

Depositions Research Guide

Overview

This research guide includes information and resources on depositions. Depositions are “the testimony of a witness taken upon interrogatories, not in open court, but in pursuance of a commission to take testimony issued by a court, or under a general law on the subject, and reduced to writing and duly authenticated, and intended to be used upon the trial of an action in court.” (*Black’s Law Dictionary*, 11th ed.) 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.

Related guides: Discovery and Evidence

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Rules of Civil Procedure

<https://www.txcourts.gov/rules-forms/rules-standards/>

- Rules 199-203 Depositions

Texas Rules of Evidence <https://www.txcourts.gov/rules-forms/rules-standards/>

- Rules 106-107 General Provisions
- Rule 801, 804 Hearsay
- Rule 1007 Testimony or Statement of a Party to Prove Content

Secondary Resources in Print

Deposition Checklists and Strategies REF KF 8900 .S331

Deposition Objections REF KF 8900 D466

NOLO’s Deposition Handbook KF 8900 .B44

Determining Economic Damages REF KF 1250 M 317

- Ch. 1B The Litigator’s Tasks: Deposing and Examining the Expert

O’Connor’s Texas Civil Forms REF KFT 1735 .A65O3

- Ch. 6 Discovery

Texas Litigation Guide REF KFT 1730 .T4

- Vol. 6, Ch. 94 Depositions

Texas Torts and Remedies REF KFT 1395 .T49

- Vol. 5, §101.10 Deposition
- Vol. 5, §101.16 Depositions Before Suit

Texas Civil Trial Guide KFT 1738 .D6

- Vol. 5, Ch. 100 Oral Depositions

Texas Family Law: Practice and Procedure REF KFT 1294 .F35

- Vol. 2, §E1.15 Using Depositions on Oral Examination
- Vol. 2, §E1.16 Using Depositions on Written Questions

Texas Criminal Practice Guide REF KFT 1775 .T49

- Vol. 2, Ch. 19 Discovery and Disclosure
- Vol. 2, §62.04 Depositions and Prior Testimony

Texas Practice Series REF KFT 1280 .T4

- Vol. 7 Criminal Forms and Trial Manual, Ch. 59 Depositions of Witnesses
- Vol. 40 Criminal Practice and Procedure, Ch. 27 Discovery and Disclosure
- Vol. 44 Medical Malpractice, Ch. 7 Discovery
- Vol. 47 Discovery Practice, Ch. 13 Depositions Upon Oral Examination

West’s Texas Forms REF KFT 1268 .W47

- Vol. 9, Ch. 9 Depositions
- Vol. 41, Ch. 21 Depositions

Texas Practice Guide REF KFT 1280 .T4931

- Vol. 1 Discovery, Ch. 5 Depositions
- Vol. 2 Criminal Practice and Procedure, CH. 19 Discovery and Disclosure
- Vol. 3 Personal Injury, Ch.8 Discovery

Texas Jurisprudence Pleading and Practice Forms REF KFT 1280 .T4931

- Ch. 95B Depositions and Discovery: Permissible Discovery Devices

Deposing & Examining Employment Witnesses KF 9650 .S36

Texas Small-Firm Practice Tools REF KFT 1277.5 S6T4

- Vol. 1, §1:500 Deposition Letter

Texas Jurisprudence KFT 1265 .T48

- Vol. 31 Discovery and Depositions

CLE Materials

Collections and Creditors' Rights KFT 1367 .C6S7

- 2024 Ch. 13 How to Take an Effective Post-Judgment Deposition and Discovering Assets via Technology (*includes form templates*)

Advanced Evidence and Discovery KFT 1740 .A75A3 (PDF only)

- 2024 Ch. 5.2 A.I. and ChatGPT – The Essentials of Using Generative AI in Your Law Practice – Sec. VI. B. Using AI for Deposition Summaries and CLE Materials, p. 4
- 2024 Ch. 6 Misunderstood and Underused Discovery and Evidentiary Rules – Sec. II. A. Rule 202 – Presuit Depositions
- 2024 Ch. 8 Third-Party Discovery Communications | How to Address Witnesses Beyond Subpoena Power and How to Communicate, p. 3
- 2024 Ch. 11 Deposing Dr. Strange – Managing the Multiverse of Medical Expert Depositions
- 2024 Ch. 13 Evidence and Discovery Update
- 2024 Ch. 15 I Plead the Fifth: Encountering the 5th Amendment in Civil Litigation, p. 3

Advanced Estate Planning and Probate KFT 1340 .A75S7 (PDF only)

- 2024 Ch. 23 To Blab or Not to Blab: Attorney Client Privilege and Confidentiality

Advanced Trial Strategies KFT 1737 .A75 S83 (PDF Only)

- 2024 Ch. 2 Rules Update
- 2024 Ch. 13 Texas Evidence Handbook: Evidence Update, p. 43

Building Blocks of Wills, Estates, and Probate KFT 1340 .S7B8

- 2024 Ch. 4 Probate Procedures and Alternatives 2024, p. 30, 57-60

Online Resources

Texas Supreme Court Embraces Interstate Deposition Act (JDSupra) <https://www.jdsupra.com/legalnews/texas-supreme-court-embraces-interstate-1966395/>

Discovery in Texas (Texas Law Help) <https://texaslawhelp.org/article/discovery-in-texas>

Discovery in Texas Family Law Cases (Texas Law Help) <https://texaslawhelp.org/article/discovery-in-texas-family-law-cases>

How Courts Work (American Bar Association) https://www.americanbar.org/groups/public_education/resources/law_related_education_network/how_courts_work/discovery/

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)