

# IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 10- 9062

## 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.

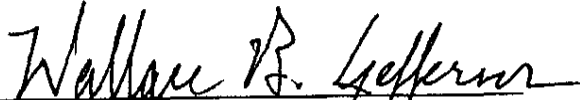
2. Rule 78a, with any modifications made after public comments are received, takes effect September 1, 2010. Comments may be submitted to the Supreme Court of Texas in writing on or before August 2, 2010. Comments should be directed to Kennon L. Peterson, Rules Attorney, at P.O. Box 12248, Austin, TX 78711, or [kennon.peterson@courts.state.tx.us](mailto:kennon.peterson@courts.state.tx.us).


3. The Supreme Court of Texas also promulgates the attached civil case information sheet, as approved by the Texas Judicial Council, to be used pursuant to Rule 78a.


4. The Clerk is directed to:

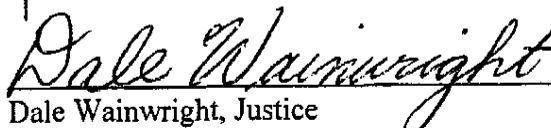
- a. file a copy of this Order with the Secretary of State;
- b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
- c. send a copy of this Order to each elected member of the Legislature; and
- d. submit a copy of the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

SIGNED this 3rd day of May, 2010.


  
Wallace B. Jefferson, Chief Justice

  
Nathan L. Hecht, Justice

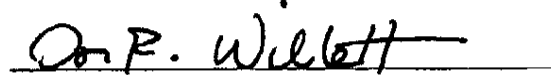
  
Harriet O'Neill, Justice

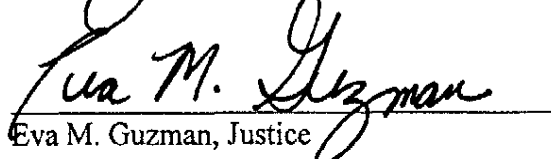
  
Dale Wainwright, Justice

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David M. Medina, Justice

  
Paul W. Green, Justice

  
Phil Johnson, Justice

  
Don R. Willett, Justice

  
Eva M. Guzman, Justice

**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; and
  - (2) a post-judgment motion for modification or 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.

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 cover sheets must accompany pleadings.