

**IN THE COURT OF APPEALS
FOURTH COURT OF APPEALS DISTRICT
STATE OF TEXAS**

In the Matter of:

**Adoption of Local Rules,
Fourth Court of Appeals District,
State of Texas**

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ADMINISTRATIVE ORDER

IT IS ORDERED that, effective December 2, 2025, all local rules adopted before December 2, 2025, are rescinded, and the following rules are adopted as local rules for the Fourth Court of Appeals.

1. Papers Generally

1.1 Filing by Fax

A party may file a document by fax only if the party is not required to electronically file the document. Documents of ten pages or less, excluding the cover sheet, may be filed in this Court by fax both during and after normal working hours. The quality of the original must be clear and dark enough to be transmitted legibly by fax. The Court is not responsible for events that disrupt, impair, or render impossible the receipt of documents transmitted by fax. The party transmitting a document by fax must: (1) serve a copy of the document on all parties to the appeal by fax or other expedited means; and (2) deposit any applicable fees in the U.S. mail on the day the fax is transmitted. If the Clerk of the Court does not receive the fees within seven days after the day the fax is filed, the Court may strike the filing.

1.2 Certificate of Service

Service of documents is governed by Rule 9.5 of the Texas Rules of Appellate Procedure and this rule, which augments Rule 9.5's requirements. For a document electronically filed in a civil case in which any unrepresented party's email address is not on file with the electronic filing manager, an automated certificate of service generated by the filing party's electronic filing service provider is insufficient under Rule 9.5(e). An electronically filed document in such cases must contain a certificate of service that satisfies Rule 9.5(e)'s requirements for documents not filed electronically in civil cases.

2. Motions

2.1 Extensions in Parental Termination Appeals

It is the policy of this Court to allow counsel only one twenty-day extension of time to file the brief. Absent truly extraordinary circumstances alleged and supported by appropriate argument, authority, and evidence, additional extensions will not be favorably considered. If the brief is not timely filed after the sole extension has been granted, and the motion for extension of time does not show truly extraordinary circumstances, the Court may abate and remand the case to the trial court with instructions to appoint new counsel.

2.2 Request for Temporary or Emergency Relief in Original Proceedings

If temporary relief is requested in an original proceeding, a separate motion must be filed that complies with Rule 52.10 of the Texas Rules of Appellate Procedure.

3. Appellate Record

3.1 Citations to the Record

The reporter's record may be referred to as "RR" and the clerk's record as "CR." Supplemental records may be cited as "Supp RR" and "Supp CR." To distinguish between a Texas Rule of Appellate Procedure 38.1(k) appendix and a Texas Rule of Appellate Procedure 34.5a appendix in lieu of a clerk's record, a Rule 34.5a appendix may be cited as "ALCR." In cases with multi-volume records, citations should include volume numbers (e.g., "[volume number] RR [page number].") The Court prefers that citations to documents in an appendix or to documents in the record be to the electronic page number of the PDF.

3.2 Appendix in Lieu of Clerk's Record in a Civil Case

(a) An appendix in lieu of a clerk's record is governed by Rule 34.5a of the Texas Rules of Appellate Procedure and this rule, which augments Rule 34.5a's requirements.

(b) **Joint Appendix.** If the parties agree to file a joint appendix under Rule 34.5a(c), such an agreed joint appendix must be filed at the same time as the appellant's brief.

(c) **Separate Filing.** Because a Rule 34.5a appendix must be filed separately from any other document, it must satisfy the certificate requirements of Texas Rule of Appellate Procedure 9.5(e).

(d) **Cover Page.** The appendix must contain a cover page that includes (i) the case style; (ii) the case number; (iii) the trial-court cause number of the matter being appealed; (iv) the name of the party filing the appendix; and (v) the name, mailing address, telephone number, fax number (if any), email address, and State Bar of Texas identification number of the lead counsel for the filing party or the name, mailing address, telephone number, fax number (if any), and email address of an unrepresented party filing an appendix.

(e) **Index; Appendix Format.** Each Rule 34.5a appendix must contain an index immediately following the cover page. The index must be in chronological order from the earliest to the latest date that a pleading contained in the appendix was filed with a court clerk or that an order was signed. The appendix pages must be sequentially numbered. For each document included in the appendix, the index must separately list such document and identify it by (i) the verbatim title of the pleading or order (or by other information sufficient to identify the document if it is not a pleading or order), (ii) the file-mark date of the document or the date of an order's signature, and (iii) a listing of the number within the appendix's sequence of documents where the first page of the included document is found. The appendix must be electronically bookmarked for each document contained in the appendix. The index listing of any document filed by the parties' agreement pursuant to Rule 34.5a(c) must contain a notation that it is being filed pursuant to that subsection, and such agreed document(s) must appear in the appendix after documents filed with a court clerk. For a document filed by agreement, the parties are reminded that the Court generally

cannot consider materials outside the appellate record. *In re K.M.*, 401 S.W.3d 864, 866 (Tex. App.—Houston [14th Dist.] 2013, no pet.). For an electronically filed appendix in lieu of a clerk’s record, the appendix must comply with the e-filing requirements of Texas Rule of Appellate Procedure 9.4(j). An unrepresented party not filing an appendix electronically must include an index that meets this subsection’s requirements. A nonconforming appendix is subject to court action under Texas Rule of Appellate Procedure 9.4(k).

(f) **Redaction.** An appendix in lieu of a clerk’s record must comply with (i) the requirements for the protection of a minor’s identity contained in Texas Rule of Appellate Procedure 9.8, (ii) the privacy protection for documents filed in civil cases contained in Texas Rule of Appellate Procedure 9.9, and (iii) any other redaction requirement imposed under Texas or federal law.

3.3 Access to the Record

(a) **Attorneys of Record.** Attorneys of record may obtain the record through the Attorney Portal maintained by the Texas Office of Court Administration.

(b) **Pro Se Parties.** Parties who are representing themselves and are not licensed attorneys may inspect a record only in designated areas within the Court’s offices. However, the Court may grant a motion requesting permission to review the record on other terms.

4. Briefs

4.1 Time for Filing Briefs in Certain Habeas Corpus and Bail Appeals

For habeas corpus and bail appeals in criminal cases for which Texas Rules of Appellate Procedure 31.1(a) and 31.8(f) do not provide briefing deadlines, and unless otherwise ordered by this Court, the appellant’s brief must be filed no later than 20 days after the date the clerk’s record or the reporter’s record is filed, whichever is later, and the appellee’s brief must be filed no later than 20 days after the date the appellant’s brief is filed.

4.2 Use of Parties’ Names in Certain Proceedings

The Court will strike any brief, petition, motion, or appendix that fails to use an alias to identify (1) a minor, (2) a minor’s immediate family members, or (3) for a child in the conservatorship of the Texas Department of Family & Protective Services, a minor’s foster parents, in violation of Texas Rule of Appellate Procedure 9.8, or that fails to redact a minor’s name in violation of Texas Rules of Appellate Procedure 9.9 or 9.10. In addition, the Court prefers adult victims of sexual assault to be identified by an alias in briefs.

4.3 Additional Citations

A party may file a letter containing additional citations with succinct comment at any time without leave of Court.

4.4 Amendment or Supplementation

The Court interprets the term “amended brief” to mean a brief that completely replaces the original brief. If a party wishes to amend or supplement the party’s brief other than in the manner permitted by Local Rule 4.3, the party must obtain the Court’s permission. The Court generally will not give

permission to file a brief containing additional issues or points of error after a case has been submitted to the Court for decision.

4.5 Post-Submission Briefs

(a) **Requested by the Court.** If the Court requests a post-submission brief, the brief must be filed at the time indicated by the Court; or, if no time is specified, within ten days after the Court's request. An opposing party's reply to a post-submission brief requested by the Court must be filed no later than ten days after the date of the brief requested by the Court. If an additional post-submission brief is requested by the Court, the aggregate page limits contained in the Texas Rules of Appellate Procedure do not apply.

(b) **Not Requested by the Court.** If a party wishes to file a post-submission brief that has not been requested by the Court, the party must obtain the Court's permission.

5. Oral Argument

5.1 Time Allowed

Oral argument will be limited to 20 minutes for the appellant's opening argument, 20 minutes for the appellee's argument, and ten minutes for the appellant's rebuttal. If there is more than one appellant or appellee, counsel shall be expected to announce to the Court, at docket call, how the time is to be divided among the parties. If an attorney or party intends to cite a case at oral argument that is not contained in the briefs, the attorney or party should provide a copy of the case to the Clerk and opposing counsel before argument.

5.2 Waiver

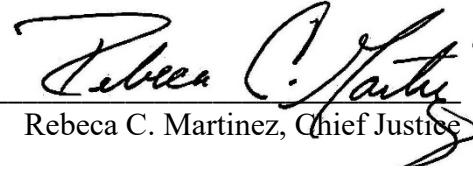
Any party who requests oral argument and later decides to waive argument must notify the Court and the other parties in writing before the date set for submission. If oral argument is waived, a case may receive expedited consideration.

5.3 Failure to Appear

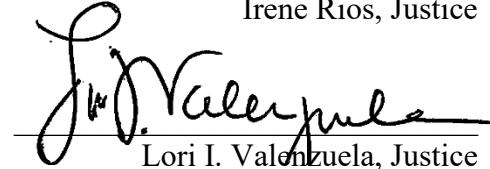
Any attorney or party who wishes to present argument must register in the Clerk's office 30 minutes before the time scheduled for argument and must also orally announce their appearance in the courtroom at the time scheduled for argument. If an attorney or party fails to comply with this rule, the Court will deem oral argument waived and may take any other appropriate action.

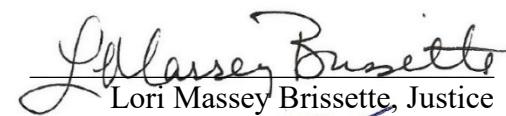
5.4 Recordings. The Court makes audiovisual recordings of oral argument for its own use. Such recordings are generally available on the Court's YouTube page.

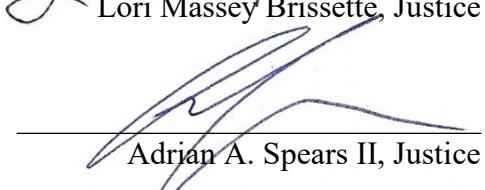
IT IS SO ORDERED on this 2nd day of December, 2025.


Rebeca C. Martinez, Chief Justice


Irene Rios
Irene Rios, Justice


Lori I. Valenzuela
Lori I. Valenzuela, Justice


Lori Massey Brissette
Lori Massey Brissette, Justice


Adrian A. Spears II
Adrian A. Spears II, Justice


H. Todd McCray
H. Todd McCray, Justice


Velia J. Meza
Velia J. Meza, Justice