

## Kent Rutter, Natasha Breaux in *The Houston Lawyer*: PI on Appeal: Overview and the Shifting Trends

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**PRACTICES** Litigation, Appellate

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A trial court's judgment brings finality to one phase of a case, but many litigation attorneys find that they are soon challenged to answer a new series of questions from their client:

- Should we aim for a post-judgment settlement?
- Should we roll the dice on appeal?
- How often do the courts of appeals reverse judgments for plaintiffs or defendants in personal injury cases?
- Do the Houston courts of appeals reverse more or less often than other courts?
- Did the 2018 elections have an impact?

This article aims to help attorneys answer client questions like these, using empirical data from the authors' study of all civil appeals decided by the fourteen Texas courts of appeals during the 2018-2019 court year. The study categorized decisions according to the procedure by which the case was decided and the substance of the claim. When the outcome was a reversal, the study identified the reason for the reversal. The key finding—with a focus on tort appeals and the Houston courts of appeals—are outlined below.

Excerpted from *The Houston Lawyer*. To read the full article, click [here](#). (Pages 22-24)

To read more about the study, click [here](#).