

Discovery Research Guide

Overview

This research guide includes information and resources on discovery. “The compulsory disclosure, at a party’s request, of information that relates to the litigation” is known as discovery. The main discovery devices are “interrogatories, depositions, requests for admissions, and requests for production.” (*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.

Statutes and Codes

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

Code of Criminal Procedure

- Ch. 39 Depositions and Discovery

Texas Rules of Civil Procedure (TRCP)

- Rule 88 Discovery and Venue
- Rule 190 Discovery Limitations
- Rules 191-215 (various)
- Rule 621A Discovery & Enforcement of Judgment

O’Connors Texas Rules * Civil Trials KFT 1729.A1903

- TRCP 199, 200; 6-F § 1 Depositions, Generally
- TRCP 191-193, 215; 6-A § 1 Discovery, Generally (*see Index*)

Secondary Resources in Print

General:

- **Texas Litigation Guide KFT 1730.T4**
 - Vol. 6, Ch. 90-99

- **Texas Evidentiary Foundations KFT 1740.T49**
- **Texas Collections Manual KFT 1367.C6 T49**
 - Ch. 26 Postjudgment Discovery
- **Bender’s Forms of Discovery KF 8900.A3 B4**
- **Pattern Discovery: Tort Actions KF 8900.D333**
- **Attorney’s Guide to Effective Discovery Techniques KF 8900.B3**
- **Pattern Deposition Checklists KF 8900.D3**
- **Texas Civil Procedure: Pretrial Litigation KFT 1737.D67**
 - Ch. 9 Discovery: Purposes, Scope, and Uses
 - Ch. 10 Discovery: Methodology of the Individual Devices
- **Winning at Deposition KF 8900.R43**
- **Discovery Proceedings in Federal Court KF 890.S5**
- **Arkfeld on Electronic Discovery and Evidence KF 8902.E4 A752**
- **AmJur: Trials KF 8913.A4**
- **NOLO Represent Yourself in Court: Prepare & Try a Winning Civil Case KF 8841.B47**
 - Ch. 5 Investigating Your Case
- **Texas Pretrial Practice KFT 1737.T4B7**
 - Vol. 1, Ch. 3, Section V. Fraudulent Concealment and the Discovery Rule
- **A Litigator’s Guide to Expert Witnesses KF 8961.K83**
 - Ch. 4 Rules of Discovery

Criminal:

- **Texas Criminal Forms KFT 1775.A6G5**
 - Vol. 1, Ch. 13
- **Texas Criminal Lawyers Handbook KFT 1775.D36**
 - Vol. 1 Ch. 13
- **Texas Criminal Practice Guide KFT 1775.T49**

- Vol. 2, Ch. 62

Family:

- **Texas Family Law Practice and Procedure KFT 1294.F35**
 - Vol. 2 § E1.03
- **Texas Family Law Practice Manual KFT 1294.T4S7**
 - Chapter 5 (Information book page 185; forms book page 329)
- **Pattern Discovery: Family Law KF 8900.A5D3F3**

Miscellaneous:

- **Medical Malpractice: Checklists and Discovery KF 8900.A5D35**
- **Pattern Discovery: Products Liability KF 8900.A5D3P7**
- **Pattern Discovery: Employment Discrimination KF 8900.D32**
- **Pattern Discovery: Premises Liability KF 8900.D33**
- **Pattern Discovery: Motor Vehicles KF 8900.D34**

- 2019 Ch. 4 Inflicting Maximum Damage in Depositions – Tips for Effective Depositions
- 2019 Ch. 13 Evidence Trial Skills – Getting It In and Keeping It Out
- 2019 Ch. 21 Come and Take It: Objections, Privileges, Motions to Compel and Discovery

Advanced Civil Trial KFT 1738.A2S73

- 2020 Ch. 1 Cutting Edge Evidence Issues
- 2020 Ch. 13 Trends in Discovery

Advanced Trial Strategies KFT 1737.A75 S83

- 2020 Ch. 6 Demonstrative Evidence on a Budget – Persuasion and Use of Technology

Advanced Estate Planning and Probate KFT1340.A75S7

- 2019 Ch. 24 Discovery on a Budget
- 2019 Ch. 25 Avoiding Limitations – The Discovery Rule and Fraudulent Concealment in Fiduciary Litigation

Family Law 101 KFT 1294.A75 F351

- 2019 Ch. 4 Discovery: To the Formbook and Beyond

CLE Materials

Advanced Evidence and Discovery KFT1740.A75S7

- 2022 (+ multiple older years available)

Advanced Family Law KFT1294.S83

- 2021 Ch. 5 New Discovery Rules
- 2021 Ch. 66 Discovery on a Shoestring
- 2020 Ch. 4 Evidence
- 2020 Ch. 5 The Practitioners Guide to Who, What, When, Where, Why, and How of Depositions
- 2020 Ch. 17 I Know There's an Answer: Getting the Information You Need to Win
- 2020 Ch. 19 Sympathy for the Devil: Recovering from Discovery Mistakes & Traps
- 2020 Ch. 64 You Keep Me Hangin' On: Compelling Discovery
- 2020 Ch. 65 Don't Let Me Be Misunderstood: Creative and Effective Trial Exhibits

Online Resources

Discovery in Texas: Investigate and Prepare for Trial
<https://texaslawhelp.org/article/discovery-in-texas-investigate-and-prepare-for-trial>

Texas Department of Family and Protective Services (DFPS) – Section 6 Discovery
https://www.dfps.state.tx.us/Child_Protection/Attorneys_Guide/documents/Section_6_Discovery.pdf

How Courts Work – Discovery (ABA)
https://www.americanbar.org/groups/public_education/resources/law_related_education_network/how_courts_work/discovery/#:~:text=To%20begin%20preparing%20for%20trial,what%20evidence%20may%20be%20presented

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)

