

# Summary Judgment Research Guide

## Overview

This research guide includes information and resources on summary judgment. A summary judgment is “a judgment granted on a claim or defense about which there is no genuine issue of material fact and on which the movant is entitled to prevail as a matter of law. The court considers the contents of the pleadings, motions, and additional evidence adduced by the parties to determine whether there is a genuine issue of material fact rather than one of law. This procedural device allows the speedy disposition of a controversy without the need for trial.” (*Black’s Law Dictionary*) 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 Rules of Civil Procedure

- Rule 166a Summary Judgment  
<https://www.txcourts.gov/rules-forms/rules-standards/>

Federal Rules of Civil Procedure

- Rule 56 Summary Judgment  
<https://www.uscourts.gov/rules-policies/current-rules-practice-procedure/federal-rules-civil-procedure>

## Secondary Resources in Print

**Summary Judgments in Texas KFT 1746.S8P38**

- Ch. 10 Forms

**Texas Practice Series REF KFT 1280.T4**

- Vol. 52 Texas Summary Judgment and Related Termination Motions
  - Ch. 1 Summary Judgment

**Texas Practice Guide REF KFT 1280.T4931**

- Civil Pretrial Vol. 2, Ch. 14 Summary Judgment Practice

**West’s Texas Forms REF KFT 1268.W47**

- Vol. 9 Civil Trial and Appellate Practice, Ch. 21 Summary Judgment

**Texas Litigation Guide REF KFT 1730.T4**

- Vol. 7, Ch. 101 Summary Judgment

**Texas Civil Procedure: Pretrial Litigation REF KFT 1737.D67**

- Ch. 11 Disposition Without Trial §11.02 Summary Judgment

**Legal Research: How to Find & Understand the Law KF 240.E45**

- Ch. 9 Summary Judgments, pp. 217-218

**Trial: A Guide from Start to Finish KF 8915.W38**

- Ch. 18 Directed Verdicts, pp. 277 Purely Legal Defenses and Prior Summary Judgment Motions

## CLE Materials

**Advanced Family Law Drafting KFT 1294.A92**

- 2021 Ch. 13 Are You Sure You Want to File That? Summary Judgment Motions

**Advanced Trial Strategies KFT 1737.A75 S83**

- 2022 Ch. 3.1 Texas Supreme Court: A Decade of Summary Judgment Decisions; Ch. 3.2 State Summary Judgment Procedure

## Collections and Creditors' Rights KFT 1367.C6S7

- 2022 Ch. 9 Debt Collection Motion Practice: A Survey of Motions for Summary Judgment

## Online Resources

“Trips, Traps, and Snares in Appealing a Summary Judgment in Texas” by David F. Johnson

<https://www.baylor.edu/law/review/doc.php/370778.pdf>

Civil Litigation in Texas: The Basics

<https://texaslawhelp.org/article/civil-litigation-in-texas-the-basics-in-three-phases>

Summary Judgments (UT CLE) 2007

[https://utcle.org/conferences/PL07/get-asset-file/asset\\_id/7453](https://utcle.org/conferences/PL07/get-asset-file/asset_id/7453)

Article: An Overview of Summary Judgments in Texas

<https://silblawfirm.com/litigation/an-overview-of-summary-judgments-in-texas/>

## 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>

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