

Form 5-18

This form is for use only in cases filed on or after January 1, 2021. Amendments to the Texas Rules of Civil Procedure effective for cases filed on or after that date eliminate the previously applicable procedure involving a request for disclosure and provide that certain required disclosures must be made without waiting for a request. *See* Tex. R. Civ. P. 194. For a response to a request for disclosure in a case filed before January 1, 2021, see form 5-22.

For categories in which rule 194 refers to descriptions in rule 192.3, the following form incorporates those descriptions, so that the attorney need spend no further time and expense explaining to the client what information or material is required, and so that a pro se party can readily understand how to disclose the required information.

For required testifying expert disclosures, see form 5-19. For required pretrial disclosures, see form 5-20.

No objections or assertions of work product are allowed to a rule 194 disclosure. Tex. R. Civ. P. 194.5. However, a party may assert any applicable privileges other than work product, e.g., a protective order to prevent the person's residence from being revealed if harm could result.

Include the following notice if a minor is named in the caption or if the response contains other unredacted sensitive data. See § 6 of the Introduction in volume 1 of this manual concerning protection of sensitive data in filed documents.

**NOTICE: THIS DOCUMENT
CONTAINS SENSITIVE DATA**

[Caption. See § 3 of the Introduction in volume 1 of this manual.]

[Petitioner/Respondent]'s Required Initial Disclosures

[**Name**], [attorney for Petitioner/attorney for Respondent/Petitioner/Respondent], provides the attached initial disclosures required under rule 194.

The disclosures must be signed as required by Tex. R. Civ. P. 191.3.

[Name]
Attorney for [Petitioner/Respondent]
State Bar No.:
[E-mail address]
[Address]
[Telephone]
[Fax]

Certificate of Service

I certify that a true copy of this [document/[**title of document**]] was served in accordance with rule 21a of the Texas Rules of Civil Procedure on the following on [**date**]:

[**Name of attorney of record or party to be served**] by [electronic filing manager/e-mail at [**e-mail address**]/fax at [**fax number**]/personal delivery at [**address**]/commercial delivery service at [**address**]/certified mail at [**address**]/first-class mail at [**address**]]. [**Repeat for each attorney of record or party to be served.**]

[Name]
Attorney for [Petitioner/Respondent]

Required Initial Disclosures

1. The correct names of the parties to this lawsuit.

RESPONSE:

2. The names, addresses, and telephone numbers of any potential parties.

RESPONSE:

3. The legal theories and, in general, the factual bases of the claims or defenses of [Petitioner/Respondent].

RESPONSE:

4. The amount and any method of calculating economic damages claimed by [Petitioner/Respondent].

RESPONSE:

5. The names, addresses, and telephone numbers of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.

RESPONSE:

6. A copy, or a description by category and location, of all documents, electronically stored information, and tangible things that [Petitioner/Respondent] has in [his/her] possession, custody, or control and may use to support [his/her] claims or defenses unless the use would be solely for impeachment.

RESPONSE:

7. The originals or copies of any indemnity and insuring agreements described in rule 192.3(f) of the Texas Rules of Civil Procedure. Rule 192.3(f) provides in part as follows:

Indemnity and Insuring Agreements. Except as otherwise provided by law, a party may obtain discovery of the existence and contents of any indemnity or insurance agreement under which any person may be liable to satisfy part or all of a judgment rendered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

RESPONSE:

8. The originals or copies of any settlement agreements described in rule 192.3(g) of the Texas Rules of Civil Procedure. Rule 192.3(g) provides in part as follows:

Settlement Agreements. A party may obtain discovery of the existence and contents of any relevant portions of a settlement agreement.

RESPONSE:

9. The originals or copies of any witness statements described in rule 192.3(h) of the Texas Rules of Civil Procedure. Rule 192.3(h) provides in part as follows:

Statements of Persons with Knowledge of Relevant Facts. A party may obtain discovery of the statement of any person with knowledge of relevant facts—a “witness statement”—regardless of when the statement was made. A witness statement is (1) a written statement signed or otherwise adopted or approved in writing by the person making it, or (2) a stenographic, mechanical, electrical, or other type of recording of a witness’s oral statement, or any substantially verbatim transcription of such a recording. Any person may obtain, upon written request, his or her own statement concerning the lawsuit, which is in the possession, custody or control of any party.

RESPONSE:

Include 10. and 11. in a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case.

10. The originals or copies of all medical records and bills that are reasonably related to the injuries or damages asserted or an authorization permitting the disclosure of such medical records and bills.

RESPONSE:

11. The originals or copies of all medical records and bills obtained by [Petitioner/ Respondent] by virtue of an authorization furnished by [Respondent/Petitioner].

RESPONSE:

12. The name, address, and phone number of any person who may be designated as a responsible third party.

RESPONSE:

Include the following in a suit for divorce or annulment or to declare a marriage void. The date stated should reflect the period of the past two years or since the date of the marriage, whichever is less.

13. For the [past two years/period since [date of marriage]], all deed and lien information on any real property owned and all lease information on any real property leased.

RESPONSE:

14. For the [past two years/period since [date of marriage]], all statements for any pension plan, retirement plan, profit-sharing plan, employee benefit plan, and individual retirement plan.

RESPONSE:

15. For the [past two years/period since [date of marriage]], all statements or policies for each current life, casualty, liability, and health insurance policy.

RESPONSE:

16. For the [past two years/period since [date of marriage]], all statements pertaining to any account at a financial institution, including banks, savings and loan institutions, credit unions, and brokerage firms.

RESPONSE:

Include the following in a suit in which child or spousal support is at issue.
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17. Information regarding all policies, statements, and the summary description of benefits for any medical and health insurance coverage that is or would be available for [[name[s] of child[ren]]/[Petitioner/Respondent]/[[name[s] of child[ren]] and [Petitioner/Respondent]]].

RESPONSE:

18. [Petitioner's/Respondent's] income tax returns for the previous two years or, if no return has been filed, [Petitioner's/Respondent's] Form W-2, Form 1099, and Schedule K-1 for those years.

RESPONSE:

19. [Petitioner's/Respondent's] two most recent payroll check stubs.

RESPONSE: