

Information or instructions: Handling a civil appeal under the Texas Rules of Appellate Procedure

PREVIEW

1. The Texas Rules of Appellate Procedure (TRAP) were amended and became effective on September 1, 1997. This subchapter covers civil appeals. It does not address criminal appeals.
2. The amendments changed the way that appeals are perfected, the way that cases are docketed and implemented new forms and procedures.
3. Per TRAP 1 The rules govern procedure in appellate courts and before appellate Judges and post-trial procedure in trial courts in criminal cases.

Information or instructions: Perfection of the appeal

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1. A civil appeal is now commenced or “perfected” by filing a Notice of Appeal per TRAP 25. An appellant is no longer required to file a cost bond, a cash deposit in lieu of a bond or an affidavit in lieu of a bond.
2. Any person who wants to alter a trial court’s judgment or make an interlocutory appeal must file a notice of appeal. This means that Appellee’s must file to preserve their rights, they cannot rely on “piggy-back” on the appellant’s filing.

Information or instructions: Time to perfect appeal

1. Per TRAP 26 the Notice of Appeal must be filed within 30 days after the judgment is signed except as follows: the notice of appeal must be filed within 90 days after the judgment is signed if any party timely files:

- a. a motion for new trial;
- b. a motion to modify the judgment;
- c. a motion to reinstate under Texas Rule of Civil Procedure 165a; or
- d. a request for findings of fact and conclusions of law if findings and conclusions either are required by the Rules of Civil Procedure or, if not required, could properly be considered by the appellate court;
- e. or 90 days if a timely motion for new trial, motion to modify, motion to reinstate or per TRCP 165(a) a request for findings of fact and conclusion of law- where appropriate have been filed.

2. The new rules repealed the appeal by writ of error procedure for civil cases and in its place offer the “restricted appeal” per TRAP 20.

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3. In an accelerated appeal, the notice of appeal must be filed within 20 days after the judgment or order is signed.

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4. In a restricted appeal, the notice of appeal must be filed within six months after the judgment or order is signed; and if any party timely files a notice of appeal, another party may file a notice of appeal within the applicable period stated above or 14 days after the first filed notice of appeal, whichever is later.

5. The Notice of Appeal must be filed in the trial court and a copy sent to the court of appeals. The Notice of Appeal must be sent to all parties in the action.

6. Per TRAP 25, the Notice of Appeal must identify the:

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The notice of appeal must:

- a. identify the trial court and state the case's trial court number and style;
- b. state the date of the judgment or order appealed from
- c. state that the party desires to appeal;
- d. state the court to which the appeal is taken unless the appeal is to [Where Appeal is Taken];
- e. state the name of each party filing the notice;
- f. in an accelerated appeal, state that the appeal is accelerated.

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Information or instructions: Restricted appeal (formerly a Writ of Error)

1. State that the appellant is a party affected by the trial court's judgment but did not participate either in person or through counsel in the hearing that resulted in the judgment complained of;

2. State that the appellant did not timely file either a post-judgment motion, request for findings of fact and conclusions of law, or notice of appeal; and

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3. be verified by the appellant if the appellant does not have counsel.

Information or instructions: Service of notice; copy filed with appellate court

1. The notice of appeal must be served on all parties to the trial court's final judgment or, in an interlocutory appeal, on all parties to the trial court proceeding.

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2. A copy of the notice of appeal must be filed with the appellate court clerk.

Information or instructions: Amending the notice

1. An amended notice of appeal correcting a defect or omission in an earlier filed notice may be filed in the appellate court at any time before the appellant's brief is filed. The amended notice is subject to being struck for cause on the motion of any party affected by the amended notice.

2. After the appellant's brief is filed, the notice may be amended only on leave of the appellate court and on such terms as the court may prescribe.

3. Enforcement of judgment not suspended by appeal.

4. The filing of a notice of appeal does not suspend enforcement of the judgment.

Enforcement of the judgment may proceed unless:

- a. the judgment is superseded in accordance with Rule 24, or
- b. the appellant is entitled to supersede the judgment without security by filing a notice of appeal.

Information or instructions: Extension of time

1. Per TRAP 26, the appellate court may extend the time to file the notice of appeal if, within 15 days after the deadline for filing the notice of appeal, the party:

- a. files in the trial court the notice of appeal; and
- b. files in the appellate court a motion complying with Rule 10.5(b).

2. TRAP 26 is the former Rule 41. All times for perfecting appeal in civil cases including the time for perfecting a restricted appeal are stated. An extension of time is available for all appeals. The provisions of former Rule 41(c) regarding prematurely filed documents are moved to TRAP 27.

Information or instructions: Docketing statement

1. In order to help manage the case, the appellant must file a Docketing Statement at the time the notice of appeal is filed, per TRAP 32. The docketing statement is for administrative purposes and does not affect the appellate court's jurisdiction.

2. The Docketing Statement must contain the following:

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- a. if the appellant filing the statement has counsel, the name of that appellant and the name, address, telephone number, fax number, if any, and State Bar of Texas identification number of the appellant's lead counsel; or
- b. if the appellant filing the statement is not represented by an attorney, that party's name, address, telephone number, and fax number, if any;
- c. the date the notice of appeal was filed in the trial court and, if mailed to the trial court clerk, the date of mailing;

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- d. the trial court's name and county, the name of the Judge who tried the case, and the date the judgment or order appealed from was signed;
- f. the date of filing of any motion for new trial, motion to modify the judgment, request for findings of fact, motion to reinstate, or other filing that affects the time for perfecting the appeal;
- g. the names of all other parties to the trial court's judgment or the order appealed from, and:
- h. if represented by counsel, their lead counsel's names, addresses, telephone numbers, and fax numbers, if any; or
- i. if not represented by counsel, the name, address, and telephone number of the party, or a statement that the appellant diligently inquired but could not discover that information;
- j. the general nature of the case ? for example, personal injury, breach of contract, or temporary injunction;
- k. whether the appeal's submission should be given priority or whether the appeal is

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a. as prescribed in and in Rule 28 of the rules of state courts.

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- l. whether the appellant has requested or will request a reporter's record, and whether the trial was electronically recorded;
 - m. the name of the court reporter;
 - n. whether the appellant intends to seek temporary or ancillary relief while the appeal is pending;
 - o. the date of filing of any affidavit of indigence;
 - p. the date of filing of any contest;
 - q. the date of any order on the contest; and
 - r. whether the contest was sustained or overruled;
 - s. whether the appellant has filed or will file a supersedeas bond; and
 - t. any other information the appellate court requires.

Information or instructions: Supplemental statements

1. Any party may file a statement supplementing or correcting the docketing statement.

Information or instructions: Record on appeal

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1. Per TRAP 32, the statement of facts is now referred to as the "reporter's record" and per TRAP 34, the transcript is now referred to as the "clerk's record". These must be requested at or before the time for perfecting the appeal. The record is due either 90 days or 120 days after the judgment is signed. For interlocutory appeals, the record is due 10 and 30 days for restricted appeals.
 2. Per TRAP 35, the new rules require the trial court clerk to file the clerk's record and the court reporter is required to send the reporter's record to the court of appeals. The parties are no longer responsible for filing the record. The record must now be paid for in advance. A motion to supplement the record is no longer required, simply send a letter request to the trial court clerk or court reporter.
 3. Contents of the record on appeal

- a.. The appellate record consists of the clerk's record and, if necessary to the appeal, the reporter's record. Even if more than one notice of appeal is filed, there should be only one appellate record in a case.

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Information or instructions: Agreed record

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1. Per TRAP 34.2, by written stipulation filed with the trial court clerk, the parties may agree on the contents of the appellate record. An agreed record will be presumed to contain all evidence and filings relevant to the appeal. To request matter to be included in the agreed record, the parties must comply with the procedures in Rules 34.5 and 34.6.

Information or instructions: Agreed statement of the case

1. Per TRAP 34.3, in lieu of a reporter's record, the parties may agree on a brief statement of the case. The statement must be filed with the trial court clerk and included in the appellate record.

2. Per TRAP 34.4, the Supreme Court and Court of Criminal Appeals will prescribe the form of the appellate record.

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Information or instructions: Clerk's record

1. Per TRAP 34.5, unless the parties designate the filings in the appellate record by agreement under Rule 34.2, the record must include copies of the following in civil cases:

- a. all pleadings on which the trial was held;
- b. the court's docket sheet;
- c. the court's charges and the jury's verdict, or the court's findings of fact and conclusions of law;
- d. the court's judgment or other order that is being appealed;
- e. any request for findings of fact and conclusions of law, any post-judgment
- f. motion, and the court's order on the motion;
- g. the notice of appeal;
- h. any formal bill of exception;
- i. any request for a reporter's record, including any statement of points or issues under Rule 34.6(c);
- j. any request for preparation of the clerk's record;

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k. a certified bill of costs, including the cost of preparing the clerk's record, showing credits for payments made; and

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l. subject to (b), any filing that a party designates to have included in the record.

Information or instructions: Request for additional items

1. At any time before the clerk's record is prepared, any party may file with the trial court clerk a written designation specifying items to be included in the record.

2. The request must be specific. A party requesting that an item be included in the clerk's record must specifically describe the item so that the clerk can readily identify it. The clerk will disregard a general designation, such as one for all papers filed in the case.

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3. Requesting unnecessary items. In a civil case, if a party requests that more items than necessary be included in the clerk's record or any supplement, the appellate court may regardless of the appeal's outcome require that party to pay the costs for the preparation of the unnecessary portion.

4. Failure to timely request. An appellate court must not refuse to file the clerk's record or a supplemental clerk's record because of a failure to timely request items to be included in the clerk's record.

Information or instructions: Supplementation, defects and lost records

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1. If a relevant item has been omitted from the clerk's record, the trial court, the appellate court, or any party may by letter direct the trial court clerk to prepare, certify, and file in the appellate court a supplement containing the omitted item.

2. Any supplemental clerk's record will be part of the appellate record.

3. If the clerk's record is defective or inaccurate, the appellate clerk must inform the trial court clerk of the defect or inaccuracy and instruct the clerk to make the correction.

4. If a filing designated for inclusion in the clerk's record has been lost or destroyed, the parties may, by written stipulation, deliver a copy of that item to the trial court clerk for inclusion in the clerk's record or a supplement.

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5. If the parties cannot agree, the trial court must, on any party's motion or at the appellate court's request, determine what constitutes an accurate copy of the missing item and order it to be included in the clerk's record or a supplement.

6. If the trial court determines that original documents filed with the trial court clerk should be inspected by the appellate court or sent to another court in lieu of copies, the trial court must make an order for the safekeeping, transportation, and return of those original documents. The

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order must list the original documents and briefly describe them. All the documents must be arranged in their listed sequence and bound firmly together. On any party's motion or its own initiative, the appellate court may direct the trial court clerk to send it any original document.

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Information or instructions: Reporter's record

1. Contents:
 - a. If the proceedings were stenographically recorded, the reporter's record consists of the court reporter's transcription of so much of the proceedings, and any of the exhibits, that the parties to the appeal designate.
 - b. If the proceedings were electronically recorded, the reporter's record consists of certified copies of all tapes or other audio-storage devices on which the proceedings were recorded, any of the exhibits that the parties to the appeal designate, and certified copies of the logs prepared by the court recorder under Rule 13.2.

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Information or instructions: Request for preparation

1. Request to court reporter. At or before the time for perfecting the appeal the appellant must request in writing that the official reporter prepare the reporter's record.
2. The request must designate the exhibits to be included.
3. A request to the court reporter, but not the court recorder must also designate the portions of the proceedings to be included.

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Information or instructions: Filing

1. The appellant must file a copy of the request with the trial court clerk.

Information or instructions: Failure to timely request

1. An appellate court must not refuse to file a reporter's record or a supplemental reporter's record because of a failure to timely request it.

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Information or instructions: Partial reporter's record

1. Effect on appellate points or issues: If the appellant requests a partial reporter's record, the appellant must include in the request a statement of the points or issues to be presented on appeal and will then be limited to those points or issues.

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2. Other parties may designate additional exhibits: Any other party may designate additional exhibits and portions of the testimony to be included in the reporter's record.

3. Additions requested by another party must be included in the reporter's record at the appellant's cost. But if the trial court finds that all or part of the designated additions are unnecessary to the appeal, the trial court may order the other party to pay the costs for the preparation of the unnecessary additions. This paragraph does not affect the appellate court's power to tax costs differently.

Information or instructions: Presumptions

1. The appellate court must presume that the partial reporter's record designated by the parties constitutes the entire record for purposes of reviewing the stated points or issues. This presumption applies even if the statement includes a point or issue complaining of the legal or factual insufficiency of the evidence to support a specific factual finding identified in that point or issue.

Information or instructions: Time to file record

Per TRAP 35.1 the appellate record must be filed in the appellate court within 60 days after the judgment is signed, except as follows:

1. if Rule 26.1(a) applies, within 120 days after the judgment is signed;
2. if Rule 26.1(b) applies, within 10 days after the notice of appeal is filed; or
3. if Rule 26.1(c) applies, within 30 days after the notice of appeal is filed.

Information or instructions: Responsibility for filing the court and court reporter's records

1. Per TRAP 35.3 the trial court clerk is responsible for preparing, certifying, and timely filing the clerk's court record if:

- a. a notice of appeal has been filed; and
- b. the party responsible for paying for the preparation of the clerk's record has paid the clerk's fee, has made satisfactory arrangements with the clerk to pay the fee, or is entitled to appeal without paying the fee.

2. Per TRAP 35, the official or deputy court reporter is responsible for preparing, certifying, and timely filing the court reporter's record if:

- a. a notice of appeal has been filed;
- b. the appellant has requested that the reporter's record be prepared; and
- c. the party responsible for paying for the preparation of the reporter's record has paid the reporter's fee, or has made satisfactory arrangements with the reporter to pay the fee, or is entitled to appeal without paying the fee.

3. Per TRAP 35.1 the trial and appellate courts are jointly responsible for ensuring that the appellate record is timely filed. The appellate court must allow the record to be filed late when the delay is not the appellant's fault, and may do so when the delay is the appellant's fault. The appellate court may enter any order necessary to ensure the timely filing of the appellate record.

Information or instructions. Briefs

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1. TRAP 38, appellant's brief must state all issues or points which are presented for review. Attorneys may use the traditional "points of error" or use the newer "issues or points presented" designation. Points presented are like points of error with the focus on the core propositions. They do not need to focus on specific rulings which was required for the points of error.

2. In cross appeals, each party filing a notice of appeal must file a brief as an appellant. See TRAP 25.1(c).

3. An appendix is required. It must include the trial court's judgment, the jury charge and the text of any relevant constitutional provision, statute or regulation.

4. TRAP 38 recognizes a portion of the brief called "statement of facts." This was commonly included in prior practice even though it was not specifically authorized by the rules. It is now authorized.

5. The brief must contain a statement of argument which is a summary of the argument. It must appear after the statement of facts and before the argument.

6. The brief is due 30 days after the clerk's record and court reporter's record are filed. The appellee's brief is due 30 days thereafter.

7. Reply briefs are authorized and if filed, must be filed within 20 days of the Appellee's brief.

8. Per TRAP 38, briefs are limited to 50 pages. Reply briefs may not exceed 25 pages.

9. If a party desires oral argument, the request must be made in the party's first brief on the front cover

10. The following summarizes TRAP's rules regarding briefs.

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11. TRAP rule number 38.1 Appellant's Brief. The appellant's brief must, under appropriate headings and in the order here indicated, contain the following:

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a. Identity of parties and counsel. The brief must give a complete list of all parties to the trial court's judgment or order appealed from, and the names and addresses of all trial and appellate counsel.

b. Table of contents. The brief must have a table of contents with references to the pages of the brief. The table of contents must indicate the subject matter of each issue or point, or group of issues or points.

c. Index of authorities. The brief must have an index of authorities arranged alphabetically and indicating the pages of the brief where the authorities are cited.

d. Statement of the case. The brief must state concisely the nature of the case (e.g., whether it is a suit for damages, on a note, or involving a murder prosecution), the course of proceedings, and the trial court's disposition of the case. The statement should be supported by record references, should seldom exceed one-half page, and should not discuss the facts.

e. Issues presented. The brief must state concisely all issues or points presented for review. The statement of an issue or point will be treated as covering every subsidiary question that is fairly included.

f. Statement of facts. The brief must state concisely and without argument the facts pertinent to the issues or points presented. In a civil case, the court will accept as true the facts stated unless another party contradicts them. The statements must be supported by record references.

g. Summary of the argument. The brief must contain a succinct, clear, and accurate statement of the arguments made in the body of the brief. This summary must not merely repeat the issues or points presented for review.

h. Argument. The brief must contain a clear and concise argument for the contentions made, with appropriate citations to authorities and to the record.

i. Prayer. The brief must contain a short conclusion that clearly states the nature of the relief sought.

j. Appendix in civil cases.

1. Necessary contents. Unless voluminous or impracticable, the appendix must contain a copy of:

i. the trial court's judgment or other appealable order from which relief is sought;

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ii. the jury charge and verdict, if any, or the trial court's findings of fact and conclusions of law. If any, an

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iii. the text of any rule, regulation, ordinance, statute, constitutional provision, or other law (excluding case law) on which the argument is based, and the text of any contract or other document that is central to the argument.

13. Optional contents. The appendix may contain any other item pertinent to the issues or points presented for review, including copies or excerpts of relevant court opinions, laws, documents on which the suit was based, pleadings, excerpts from the reporter's record, and similar material. Items should not be included in the appendix to attempt to avoid the page limits for the brief.

14. TRAP 38.1 Appellee's Brief.

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(a) Form of brief.

(1) An appellee's brief must conform to the requirements of subdivision 38.1, except that: (A) the list of parties and counsel is not required unless necessary to supplement or correct the appellant's list; (B) the appellee's brief need not include a statement of the case, a statement of the issues presented, or a statement of facts, unless the appellee is dissatisfied with that portion of the appellant's brief; and (C) the appendix to the appellee's brief need not contain any item already contained in an appendix filed by the appellant.

(2) When practicable, the appellee's brief should respond to the appellant's issues or points in the order the appellant presented those issues or points.

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(b) Cross-points.

(1) Judgment notwithstanding the verdict. When the trial court renders judgment notwithstanding the verdict on one or more questions, the appellee must bring forward by cross-point any issue or point that would have vitiated the verdict or that would have prevented an affirmance of the judgment if the trial court had rendered judgment on the verdict. Failure to bring forward by cross-point an issue or point that would vitiate the verdict or prevent an affirmance of the judgment waives that complaint. Included in this requirement is a point that: (A) the verdict or one or more jury findings have insufficient evidentiary support or are against the overwhelming preponderance of the evidence as a matter of fact; or (B) the verdict should be set aside because of improper argument of counsel.

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(2) When evidentiary hearing needed. The appellate court must remand a case to the trial court to take evidence if: (A) the appellate court has sustained a point raised by the appellant; and (B) the appellee raised a cross-point that requires the taking of additional evidence.

15. TRAP 38.3 Reply Brief.

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The appellant may file a reply brief addressing any matter in the appellee's brief. However, the appellate court may consider and decide the case before a reply brief is filed.

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TRAP 38.4 Length of Briefs. An appellant's brief or an appellee's brief must be no longer than 50 pages, exclusive of pages containing the identity of parties and counsel, the table of contents, the index of authorities, the statement of the case, the issues presented, the signature, the proof of service, and the appendix. A reply brief must be no longer than 25 pages, exclusive of the items stated above. But in a civil case, the aggregate number of pages of all briefs filed by a party must not exceed 90, exclusive of the items stated above. The court may, on motion, permit a longer brief.

TRAP 38.5 Appendix for Cases Recorded Electronically. In cases where the proceedings were electronically recorded, the following rules apply: (a) Appendix. (1) In general. At or before the time a party's brief is filed, the party must file one copy of an appendix containing a transcription of all portions of the recording that the party considers relevant to the appellate issues or points.

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Unless another party objects, the transcription will be presumed accurate. (2) Repetition not required. A party's appendix need not repeat evidence included in any previously filed appendix. (3) Form. The form of the appendix and transcription must conform to any specifications of the Supreme Court and Court of Criminal Appeals concerning the form of the reporter's record except that it need not have the reporter's certificate.

Notice. At the time the appendix is filed, the party must give written notice of the filing to all parties to the trial court's judgment or order. The notice must specify, by referring to the index numbers in the court recorder's log, those parts of the recording that are included in the appendix. The filing party need not serve a copy of the appendix but must make a copy available to all parties for inspection and copying.

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Presumptions. The same presumptions that apply to a partial reporter's record under Rule 34.6(c)(4) apply to the parties' appendixes. The appellate court need not review any part of the electronic recording.

16. Supplemental appendix. The appellate court may direct or allow a party to file a supplemental appendix containing a transcription of additional portions of the recording.

17. Inability to pay. A party who cannot pay the cost of an appendix must file the affidavit provided for by Rule 20. The party must also state in the affidavit or a supplemental affidavit that the party has neither the access to the equipment necessary nor the skill necessary to prepare the appendix. If a contest to the affidavit is not sustained by written order, the court recorder must transcribe or have transcribed those portions of the recording that the party designates and must file the transcription as that party's appendix, along with all exhibits.

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18. Inaccuracies.

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Correction by agreement. The parties may agree to correct an inaccuracy in the transcription of the recording.

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Correction by appellate or trial court. If the parties dispute whether an electronic recording or transcription accurately discloses what occurred in the trial court but cannot agree on corrections, the appellate court may:

- A) settle the dispute by reviewing the recording; or
- (B) submit the dispute to the trial court, which must ? after notice and hearing settle the dispute and ensure that the recording or transcription is made to conform to what occurred in the trial court.

19. **Costs.** The actual expense of preparing the appendixes or the amount prescribed for official reporters, whichever is less, is taxed as costs. The appellate court may allow the cost of any portion of the appendixes that it considers surplusage or that does not conform to any specifications prescribed by the Supreme Court or Court of Criminal Appeals.

20. **TRAP 38.6 Time to File Briefs.**

Appellant's filing date. Except in a habeas corpus or bail appeal, which is governed by Rule 31, an appellant must file a brief within 30 days 20 days in an accelerated appeal after the later of:

- (1) the date the clerk's record was filed; or
- (2) the date the reporter's record was filed.

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Information or instructions: Appellee's filing date

1. The appellee's brief must be filed within 30 days 20 days in an accelerated appeal after the date the appellant's brief was filed. In a civil case, if the appellant has not filed a brief as provided in this rule, an appellee may file a brief within 30 days 20 days in an accelerated appeal after the date the appellant's brief was due.

Information or instructions: Filing date for reply brief

1. A reply brief, if any, must be filed within 20 days after the date the appellee's brief was filed.

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2. **Modifications of filing time.** On motion complying with Rule 10.5(b), the appellate court may extend the time for filing the appellant's brief and may postpone submission of the case. A motion to extend the time to file the brief may be filed before or after the date the brief is due. The court may also, in the interests of justice, shorten the time for filing briefs and for submission of the case.

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Information or instructions: Amendment or supplementation

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1. Per TRAP 38.7 a brief may be amended or supplemented whenever justice requires, on whatever reasonable terms the court may prescribe.

Information or instructions: Failure of appellant to file brief

Per TRAP 38.8 if an appellant fails to timely file a brief, the appellate court may:

1. dismiss the appeal for want of prosecution, unless the appellant reasonably explains the failure and the appellee is not significantly injured by the appellant's failure to timely file a brief;

2. decline to dismiss the appeal and give further direction to the case as it considers proper; or

3. if an appellee's brief is filed, the court may regard that brief as correctly presenting the case and may affirm the trial court's judgment upon that brief without examining the record.

Information or instructions: Local rules

1. Per TRAP 1 a court of appeals, like trial courts, have the power to issue local rules concerning the processing of appeals through their judicial district. They promulgate rules governing its practice that are not inconsistent with the TRAP. Local rules governing civil cases must first be approved by the Supreme Court. Local rules governing criminal cases must first be approved by the Court of Criminal Appeals.

2. Such rules have been promulgated, for example, for the appellate courts in Houston, Harris County, Texas.

3. Therefore, it is important to check with the clerk of the appropriate Court of Civil Appeals to ascertain if local rules have been promulgated regarding the processing of the appeal.

Information or instructions: Prior rules and legislative updates

1. There have been major changes to appellate practice in recent years. The Texas Supreme Court replaced the former rules of civil procedure which dealt with civil appeals by promulgating the Texas Rules of Appellate Procedure (TRAP). Accordingly, Texas Rules of Civil Procedure, Numbers 352 through 515 have been repealed and substituted in their place are the Texas Rules of Appellate Procedure. These rules now govern appellate procedure in civil and criminal cases, post-trial and appellate procedures.

2. Section 51.14 of the Texas Civil Practice and Remedies Code has amended. It expands the appeal on in a jury trial to include the granting or denial of a special appearance.

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defendant (except for those brought under the Family Code) and pleas to the jurisdiction by a governmental unit. The trial shall be stayed until the appeal is resolved.

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3. Use of Teleconferences for oral argument in appellate courts. Section 22.3.2 has been added to the Texas Government Code. This section authorizes the uses of teleconferences for conducting oral arguments in both civil and criminal appeals.

4. Section 51.2.7(b) of the government code has been amended to change the filing fees in Texas appeals effective September 1, 1997 as follows:

Information or instructions: Cash deposit in lieu of an appeal bond

1. This form is no longer required by the TRAP.

Information or instructions: Certificate of cash deposit in lieu of an appeal bond

1. This form is no longer required by the TRAP.

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