

Supreme Court of Texas

Misc. Docket No. 22-9109

Preliminary Approval of Amendments to Texas Rule of Appellate Procedure 34.5(a)

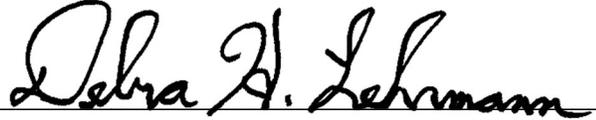
ORDERED that:

1. The Court invites public comments on proposed amendments to Texas Rule of Appellate Procedure 34.5(a).
2. Comments regarding the proposed amendments should be submitted in writing to rulescomments@txcourts.gov by April 2, 2023.
3. The Court will issue an order finalizing the rule after the close of the comment period. The Court may change the amendments in response to public comments. The Court expects the amendments to take effect on May 1, 2023.
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 this Order for publication in the *Texas Register*.

Dated: December 13, 2022.



Nathan L. Hecht, Chief Justice



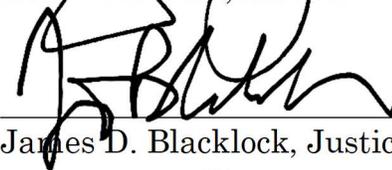
Debra H. Lehrmann, Justice



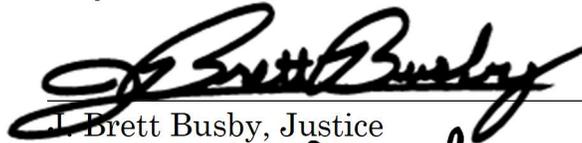
Jeffrey S. Boyd, Justice



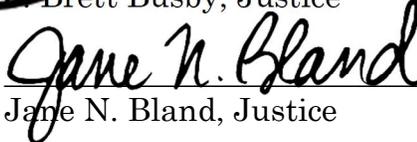
John P. Devine, Justice



James D. Blacklock, Justice



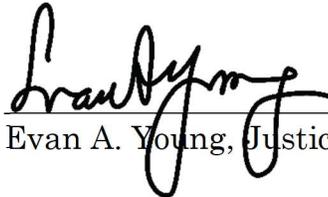
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

TEXAS RULES OF APPELLATE PROCEDURE

Rule 34. Appellate Record

34.5. Clerk's Record

- (a) *Contents.* Unless the parties designate the filings in the appellate record by agreement under Rule 34.2, the record must include copies of the following:
- (1) in civil cases, all pleadings on which the trial was held;
 - (2) in criminal cases, the indictment or information, any special plea or defense motion that was presented to the court and overruled, any written waiver, any written stipulation, and, in cases in which a plea of guilty or nolo contendere has been entered, any documents executed for the plea;
 - (3) the court's docket sheet;
 - (4) the court's charge and the jury's verdict, or the court's findings of fact and conclusions of law;
 - (5) the court's judgment or other order that is being appealed;
 - (6) any request for findings of fact and conclusions of law, any post-judgment motion, and the court's order on the motion;
 - (7) the notice of appeal;
 - (8) any formal bill of exception;
 - (9) any request for a reporter's record, including any statement of points or issues under Rule 34.6(c);
 - (10) any request for preparation of the clerk's record;
 - (11) in civil cases, a certified bill of costs, including the cost of preparing the clerk's record, showing credits for payments made;
 - (12) in criminal cases, the trial court's certification of the defendant's right of appeal under Rule 25.2; ~~and~~

(13) in civil cases, any supersedeas bond; and

(14) subject to (b), any filing that a party designates to have included in the record.
