

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 10- **9133**

ORDER ADOPTING TEXAS RULE OF CIVIL PROCEDURE 78a

ORDERED that:

1. Pursuant to Section 22.004 of the Texas Government Code, the Supreme Court of Texas promulgates Rule 78a of the Texas Rules of Civil Procedure as follows.

2. By Order dated May 3, 2010, in Misc. Docket No. 10-9062, the Court promulgated Rule 78a and invited public comment. Following public comment, the Court made revisions to Rule 78a. This Order contains the final version of Rule 78a that takes effect September 1, 2010.

3. Also by Order dated May 3, 2010, in Misc. Docket No. 10-9062, the Court promulgated the civil case information sheet that Rule 78a requires. This Order contains the final version of the civil case information sheet that takes effect September 1, 2010.

4. The Clerk is directed to:

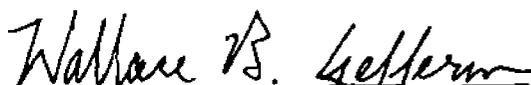
- a. file a copy of this Order with the Secretary of State;
- b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
- c. send a copy of this Order to each elected member of the Legislature; and
- d. submit a copy of the Order for publication in the *Texas Register*.

Rule 78a. Case Information Sheet

- (a) *Requirement.* A civil case information sheet, in the form promulgated by the Supreme Court of Texas, must accompany the filing of:
 - (1) an original petition or application; and
 - (2) a post-judgment petition for modification or motion for enforcement in a case arising under the Family Code.
- (b) *Signature.* The civil case information sheet must be signed by the attorney for the party filing the pleading or by the party.
- (c) *Enforcement.* The court and clerk must take appropriate measures to enforce this rule. But the clerk may not reject a pleading because the pleading is not accompanied by a civil case information sheet.
- (d) *Limitation on Use.* The civil case information sheet is for data collection for statistical and administrative purposes and does not affect any substantive right.
- (e) *Applicability.* The civil case information sheet is not required in cases filed in justice courts or small-claims courts, or in cases arising under Title 3 of the Family Code.

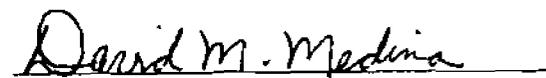
Comment: Rule 78a is added to require the submission of a civil case information sheet to collect data for statistical and administrative purposes, *see, e.g.*, TEX. GOV'T CODE § 71.035. A civil case information sheet is not a pleading. Rule 78a is placed with other rules regarding pleadings because civil case information sheets must accompany pleadings.

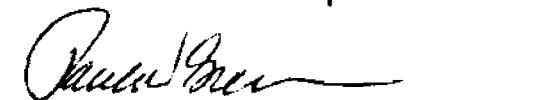
SIGNED this 16th day of August, 2010.


Wallace B. Jefferson, Chief Justice

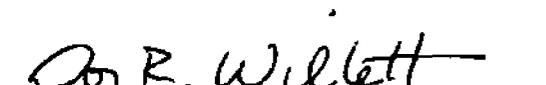

Nathan L. Hecht, Justice


Dale Wainwright, Justice


David M. Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice


Eva M. Guzman, Justice


Debra H. Lehrmann, Justice