David Harper in Texas Lawyer: 'The Business Courts are Coming – Can They Meet Expectations?'

By David H. Harper | July 20, 2024

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Haynes Boone Partner David Harper spoke to the *Texas Lawyer* about the new Texas Business Courts.

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Haynes Boone Partner David Harper notes that attorneys in their firm have litigated cases in Delaware's Court of Chancery and in other states with business courts.

"I've run into the same courts in California and South Carolina and other places. So I think most people think that it could be the thing for certain types of disputes," Harper said.
Harper does not anticipate any immediate dramatic changes in the body of Texas commercial law.

"They would start issuing decisions applying current Texas law. Over time, they would interpret Texas law probably more quickly and more thoroughly in these kinds of areas," Harper said.

As that happens, there would be more legal authority about some issues and that could give general counsels in corporations food for thought when it comes to considering the use of Texas courts in their transactional agreements, he said.

"Businesses will be watching to see how these courts develop," Harper said. "If they appear to be a good place to go, they may put that into their agreements."

He said some might already be considering it, but more likely than not most will take a wait and see approach.

Read the full article from *Texas Lawyer* here.

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