

MEDIA AND FIRST AMENDMENT APPEALS

Practice

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In many Texas cases, media and First Amendment litigation is appellate litigation. Defamation lawsuits against media defendants involve First Amendment defenses that are often decided by the filing of a summary judgment motion without a trial. If a trial judge denies a media defendant's motion for summary judgment, the defendant has a right to an immediate, interlocutory appeal that, if successful, will terminate the lawsuit. Haynes and Boone's appellate lawyers have the substantive knowledge and procedural and practical experience required to successfully handle appeals for media defendants in Texas. Our broad experience representing media defendants includes leading roles in the following types of proceedings:

- Motions for summary judgment based on First Amendment and common law media defenses;
- Interlocutory appeals following the denial of summary judgment motions based on the media defendant's First Amendment defenses;
- Texas Supreme Court proceedings involving novel or important First Amendment issues;
- Media right of access issues, including the sealing and unsealing of Court Records;
- Mandamus actions asking an appellate court to compel a trial judge to rule on a media defendant's motion for summary judgment;
- Appeals from final judgments awarding money damages against media defendants;
- Analysis and handling of technical issues in trial courts and, when necessary, on appeal involving attorney-client privileges, discovery, and the jury charge; and
- Training seminars on First Amendment issues for groups of journalists and public information officers for local police departments.