

# DEBT CLAIM PETITION REQUIREMENTS

## Texas Rules of Civil Procedure

### 508.2. Petition.

(a) **Contents.** --In addition to the information required by Rule 502.2 (*the Justice Court Civil Case Information Sheet*), a petition filed in a lawsuit governed by this rule must contain the following information:

(1) **Credit Accounts.** --In a claim based upon a credit card, revolving credit, or open account, the petition must state:

- (A) the account name or credit card name;
- (B) the account number (which may be masked);
- (C) the date of issue or origination of the account, if known;
- (D) the date of charge-off or breach of the account, if known;
- (E) the amount owed as of a date certain; and
- (F) whether the plaintiff seeks ongoing interest.

(2) **Personal and Business Loans.** --In a claim based upon a promissory note or other promise to pay a specific amount as of a date certain, the petition must state:

- (A) the date and amount of the original loan;
- (B) whether the repayment of the debt was accelerated, if known;
- (C) the date final payment was due;
- (D) the amount due as of the final payment date;
- (E) the amount owed as of a date certain; and
- (F) whether plaintiff seeks ongoing interest.

(3) **Ongoing Interest.** --If a plaintiff seeks ongoing interest, the petition must state:

- (A) the effective interest rate claimed;
- (B) whether the interest rate is based upon contract or statute; and
- (C) the dollar amount of interest claimed as of a date certain.

(4) **Assigned Debt.** --If the debt that is the subject of the claim has been assigned or transferred, the petition must state:

- (A) that the debt claim has been transferred or assigned;
- (B) the date of the transfer or assignment;
- (C) the name of any prior holders of the debt; and
- (D) the name or a description of the original creditor.