

# Recovering Attorneys' Fees Research Guide

## Overview

This research guide includes information and resources on recovering attorneys' fees. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

## Statutes and Codes

Texas Statutes Online [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

Texas Civil Practice and Remedies Code (CPRC)

- §10.002 Frivolous pleadings  
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.10.htm#10.002>
- §38.001 Recovery of Attorney's Fees  
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.38.htm>

Texas Family Code

- §6.502(a)(4) Divorce  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.6.htm#6.502>
- §6.709(a)(2) Appeal  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.6.htm#6.709>
- §8.357 Spousal Maintenance  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.8.htm#8.357>
- §9.014 Property Division  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.9.htm#9.014>
- §81.005 Family Violence  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.81.htm#81.005>
- §105.001(a)(5) Temporary Orders  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.105.htm#105.001>

- §106.001-106.002 SAPCR or habeas corpus  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.106.htm>
- §153.551 Sibling access  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.153.htm#153.551>
- §156.005 Frivolous modification  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.156.htm#156.005>
- §157.167 Enforcement  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.157.htm#157.167>

## Secondary Resources in Print

**How to Recover Attorneys' Fees in Texas KFT 1277.5.F4 C69**

**Attorney's Fees KF 316.R6**

**Texas Insurance Coverage Litigation: The Litigator's Practice Guide KFT 1385.S73**

- § 12-4:1 Presentment of Contract Claim

**Let's Talk Money: A Lawyer's Guide to Setting and Collecting Fees KF 315.S77**

## CLE Materials

**Advanced Family Law KFT 1294.S83**

- 2021 Ch. 33 Attorney's Fees: How to Get Them and How to Prove Them Up

**Marriage Dissolution Institute KFT 1300.M372**

- 2019 Ch.11 Proving Up Your Attorney's Fees
- 2018 Ch. 6 Collecting Attorney's Fees

### **Collections and Creditors Rights KFT 1367.C6S7**

- 2022 Ch. 7 Attorney's Fees for Lawyers in Collection and Commercial Cases

**Tarrant County Bar Association Lawyer Referral Service:** 817-336-4101 (\$20 for the first 30 minutes)

### **Damages in Civil Litigation KFT 1290.D3D36**

- 2022 Ch. 11 Texas Supreme Court Update: Attorney's Fees

### **Evaluating, Negotiating, Proving and Collecting Damages and Attorney's Fees KFT 1277.S7E93**

### **Strategies for Damages and Attorney's Fees KFT 1277.5F4S87**

## **Online Resources**

Big Loopholes in Texas Attorney Fees Recovery Law Closed in Much-Anticipated Legislative Update (ABA) <https://www.americanbar.org/groups/litigation/committees/real-estate-condemnation-trust/practice/2021/texas-attorney-fees-recovery-law-loopholes-closed/>

Texas Expands the Ability to Recover Attorney's Fees in Breach of Contract Cases Filed on or After September 1, 2021 (TexasLawBlog) <https://www.texaslawblog.com/2021/07/texas-expands-the-ability-to-recover-attorneys-fees-in-breach-of-contract-cases-filed-on-or-after-september-1-2021/>

Attorney's Fees in Family Law Cases (TexasLawHelp.org) <https://texaslawhelp.org/article/attorneys-fees-in-family-law-cases>

## **Legal Assistance**

### **Legal Lines – Ask Attorneys simple legal questions (free service)**

- Tarrant County LegalLine Sign-up <https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up <https://www.dallasbar.org/index.cfm?pg=legalline>