

Rule 262.5. Procedure for the Expedited Jury Trial Process

(a) *Discovery.*

- (1) Discovery must be conducted in accordance with Rule 190.2(c).
- (2) Expert witness disclosures must be made in accordance with Rule 195.2.

(b) *Jury.*

- (1) The jury must be composed of six jurors, as provided by the Texas Government Code Section 62.201, with no alternates.
- (2) Each side must be limited to three peremptory challenges. If there are more than two parties in a case, each party may request one additional peremptory challenge, and the court must determine the requests under Rule 233.
- (3) Except as provided by Rule 292(b), a verdict may be rendered in any expedited jury trial by the concurrence, as to each and all answers made, of the same five or more jurors.

(c) *Alternative Dispute Resolution, Motions, and Judgment.*

- (1) The court must not order the parties to a civil action submitted to the Expedited Jury Trial Process to participate in alternative dispute resolution.
- (2) The court must not entertain or grant any motion for directed verdict.
- (3) The court must not set aside any verdict or judgment, except on one or more of the following grounds:
 - (A) judicial misconduct that materially affected the substantial rights of a party;
 - (B) jury misconduct; or
 - (C) corruption, fraud, or other undue means employed in the civil action by the court, jury, or adverse party that prevented a party from having a fair trial.
- (4) In addition to all other limitations provided by law, the court shall not render a judgment in a civil action submitted to the Expedited Jury Trial Process in excess of an aggregate of \$100,000.00, inclusive of all recoverable damages and taxable court costs.

- (d) *Trial.* Each side must be afforded five hours to complete jury selection, opening statements, the presentation of evidence, and closing arguments.
 - (1) The term “side” shall have the same definition as set out in Rule 233.
 - (2) Time spent on objections, bench conferences, and a challenge to a member of the jury panel under Rule 228 must not be included in the time limitation in (d)(1).
- (e) *Appeal.*
 - (1) An appeal of a judgment entered in a civil action submitted to the Expedited Jury Trial Process is limited to the following grounds:
 - (A) judicial misconduct that materially affected the substantial rights of a party;
 - (B) jury misconduct; or
 - (C) corruption, fraud, or other undue means employed in the proceedings by the court, jury, or adverse party that prevented a party from having a fair trial.
 - (2) Subdivision (e) does not apply to an appeal of that portion of a judgment rendered under Rule 166a.