

Current Rule:

RULE 78. PETITION: ORIGINAL AND SUPPLEMENTAL; INDORSEMENT

The pleading of plaintiff shall consist of an original petition, and such supplemental petitions as may be necessary in the course of pleading by the parties to the suit. The original petition and the supplemental petitions shall be indorsed, so as to show their respective positions in the process of pleading, as "original petition," "plaintiff's first supplemental petition," "plaintiff's second supplemental petition," and so on, to be successively numbered, named, and indorsed.

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.

Proposed Rule:

RULE 78. PETITION: ORIGINAL AND SUPPLEMENTAL; INDORSEMENT

The pleading of plaintiff shall consist of an original petition, and such supplemental petitions as may be necessary in the course of pleading by the parties to the suit. The original petition and the supplemental petitions shall be indorsed, so as to show their respective positions in the process of pleading, as "original petition," "plaintiff's first supplemental petition," "plaintiff's second supplemental petition," and so on, to be successively numbered, named, and indorsed.

RULE 78a. DISCLOSURE SHEET FOR PROTECTIVE ORDERS CASE INFORMATION SHEET

(a) *Requirement.*

(1) A disclosure sheet for protective orders, in the form promulgated by the Supreme Court of Texas, must accompany the filing of any protective order filed under the Texas Family Code or the Texas Code of Criminal Procedure.

~~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 disclosure sheet for protective orders ~~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 disclosure sheet for protective orders. ~~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.~~ The disclosure sheet for protective orders is for use by the judiciary for informational purposes in protective orders.

~~(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: The judicial disclosure sheet for protective orders is added to inform judicial officers whether a defendant in a protective order suit has access to weapons. 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.