

Information or instructions: ~~Petitions practice commentary~~
PREVIEW

1. The petition is required to initiate litigation in Texas state courts. All petitions in which post judgment interest is requested should reflect the interest rates allowable for post judgment interest. Accordingly, it is recommended that the petition pray for prejudgment and post judgment interest at the maximum rate allowed by law.

2. The post judgment rate of interest for all judgments of Texas state courts based on a contract that provides for a specific rate of interest shall earn interest at a rate equal to the lesser of a. the rate specified in the contract or (b) eighteen percent (18%). In any other case, all judgments of Texas state courts shall earn interest at the annual rate published by the Consumer Credit Commission, which shall not be less than 10% nor more than 20%. This monthly rate shall be published in the Texas Lawyers Civil Digest.

3. Per Rule 190.1 and effective January 1, 1999, all cases shall be governed by a discovery control plan. There are three control plans: level 1,2, and 3. Level 1 is for cases of \$50,000 and under, level 2 is for most cases and level 3 allows the court to establish a specific discovery plan for the case.

4. The plaintiff must allege in the **first numbered paragraph of the original petition** which level (1,2, or 3) the plaintiff desires to control the discovery.

5. TRCP 190.2 –Level 1, does not apply to suits for injunctive relief or divorces involving children

a. Suggested language to include in the petition.

THIS DOCUMENT

1. DISCOVERY CONTROL PLAN

1.1 Plaintiff requests a Level [1, 2 or 3] discovery plan.

Information or instructions: Court captions

The following lists the style for court captions for District, County, JP and Small Claims Courts.

Form: Court captions

District:

THANK YOU

CAUSE NUMBER _____

[Name],
PLAINTIFF

IN THE DISTRICT COURT

vs.

LegalFormsForTexas.Com
OF [NAME], COUNTY, TEXAS

[Name],
DEFENDANT

PREVIEW

Number, JUDICIAL DISTRICT

County:

CAUSE NUMBER _____

[Name],
PLAINTIFF

IN THE COUNTY COURT

NUMBER _____

vs.

[Name],
DEFENDANT

OF [NAME], COUNTY, TEXAS

County Court At Law

PLEASE DO NOT COPY

CAUSE NUMBER _____

[Name],
PLAINTIFF

IN THE COUNTY COURT

AT LAW NUMBER _____

vs.

[Name],
DEFENDANT

OF [NAME], COUNTY, TEXAS

Small Claims Court:

THIS DOCUMENT

CAUSE NUMBER _____

[Name],
PLAINTIFF

SMALL CLAIMS COURT

NUMBER _____

vs.

[Name],
DEFENDANT

OF [NAME], COUNTY, TEXAS

Justice of the Peace Court:

THANK YOU

CAUSE NUMBER _____

[Name],
PLAINTIFF

IN THE JUSTICE OF THE PEACE
COURT

PRECINCT NUMBER _____

vs.

[Name],
DEFENDANT

OF [NAME], COUNTY, TEXAS

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PREVIEW

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