



DALLAS COUNTY JUSTICE OF THE PEACE 4-2

DISCOVERY REQUEST

The Court does not accept oral motions over the phone. If you are in need of a request for discovery the Court will consider a written request that observes the following rules as required by the Texas Rules of Civil Procedure:

RULE 500.2. DEFINITIONS

(k) "Discovery" is the process through which parties obtain information from each other in order to prepare for trial or enforce a judgment. The term does not refer to any information that a party is entitled to under applicable law.

RULE 500.9. DISCOVERY

(a) Pretrial Discovery. **Pretrial discovery is limited to that which the judge considers reasonable and necessary. Any requests for pretrial discovery must be presented to the court for approval by written motion.** The motion must be served on the responding party. Unless a hearing is requested, the judge may rule on the motion without a hearing. The discovery request must not be served on the responding party unless the judge issues a signed order approving the request. Failure to comply with a discovery order can result in sanctions, including dismissal of the case or an order to pay the other party's discovery expenses

(b) Post-judgment Discovery. Post-judgment discovery is not required to be filed with the court. The party requesting discovery must give the responding party at least 30 days to respond to a post-judgment discovery request. The responding party may file a written objection with the court within 30 days of receiving the request. If an objection is filed, the judge must hold a hearing to determine if the request is valid. If the objection is denied, the judge must order the party to respond to the request. If the objection is upheld, the judge may reform the request or dismiss it entirely.

The Court will consider discovery requests that are reasonable and necessary. Request will be considered by submission after an answer is filed by the Defendant.

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