

Reasons for Reversal in the Texas Courts of Appeals

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PRACTICES Appellate

This article first identifies the statewide reversal rate in civil cases and a rate for each of the fourteen courts of appeals. It then examines reversal rates and reasons for reversal in various procedural contexts, including reversals following jury trials, bench trials, summary judgments, and default judgments, as well as reversals of orders granting or denying temporary injunctions, special appearances, and pleas to the jurisdiction. After considering reversals from a procedural standpoint, the article switches to a substantive perspective, examining reversal rates and reasons for reversal in tort and Deceptive Trade Practices Act (DTPA) cases, contract cases, insurance coverage cases, and family cases.

In both scope and methodology, this study is unprecedented. Its aim is to provide an understanding of the types of cases that are most often reversed, and the types of arguments that most often result in reversal. While there is no substitute for the good judgment of a lawyer in assessing a potential appeal, this article provides a tool to better inform the lawyer's and client's decision.

To read the full article, click the PDF linked below.

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