

SCAC Meeting Agenda
Thursday September 10, 2026
9:00 a.m.

Location: Travis County Civil and Family Courts Facility
1700 Guadalupe Street
Austin, TX 78701

Welcome from Vice-Chair Marcy Greer

Status Report from Justice Jane Bland

Justice Bland will report on Supreme Court actions and those of other courts related to the Supreme Court Advisory Committee since the June 5, 2026 meeting.

Comments from Justice Evan Young

I. Jury Rules/Jury Composition

Rule 216-299a Subcommittee:

Thomas C. Riney

Marcy Hogan Greer

Rusty Hardin

Hon. Robert Schaffer

Hon. Kent C. Sullivan

Hon. John F. Warren

Kennon Wooten

July 13, 2026 Memo re: Jury Rules
Proposed Revisions to Jury Rules

II. Finality of Judgments

Finality of Judgments Ad Hoc Subcommittee:

Hon. Harvey G. Brown

Hon. Bill Boyce

Hon. Jerry Bullard

Marcy Hogan Greer

Roger Hughes

Hon. Peter Michael Kelly

Hon. David Keltner

Hon. Emily Miskel

Kennon Wooten

August 31, 2026 Memo re: Proposed Amendments to Rule 301 and New
Rule 301A – Finality of Judgments
Proposed Amendments to Rule 301. Final Judgments
Proposed New Rule 301A. Certificate of Finality
Proposed Certificate of Finality Form
Proposed Changes to Rule 306a. Periods to Run from Signing to
Judgment

III. Third-Party Litigation Funding

1-14c Subcommittee:

Hon. Harvey G. Brown

Marcy Hogan Greer

Jim Perdue

Constance Pfeiffer

Tab I- Jury Rules/Jury Composition

MEMORANDUM

To: Supreme Court Advisory Committee

From: Rule 216-299a Subcommittee

Date: July 13, 2026

Re: Updating jury rules

The Supreme Court requested the SCAC to review all jury rules for updating and modernizing. The project was assigned to our subcommittee. Our recommendations are attached. Our goal was to update the language of the rules and to conform the rules to legislative changes and current practices. The proposed rules include amendments presented to the SCAC on January 30, 2026, on changes in the rules to accommodate statutory changes regarding the number of jurors in accord with amendments to Tex. Gov. Code § 25.0007(c).

Rules 216 through 218 and 220 were revised to eliminate reference to jury fees. The statute authorizing jury fees, Tex. Gov. Code § 51.604, was repealed by Acts 2021, 87th Leg. ch 472 (S.B. 41) § 5.01(c)(8), eff. January 1, 2022).

We propose combining Rules 223 and 224 to a single rule on preparing the jury list. We also suggest a comment to Rule 224, referencing the statutory provisions on interchangeable juries. We further recommend combining Rules 227 through 229 on challenges for cause into a single rule. We have also combined Rules 232 and 233 to a single rule regarding preemptory challenges.

We propose deleting Rules 225 (summoning talesman) and Rule 231 (adding additional jurors to panel). It appears that the practice of summoning talesman no longer occurs in county or district courts. Moreover, the legislature amended Tex. Gov. Code § 62.015 in 2023 to add the following language:

(b) If the court at any time does not have a sufficient number of prospective jurors present whose names are on the jury list and who are not excused by the judge from jury service, the judge shall order the clerk, sheriff, or constable to summon additional prospective jurors to provide the requisite number of jurors from the panel. The names of additional jurors to be summoned by the clerk, sheriff, or constable to fill a jury panel shall be drawn from the jury wheel under orders of the judge. Additional jurors summoned to fill a jury panel shall be discharged when their services are no longer required.

We felt that having both rules and a statute on the same topic could result in confusion. A comment referencing this statute might be considered.

Instructions to the jury panel in Rule 226a regarding electronic communications or social media will necessarily need to be updated on a periodic basis. Some suggested language for the present time is proposed in the highlighted language.

The proposed amendment to Rule 233 on the number of preemptory challenges suggests a comment referencing Tex. Gov. Code § 62.020 which addresses additional preemptory challenges if the Court decides to seat alternate jurors.

Current Rules 221 to 231 reference a “jury wheel.” Our initial assumption was that the “wheel” referenced a hopper into which cards with names of jurors were placed and then randomly drawn. In fact, that is how a jury wheel is described in Tex. Gov. Code § 62.001-.010. Section 62.011 allows a county to adopt a plan for selection of names for jury service with the aid of electronic or mechanical equipment instead of drawing the names from a traditional jury wheel. Our research indicated that even the smallest counties now use an electronic method.

We propose renumbering the rules to account for the numbers of the rules for which we recommend elimination.

Proposed, Modernizing Revisions to Section 10 of the Texas Rules of Civil Procedure – The Jury in the Court

Current Rule Text	Proposed Rule Text
Rule 216. Request for Jury Trial a. No jury trial shall be had in any civil suit, unless a written request for a jury trial is filed with the clerk of the court a reasonable time before the date set for trial of the cause on the non-jury docket, but not less than thirty days in advance. b. Jury Fee. Unless otherwise provided by law, a fee of ten dollars if in the district court and five dollars if in the county court must be deposited with the clerk of the court within the time for making a written request for a jury trial. The clerk shall promptly enter a notation of the payment of such fee upon the court's docket sheet. Comment to 1990 change: Additional fees for jury trials may be required by other law, e.g., Texas Government Code § 51.604.	Rule 216. Request for Jury Trial To have a jury trial in any civil case, a party must file a written request for a jury trial with the clerk of the court at least 30 days before the date set for the trial of the case.
Rule 217. Oath of Inability The deposit for a jury fee shall not be required when the party shall within the time for making such deposit, file with the clerk his affidavit to the effect that he is unable to make such deposit, and that he can not, by the pledge of property or otherwise, obtain the money necessary for that purpose; and the court shall then order the clerk to enter the suit on the jury docket.	
Rule 218. Jury Docket The clerks of the district and county courts shall each keep a docket, styled “The Jury Docket,” in which shall be entered in their order the cases in which jury fees have been paid or affidavit in lieu thereof has been filed as provided in the two preceding rules.	

Current Rule Text	Proposed Rule Text
Rule 219. Jury Trial Day The court shall designate the days for taking up the jury docket and the trial of jury cases. Such order may be revoked or changed in the court's discretion.	Rule 219. Jury Trial Day The court must designate the days for addressing the jury docket and for jury trials. The court may revoke or change the designation.
Rule 220. Withdrawing Cause from Jury Docket When any party has paid the fee for a jury trial, he shall not be permitted to withdraw the cause from the jury docket over the objection of the parties adversely interested. If so permitted, the court in its discretion may by an order permit him to withdraw also his jury fee deposit. Failure of a party to appear for trial shall be deemed a waiver by him of the right to trial by jury.	Rule 220. Withdrawal and Waiver (a) <i>Withdrawal from Jury Docket.</i> A party that has requested a jury cannot withdraw the case from the jury docket over the objection of parties adversely interested. (b) <i>Waiver of Right to Jury Trial.</i> A party's failure to appear for trial constitutes a waiver by the party of the right to trial by jury.
Rule 221. Challenge to the Array When the jurors summoned have not been selected by jury commissioners or by drawing the names from a jury wheel, any party to a suit which is to be tried by a jury may, before the jury is drawn challenge the array upon the ground that the sheriff or clerk summoning the jury has acted corruptly, and has willfully summoned jurors known to be prejudiced against the party challenging or biased in favor of the adverse party. All such challenges must be in writing setting forth distinctly the grounds of such challenge and supported by the affidavit of the party or some other credible person. When such challenge is made, the court shall hear evidence and decide without delay whether or not the challenge shall be sustained. Rule 222. When Challenge is Sustained If the challenge be sustained, the array of jurors summoned shall be discharged, and the court shall order other jurors summoned in their	Rule 221. Challenge to the Array (a) <i>Grounds for Challenge.</i> Before the jury is drawn in a case, any party to the case may challenge the array on the ground that the officer summoning the jury: (1) has not followed governing legal or statutory requirements; (2) has acted corruptly; or (3) has willfully summoned jurors known to be prejudiced against the party challenging or biased in favor of the adverse party. (b) <i>Procedure for Challenge.</i> Each challenge must be in writing, specifying each ground for the challenge, and supported by the affidavit of the challenging party or some other credible person. The court must hear evidence regarding the challenge and decide without delay whether to sustain the challenge. (c) <i>When Challenge is Sustained.</i> If the court sustains the challenge, the court must do the following: (1) discharge the array of jurors; (2) order other jurors summoned to replace the discharged array;

Current Rule Text	Proposed Rule Text
stead, and shall direct that the sheriff or clerk who summoned the persons so discharged, and on account of whose misconduct the challenge has been sustained, shall not summon any other jurors in the case.	(3) direct that the sheriff or clerk who summoned the discharged array, and on account of whose misconduct the challenge has been sustained, shall not summon any other jurors in the case.
Rule 223. Jury List in Certain Counties In counties governed as to juries by the laws providing for interchangeable juries, the names of the jurors shall be placed upon the general panel in the order in which they are randomly selected, and jurors shall be assigned for service from the top thereof, in the order in which they shall be needed, and jurors returned to the general panel after service in any of such courts shall be enrolled at the bottom of the list in the order of their respective return; provided, however, after such assignment to a particular court, the trial judge of such court, upon the demand prior to voir dire examination by any party or attorney in the case reached for trial in such court, shall cause the names of all members of such assigned jury panel in such case to be placed in a receptacle, shuffled, and drawn, and such names shall be transcribed in the order drawn on the jury list from which the jury is to be selected to try such case. There shall be only one shuffle and drawing by the trial judge in each case. Rule 224. Preparing the Jury List In counties not governed as to juries by the laws providing for interchangeable juries, when the parties have announced ready for trial the clerk shall write the name of each regular juror entered of record for that week on separate slips of paper, as near the same size and appearance as may be, and shall place the slips in a box and mix them well. The clerk shall draw from the box, in the presence of the court, the names of twenty-four jurors, if in the	Rule 222. Preparing the Jury List (a) <i>Preparing Lists in Counties with Interchangeable Juries.</i> For jury trials in a county with interchangeable juries, the court's designee must place prospective jurors' names on the general panel in the order in which they are randomly selected, and jurors shall be assigned for service from the top of the general panel, in the order in which they are needed. Jurors returned to the general panel after service in any court in the county must be added to the bottom of the list in the order of their respective return. (b) <i>Preparing Lists in Counties without Interchangeable Juries.</i> For a jury trial in a county without interchangeable juries, the court's designee must randomly select from the names on the jury list a sufficient number of qualified jurors to serve on the jury panel. (c) <i>Order of Names Listed.</i> After a case is assigned to a court for a jury trial, and before voir dire examination occurs in the case, the judge of the assigned court—upon demand by any party or attorney in the case—must cause the names of all jury-panel members assigned to the case to be placed in random order on a list from which the jury is to be selected to try the case. The judge may allow only one shuffle and drawing in each case. Comment to 2026 change: See TEX. GOV'T CODE §§ 62.016-.0175 for provisions addressing interchangeable juries in Texas counties.

Current Rule Text	Proposed Rule Text
district court, or so many as there may be, if there be a less number in the box; and the names of twelve jurors if in the county court, or so many as there may be, and write the names as drawn upon two slips of paper and deliver one slip to each party to the suit or his attorney.	
Rule 225. Summoning Talesman When there are not as many as twenty-four names drawn from the box, if in the district court, or as many as twelve, if in the county court, the court shall direct the sheriff or clerk to summon such number of qualified persons as the court deems necessary to complete the panel. The names of those thus summoned shall be placed in the box and drawn and entered upon the slips as provided in the preceding rules.	[The proposal is to delete this rule in its entirety.]
Rule 226. Oath to Jury Panel Before the parties or their attorneys begin the examination of the jurors whose names have thus been listed, the jurors shall be sworn by the court or under its direction, as follows: “You, and each of you, do solemnly swear that you will true answers give to all questions propounded to you concerning your qualifications as a juror, so help you God.”	Rule 223. Oath to Jury Panel Before the parties or their attorneys begin the voir dire examination of jury-panel members, the members must be sworn by the court or under its direction, as follows: “You, and each of you, do solemnly swear that you will give true answers to all questions propounded to you concerning your qualifications as a juror, so help you God.”
Rule 226a. Instructions to Jury Panel and Jury The court must give instructions to the jury panel and the jury as prescribed by order of the Supreme Court under this rule. Comment to 2005 change: The rule is clarified. With these amendments, the Supreme Court has ordered changes in the prescribed jury instructions consistent with Act of June 2, 2003, 78th Leg., R.S., ch. 204, § 13.04, 2003 Tex. Gen. Laws 847, 888, codified as Tex. Civ. Prac. & Rem. Code § 41.003.	Rule 224. Instructions to Jury Panel and Jury The court must give instructions to the jury panel and the jury as prescribed by order of the Supreme Court under this rule. Comment to 2005 change: The rule is clarified. With these amendments, the Supreme Court has ordered changes in the prescribed jury instructions consistent with Act of June 2, 2003, 78th Leg., R.S., ch. 204, § 13.04, 2003 Tex. Gen. Laws 847, 888, codified as Tex. Civ. Prac. & Rem. Code § 41.003.

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Approved Instructions I. That the following oral instructions, with such modifications as the circumstances of the particular case may require, shall be given by the court to the members of the jury panel after they have been sworn in as provided in Rule 226 and before the voir dire examination: Members of the Jury Panel [or Ladies and Gentlemen of the Jury Panel]: Thank you for being here. We are here to select a jury. Twelve [six] of you will be chosen for the jury. Even if you are not chosen for the jury, you are performing a valuable service that is your right and duty as a citizen of a free country. Before we begin: Turn off all phones and other electronic devices. While you are in the courtroom, do not communicate with anyone through any electronic device. [For example, do not communicate by phone, text message, email message, chat room, blog, or social networking websites such as Facebook, Twitter, or Myspace.] [I will give you a number where others may contact you in case of an emergency.] Do not record or photograph any part of these court proceedings, because it is prohibited by law. If you are chosen for the jury, your role as jurors will be to decide the disputed facts in this case. My role will be to ensure that this case is tried in accordance with the rules of law. Here is some background about this case. This is a civil case. It is a lawsuit that is not a criminal case. The parties are as follows: The	Approved Instructions I. That the following oral instructions, with such modifications as the circumstances of the particular case may require, shall be given by the court to the members of the jury panel after they have been sworn in as provided in Rule 226 and before the voir dire examination: Members of the Jury Panel [or Ladies and Gentlemen of the Jury Panel]: Thank you for being here. We are here to select a jury. Twelve [six] of you will be chosen for the jury. Even if you are not chosen for the jury, you are performing a valuable service that is your right and duty as a citizen of a free country. Before we begin: Please turn off all phones and other electronic devices. While you are in the courtroom, do not communicate with anyone through any electronic device. [For example, do not communicate by phone, text message, email, chat room, blog, social network site, social media platform, or artificial intelligence (or AI) tool.] [I will give you a number where others may contact you in case of an emergency.] Do not record or photograph any part of these court proceedings, because it is prohibited by law. If you are chosen for the jury, your role as jurors will be to decide the disputed facts in this case. My role will be to ensure that this case is tried in accordance with the rules of law. Here is some background about this case. This is a civil case. It is a lawsuit that is not a criminal case. The parties are as follows: The

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plaintiff is _____, and the defendant is _____. Representing the plaintiff is _____, and representing the defendant is _____. They will ask you some questions during jury selection. But before their questions begin, I must give you some instructions for jury selection. Every juror must obey these instructions. You may be called into court to testify about any violations of these instructions. If you do not follow these instructions, you will be guilty of juror misconduct, and I might have to order a new trial and start this process over again. This would waste your time and the parties' money, and would require the taxpayers of this county to pay for another trial. These are the instructions. 1. To avoid looking like you are friendly with one side of the case, do not mingle or talk with the lawyers, witnesses, parties, or anyone else involved in the case. You may exchange casual greetings like "hello" and "good morning." Other than that, do not talk with them at all. They have to follow these instructions too, so you should not be offended when they follow the instructions. 2. Do not accept any favors from the lawyers, witnesses, parties, or anyone else involved in the case, and do not do any favors for them. This includes favors such as giving rides and food. 3. Do not discuss this case with anyone, even your spouse or a friend, either in person or by any other means [including by phone, text message, email message, chat room, blog, or social networking websites such as Facebook, Twitter, or Myspace]. Do not allow anyone to discuss the case with you or in your hearing. If anyone tries to discuss the case with you or in your hearing, tell me	plaintiff is _____, and the defendant is _____. Representing the plaintiff is _____, and representing the defendant is _____. They will ask you some questions during jury selection. But before their questions begin, I must give you some instructions for jury selection. Every juror must obey these instructions. You may be called into court to testify about any violations of these instructions. If you do not follow these instructions, you will be guilty of juror misconduct, and I might have to order a new trial and start this process over again. This would waste your time and the parties' money and would require the taxpayers of this county to pay for another trial. These are the instructions. 1. To avoid looking like you are friendly with one side of the case, do not mingle or talk with the lawyers, witnesses, parties, or anyone else involved in the case. You may exchange casual greetings like "hello" and "good morning." Other than that, do not talk with them at all. They have to follow these instructions too, so you should not be offended when they follow the instructions. 2. Do not accept any favors from the lawyers, witnesses, parties, or anyone else involved in the case, and do not do any favors for them. This includes favors such as giving rides and food. 3. Do not discuss this case with anyone, even your spouse or a friend, either in person or by any other means [including by phone, text message, email, chat room, blog, social network site, social media platform, or artificial intelligence (or AI) tool.]. Do not allow anyone to discuss the case with you or in your hearing. If anyone tries to discuss the case with you or in your hearing, tell me

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immediately. We do not want you to be influenced by something other than the evidence admitted in court. 4. The parties, through their attorneys, have the right to ask you questions about your background, experiences, and attitudes. They are not trying to meddle in your affairs. They are just being thorough and trying to choose fair jurors who do not have any bias or prejudice in this particular case. 5. Remember that you took an oath that you will tell the truth, so be truthful when the lawyers ask you questions, and always give complete answers. If you do not answer a question that applies to you, that violates your oath. Sometimes a lawyer will ask a question of the whole panel instead of just one person. If the question applies to you, raise your hand and keep it raised until you are called on.	immediately. We do not want you to be influenced by something other than the evidence admitted in court. 4. The parties, through their attorneys, have the right to ask you questions about your background, experiences, and attitudes. They are not trying to meddle in your affairs. They are just being thorough and trying to choose fair jurors who do not have any bias or prejudice in this particular case. 5. Remember that you took an oath that you will tell the truth, so be truthful when the lawyers ask you questions, and always give complete answers. If you do not answer a question that applies to you, that violates your oath. Sometimes a lawyer will ask a question of the whole panel instead of just one person. If the question applies to you, raise your hand and keep it raised until you are called on. 6. Do not investigate this case on your own. For example, do not: a. try to get information about the case, lawyers, witnesses, or issues from outside this courtroom; b. look anything up online, the Internet or any search engines such as Google, Safari, or Bing or any electronic device to learn more about any issue or person related to the case; c. go to places mentioned in the case to inspect the places; d. inspect items mentioned in this case unless they are presented as evidence in court; e. look anything up in a law book, dictionary, or public record to try to learn more about the case; or f. let anyone else do any of these things for you. This rule is very important because we want a trial based only on evidence admitted in open court. Your conclusions about this case must be based only on what you see and hear in this

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Do you understand these instructions? If you do not, please tell me now. The lawyers will now begin to ask their questions. II. That the following oral and written instructions, with such modifications as the circumstances of the particular case may require, shall be given by the court to the jury immediately after the jurors are selected for the case:	courtroom because the law does not permit you to base your conclusions on information that has not been presented to you in open court. All the information must be presented in open court so the parties and their lawyers can test it and object to it. Information from other sources, like the Internet, will not go through this important process in the courtroom. In addition, information from other sources could be completely unreliable. As a result, if you investigate this case on your own, you could compromise the fairness to all parties in this case and jeopardize the results of this trial. If you observe any juror violating this rule, please report it to the bailiff or to me immediately. Every juror must obey my instructions. If you do not follow these instructions, you will be guilty of juror misconduct, and I may have to order a new trial and start this process over again. This would waste your time and the parties' money and would require the taxpayers of this county to pay for another trial. I may also hold any juror who violates these instructions in contempt of court. Do you understand these instructions? If you do not, please tell me now. The lawyers will now begin to ask their questions. II. That the following oral and written instructions, with such modifications as the circumstances of the particular case may require, shall be given by the court to the jury immediately after the jurors are selected for the case:

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Members of the Jury [or Ladies and Gentlemen]: You have been chosen to serve on this jury. Because of the oath you have taken and your selection for the jury, you become officials of this court and active participants in our justice system. [Hand out the written instructions.] You have each received a set of written instructions. I am going to read them with you now. Some of them you have heard before and some are new. 1. Turn off all phones and other electronic devices. While you are in the courtroom and while you are deliberating, do not communicate with anyone through any electronic device. [For example, do not communicate by phone, text message, email message, chat room, blog, or social networking websites such as Facebook, Twitter, or Myspace.] [I will give you a number where others may contact you in case of an emergency.] Do not post information about the case on the Internet before these court proceedings end and you are released from jury duty. Do not record or photograph any part of these court proceedings, because it is prohibited by law. 2. To avoid looking like you are friendly with one side of the case, do not mingle or talk with the lawyers, witnesses, parties, or anyone else involved in the case. You may exchange casual greetings like “hello” and “good morning.” Other than that, do not talk with them at all. They have to follow these instructions too, so you should not be offended when they follow the instructions.	Members of the Jury [or Ladies and Gentlemen]: You have been chosen to serve on this jury. Because of the oath you have taken and your selection for the jury, you become officials of this court and active participants in our justice system. [Hand out the written instructions.] You have each received a set of written instructions. I am going to read them with you now. Some of them you have heard before and some are new. 1. Turn off all phones and other electronic devices. While you are in the courtroom and while you are deliberating, do not communicate with anyone through any electronic device. [For example, do not communicate by phone, text message, email, chat room, blog, social network site, social media platform, or artificial intelligence (or AI) tool.] [I will give you a number where others may contact you in case of an emergency.] Do not post information about the case on the Internet before these court proceedings end and you are released from jury duty. Do not record or photograph any part of these court proceedings, because it is prohibited by law. 2. To avoid looking like you are friendly with one side of the case, do not mingle or talk with the lawyers, witnesses, parties, or anyone else involved in the case. You may exchange casual greetings like “hello” and “good morning.” Other than that, do not talk with them at all. They have to follow these instructions too, so you should not be offended when they follow the instructions.

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3. Do not accept any favors from the lawyers, witnesses, parties, or anyone else involved in the case, and do not do any favors for them. This includes favors such as giving rides and food. 4. Do not discuss this case with anyone, even your spouse or a friend, either in person or by any other means [including by phone, text message, email message, chat room, blog, or social networking websites such as Facebook, Twitter, or Myspace]. Do not allow anyone to discuss the case with you or in your hearing. If anyone tries to discuss the case with you or in your hearing, tell me immediately. We do not want you to be influenced by something other than the evidence admitted in court. 5. Do not discuss this case with anyone during the trial, not even with the other jurors, until the end of the trial. You should not discuss the case with your fellow jurors until the end of the trial so that you do not form opinions about the case before you have heard everything. After you have heard all the evidence, received all of my instructions, and heard all of the lawyers' arguments, you will then go to the jury room to discuss the case with the other jurors and reach a verdict. 6. Do not investigate this case on your own. For example, do not: a. try to get information about the case, lawyers, witnesses, or issues from outside this courtroom; b. go to places mentioned in the case to inspect the places; c. inspect items mentioned in this case unless they are presented as evidence in court; d. look anything up in a law book, dictionary, or public record to try to learn more about the case;	3. Do not accept any favors from the lawyers, witnesses, parties, or anyone else involved in the case, and do not do any favors for them. This includes favors such as giving rides and food. 4. Do not discuss this case with anyone, even your spouse or a friend, either in person or by any other means [including by phone, text message, email, chat room, blog, social network site, social media platform, or artificial intelligence (or AI) tool]. Do not allow anyone to discuss the case with you or in your hearing. If anyone tries to discuss the case with you or in your hearing, tell me immediately. We do not want you to be influenced by something other than the evidence admitted in court. 5. Do not discuss this case with anyone during the trial, not even with the other jurors, until the end of the trial. You should not discuss the case with your fellow jurors until the end of the trial so that you do not form opinions about the case before you have heard everything. After you have heard all the evidence, received all of my instructions, and heard all of the lawyers' arguments, you will then go to the jury room to discuss the case with the other jurors and reach a verdict. 6. Do not investigate this case on your own. For example, do not: a. try to get information about the case, lawyers, witnesses, or issues from outside this courtroom; b. look anything up online, on the Internet or any search engines such as Google, Safari, or Bing or on any electronic device to learn more about any issue or person related to the case; c. go to places mentioned in the case to inspect the places;

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e. look anything up on the Internet to try to learn more about the case; or f. let anyone else do any of these things for you. This rule is very important because we want a trial based only on evidence admitted in open court. Your conclusions about this case must be based only on what you see and hear in this courtroom because the law does not permit you to base your conclusions on information that has not been presented to you in open court. All the information must be presented in open court so the parties and their lawyers can test it and object to it. Information from other sources, like the Internet, will not go through this important process in the courtroom. In addition, information from other sources could be completely unreliable. As a result, if you investigate this case on your own, you could compromise the fairness to all parties in this case and jeopardize the results of this trial. 7. Do not tell other jurors about your own experiences or other people’s experiences. For example, you may have special knowledge of something in the case, such as business, technical, or professional information. You may even have expert knowledge or opinions, or you may know what happened in this case or another similar case. Do not tell the other jurors about it. Telling other jurors about it is wrong because it means the jury will be considering things that were not admitted in court. 8. Do not consider attorneys’ fees unless I tell you to. Do not guess about attorneys’ fees.	d. inspect items mentioned in this case unless they are presented as evidence in court; e. look anything up in a law book, dictionary, or public record to try to learn more about the case; or f. let anyone else do any of these things for you. This rule is very important because we want a trial based only on evidence admitted in open court. Your conclusions about this case must be based only on what you see and hear in this courtroom because the law does not permit you to base your conclusions on information that has not been presented to you in open court. All the information must be presented in open court so the parties and their lawyers can test it and object to it. Information from other sources, like the Internet, will not go through this important process in the courtroom. In addition, information from other sources could be completely unreliable. As a result, if you investigate this case on your own, you could compromise the fairness to all parties in this case and jeopardize the results of this trial. If you observe any juror violating this rule, please report it to the bailiff or me immediately. 7. Do not tell other jurors about your own experiences or other people’s experiences. For example, you may have special knowledge of something in the case, such as business, technical, or professional information. You may even have expert knowledge or opinions, or you may know what happened in this case or another similar case. Do not tell the other jurors about it. Telling other jurors about it is wrong because it means the jury will be considering things that were not admitted in court. 8. Do not consider attorneys’ fees unless I tell you to. Do not guess about attorneys’ fees.

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9. Do not consider or guess whether any party is covered by insurance unless I tell you to. 10. During the trial, if taking notes will help focus your attention on the evidence, you may take notes using the materials the court has provided. Do not use any personal electronic devices to take notes. If taking notes will distract your attention from the evidence, you should not take notes. Your notes are for your own personal use. They are not evidence. Do not show or read your notes to anyone, including other jurors. You must leave your notes in the jury room or with the bailiff. The bailiff is instructed not to read your notes and to give your notes to me promptly after collecting them from you. I will make sure your notes are kept in a safe, secure location and not disclosed to anyone. [You may take your notes back into the jury room and consult them during deliberations. But keep in mind that your notes are not evidence. When you deliberate, each of you should rely on your independent recollection of the evidence and not be influenced by the fact that another juror has or has not taken notes. After you complete your deliberations, the bailiff will collect your notes.] When you are released from jury duty, the bailiff will promptly destroy your notes so that nobody can read what you wrote. 11. I will decide matters of law in this case. It is your duty to listen to and consider the evidence and to determine fact issues that I may submit to you at the end of the trial. After you have heard all the evidence, I will give you instructions to follow as you make your decision. The instructions also will have questions for you to answer. You will not be asked and you should not consider which	9. Do not consider or guess whether any party is covered by insurance unless I tell you to. 10. During the trial, if taking notes will help focus your attention on the evidence, you may take notes using the materials the court has provided. Do not use any personal electronic devices to take notes. If taking notes will distract your attention from the evidence, you should not take notes. Your notes are for your own personal use. They are not evidence. Do not show or read your notes to anyone, including other jurors. You must leave your notes in the jury room or with the bailiff. The bailiff is instructed not to read your notes and to give your notes to me promptly after collecting them from you. I will make sure your notes are kept in a safe, secure location and not disclosed to anyone. [You may take your notes back into the jury room and consult them during deliberations. But keep in mind that your notes are not evidence. When you deliberate, each of you should rely on your independent recollection of the evidence and not be influenced by the fact that another juror has or has not taken notes. After you complete your deliberations, the bailiff will collect your notes.] When you are released from jury duty, the bailiff will promptly destroy your notes so that nobody can read what you wrote. 11. I will decide matters of law in this case. It is your duty to listen to and consider the evidence and to determine fact issues that I may submit to you at the end of the trial. After you have heard all the evidence, I will give you instructions to follow as you make your decision. The instructions also will have questions for you to answer. You will not be asked and you should not consider which

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side will win. Instead, you will need to answer the specific questions I give you. Every juror must obey my instructions. If you do not follow these instructions, you will be guilty of juror misconduct, and I may have to order a new trial and start this process over again. This would waste your time and the parties' money, and would require the taxpayers of this county to pay for another trial. Do you understand these instructions? If you do not, please tell me now. Please keep these instructions and review them as we go through this case. If anyone does not follow these instructions, tell me. III. Court's Charge Before closing arguments begin, the court must give to each member of the jury a copy of the charge, which must include the following written instructions, with such modifications as the circumstances of the particular case may require: Members of the Jury [or Ladies & Gentlemen of the Jury]: After the closing arguments, you will go to the jury room to decide the case, answer the questions that are attached, and reach a verdict. You may discuss the case with other jurors only when you are all together in the jury room. Remember my previous instructions: Do not discuss the case with anyone else, either in person or by any other means. Do not do any	side will win. Instead, you will need to answer the specific questions I give you. Every juror must obey my instructions. If you do not follow these instructions, you will be guilty of juror misconduct, and I may have to order a new trial and start this process over again. This would waste your time and the parties' money, and would require the taxpayers of this county to pay for another trial. Do you understand these instructions? If you do not, please tell me now. Please keep these instructions and review them as we go through this case. If anyone does not follow these instructions, tell me. III. Court's Charge Before closing arguments begin, the court must give to each member of the jury a copy of the charge, which must include the following written instructions, with such modifications as the circumstances of the particular case may require: Members of the Jury [or Ladies & Gentlemen of the Jury]: After the closing arguments, you will go to the jury room to decide the case, answer the questions that are attached, and reach a verdict. You may discuss the case with other jurors only when you are all together in the jury room. Remember my previous instructions: Do not discuss the case with anyone else, either in person or by any other means. Do not do any

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independent investigation about the case or conduct any research. Do not look up any words in dictionaries or on the Internet. Do not post information about the case on the Internet. Do not share any special knowledge or experiences with the other jurors. Do not use your phone or any other electronic device during your deliberations for any reason. [I will give you a number where others may contact you in case of an emergency.] [Any notes you have taken are for your own personal use. You may take your notes back into the jury room and consult them during deliberations, but do not show or read your notes to your fellow jurors during your deliberations. Your notes are not evidence. Each of you should rely on your independent recollection of the evidence and not be influenced by the fact that another juror has or has not taken notes.] [You must leave your notes with the bailiff when you are not deliberating. The bailiff will give your notes to me promptly after collecting them from you. I will make sure your notes are kept in a safe, secure location and not disclosed to anyone. After you complete your deliberations, the bailiff will collect your notes. When you are released from jury duty, the bailiff will promptly destroy your notes so that nobody can read what you wrote.] Here are the instructions for answering the questions. 1. Do not let bias, prejudice, or sympathy play any part in your decision. 2. Base your answers only on the evidence admitted in court and on the law that is in these instructions and questions. Do not consider or discuss any evidence that was not admitted in the courtroom.	independent investigation about the case or conduct any research. Do not look up any words in dictionaries or on the Internet. Do not post information about the case on the Internet. Do not share any special knowledge or experiences with the other jurors. Do not use your phone or any other electronic device during your deliberations for any reason. [I will give you a number where others may contact you in case of an emergency.] [Any notes you have taken are for your own personal use. You may take your notes back into the jury room and consult them during deliberations, but do not show or read your notes to your fellow jurors during your deliberations. Your notes are not evidence. Each of you should rely on your independent recollection of the evidence and not be influenced by the fact that another juror has or has not taken notes.] [You must leave your notes with the bailiff when you are not deliberating. The bailiff will give your notes to me promptly after collecting them from you. I will make sure your notes are kept in a safe, secure location and not disclosed to anyone. After you complete your deliberations, the bailiff will collect your notes. When you are released from jury duty, the bailiff will promptly destroy your notes so that nobody can read what you wrote.] Here are the instructions for answering the questions. 1. Do not let bias, prejudice, or sympathy play any part in your decision. 2. Base your answers only on the evidence admitted in court and on the law that is in these instructions and questions. Do not consider or discuss any evidence that was not admitted in the courtroom.

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3. You are to make up your own minds about the facts. You are the sole judges of the credibility of the witnesses and the weight to give their testimony. But on matters of law, you must follow all of my instructions. 4. If my instructions use a word in a way that is different from its ordinary meaning, use the meaning I give you, which will be a proper legal definition. 5. All the questions and answers are important. No one should say that any question or answer is not important. 6. Answer “yes” or “no” to all questions unless you are told otherwise. A “yes” answer must be based on a preponderance of the evidence [unless you are told otherwise]. Whenever a question requires an answer other than “yes” or “no,” your answer must be based on a preponderance of the evidence [unless you are told otherwise]. The term “preponderance of the evidence” means the greater weight of credible evidence presented in this case. If you do not find that a preponderance of the evidence supports a “yes” answer, then answer “no.” A preponderance of the evidence is not measured by the number of witnesses or by the number of documents admitted in evidence. For a fact to be proved by a preponderance of the evidence, you must find that the fact is more likely true than not true. 7. Do not decide who you think should win before you answer the questions and then just answer the questions to match your decision. Answer each question carefully without considering who	3. You are to make up your own minds about the facts. You are the sole judges of the credibility of the witnesses and the weight to give their testimony. But on matters of law, you must follow all of my instructions. 4. If my instructions use a word in a way that is different from its ordinary meaning, use the meaning I give you, which will be a proper legal definition. 5. All the questions and answers are important. No one should say that any question or answer is not important. 6. Answer “yes” or “no” to all questions unless you are told otherwise. A “yes” answer must be based on a preponderance of the evidence [unless you are told otherwise]. Whenever a question requires an answer other than “yes” or “no,” your answer must be based on a preponderance of the evidence [unless you are told otherwise]. The term “preponderance of the evidence” means the greater weight of credible evidence presented in this case. If you do not find that a preponderance of the evidence supports a “yes” answer, then answer “no.” A preponderance of the evidence is not measured by the number of witnesses or by the number of documents admitted in evidence. For a fact to be proved by a preponderance of the evidence, you must find that the fact is more likely true than not true. 7. Do not decide who you think should win before you answer the questions and then just answer the questions to match your decision. Answer each question carefully without considering who

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will win. Do not discuss or consider the effect your answers will have. 8. Do not answer questions by drawing straws or by any method of chance. 9. Some questions might ask you for a dollar amount. Do not agree in advance to decide on a dollar amount by adding up each juror's amount and then figuring the average. 10. Do not trade your answers. For example, do not say, "I will answer this question your way if you answer another question my way." 11. [Unless otherwise instructed] The answers to the questions must be based on the decision of at least 10 of the 12 [5 of the 6] jurors. The same 10 [5] jurors must agree on every answer. Do not agree to be bound by a vote of anything less than 10 [5] jurors, even if it would be a majority. As I have said before, if you do not follow these instructions, you will be guilty of juror misconduct, and I might have to order a new trial and start this process over again. This would waste your time and the parties' money, and would require the taxpayers of this county to pay for another trial. If a juror breaks any of these rules, tell that person to stop and report it to me immediately. [Definitions, questions, and special instructions given to the jury will be transcribed here. If exemplary damages are sought against a defendant, the jury must unanimously find, with respect to that defendant, (i) liability on at least one claim for actual damages that will support an award of exemplary damages, (ii) any additional	will win. Do not discuss or consider the effect your answers will have. 8. Do not answer questions by drawing straws or by any method of chance. 9. Some questions might ask you for a dollar amount. Do not agree in advance to decide on a dollar amount by adding up each juror's amount and then figuring the average. 10. Do not trade your answers. For example, do not say, "I will answer this question your way if you answer another question my way." 11. [Unless otherwise instructed] The answers to the questions must be based on the decision of at least 10 of the 12 [5 of the 6] jurors. The same 10 [5] jurors must agree on every answer. Do not agree to be bound by a vote of anything less than 10 [5] jurors, even if it would be a majority. As I have said before, if you do not follow these instructions, you will be guilty of juror misconduct, and I might have to order a new trial and start this process over again. This would waste your time and the parties' money, and would require the taxpayers of this county to pay for another trial. If a juror breaks any of these rules, tell that person to stop and report it to me immediately. [Definitions, questions, and special instructions given to the jury will be transcribed here. If exemplary damages are sought against a defendant, the jury must unanimously find, with respect to that defendant, (i) liability on at least one claim for actual damages that will support an award of exemplary damages, (ii) any additional

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conduct, such as malice or gross negligence, required for an award of exemplary damages, and (iii) the amount of exemplary damages to be awarded. The jury’s answers to questions regarding (ii) and (iii) must be conditioned on a unanimous finding regarding (i), except in an extraordinary circumstance when the conditioning instruction would be erroneous. The jury need not be unanimous in finding the amount of actual damages. Thus, if questions regarding (ii) and (iii) are submitted to the jury for defendants D1 and D2, instructions in substantially the following form must immediately precede such questions: Preceding question (ii): Answer Question (ii) for D1 only if you unanimously answered “Yes” to Question[s] (i) regarding D1. Otherwise, do not answer Question (ii) for D1. [Repeat for D2.] You are instructed that in order to answer “Yes” to [any part of] Question (ii), your answer must be unanimous. You may answer “No” to [any part of] Question (ii) only upon a vote of 10 [5] or more jurors. Otherwise, you must not answer [that part of] Question (ii). Preceding question (iii): Answer Question (iii) for D1 only if you answered “Yes” to Question (ii) for D1. Otherwise, do not answer Question (iii) for D1. [Repeat for D2.] You are instructed that you must unanimously agree on the amount of any award of exemplary damages. These examples are given by way of illustration.] Presiding Juror:	conduct, such as malice or gross negligence, required for an award of exemplary damages, and (iii) the amount of exemplary damages to be awarded. The jury’s answers to questions regarding (ii) and (iii) must be conditioned on a unanimous finding regarding (i), except in an extraordinary circumstance when the conditioning instruction would be erroneous. The jury need not be unanimous in finding the amount of actual damages. Thus, if questions regarding (ii) and (iii) are submitted to the jury for defendants D1 and D2, instructions in substantially the following form must immediately precede such questions: Preceding question (ii): Answer Question (ii) for D1 only if you unanimously answered “Yes” to Question[s] (i) regarding D1. Otherwise, do not answer Question (ii) for D1. [Repeat for D2.] You are instructed that in order to answer “Yes” to [any part of] Question (ii), your answer must be unanimous. You may answer “No” to [any part of] Question (ii) only upon a vote of 10 [5] or more jurors. Otherwise, you must not answer [that part of] Question (ii). Preceding question (iii): Answer Question (iii) for D1 only if you answered “Yes” to Question (ii) for D1. Otherwise, do not answer Question (iii) for D1. [Repeat for D2.] You are instructed that you must unanimously agree on the amount of any award of exemplary damages. These examples are given by way of illustration.] Presiding Juror:

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1. When you go into the jury room to answer the questions, the first thing you will need to do is choose a presiding juror. 2. The presiding juror has these duties: a. have the complete charge read aloud if it will be helpful to your deliberations; b. preside over your deliberations, meaning manage the discussions, and see that you follow these instructions; c. give written questions or comments to the bailiff who will give them to the judge; d. write down the answers you agree on; e. get the signatures for the verdict certificate; and f. notify the bailiff that you have reached a verdict. Do you understand the duties of the presiding juror? If you do not, please tell me now. Instructions for Signing the Verdict Certificate: 1. [Unless otherwise instructed] You may answer the questions on a vote of 10 [5] jurors. The same 10 [5] jurors must agree on every answer in the charge. This means you may not have one group of 10 [5] jurors agree on one answer and a different group of 10 [5] jurors agree on another answer. 2. If 10 [5] jurors agree on every answer, those 10 [5] jurors sign the verdict. If 11 jurors agree on every answer, those 11 jurors sign the verdict. If all 12 [6] of you agree on every answer, you are unanimous and only the presiding juror signs the verdict. 3. All jurors should deliberate on every question. You may end up with all 12 [6] of you agreeing on some answers, while only 10 [5]	1. When you go into the jury room to answer the questions, the first thing you will need to do is choose a presiding juror. 2. The presiding juror has these duties: a. have the complete charge read aloud if it will be helpful to your deliberations; b. preside over your deliberations, meaning manage the discussions, and see that you follow these instructions; c. give written questions or comments to the bailiff who will give them to the judge; d. write down the answers you agree on; e. get the signatures for the verdict certificate; and f. notify the bailiff that you have reached a verdict. Do you understand the duties of the presiding juror? If you do not, please tell me now. Instructions for Signing the Verdict Certificate: 1. [Unless otherwise instructed] You may answer the questions on a vote of 10 [5] jurors. The same 10 [5] jurors must agree on every answer in the charge. This means you may not have one group of 10 [5] jurors agree on one answer and a different group of 10 [5] jurors agree on another answer. 2. If 10 [5] jurors agree on every answer, those 10 [5] jurors sign the verdict. If 11 jurors agree on every answer, those 11 jurors sign the verdict. If all 12 [6] of you agree on every answer, you are unanimous and only the presiding juror signs the verdict. 3. All jurors should deliberate on every question. You may end up with all 12 [6] of you agreeing on some answers, while only 10 [5]

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or 11 of you agree on other answers. But when you sign the verdict, only those 10 [5] who agree on every answer will sign the verdict. 4. [Added if the charge requires some unanimity] There are some special instructions before Questions ____ explaining how to answer those questions. Please follow the instructions. If all 12 [6] of you answer those questions, you will need to complete a second verdict certificate for those questions. Do you understand these instructions? If you do not, please tell me now. _____ Judge Presiding Verdict Certificate [No changes are proposed; it is omitted here for that reason and because the formatting does not carry over well to this table] Additional Certificate [No changes are proposed; it is omitted here for that reason and because the formatting does not carry over well to this table] IV. That the following oral instructions shall be given by the court to the jury after the verdict has been accepted by the court and before the jurors are released from jury duty: Thank you for your verdict.	or 11 of you agree on other answers. But when you sign the verdict, only those 10 [5] who agree on every answer will sign the verdict. 4. [Added if the charge requires some unanimity] There are some special instructions before Questions ____ explaining how to answer those questions. Please follow the instructions. If all 12 [6] of you answer those questions, you will need to complete a second verdict certificate for those questions. Do you understand these instructions? If you do not, please tell me now. _____ Judge Presiding Verdict Certificate [No changes are proposed; it is omitted here for that reason and because the formatting does not carry over well to this table] Additional Certificate [No changes are proposed; it is omitted here for that reason and because the formatting does not carry over well to this table] IV. That the following oral instructions shall be given by the court to the jury after the verdict has been accepted by the court and before the jurors are released from jury duty: Thank you for your verdict.

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I have told you that the only time you may discuss the case is with the other jurors in the jury room. I now release you from jury duty. Now you may discuss the case with anyone. But you may also choose not to discuss the case; that is your right. After you are released from jury duty, the lawyers and others may ask you questions to see if the jury followed the instructions, and they may ask you to give a sworn statement. You are free to discuss the case with them and to give a sworn statement. But you may choose not to discuss the case and not to give a sworn statement; that is your right.	I have told you that the only time you may discuss the case is with the other jurors in the jury room. I now release you from jury duty. Now you may discuss the case with anyone. But you may also choose not to discuss the case; that is your right. After you are released from jury duty, the lawyers and others may ask you questions to see if the jury followed the instructions, and they may ask you to give a sworn statement. You are free to discuss the case with them and to give a sworn statement. But you may choose not to discuss the case and not to give a sworn statement; that is your right.
Rule 230. Certain Questions Not to Be Asked In examining a juror, he shall not be asked a question the answer to which may show that he has been convicted of an offense which disqualifies him, or that he stands charged by some legal accusation with theft or any felony.	Rule 225. Certain Questions Not to Be Asked A potential juror must not be asked a question, in the presence of other prospective jurors, about disqualifying convictions or pending felony or theft charges.
Rule 227. Challenge to Juror A challenge to a particular juror is either a challenge for cause or a peremptory challenge. The court shall decide without delay any such challenge, and if sustained, the juror shall be discharged from the particular case. Either such challenge may be made orally on the formation of a jury to try the case.	Rule 226. Challenge to Juror A prospective juror in a case may be challenged for cause or through a peremptory challenge. The challenge may be made orally on the jury's formation to try the case. The court must decide the challenge without delay. If the court sustains the challenge, the prospective juror must be discharged from the case.
Rule 228. "Challenge for Cause" Defined A challenge for cause is an objection made to a juror, alleging some fact which by law disqualifies him to serve as a juror in the case or in any case, or which in the opinion of the court, renders him an unfit person to sit on the jury. Upon such challenge the examination	Rule 227. Challenge for Cause (a) <i>Challenge for Cause Defined.</i> A challenge for cause is an objection to a prospective juror, alleging some fact that, by law, disqualifies the prospective juror to serve on the jury in the case or in any case, or which the court determines renders the prospective juror unfit to serve on the jury in the case or in any case.

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is not confined to the answers of the juror, but other evidence may be heard for or against the challenge. Rule 229. Challenge for Cause When twenty-four or more jurors, if in the district court, or twelve or more, if in the county court, are drawn, and the lists of their names delivered to the parties, if either party desires to challenge any juror for cause, the challenge shall then be made. The name of a juror challenged and set aside for cause shall be erased from such lists.	(b) <i>Evidence Regarding Challenge</i>. If a prospective juror is challenged for cause, the court—in deciding whether to sustain the challenge—may consider the prospective juror’s answers to questions, as well as other evidence for or against the challenge. (c) <i>Sustained Challenge</i>. If the court sustains a challenge for cause with respect to a prospective juror, the prospective juror’s name must be struck from the list delivered to the parties.
Rule 231. Number Reduced By Challenges If the challenges reduce the number of jurors to less than twenty-four, if in the district court, or to less than twelve, if in the county court, the court shall order other jurors to be drawn from the wheel or from the central jury panel or summoned, as the practice may be in the particular county, and their names written upon the list instead of those set aside for cause. Such jurors so summoned may likewise be challenged for cause.	[The proposal is to delete this rule in its entirety.]
Rule 232. Making Peremptory Challenges If there remain on such lists not subject to challenge for cause, twenty-four names, if in the district court, or twelve names, if in the county court, the parties shall proceed to make their peremptory challenges. A peremptory challenge is made to a juror without assigning any reason therefor. Rule 233. Number of Peremptory Challenges	Rule 228. Peremptory Challenges (a) <i>Availability of Challenge</i>. A peremptory challenge to a prospective juror requires no assigned reason. Parties may assert peremptory challenges to prospective jurors if—after the parties’ challenges for cause are combined—24 names remain on the list with a 12-person jury or 12 names in a case with a six-person jury. (b) <i>Number of Challenges</i>. Except as provided in subdivision (c), each side in a civil case is entitled to six peremptory challenges in cases to be tried with a 12-person jury and to three peremptory challenges in cases to be tried with a six-person jury. As used in

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Except as provided below, each party to a civil action is entitled to six peremptory challenges in a case tried in the district court, and to three in the county court. Alignment of the Parties. In multiple party cases, it shall be the duty of the trial judge to decide whether any of the litigants aligned on the same side of the docket are antagonistic with respect to any issue to be submitted to the jury, before the exercise of peremptory challenges. Definition of Side. The term “side” as used in this rule is not synonymous with “party,” “litigant,” or “person.” Rather, “side” means one or more litigants who have common interests on the matters with which the jury is concerned. Motion to Equalize. In multiple party cases, upon motion of any litigant made prior to the exercise of peremptory challenges, it shall be the duty of the trial judge to equalize the number of peremptory challenges so that no litigant or side is given unfair advantage as a result of the alignment of the litigants and the award of peremptory challenges to each litigant or side. In determining how the challenges should be allocated the court shall consider any matter brought to the attention of the trial judge concerning the ends of justice and the elimination of an unfair advantage.	this rule, the term “side” means one or more litigants who have common interests on the matters with which the jury is concerned. The term is not synonymous with “party,” “litigant,” or “person.” (c) <i>Multiple Party Cases.</i> In a multiple-party case, before any peremptory challenges are asserted, the court must: (1) decide whether any of the litigants aligned on the same side of the docket are antagonistic with respect to any issue to be submitted to the jury; and (2) upon any litigant’s motion, equalize the number of peremptory challenges so that no litigant or side is given an unfair advantage because of the litigants’ alignment and the allocation of peremptory challenges. In deciding how to allocate challenges, the court must consider any matter brought to the court’s attention concerning the ends of justice and the elimination of an unfair advantage. Comment to 2026 change: See TEX. GOV’T CODE § 62.020 regarding additional peremptory challenges available if the court decides to seat alternate jurors.
Rule 234. Lists Returned to the Clerk When the parties have made or declined to make their peremptory challenges, they shall deliver their lists to the clerk. The clerk shall, if the case be in the district court, call off the first twelve names on	Rule 229. Returning the Lists and Announcing the Jury (a) <i>Delivering Lists.</i> After the parties have asserted their peremptory challenges or declined to assert peremptory challenges, they must deliver their lists to the court’s designee.

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the lists that have not been erased; and if the case be in the county court, he shall call off the first six names on the lists that have not been erased; those whose names are called shall be the jury.	(b) <i>Announcing the Jury</i>. If the case requires a 12-person jury, the court or the court’s designee must announce the first 12 names on the list that has not been struck. If the case requires a six-person jury, the court or the court’s designee must announce the first six names on the lists that have not been struck. The individuals whose names are announced will be the jury.
Rule 235. If Jury Is Incomplete When by peremptory challenges the jury is left incomplete, the court shall direct other jurors to be drawn or summoned to complete the jury; and such other jurors shall be impaneled as in the first instance.	Rule 230. Incomplete Jury If the jury is incomplete because of peremptory challenges, the court must direct other prospective jurors to be drawn or summoned to complete the jury. These additional prospective jurors must be impaneled as the original prospective jurors were impaneled.
Rule 236. Oath to Jury The jury shall be sworn by the court or under its direction, in substance as follows: “You, and each of you, do solemnly swear that in all cases between parties which shall be to you submitted, you will a true verdict render, according to the law, as it may be given you in charge by the court, and to the evidence submitted to you under the rulings of the court. So help you God.”	Rule 231. Oath to Jury The court, or the court’s designee under its direction, must swear in the jury, in substance as follows: “You, and each of you, do solemnly swear that in all cases between parties which shall be to you submitted, you will render a true verdict, according to the law, as it may be given you in the court’s charge, and to the evidence submitted to you under the court’s rulings. So help you God.”

Tab II- Finality of Judgments

MEMORANDUM

To: Supreme Court Advisory Committee
From: Finality of Judgments Subcommittee
Re: Proposed Amendments to Rule 301 and New Rule 301A — Finality of Judgments
Date: August __, 2026

I. Referral and Recommendation

The Supreme Court referred the following matter to the Committee:
“**Finality of Judgment.** The Committee should study and draft any recommended rule amendments that would provide certainty about when a judgment is final and appealable.”

The subcommittee recommends amendments to Rule 301 and adoption of new Rule 301A. The proposal makes one significant change to existing finality law: **except following a conventional trial on the merits, the actual disposition of all claims and parties would no longer, standing alone, make a judgment final and begin post-judgment and appellate deadlines.** Instead, finality would require something in the record that expressly establishes finality: either (1) a judgment containing express finality statements or (2) a certificate of finality under new Rule 301A.

The subcommittee believes this change warrants careful consideration because it departs from one branch of *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191 (Tex. 2001). The reason for the departure is also straightforward: under existing law, the event that starts the appellate timetable can occur without the judgment, the parties, or sometimes the trial court clearly recognizing that it has occurred. The proposal attempts to make finality—and therefore the commencement of post-judgment and appellate deadlines—objectively ascertainable from the record.

II. The Problems Under Existing Law

In studying existing finality law, the subcommittee identified several recurring problems:

- **Hidden or series finality.** All claims and parties have been disposed of, but no judgment clearly announces that finality has occurred, so the parties may not recognize that post-judgment and appellate deadlines have begun.

- **Ambiguous finality.** A judgment contains language suggesting finality but does not make clear whether it is actually final.
- **False positives.** A judgment unequivocally purports to be final even though a claim or party should have remained pending. Under existing law, this generally presents a question of error rather than finality: the judgment may be erroneous, but it is nevertheless final.
- **Conflicting finality statements.** A judgment contains express statements that point in different directions concerning whether the case has concluded.
- **Multiple expressly final judgments.** More than one judgment purports to be final. Existing law generally addresses this problem by treating a later final judgment as replacing an earlier one, although judgments signed on the same day may require clarification by the trial court.
- **Ambiguous orders entered after an expressly final judgment.** A later order may create uncertainty about whether the court intended to modify or replace the earlier final judgment.

The subcommittee did not believe that rulemaking could eliminate every ambiguity created by internally inconsistent judgments or ambiguous post-judgment orders, and existing law substantially addresses the problem of successive expressly final judgments. The subcommittee concluded that the proposed rules should focus primarily on the first two problems: hidden finality and uncertainty about whether a judgment is final and appealable.

Texas law presently uses different approaches to determine finality depending on how a case is resolved.

After a conventional trial on the merits, *North East Independent School District v. Aldridge*, 400 S.W.2d 893 (Tex. 1966), generally presumes that a judgment disposes of all claims and parties, even if the judgment does not expressly address every matter pleaded.

When there has not been a conventional trial, *Lehmann* provides two principal routes to finality. A judgment is final (1) if it actually disposes of every pending claim and party, or (2) if it clearly and unequivocally states that it finally disposes of all claims and all parties.

The second route provides a readily identifiable finality event. The first can create what the subcommittee has referred to as hidden or series finality. For example, a case may be resolved incrementally:

- one defendant is dismissed from the case;
- several claims are resolved by partial summary judgment;
- claims involving another party settle or are severed; and
- a later nonsuit disposes of the last remaining claim.

Under existing law, the last order may become the final judgment even though it contains no finality language. Its finality results from the combined effect of that order and prior events in the case. The date of final judgment controls deadlines for post-judgment motions, plenary power, and appeal. That result is substantively logical: nothing remains to be adjudicated. But it can create uncertainty about an issue for which certainty is unusually important.

Determining whether an otherwise unremarkable order became final can therefore require counsel or an appellate court to reconstruct the pleadings and procedural history to determine whether anything remained pending on the date the order was signed. *Lehmann* itself emphasized that “[s]implicity and certainty in appellate procedure are nowhere more important than in determining the time for perfecting appeal.”

The proposed rules address the tension between that objective and a doctrine that permits appellate finality to arise without an express indication that the appellate timetable has begun.

III. Proposed Rule 301

The proposed revised rule reorganizes and modernizes existing Rule 301 and adds express rules governing finality.

Subsections (a) and (b), and the introductory sentence of subsection (c), are primarily a modernization of existing Rule 301. They preserve the existing requirements concerning the contents of judgments, JNOV practice, disregard of unsupported jury findings, and the general rule that only one final judgment may be rendered in a cause.

The substantive finality provisions begin with Rule 301(c)(1).

A. Finality after conventional trial

Proposed Rule 301(c)(1) provides: “A judgment signed after a conventional trial on the merits is final, unless the judgment affirmatively states that certain identified claims or parties remain pending.”

This provision substantially preserves the *Aldridge* approach while making the result objective. Rather than stating a rebuttable presumption and requiring a later inquiry into whether the circumstances overcome it, the proposed rule provides that a post-trial judgment **is** final unless the judgment identifies the claims or parties that remain. Thus, following a conventional trial, a trial court that does not intend its judgment to conclude the case must say what remains pending.

B. Finality without a conventional trial

Proposed Rule 301(c)(2) contains the proposal’s principal change. A judgment not following a conventional trial is final **only** if:

1. the judgment expressly states that it **(i) is final, (ii) disposes of all parties and all claims, and (iii) is appealable**; or
2. the trial court signs a **certificate of finality** under Rule 301A.

The first method builds on the express-finality route recognized in *Lehmann*. The second method addresses cases in which all claims and parties have been disposed of through a combination of orders or by a judgment that lacks the required express finality statements.

The subcommittee considered requiring a prescribed “magic words” sentence based on *Lehmann* but rejected that approach. The proposal instead requires the judgment to expressly communicate three propositions—that it is final, disposes of all parties and claims, and is appealable—without necessarily prescribing particular wording. (The proposal does not attempt to eliminate false positives: a judgment satisfying the express-finality requirements may still be final even if it erroneously disposes of a matter that should have remained pending.)

The three propositions are drawn from the finality language discussed in *Lehmann*, but the Committee may wish to consider whether each should be independently required. In particular, if a judgment expressly states that it is final and disposes of all parties and claims, should it nevertheless remain interlocutory because it does not also state that it “is appealable”? Requiring all three statements could itself create the kind of unnoticed nonfinality discussed below.

The proposal therefore departs from *Lehmann* in one significant respect: outside the conventional-trial context, actual disposition of all claims and parties, standing alone, would no longer establish finality. The proposal would preserve *Lehmann*'s rule that unmistakable express finality language establishes finality even if the judgment is erroneous.

C. Other indicia do not establish finality

Rule 301(d) provides that other indicia of finality do not make a judgment final if it does not satisfy Rule 301(c). This provision is intentional. A rule providing only that particular factors—such as a “Final Judgment” caption, Mother Hubbard clause, statement of appealability, or award of costs—are individually insufficient could leave courts to determine whether some combination of those factors nevertheless establishes finality.

The proposed rule instead supplies a binary inquiry. Outside the conventional-trial context, either the requirements of Rule 301(c)(2) are satisfied or the judgment is not yet final.

D. Default judgments

Rule 301(e) provides a limited qualification for default judgments. Notwithstanding the prescribed finality statements, a default judgment is not final if its language affirmatively undermines or contradicts finality. The provision is intended to codify *In re Lakeside Resort JV, LLC*, 689 S.W.3d 916 (Tex. 2024), and *In re Urban 8 LLC*, 689 S.W.3d 926 (Tex. 2024) (per curiam).

IV. Alternatives Considered

The proposed rules are the product of several drafting iterations. In developing the proposal, the subcommittee made several choices that may assist the Committee in evaluating it.

First, the subcommittee considered whether the uncertainty under existing law could be addressed while retaining actual disposition as an independent basis for finality. The subcommittee concluded that so long as actual disposition can itself start appellate deadlines, some cases will necessarily require a retrospective examination of the entire procedural record to determine when the last claim or party was disposed of. The proposal therefore eliminates actual disposition, standing alone, as a basis for appellate finality outside the conventional-trial context.

Next, the subcommittee considered whether Texas should adopt an approach modeled on federal practice. Federal Rule of Civil Procedure 58 generally requires a judgment to be set out in a separate document, with the time for appeal tied to entry of the judgment. If the required separate document is not entered, a 150-day deemed-entry provision eventually starts the appellate timetable.

The subcommittee did not recommend importing that system into Texas. The federal separate-document requirement provides an identifiable procedural event, but it does not eliminate finality traps; it creates additional questions concerning whether and when the required separate judgment was entered and requires a deemed-entry rule when no separate judgment is entered. Federal practice also differs structurally from Texas practice in important respects, including the absence of an *Aldridge*-type rule after conventional trial and the use of Rule 54(b) certification for judgments disposing of fewer than all claims or parties.

The subcommittee instead sought to build on familiar Texas practice. The proposal retains the *Aldridge* approach following a conventional trial, retains *Lehmann*'s use of express finality language outside that context, and adds a certificate procedure for cases that otherwise have been substantively completed. Thus, the proposal attempts to make finality objectively identifiable without requiring a separate judgment document in every case or importing the federal finality framework as a whole.

V. Proposed Rule 301A: Certificate of Finality

Rule 301A provides a mechanism for establishing finality when a case has been substantively completed but there has been no conventional trial and no judgment containing the express finality statements required by Rule 301(c)(2).

Rule 301A is intended as a safety valve, not as an additional step required in every case. Rule 301A does not require prior dispositions to be incorporated into a single final judgment; it allows the certificate to identify the multiple dispositions that collectively resolved the case.

A party who contends that all claims and parties have been disposed of through one or more orders, judgments, nonsuits, settlements, or other dispositions may move for a certificate of finality. The motion must identify the dispositions that resolved the case, attach a proposed certificate, and be served on every party who has appeared at any time. A nonmovant has fourteen days to object.

The trial court then determines whether all claims and parties have been disposed of. If so, the court must sign a certificate identifying the dispositions that

accomplished that result. If not, the court must identify the claims or parties that remain in a written order. The trial court may also issue a certificate on its own initiative. The materials include a proposed form certificate.

Importantly, the certificate does not retrospectively identify an earlier order as the final judgment. The certificate itself establishes finality, and the date it is signed is treated as the date the final judgment is signed for purposes of the civil and appellate rules. Thus, if the parties discover in December that the last substantive claim was actually resolved in July, a certificate signed in December establishes finality in December; it does not retroactively begin the appellate timetable in July. This prospective effect is intentional. A certificate that merely identified an earlier, previously unrecognized date of finality would recreate the hidden-deadline problem the certificate procedure is intended to solve.

Proposed Rule 301A(g) treats the date the certificate is signed as the date the final judgment is signed for purposes of the Rules of Civil Procedure and Rules of Appellate Procedure. This was intended to avoid having to amend rules such as Rules 306a and 329b. Some subcommittee members are concerned, however, that a lawyer trying to calculate a deadline may look only at the rule governing that deadline and not know that Rule 301A changes how the deadline is calculated. If so, leaving those rules unchanged could create a new trap for lawyers. The Committee may therefore wish to amend the affected rules to expressly refer to certificates of finality. Sample amendments to Rule 306a accompany the proposal.

Rule 301A does not eliminate the need to determine whether all claims and parties have been disposed of; it changes when and where that determination occurs. Under existing law, an appellate court may be required to reconstruct the pleadings and procedural history after an appeal has been attempted—and potentially after the timeliness of the appeal has been placed in doubt. Under Rule 301A, when certification is necessary, the trial court makes that determination. In complex cases, that may impose additional work on the trial court and may itself generate disputes about whether anything remains pending. The subcommittee nevertheless viewed the trial court, before appellate deadlines begin, as the preferable place and time to resolve that uncertainty.

Rule 301A also requires service on every party who has appeared at any time. This is particularly important for a party involuntarily dismissed earlier in the litigation, who under existing law may have to monitor the remaining case to determine when the dismissal becomes appealable. The objective is for the event beginning that party's appellate timetable to be both identifiable and noticed.

VI. Costs and Potential Unintended Consequences

The subcommittee recognizes that the proposed approach trades one type of uncertainty for potential costs of its own. The most significant concern is that a case that has been substantively resolved could remain technically nonfinal because no compliant final judgment or certificate has been signed.

For example, the trial court might sign a document captioned “Final Judgment” that actually resolves every claim and party and includes conventional finality indicia, but omits one of Rule 301(c)(2)(A)’s required statements. If all participants mistakenly believe the judgment is final, no one may seek a certificate. The case could remain technically pending until the omission is discovered—potentially much later or when the case appears on a dismissal docket. A later dismissal for want of prosecution could then become the first qualifying “final judgment,” notwithstanding that the parties and court had treated the merits as resolved years earlier.

Delayed formal finality may also impair repose by leaving appellate rights unresolved long after the parties have treated the litigation as concluded. That result is the principal converse of the problem the proposal seeks to eliminate: **Existing law risks unnoticed finality occurring too early; the proposed rule risks formal finality occurring too late.**

The federal experience also illustrates the potential cost of conditioning finality on a formal procedural event. Federal Rule 58’s separate-document requirement requires a 150-day deemed-entry backstop when the required judgment document is never entered. The subcommittee considered but rejected creating a similar backstop for the proposed Rule 301.

And because the certificate denies relief not expressly granted in the identified dispositions, the Committee should consider carefully whether the certificate’s effect is appropriately characterized and whether it could inadvertently dispose of a matter the parties or court overlooked. These concerns are not incidental. They reflect the central policy choice presented by the proposal.

The new certificate procedure could also create a deadline trap if other rules are not amended. A lawyer looking at Rule 306a, Rule 329b, or an appellate rule may not realize that a certificate of finality starts deadlines in the same way as a signed judgment. The Committee should consider whether those rules should be amended to expressly refer to certificates of finality.

VII. Probate, Guardianship, and Other Multi-Judgment Proceedings

Probate and guardianship proceedings are sometimes described as permitting “multiple final judgments.” More precisely, however, they may produce multiple appealable orders before a final judgment concludes the proceeding. An order that conclusively disposes of a discrete phase of the proceeding may be immediately appealable even though other matters remain pending. Rule 301 would continue to govern the final judgment concluding the proceeding in the same manner as in other civil cases.

Rule 301A(d) separately addresses these interim appealable orders. It would require a certificate identifying the discrete phase and the dispositions resolving all claims and parties within it before an appeal may be taken.

As with hidden finality in ordinary cases, the purpose is to avoid requiring the parties and the appellate court to reconstruct the record to determine whether a discrete phase has concluded. The proposal would not change which orders are appealable; it would require the basis for appealability to be identified before the appellate timetable begins.

The draft contains bracketed language that would extend this procedure to other proceedings in which the law specially permits multiple appealable orders. The subcommittee was not aware of other proceedings requiring this treatment and invites the Committee’s input on whether the provision should extend beyond probate and guardianship proceedings.

Because mandatory certification would itself be a significant procedural change, the Committee may wish to consider this issue separately.

VIII. The Policy Choice Presented

The proposal ultimately presents a choice between two competing forms of certainty. Existing law gives priority to actual completion: if the last pending matter has been disposed of, finality may exist even though no document announces that fact. The proposed rule instead gives priority to an objectively identifiable finality event.

Neither approach eliminates every potential problem. The subcommittee's recommendation reflects policy choice that, because finality begins deadlines that may extinguish appellate rights, the law should favor a readily identifiable finality event over a retrospective determination that the last remaining matter happened to have been resolved earlier.

That approach advances *Lehmann's* stated objective of simplicity and certainty in determining the time for appeal, but does so by departing from *Lehmann's* rule that actual disposition alone can establish finality.

PROPOSED RULE 301. FINAL JUDGMENTS.

- (a) **Judgment.** The judgment must conform to the pleadings, the nature of the case proved, and the verdict, if any, and must grant the relief to which a party is entitled in law or equity. Judgment may be rendered for or against one or more plaintiffs, defendants, or intervenors.
- (b) **Judgment Notwithstanding the Verdict (JNOV).** On motion and reasonable notice, the court may render judgment notwithstanding the verdict if a directed verdict would have been proper. On like motion and notice, the court may disregard a jury finding that has no evidentiary support.
- (c) **One Final Judgment.** Except as otherwise provided by law, only one final judgment may be rendered in a cause.
- (1) **Finality After Conventional Trial.** A judgment signed after a conventional trial on the merits is final, unless the judgment affirmatively states that certain identified claims or parties remain pending.
- (2) **Finality Without Conventional Trial.** A judgment not governed by subdivision (c)(1) is final only if:
- (A) The judgment expressly states that it (i) is final, (ii) disposes of all parties and all claims, and (iii) is appealable; or
- (B) The trial court has signed a certificate of finality under Rule 301A.
- (d) **Insufficient Indicia of Finality.** A judgment that contains other indicia of finality but does not satisfy subdivision (c)(1) or (2) is not final.
- (e) **Finality of Default Judgment.** Notwithstanding subdivision (c)(2)(A), a default judgment is not final if its language affirmatively undermines or contradicts finality.

Comments to Rule 301

Comment to 2026 change: Rule 301 replaces prior case law under which appellate finality could arise because an order or combination of orders actually disposed of all claims and parties, even without express finality language. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191 (Tex. 2001). Under the revised rule, the actual disposition of all claims and parties, standing alone, does not establish

appellate finality. Finality for purposes of post-judgment deadlines and appeals exists only as provided by Rule 301(c). The rule is intended to provide a clear and objective event from which post-judgment and appellate deadlines are measured.

Comment to 2026 change: Section (e) codifies the holdings of *In re Lakeside Resort JV, LLC*, 689 S.W.3d 916, 922-23 (Tex. 2024) and *In re Urban 8 LLC*, 689 S.W.3d 926, 929 (Tex. 2024) (orig. proceeding) (per curiam).

PROPOSED RULE 301A. CERTIFICATE OF FINALITY.

- (a) **Motion.** When no judgment satisfying Rule 301(c)(1) or (c)(2)(A) has been signed, a party who contends that all claims and parties have been finally disposed of by one or more orders, judgments, nonsuits, settlements, or other dispositions may file a motion requesting a certificate of finality. The motion must identify the dispositions that resolved all claims and parties and attach a proposed certificate. The movant must serve the motion on every party who has appeared at any time.
- (b) **Response.** Except on leave of court, a nonmovant must file any response within fourteen days after the motion is filed. The response must include any objections to the issuance or contents of the requested certificate.
- (c) **Determination.** After the response period, the trial court must determine whether all claims and parties have been disposed. If so, the court must sign a certificate of finality identifying the dispositions that resolved all claims and parties. If not, the court must identify the remaining claims or parties in a written order.
- (d) **Probate, Guardianship, and Other Multi-Judgment Proceedings.** In probate and guardianship proceedings brought under the Estates Code[, and in other proceedings in which the law specially provides that multiple appealable orders may be signed,]¹ a certificate of finality² is required before an appeal may be taken. The certificate of finality must identify the discrete proceeding or phase and the dispositions that resolved all claims and parties within it.
- (e) **Sua Sponte Action.** The trial court may sign a certificate of finality on its own initiative.
- (f) **Notice.** The certificate of finality must be served pursuant to Rule 306a(3) on every party who has appeared at any time.
- (g) **Effect.** A certificate of finality signed under this rule establishes finality under Rule 301(c) and denies all relief not expressly granted in the identified orders, judgments, nonsuits, settlements, and other dispositions. The date the certificate

1 We don't know if any exist.

2 In effect, this is a certificate of appealability but we didn't want to add confusion by having two names.

of finality is signed is the date the final judgment is signed for purposes of these rules and the rules of appellate procedure.

Comments to Rule 301A

Comment to 2026 change: Rule 301A provides a mechanism for establishing finality when all claims and parties have been disposed of through one or more orders, judgments, nonsuits, settlements, or other dispositions, but no single judgment contains express finality language. The rule is intended to provide a clear and objective determination of finality and a definite date from which post-judgment and appellate deadlines run.

Comment to 2026 change: A proposed form certificate published by the Office of Court Administration is available at [website].

Comment to 2026 change: Notice under Rule 301A(a) and (c) is to ensure, for example, that parties involuntarily dismissed at an earlier phase receive notice that a judgment is made final. If a party does not receive notice under 301A(a) or (c) and the party's claim is affected by the certificate, the party may pursue remedies such as restricted appeal or bill of review as appropriate, but the certificate is not interlocutory.

[CASE STYLE]

CERTIFICATE OF FINALITY

The Court determines that all claims and parties have been finally disposed.
The Court identifies the following orders, judgments, nonsuits, settlements, or
other dispositions as having resolved all claims and parties:

For probate, guardianship, or other proceedings with multiple appealable
orders, the discrete proceeding or phase resolved by the above dispositions is:

Pursuant to Rule 301A, the Court certifies that all claims and parties have
been finally disposed. This certificate establishes finality under Rule 301(c) as of
the date it is signed.

SIGNED on _____.

JUDGE PRESIDING

CHANGES TO RULE 306a. PERIODS TO RUN FROM SIGNING OF JUDGMENT.

Subcommittee comment for SCAC meeting: Some felt saying “the certificate of finality counts as the final judgment” in 301A(g) was sufficient to avoid having to revise 306a, 329b, etc. Others felt that practitioners who only look at 306a might not know about the change in 301A(g) and we should expressly make the changes within rule 306a itself.

1. **Beginning of Periods.** The date of judgment or order is signed as shown of record shall determine the beginning of the periods prescribed by these rules for the court's plenary power to grant a new trial or to vacate, modify, correct or reform a judgment or order and for filing in the trial court the various documents that these rules authorize a party to file within such periods including, but not limited to, motions for new trial, motions to modify judgment, motions to reinstate a case dismissed for want of prosecution, motions to vacate judgment and requests for findings of fact and conclusions of law; but this rule shall not determine what constitutes rendition of a judgment or order for any other purpose. **The date a certificate of finality is signed is the date the final judgment or order is signed for purposes of these rules.**
3. **Notice of Judgment.** When the final judgment, ~~or~~ other appealable order, **or certificate of finality** is signed, the clerk of the court must immediately send ~~the judgment or order~~ **it** to the parties as provided in Rule 21(f)(10). If the judgment awards monetary damages, the judgment must state: “If you are an individual (not a company), your money or property may be protected from being taken to pay this judgment. Find out more by visiting www.texaslawhelp.org/exempt-property. / *Si usted es una persona física (y no una compañía), su dinero o propiedad pudieran estar protegidos de ser embargados como pago de esta deuda decretada en juicio en contra suya. Obtenga mayor información visitando el sitio www.texaslawhelp.org/exempt-property.*” Failure to comply with the provisions of this rule shall not affect the periods mentioned in paragraph (1) of this rule, except as provided in paragraph (4).
4. **No Notice of Judgment.** If within twenty days after the judgment, ~~or~~ other appealable order, **or certificate of finality** is signed, a party adversely affected by it or his attorney has neither received the notice required by paragraph (3) of this rule nor acquired actual knowledge of the order, then with respect to that party all the periods mentioned in paragraph (1) shall

begin on the date that such party or his attorney received such notice or acquired actual knowledge of the signing, whichever occurred first, but in no event shall such periods begin more than ninety days after the original judgment or other appealable order was signed.

Comments to Rule 306a