

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

Misc. Docket No. 22-005

**Final Approval of Amendments to Texas Rules of Appellate Procedure 38.1(a), 52.3(a),
53.2(a), and 55.2(a)**

ORDERED that:

1. On April 8, 2022, the Supreme Court of Texas (in Misc. Docket No. 22-9029), preliminarily approved amendments to Texas Rules of Appellate Procedure 38.1(a), 52.3(a), 53.2(a), and 55.2(a) and invited public comment.
2. Following public comment, the Supreme Court revised those amendments. This Order incorporates the revisions and contains the final version of the rules, effective August 1, 2022.
3. The amendments to Rules 38.1(a), 52.3(a), 53.2(a), and 55.2(a) are demonstrated in redline and clean form.
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*.

Dated: July 25, 2022.

Sharon Keller

Sharon Keller, Presiding Judge

Barbara Hervey

Barbara P. Hervey, Judge

Bert Richardson

Bert Richardson, Judge

Kevin Patrick Yeary

Kevin P. Yeary, Judge

David Newell

David Newell, Judge

Mary Lou Keel

Mary Lou Keel, Judge

Scott Walker

Scott Walker, Judge

Michelle Slaughter

Michelle Slaughter, Judge

Jesse F. McClure III

Jesse F. McClure, Judge

Supreme Court of Texas

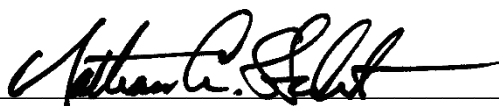
Misc. Docket No. 22-9057

Final Approval of Amendments to Texas Rules of Appellate Procedure 38.1(a), 52.3(a), 53.2(a), and 55.2(a)

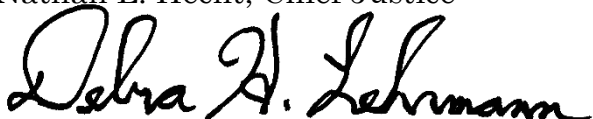
ORDERED that:

1. On April 8, 2022, Misc. Dkt. No. 22-9029, the Court preliminarily approved amendments to Texas Rules of Appellate Procedure 38.1(a), 52.3(a), 53.2(a), and 55.2(a) and invited public comment.
2. Following public comment, the Court made revisions to the rules. This Order incorporates the revisions and contains the final version of the rules, effective August 1, 2022.
3. The amendments to Rules 38.1(a), 52.3(a), 53.2(a), and 55.2(a) are demonstrated in redline and clean form.
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*.

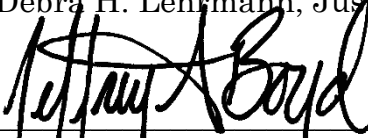
Dated: July 25, 2022.



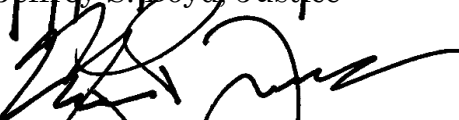
Nathan L. Hecht, Chief Justice



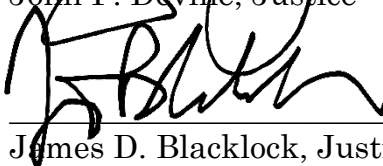
Debra H. Lehrmann, Justice



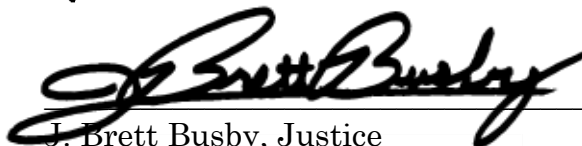
Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



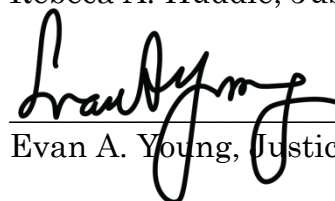
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

Redline Version

Rule 38. Requisites of Briefs

38.1. Appellant's Brief

The appellant's brief must, under appropriate headings and in the order here indicated, contain the following:

- (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~~except as otherwise provided in Rule 9.8. The brief must also give a complete list of the names ~~and addresses~~ of all ~~trial and appellate counsel,~~ except as otherwise provided in Rule 9.8 appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for counsel currently appearing, their mailing address, telephone number, and email address. If new counsel appears or if any counsel currently appearing changes their firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

Rule 52. Original Proceedings

52.3. Form and Contents of Petition

The petition must, under appropriate headings and in the order here indicated, contain the following:

- (a) *Identity of Parties and Counsel.* The petition must give a complete list of all parties, ~~and.~~ The petition must also give a complete list of the names, ~~and addresses~~ of all counsel appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for counsel currently appearing, their mailing address, telephone number, and email address. If new counsel appears or if any counsel currently appearing changes firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

Rule 53. Petition for Review

53.2. Contents of Petition

The petition for review must, under appropriate headings and in the order here indicated, contain the following items:

- (a) *Identity of Parties and Counsel.* The petition must give a complete list of all parties to the trial court's final judgment, ~~and the names and addresses of all trial and appellate counsel.~~ The petition must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for counsel currently appearing, their mailing address, telephone number, and email address. If new counsel appears or if any counsel currently appearing changes firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

Rule 55. Briefs on the Merits

55.2. Petitioner's Brief on the Merits

The petitioner's brief on the merits must be confined to the issues or points stated in the petition for review and must, under appropriate headings and in the order here indicated, contain the following items:

- (a) *Identity of Parties and Counsel.* The brief must give a complete list of all parties to the trial court's final judgment, ~~and the names and addresses of all trial and appellate counsel.~~ The brief must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for counsel currently appearing, their mailing address, telephone number, and email address. If new counsel appears or if any counsel currently appearing changes firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

Rule 38. Requisites of Briefs

38.1. Appellant's Brief

The appellant's brief must, under appropriate headings and in the order here indicated, contain the following:

- (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, except as otherwise provided in Rule 9.8. The brief must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for counsel currently appearing, their mailing address, telephone number, and email address. If new counsel appears or if any counsel currently appearing changes their firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

Rule 52. Original Proceedings

52.3. Form and Contents of Petition

The petition must, under appropriate headings and in the order here indicated, contain the following:

- (a) *Identity of Parties and Counsel.* The petition must give a complete list of all parties. The petition must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for counsel currently appearing, their mailing address, telephone number, and email address. If new counsel appears or if any counsel currently appearing changes firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

Rule 53. Petition for Review

53.2. Contents of Petition

The petition for review must, under appropriate headings and in the order here indicated, contain the following items:

- (a) *Identity of Parties and Counsel.* The petition must give a complete list of all parties to the trial court's final judgment. The petition must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for counsel currently appearing, their mailing address, telephone number, and email address. If new counsel appears or if any counsel currently appearing changes firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.

Rule 55. Briefs on the Merits

55.2. Petitioner's Brief on the Merits

The petitioner's brief on the merits must be confined to the issues or points stated in the petition for review and must, under appropriate headings and in the order here indicated, contain the following items:

- (a) *Identity of Parties and Counsel.* The brief must give a complete list of all parties to the trial court's final judgment. The brief must also give a complete list of the names of all counsel appearing in the trial or appellate courts; their firm or office name at the time of the appearance; and, for counsel currently appearing, their mailing address, telephone number, and email address. If new counsel appears or if any counsel currently appearing changes firm or office affiliation during the pendency of the appeal, lead counsel for the party must notify the clerk by filing a supplemental disclosure.
