

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.

Related guides: Evidence

Statutes and Codes

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

Code of Criminal Procedure

- Ch. 39 Depositions and Discovery
<https://statutes.capitol.texas.gov/Docs/CR/htm/CR.39.htm>

Texas Rules of Civil Procedure (TRCP)

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

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

Secondary Resources in Print

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*)

Pattern Discovery: Tort Actions KF 8900 .D333
Texas Litigation Guide KFT 1730 .T4

- Vol. 6, Ch. 90-99

Texas Evidentiary Foundations KFT 1740 .T49

Trial Preparation Tools REF KF 8915

- Ch. 3 Discovery and Investigation to Fill Gaps in Proff Rubric

Texas Collections Manual KFT 1367 .C6 T49

- Ch. 26 Postjudgment Discovery

Handling Federal Discovery REF KF 8900 .A92

Guerrilla Discovery: Federal and States REF KF 8900 .A15 L57

Building Trial Notebooks REF KF 8915 .B83

- Vol. 2, Ch. 40 Discovery Depositions
- Vol. 2, Ch. 45 *et seq*

Bender’s Forms of Discovery KF 8900 .A3 B4

Attorney’s Guide to Effective Discovery Techniques KF 8900 .B3

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

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

Texas Criminal Forms KFT 1775 .A6G5

- Vol. 1, Ch. 13 Discovery Motions

Texas Criminal Lawyers Handbook KFT 1775 .D36

- Vol. 1, Ch. 13 Discovery

Texas Criminal Practice Guide KFT 1775 .T49

- Vol. 2, Ch. 62 Discovery

Texas Family Law Practice and Procedure KFT 1294 .F35

- Vol. 2, Task E1 Conducting Discovery

Texas Family Law Practice Manual KFT 1294 .T4S7

- Vol. 1, Ch. 5 Discovery

Pattern Discovery: Family Law KF 8900 .A5D3F3

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. 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
- 2019 Ch. 4 Inflicting Maximum Damage in Depositions – Tips for Effective Depositions
- 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 KFT 1340 .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

Online Resources

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

Responding to Discovery Requests (TexasLawHelp)
<https://texaslawhelp.org/article/responding-to-discovery-requests>

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

The New Discovery Rules: Updates, Helps and Traps (State Bar of Texas)
<https://www.texasbar.com/am/template.cfm?template=/cm/contentdisplay.cfm&contentid=54420>

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)



