

Anne Johnson, Ben Mesches and Alicia Pitts in Texas Lawbook: 'Appellate Year 2020 in Review: SCOTX and the Fifth Circuit'

January 19, 2021 Ben Mesches

Haynes Boone Partners Anne Johnson and Ben Mesches and Associate Alicia Pitts authored an article in The Texas Lawbook about some of the most important decisions by the Texas Supreme Court and Fifth Circuit in 2020. Below is an excerpt:

The Texas Supreme Court and the Fifth Circuit transitioned to remote arguments and kept busy dockets in 2020. The federal appellate court handed down key decisions offering guidance to businesses and commercial litigators regarding judgment finality, jurisdiction and removals. The state Supreme Court issued 32 emergency pandemic-related orders, clarified the high standard for sanctions under the court's inherent authority and resolved a longstanding conflict on an issue of appellate procedure.

2020 was an extraordinary year in many respects, and the operations of the appellate courts were no exception.

While being forced to rapidly transition to virtual oral arguments and remote work environments, the Texas Supreme Court issued 32 emergency pandemic-related orders, decided numerous disputes arising from the pandemic and the election on an expedited basis and endured a vicious ransomware attack. Notwithstanding these challenges, the court cleared its opinion docket in June and issued a number of significant decisions in business cases. The court also clarified the high standard for sanctions under the court's inherent authority and resolved a longstanding conflict on an issue of appellate procedure.

The Fifth Circuit faced many of the same challenges – and like the Texas Supreme Court – remained focused on its work. The court conducted virtual oral arguments, maintained an active en banc docket and resolved numerous expedited cases involving pandemic and election issues. Yet the Fifth Circuit also handed down key decisions offering guidance to businesses and commercial litigators regarding judgment finality, jurisdiction and removals. And, next week, the court is set to hear a major en banc case involving SEC judges.

We review some of the most important commercial opinions for Texas litigants decided in 2020.

To read the full article, click [here](#).