

**IN THE SUPREME COURT OF TEXAS**

Misc. Docket No. 98-9007

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**APPROVAL OF  
LOCAL RULE CONCERNING FILING OF DISCOVERY AND  
RELATED MATERIALS IN CIVIL CASES  
IN THE DISTRICT COURTS OF BRAZORIA COUNTY, TEXAS**

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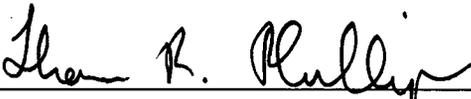
**ORDERED** that:

Pursuant to Texas Rule of Civil Procedure, the Supreme Court of Texas approves the following local rules:

Local Rule of Civil Procedure Concerning Filing of Discovery and Related Materials in Civil Cases in the District Courts of Brazoria County, Texas, to be effective February 1, 1998

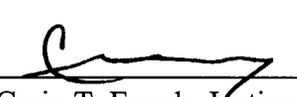
The approval of these rules is temporary pending further orders of the Court.

SIGNED AND ENTERED this 3rd day of February, 1998.

  
Thomas R. Phillips, Chief Justice

  
Raul A. Gonzalez, Justice

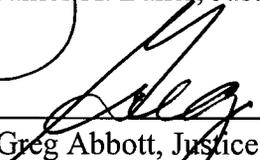
  
Nathan L. Hecht, Justice

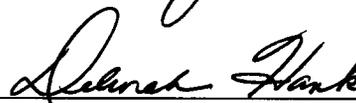
  
Craig T. Enoch, Justice

  
Rose Spector, Justice

  
Priscilla R. Owen, Justice

  
James A. Baker, Justice

  
Greg Abbott, Justice

  
Deborah Hankinson, Justice

**DISTRICT COURTS OF BRAZORIA COUNTY  
LOCAL RULE OF CIVIL PROCEDURE  
CONCERNING FILING OF DISCOVERY AND  
RELATED MATERIALS IN CIVIL CASES**

1. Purpose.

Because of the expense to private litigants and to the public resulting from the filing and storage of discovery and other documents in the records of the District Clerk of Brazoria County, this rule will apply in the District Courts of Brazoria County, Texas, effective February 1, 1998.

2. Documents Not to be Filed.

The following documents shall not be filed with the office of the District Clerk of Brazoria County with respect to pending civil cases:

- a. Requests for production and inspection and the related responses/objections served under Rule 167, Texas Rules of Civil Procedure;
- b. Interrogatories and responses/objections filed under Rule 168, Texas Rules of Civil Procedure; and
- c. Business records accompanied by affidavit filed under Rule 902(10), Texas Rules of Civil Evidence.

3. Exceptions and Procedural Requirements.

- a. Requests for admission and related responses/objections under Rule 169, Texas Rules of Civil Procedure, shall be filed as provided in said rule. Further, a Court may order the Clerk to accept the filing of any of the documents described in Section 2 in a particular case.
- b. The party responsible for service of the documents described in Section 2 shall:
  - (1) retain the original or an exact copy of the documents for at least one year after the case and any related appellate proceedings are last pending; and
  - (2) file with the Clerk a certificate which shall be signed by the attorney of record for the party and which shall identify:
    - (a) the document(s);
    - (b) the counsel or parties on whom the document was served; and

(c) the date the document was served.

- c. If relief is sought concerning any discovery dispute, a party may file only those portions of the documents related to and necessary to resolution of the dispute.
- d. A party may file any such documents as necessary in support of or opposition to a motion for summary judgment or any other pretrial motion.

Ben Hardin

Ben Hardin  
Judge, 23rd District Court

Date: 12-5-97

Robert May

Robert May  
Judge, 149th District Court

Date: 12-11-97

J. Ray Gayle

J. Ray Gayle, III  
Judge, 239th District Court

Date: 12-5-97

Ogden Bass

Ogden Bass  
Judge, 300th District Court

Date: 12-5-97



**ROBERT E. MAY**

JUDGE 149<sup>TH</sup> DISTRICT COURT  
BRAZORIA COUNTY COURTHOUSE  
ANGLETON, TEXAS 77515

December 10, 1997

The Honorable Nathan L. Hecht  
Justice, Texas Supreme Court  
Supreme Court Building  
P.O. Box 12248  
Austin, TX 78711

RE: Proposed Adoption of Local Rule Concerning Filing of  
Discovery and Related Materials in Civil Cases in the  
District Courts of Brazoria County

Dear Justice Hecht:

Enclosed is a copy of a proposed local rule of civil procedure which concerns the filing of discovery and related materials in civil cases in the District Courts of Brazoria County (the 23rd, 149th, 239th and 300th). The proposed rule is based on the local rules for Harris County and Dallas County District Courts, which I understand the Texas Supreme Court has already approved. We are proposing that this local rule become effective February 1, 1998.

Pursuant to Rule 3a of the Texas Rules of Civil Procedure, we hereby request approval of this local rule by the Texas Supreme Court. Please contact me if you need further information.

Very truly yours,

A handwritten signature in black ink that reads "Robert E. May".

Robert E. May  
Local Administrative Judge

BH:ms

cc: The Honorable Olen Underwood  
Presiding Judge  
2nd Administrative Judicial Region  
Montgomery County Courthouse  
301 North Main, Suite 228  
Conroe, TX 77031  
w/enclosure

cc: Jerry Deere  
District Clerk, Brazoria County, Texas



SECOND ADMINISTRATIVE JUDICIAL  
REGION OF TEXAS

OLEN UNDERWOOD  
PRESIDING JUDGE

JUDY M. GEIGER  
ADMINISTRATIVE ASSISTANT

VIKKI L. NELSON  
REGIONAL OFFICE MANAGER

December 15, 1997

Honorable Nathan L. Hecht  
Justice, Supreme Court of Texas  
P. O. Box 12248  
Austin, Texas 78711

Re: Local Rules Addition, Brazoria County

Dear Judge Hecht:

Pursuant to, and in accordance with Rule 3a, Texas rules of Civil procedure, and Rule 8, Regional Rules of Administration, Second Administrative Judicial Region, I am enclosing for approval by the Justices of the Supreme Court are Local Rules of Brazoria County, including the 23<sup>rd</sup>, 149<sup>th</sup>, 239<sup>th</sup>, and 300<sup>th</sup> Judicial District Courts, in the Second Administrative Region.

I hereby approve this addition of Brazoria County's Local Rules. Please advise this office of the Court's approval.

Thank you for your usual courtesies.

Sincerely,

A handwritten signature in black ink, appearing to read "Olen Underwood".

Olen Underwood

Cc: Honorable Robert May,  
Local Administrative Judge

Enclosure



**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

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

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

February 9, 1998

Hon. Robert E. May  
Admin. Judge and Judge  
149th District Court  
Brazoria County Courthouse  
Angleton, Texas 77515

Dear Judge May,

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

Sincerely,

**SIGNED**

John T. Adams  
Clerk

Encl.

cc: Hon. Olen Underwood  
2nd Admin Judicial Rgn

Hon. Ben Hardin

Hon. J. Ray Gayle, III

Hon. Ogden Bass

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict  
Office of Court Admin

State Law Library