

**IN THE SUPREME COURT OF TEXAS**

Misc. Docket No. 97-**9198**

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**APPROVAL OF EMERGENCY RULE FOR FILING DISCOVERY AND  
MATERIALS IN CIVIL CASES IN THE DISTRICT COURTS OF  
JEFFERSON COUNTY, TEXAS**


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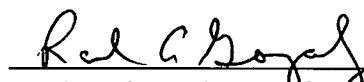
**ORDERED** that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court approves the Emergency Rule for Filing Discovery and Materials in Civil Cases in the District Courts of Jefferson County, Texas, which have been submitted to this Court.

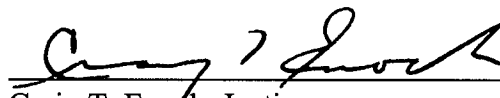
The approval of these rules is temporary, pending further orders of the Court.

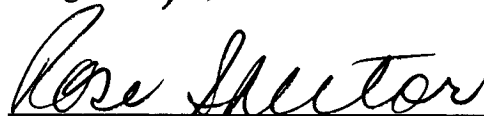
SIGNED AND ENTERED this 12<sup>th</sup> day of November, 1997.


  
Thomas R. Phillips, Chief Justice

  
Raul A. Gonzalez, Justice

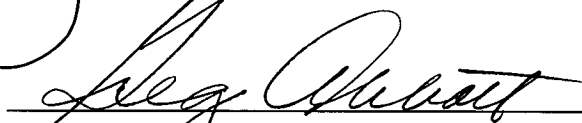
  
Nathan L. Hecht, Justice

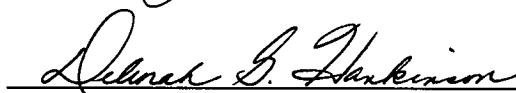
  
Craig T. Enoch, Justice

  
Rose Spector, Justice

  
Priscilla R. Owen, Justice

  
James A. Baker, Justice

  
Greg Abbott, Justice

  
Deborah G. Hankinson, Justice

**FILING OF DISCOVERY AND RELATED MATERIALS  
IN CIVIL CASES IN JEFFERSON 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 \_\_\_\_\_, 19\_\_\_\_, in the District Courts of Jefferson County, Texas, in lieu of the Texas Rules of Civil Procedure:

**LOCAL RULE 8**

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*; however, the parties shall file a copy of the letter of transmittal to the opposing and other attorneys, identifying fully therein the discovery request or response and other discovery materials so served. Exceptions are 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, even if the deposition is to be taken in a foreign jurisdiction;
- (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 five years thereafter. Such original or exact copy shall be public records as if the same were filed with the clerk, notwithstanding the above, and shall be made available to any person on reasonable notice and under reasonable circumstances.

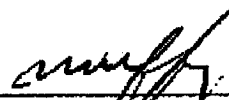
In cases designated as Efile pursuant to Local Rule 7, the copy of the letter of transmittal shall be filed electronically, as provided for other instruments by said rule.

This Rule shall expire five years from its effective date unless otherwise ordered by this Court.


Adopted this 19<sup>th</sup> day of August, 1997, by all the undersigned District Judges of Jefferson County, Texas.



Leonard Giblin, Admin. Judge and  
Judge 252<sup>nd</sup> Criminal District Court



James W. Mahaffy, Judge  
58<sup>th</sup> District Court



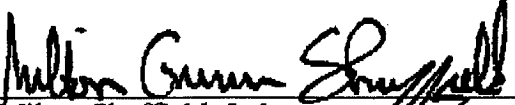
Charles Carver, Judge  
Criminal District Court of Jefferson County



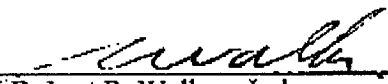
Gary Sanderson, Judge  
60<sup>th</sup> District Court



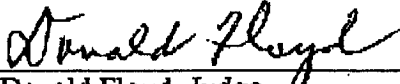
J. 'Skip' Hulett, Judge  
317<sup>th</sup> District Court



Milton Gunn Shuffield, Judge  
136<sup>th</sup> District Court



Robert P. Walker, Judge  
279<sup>th</sup> District Court



Donald Floyd, Judge  
172<sup>nd</sup> District Court



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

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

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EXECUTIVE ASST  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST  
NADINE SCHNEIDER

November 12, 1997

Hon. Leonard Giblin  
Admin. Judge and Judge  
252nd District Court  
Post Office Box 3707  
Beaumont, Texas 77704-3707

Dear Judge Giblin,

Please find enclosed, a copy of the order of the Supreme Court that approved a local rule for the district courts of Jefferson County.

Sincerely,

SIGNED

John T. Adams  
Clerk

Encl.

cc: Hon. Olen Underwood  
2nd Admin Judicial Rgn

Hon. James W. Mehaffy  
Hon. Charles Carver  
Hon. Gary Sanderson  
Hon. J. "Skip" Hulett  
Hon. Milton Shuffield  
Hon. Robert P. Walker  
Hon. Donald Floyd

District Clerk  
County Clerk  
Supreme Court Adv Committee

Mr. Jerry Benedict  
Office of Court Admin

State Law Library