

IN THE SUPREME COURT OF TEXAS

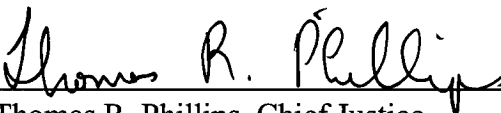
Misc. Docket No. 98-9065

**APPROVAL OF AMENDMENTS TO
LOCAL RULES FOR THE
DISTRICT COURTS OF WHARTON COUNTY**

ORDERED that:

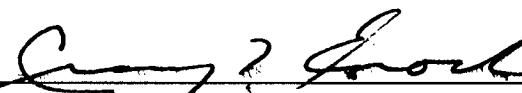
Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court of Texas approves the following amendments to the Local Rules for the District Courts of Wharton County, Texas. The approval of these rules is temporary pending further orders of the Court.


SIGNED AND ENTERED this 27th day of April, 1998.



Thomas R. Phillips, Chief Justice

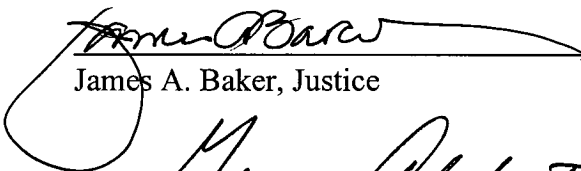

Raul A. Gonzalez, Justice

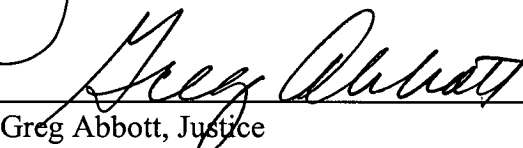

Nathan L. Hecht, Justice

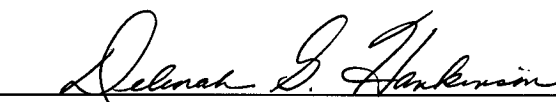

Craig T. Enoch, Justice


Rose Spector, Justice


Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice

DISTRICT COURTS OF WHARTON 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 Wharton County, this rule will apply in the District Courts of Wharton County, Texas, effective APRIL 1, 1998.

2. Documents Not to be Filed.

The following documents shall not be filed with the office of the District Clerk of Wharton 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;
- c. Requests for admissions and related responses/objections filed under Rule 169, Texas Rules of Civil Procedure; and
- d. Business records accompanied by affidavit filed under Rule 902(10), Texas Rules of Civil Evidence.

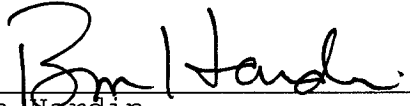
3. Exceptions and Procedural Requirements.

- a. 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.
- e. In the event of a conflict between the filing requirements of the Texas Rules of Civil Procedure and this rule, the latter shall prevail.



Ben Hardin
Judge, 23rd District Court

Date: 1-16-98



Daniel R. Sklar
Judge, 329th District Court

Date: 1-21-98



Daniel R. Sklar

DISTRICT JUDGE
329th JUDICIAL DISTRICT COURT
101 MILAM, ROOM 202
WHARTON, TEXAS 77488

LINDA M. DIXON
COURT COORDINATOR
DONNA A. GOREE, C.S.R.
COURT REPORTER

TELEPHONE: (409) 532-1514
FAX: (409) 532-1299

January 22, 1998

The Honorable Olen Underwood
Presiding Judge
2nd Administrative Judicial Region
Montgomery County Courthouse
301 North Main, Suite 228
Conroe, Texas 77031

Re: Proposed Adoption of Local Rule Concerning Filing Of Discovery and Related
Materials in Civil Cases in the District Courts of Wharton County

Dear Judge Underwood:

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 Wharton County (the 23rd and 329th). The proposed rule is based on the local rules for Harris County, Dallas County and Brazoria County which have already been approved. We are proposing that this local rule become effective April 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.

Sincerely,

A handwritten signature in black ink that reads "Daniel R. Sklar".

Daniel R. Sklar

DRS:ld
Enclosure

c: Judge Ben Hardin



SECOND ADMINISTRATIVE JUDICIAL
REGION OF TEXAS

OLEN UNDERWOOD
PRESIDING JUDGE

JUDY M. GEIGER
ADMINISTRATIVE ASSISTANT

VIKKI L. NELSON
REGIONAL OFFICE MANAGER

February 9, 1998

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

Re: Local Rules Addition, Wharton County

Dear Justice 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, an addition to the Local Rules of Wharton County, to become effective April 1, 1998.

I hereby approve this addition to Wharton 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 Dan Sklar,
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

EXECUTIVE ASS'T
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

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

April 29, 1998

Hon. Daniel R. Sklar
329th District Court
101 Milam, Room 202
Wharton, Texas 77488

Dear Judge Sklar,

Please find enclosed, a copy of the order of the Supreme Court that approved amendments to the local rules of the District Courts of Wharton County.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Olen Underwood
2nd Admin Judicial Rgn

Hon. Ben Hardin

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict
Office of Court Admin

State Law Library