

V.T.C.A., Civil Practice & Remedies Code § 13.003

**C**

**Effective: [See Text Amendments]**

Vernon's Texas Statutes and Codes Annotated [Currentness](#)

Civil Practice and Remedies Code ([Refs & Annos](#))

Title 2. Trial, Judgment, and Appeal

▢ [Subtitle A](#). General Provisions

▢ [Chapter 13](#). Affidavit of Inability to Pay Costs

**→ § 13.003. Free Transcript of Statement of Facts on Appeal**

(a) Subject to Subsection (c), a court reporter shall provide without cost a statement of facts and a clerk of a court shall prepare a transcript for appealing a judgment from the court only if:

(1) an affidavit of inability to pay the cost of the appeal has been filed under the Texas Rules of Appellate Procedure; and

(2) the trial judge finds:

(A) the appeal is not frivolous; and

(B) the statement of facts and the clerk's transcript is needed to decide the issue presented by the appeal.

(b) In determining whether an appeal is frivolous, a judge may consider whether the appellant has presented a substantial question for appellate review.

(c) The trial judge may order a clerk of a court to prepare a transcript, or any part of the transcript, necessary for making the determination required by Subsection (a)(2).

CREDIT(S)

Added by [Acts 1993, 73rd Leg., ch. 861, § 1, eff. Sept. 1, 1993](#). Amended by [Acts 1997, 75th Leg., ch. 467, § 1, eff. Sept. 1, 1997](#).

<As amended through the 82nd Legislature, Regular Session (2011)>

**HISTORICAL AND STATUTORY NOTES**

2002 Main Volume

Section 2(b) of the 1993 Act provides:

"This Act applies only to an appeal filed on or after the effective date of this Act. An appeal filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose."

Acts 1997, 75th Leg., ch. 467, in subsec. (a), in the introductory paragraph, inserted "Subject to Subsection (c),

a", and substituted "statement of facts and a clerk of a court shall prepare a transcript" for "transcript of the statement of facts", and in subd. (1)(B), inserted "and the clerk's transcript"; and added subsec. (c).

Section 2 of Acts 1997, 75th Leg., ch. 467 provides:

"(a) This Act takes effect September 1, 1997.

"(b) This Act applies only to an appeal filed on or after the effective date of this Act. An appeal filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act and that law is continued in effect for that purpose."

V. T. C. A., Civil Practice & Remedies Code § 13.003, TX CIV PRAC & REM § 13.003

Current through the end of the 2011 Regular Session and  
First Called Session of the 82nd Legislature

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