

2025 EDITION HIGHLIGHTS

What's New in This Edition

This edition of **O'Connor's Texas Civil Appeals** has been updated to reflect 2024 and 2025 rule amendments and case-law changes. We have also revised and reorganized parts of the commentaries to improve clarity and add further explanation. Here are some of the changes we made in this edition:

- Throughout the book, we updated the citations to the new 12th edition of *Black's Law Dictionary* (2024).
- We revised the discussion of the finality of judgments based on the Texas Supreme Court's opinion in **In re Lakeside Resort JV, LLC**, 689 S.W.3d 916 (Tex.2024).
- We revised the discussion of e-filing based on the final amendments to TRAP 9.2(c)(7) and 9.4(j), as well as the latest version of the technology standards from the Judicial Committee on Information Technology.
- We revised the discussion of communications from the court based on the final amendments to TRAP 9.2(c)(7).
- We revised the discussion of the contents of the notice of appeal based on new TRAP 25.1(d)(9).
- We revised the discussion of the docketing statement based on the amendments to TRAP 32.1 and the adoption of the form docketing statement approved by the Office of Court Administration. We also created a new form with the docketing statement.
- We revised the discussion of the trial-court clerk's duty to file the record based on the final version of TRAP 34.5a.
- We revised the discussions of the contents of briefs, petitions, and appendixes based on the amendments to TRAP 38.1, 52.3, 53.2, and 55.2.
- We revised the discussion of the clerk's notice of submission of a case to the court of appeals based on the amendments to TRAP 39.8.
- We revised the discussion of motions for temporary relief based on the Texas Supreme Court's opinion in **In re State**, ___ S.W.3d ___, 2024 WL 2983176 (Tex.2024) (No. 24-0325; 6-14-24).
- We revised the discussion of mandamus against state officers based on the Texas Supreme Court's opinion in **In re Texas House of Representatives**, 702 S.W.3d 330 (Tex.2024).
- We revised the discussion of mandamus against individuals or entities in elections or political-party conventions based on the Texas Supreme Court's opinion in **In re Rogers**, 690 S.W.3d 296 (Tex.2024).

MISCELLANEOUS TEXAS SUPREME COURT ORDERS

TRAP amendments.

- In 2025, the Texas Supreme Court amended TRAP 6.5(a)(2) to require that a motion to withdraw include the party's e-mail address as well as the party's name, last known address, and telephone number. Tex.Sup.Ct. Order, Misc. Docket No. 25-9011 (eff. Apr. 1, 2025). A corresponding amendment was made to TRAP 6.5(d) to require that the motion to withdraw and substitute lead counsel include the substitute attorney's e-mail address as well as her name, State Bar of Texas identification number, mailing address, telephone number, and fax number (if any). Tex.Sup.Ct. Order, Misc. Docket No. 25-9011 (eff. Apr. 1, 2025).
- In 2024, the Texas Supreme Court amended TRAP 9.4, 38.1, 52.3, 53.2, and 55.2 to require that documents filed in civil cases contain bookmarks to assist in locating each item. Tex.Sup.Ct. Order, Misc. Docket No. 24-9096 (eff. Dec. 1, 2024).
- In 2024, the Texas Supreme Court added TRAP 25.1(d)(9), which requires that the notice of appeal state whether the appeal involves certain matters relevant to the exclusive intermediate appellate jurisdiction of the new Fifteenth Court of Appeals. Tex.Sup.Ct. Order, Misc. Docket No. 24-9041 (eff. Sept. 1, 2024). TRAP 25.1(d)(9) was adopted to implement Gov't Code § 22.220(d). Tex.Sup.Ct. Order, Misc. Docket No. 24-9041 (eff. Sept. 1, 2024).
- In 2024, the Texas Supreme Court added TRAP 27a, which applies to transfers for appeals improperly taken to the new Fifteenth Court of Appeals or appeals over which that court has exclusive intermediate appellate jurisdiction. Tex.Sup.Ct.

Order, Misc. Docket No. 24-9041 (eff. Sept. 1, 2024). The rule applies to appeals perfected on or after September 1, 2024. Tex. R. App. P. 27a cmt.

- In 2024, the Texas Supreme Court amended TRAP 32.1 to remove the list of requirements of what information must be included in the docketing statement in favor of a form approved by the Office of Court Administration. Tex.Sup.Ct. Order, Misc. Docket No. 24-9041 (eff. Sept. 1, 2024).
- In 2024, the Texas Supreme Court amended TRAP 39.8 to clarify requirements for notices related to oral argument and to clarify that the court may amend the notice less than 21 days before the case is set for argument or submission. Tex.Sup.Ct. Order, Misc. Docket No. 24-9041 (eff. Sept. 1, 2024).

Proposed TRAP amendments. In 2025, the Texas Supreme Court proposed amendments to TRAP 27a to clarify the rule’s applicability and objection procedures, as well as to relax some of the transferee court’s duties when it agrees with the transferor court’s decision on a motion to transfer or intent to transfer on its own initiative. Tex.Sup.Ct. Order, Misc. Docket No. 25-9015 (Mar. 14, 2025). The amendments are subject to change based on public comments submitted by July 1, 2025, and are expected to take effect August 1, 2025. Check the Supreme Court’s website at www.txcourts.gov/supreme for the final amendments.

TRCP amendments. In 2024, the Texas Supreme Court amended TRCP 621a to update references to statutes and other rules. Tex.Sup.Ct. Order, Misc. Docket No. 24-9098 (eff. Dec. 1, 2024).

Filing fees. In Misc. Docket No. 24-9047 (eff. Sept. 1, 2024), the Texas Supreme Court issued a new schedule for fees in the appellate courts, before the judicial panel on multi-district litigation, and in the business court. The fees in the appellate courts remained the same.

Technology standards. In Misc. Docket No. 25-9005 (Jan. 31, 2025), the Texas Supreme Court approved version 9.0 of the Technology Standards set out by the Judicial Committee on Information Technology. E-filed documents and e-filed clerk’s records must comply with these standards.