement of Judgment"; Discovery requests but not answers or objections.

Texas Rules of Civil Evidence:

- Rule 902(10) "Business records accompanied by affidavit"

(a) Discovery and related material listed in Rule 3.7(2) shall be served upon all other counsel or parties as required by the Texas Rules of Civil Procedure but shall not be filed with the Clerk except on special order of the Judge of the Court.

(b) The party responsible for the service of the discovery and related materials listed in Rule 3.7(2) shall retain the original or exact copy and shall file a certificate with the clerk.

(i) A certificate entitled "Certificate of Written Discovery" shall be signed by the attorney of record and filed with the Clerk whenever discovery and related materials listed in Rule 3.7(2) are sent to another party. The certificate may list more than one document. The certificate shall identify:

- (1) the document containing the discovery and related material,
- (2) counsel or parties to whom the document is sent, and
- (3) the date the document is served.

(ii) The original or an exact copy of the discovery and related materials listed in Rule 3.7(2) shall be retained while the case and any related appellate proceedings are pending and for one year thereafter.

(3) Discovery and Related Materials With Optional Filing:

Texas Rules of Civil Procedure:

- Rule 200 "Depositions Upon Oral Examination"
- Rule 201 "Compelling Appearance; Production of Documents and Things; Deposition of Organization"
- Rule 208 "Depositions Upon Written Questions"

(a) Discovery and related material listed in Rule 3.7(3) shall be served upon all other counsel or parties as required by the Texas Rules of Civil Procedure. A party sending a notice under these rules may file the notice with the Clerk or elect to follow the non-filing procedures in Rule 3.7(2) above.

(b) Nothing in this rule shall alter filing the court reporter certificate required by Rule 206, Rules of Civil Procedure.

(4) Filing Motions Involving Discovery Disputes. If relief is sought concerning any discovery dispute, a party may file copies of only those portions of the material related to the dispute.

(5) Filing for Use With Summary Judgment and Other Pretrial Motions. A party may file discovery and related materials in support 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.

(6) **Filing for Appeal or Other Post-Judgment Purposes.** A party may file discovery materials not previously on file for use on appeal court or other post-judgment purposes.

3.8 ADMINISTRATIVE JUDGE OF THE CIVIL TRIAL DIVISION.

3.8.1 The Administrative Judge of the Civil Trial Division shall .....



## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

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CLERK  
JOHN T. ADAMS

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

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

June 9, 1997

Hon. L. Doug Shaver  
Administrative Judge, Harris Co.  
262nd District Court  
301 San Jacinto, Suite 532  
Houston, Texas 77002

Dear Judge Shaver,

Please find enclosed, a copy of the order of the Supreme Court that approved amendments to the local rules for the district courts of Harris County.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

Encl.

cc: Hon. Olen Underwood  
2nd Admin Judicial Rgn

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict  
Office of Court Admin

State Law Library