

# Discovery Process

## Texas Justice Courts

When a party requests documents or answers to questions from the opposing party in a lawsuit, you must do so in the form of a Motion for Discovery.

A Motion for Discovery may be filed with the Court via E-File, Email, in person, or by US Mail.

The motion must include the list of interrogatories, questions you want the other party to answer, and/or a list of production items, documents you want the other party to produce. The interrogatories or production items must be reasonable and necessary and relate to the facts of the case. (*T.R.C.P 500.9*)

A Motion for Discovery must be in writing, with a signature, and be served on the other party in accordance with the *T.R.C.P 501.4*. A Certificate of Service must be attached to the motion that states when and how you served the document on the other party and it must be signed. This does not require the party to answer the discovery, it only serves as notice that you have filed the motion with the Court for review.

Once the Judge has reviewed the motion, an order will be issued. If the Judge grants the discovery, you must then serve the discovery with a copy of the order on the other party. (*T.R.C.P 500.9*)

If the party fails to timely respond to the discovery, you must notify the Court in writing, or the case will proceed to trial without the discovery. (*T.R.C.P. 500.9*)

The Texas Rules of Civil Procedure (*T.R.C.P.*) for Justice Court can be found on the Courts website [www.wilco.org/JP2](http://www.wilco.org/JP2) under Information and Forms.

The link is titled: **Texas Justice Court Rules.**