

**SUPREME COURT ORDER RELATING TO
PREPARATION OF STATEMENT OF FACTS**

In compliance with the provisions of Rule 377(g), the Supreme Court hereby directs that the statement of facts in a case of an appeal or writ of error from the trial court to the appellate court shall be prepared as follows:

(a) The front cover page and caption of the statement of facts shall contain a statement showing the style and number of the suit, the court in which the proceeding is pending, the names and mailing addresses of the attorneys in the case, and it shall be labeled in bold type "STATEMENT OF FACTS." The following form will be sufficient for that purpose:

"NO. _____

A. B., §
 Plaintiff, § In the _____ Court of
 vs. § _____ County, Texas
 C. D., §
 Defendant. §

STATEMENT OF FACTS

Appearances:

Attorney _____ for Appellant
 _____ (address)
 Attorney _____ for Appellee
 _____ (address)

On the _____ day of _____, 19____, the above entitled and numbered cause came on for trial before said Honorable Court, _____, Judge presiding, and the following proceedings were had:"

(b) The testimony or proceedings shall be assembled in the order of time of occurrence and shall show the name of the witness and whether such testimony is direct, cross, re-direct, or re-cross examination.

(c) The court reporter shall include at the beginning of each volume of the statement of facts an alphabetical and chronological index referring to the page at which the direct examination, the cross-examination, the re-direct examination and the re-cross examination of each witness begins. The index may be in this or any other form which shows the same information:

INDEX

Witness	Direct	Cross	Redirect	Re-Cross
(name of witness)	(page)	(page)	(page)	(page)

The index shall be placed in the front of each volume of the statement of facts. The court reporter shall also show in a separate table in the first volume of the reporter's statement the page at which any exhibit or other document copied therein appears, and the page at which it is identified, offered, admitted, or excluded. The index of exhibits may be in this or any other form which shows the same information:

EXHIBITS INDEX

Exhibit Number	Description	Identified	Offered	Admitted (or excluded)
P-1	Letter from Smith to Jones dated January 1, 1977	3	5	6

(d) The statement of facts shall be typewritten and be on opaque and unglazed white paper not less than thirteen pound weight, 8½ by 11 inches in size, in good clear standard type of pica size, 10 or 12 letters per linear inch, double-spaced and in upper and lower case type, an average of 25 lines of type per page and typed on only one side of the paper, with no sheets cut or mutilated. The margin on the left hand side of the page shall be not less than one and one-fourth inches (1¼") nor more than two inches (2"). The pages shall be numbered consecutively at the bottom of each page, securely bound on the left margin, and labeled on the cover thereof "Volume ____ of ____ Volumes."

(e) The statement of facts shall contain the certificate signed by the court reporter in substance as follows:

"THE STATE OF TEXAS §
COUNTY OF _____ §

I, _____, official court reporter in and for the _____ court of _____ County, State of Texas, do hereby certify that the above and foregoing contains a true and correct transcription of all the proceedings (or all proceedings directed by counsel to be included in the statement of facts, as the case may be), in the above styled and numbered cause, all of which occurred in open court or in chambers and were reported by me.

I further certify that this transcription of the record of the proceedings truly and correctly reflects the exhibits, if any, offered by the respective parties.

WITNESS my hand this the _____ day of _____, 19____.

(Signature)

Official Court Reporter"

(f) As to substance, it shall be agreed to and signed by the attorneys for the parties, or shall be approved by the trial court, in substantially the following form, to-wit:

"ATTORNEYS' APPROVAL

We, the undersigned attorneys of record for the respective parties, do hereby agree that the foregoing pages constitute a true and correct transcription (or, a true and correct partial transcription as requested, as the case may be) of the statement of facts, and other proceedings in the above styled and numbered cause, all of which occurred in open court or in chambers and were reported by the official court reporters.

SIGNED this _____ day of _____, 19____.

(Signature)

Attorney for Plaintiff

SIGNED this _____ day of _____, 19____.

(Signature)

Attorney for Defendant

COURT'S APPROVAL

The within and foregoing pages, including this page, having been examined by the court, (counsel

for the parties having failed to agree) are found to be a true and correct transcription (or, a true and correct partial transcription as requested, as the case may be) of the statement of facts and other proceedings, all of which occurred in open court or in chambers and were reported by the official court reporter.

SIGNED this _____ day of _____, 19____.

(Signature)

Judge Presiding"

(g) In the event of a violation of this rule in the preparation of the statement of facts, the appellate court may require the court reporter to amend the same or to prepare a new statement of facts in proper form at the reporter's own expense.