Post-Judgment Civil Procedure

Judgment
Granted/Denied/Default/DWOP
TRCP 505.1

Appeal
TRCP 506

Appeal Bond, Cash Deposit, or Statement of Inability to Pay
Filed within 21 days after the date the judgment was signed or the motion to reinstate, set aside, or new trial, if any, is denied
TRCP 506.1

Standard civil filing fee paid at time of filing appeal bond or cash deposit Local Gov't Code 133.151(a-1), 135.103

Statement of Inability to Pay
Court must give notice to all parties, no later than the next business day, if a Statement of Inability to Pay is filed
TRCP 506.1(e)

Appeal Bond or Cash Deposit
Within 7 days of filing, appellant must serve written notice of appeal on all other parties using a method approved in TRCP 501.4 TRCP 506.1(e)

Statement of Inability to Pay Contest
Within 7 days after opposing party receives notice, they may contest Statement of Inability to Pay (*as provided in TRCP 502.3(d)*)
TRCP 506.1(d)(2)

Contest Sustained
Court must forward all related documents to the county court; appellant may appeal sustained contest within 7 days; and county court must set matter for hearing within 14 days to hear contest de novo
TRCP 506.1(d)(3)

No Contest Appeal or Contest Appeal Overruled
Appellant may post appeal or cash bond within 5 days
TRCP 506.1(d)(4)

Appeal Perfected
Court must immediately send county clerk a certified copy of all docket entries, bill of costs, and original papers
TRCP 506.2

Enforcement of Judgments
Same method as in county or district court except as provided by other law
TRCP 505.2

Abstract of Judgment
Issued upon application and payment of required fees Property Code § 52.02

Writs
Must be in writing, issued by, and signed by judge officially TRCP 507.4

Garnishment
Application by plaintiff at commencement of a suit or any time during progress of the case
TRCP 658

Execution
Issued any time after 30 days after judgment (*unless allowed earlier by court*) and upon payment of required fees
TRCP 621, 627, 628

See Civil Deskbook for a discussion of other writs.

Motion to Set Aside, Reinstate, or for New Trial
TRCP 505.3

Motion must be filed no later than 14 days after judgment or dismissal was signed
TRCP 505.3(a),(b),(c)

Standard civil filing fee is assessed on a motion for new trial *(not on motion to set aside or reinstate)*
Local Gov't Code 133.151(a-1), 135.103

If judge does not rule on the motion by 5:00 pm on the 21st day after the judgment was signed, then the motion is denied as a matter of law
TRCP 505.3(e)

Motion Denied
Party has 21 days from the date of denial to file appeal
TRCP 506.1(a)

Motion Granted
Case should be set for trial
TRCP 505.3(a),(b),(c)