

# Estoppel Research Guide

## Overview

This research guide includes information and resources estoppel “a bar that prevents one from asserting a claim or right that contradicts what one has said or done before or what has been legally established as true” (*Black’s Law Dictionary*, 12<sup>th</sup> 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: Affirmative Defenses*

## Statutes and Codes

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

### Business And Commerce Code

- Ch. 1 General Provisions Sec. 1.103  
<https://statutes.capitol.texas.gov/Docs/BC/htm/B C.1.htm>
- Ch. 2A Leases Sec. 2A.201  
<https://statutes.capitol.texas.gov/Docs/BC/htm/B C.2A.htm#2A.201>
- Ch. 7 Documents of Title Sec. 7.502  
<https://statutes.capitol.texas.gov/Docs/BC/htm/B C.7.htm#7.502>
- Ch. 15. Monopolies, Trusts and Conspiracies in Restraint of Trade Sec. 15.24  
<https://statutes.capitol.texas.gov/Docs/BC/htm/B C.15.htm#15.24>
- Ch. 24 Uniform Fraudulent Transfer Act Sec. 24.011  
<https://statutes.capitol.texas.gov/Docs/BC/htm/B C.24.htm#24.011>
- Ch. 57 Agricultural, Construction, Industrial, Mining, Forestry, Landscaping, and Outdoor Power Equipment Dealer Agreements Sec. 57.053

<https://statutes.capitol.texas.gov/Docs/BC/htm/B C.57.htm#57.053>

### Business Organizations Code

- Ch. 152 General Partnerships Sec. 152.307  
<https://statutes.capitol.texas.gov/Docs/BO/htm/B O.152.htm>

### Civil Practice And Remedies Code

- Ch. 31 Judgements  
<https://statutes.capitol.texas.gov/Docs/CP/htm/C P.31.htm>
- Ch. 33 Proportionate Responsibility Sec. 33.004  
<https://statutes.capitol.texas.gov/Docs/CP/htm/C P.33.htm#33.004>
- Ch. 140B Civil Remedies And Enforcement Related To Racketeering And Unlawful Debt Collection Sec. 140B.108  
<https://statutes.capitol.texas.gov/Docs/CP/htm/C P.140B.htm#140B.108>

### Estates Code

- Ch. 201. Descent And Distribution Sec. 201.054  
<https://statutes.capitol.texas.gov/Docs/ES/htm/E S.201.htm#201.054>

### Family Code

- Ch. 4. Premarital And Marital Property Agreements Sec. 4.008.  
<https://statutes.capitol.texas.gov/Docs/FA/htm/F A.4.htm>
- Ch. 105. Settings, Hearings, And Orders Sec. 105.006(h)  
<https://statutes.capitol.texas.gov/Docs/FA/htm/F A.105.htm#105.006>

### Government Code

- Ch. 25 Statutory County Courts Sec. 25.0592.(d)  
<https://statutes.capitol.texas.gov/Docs/GV/htm/G V.25.htm>

#### Health And Safety Code

- Ch. 192. Birth Records Sec. 192.007  
<https://statutes.capitol.texas.gov/Docs/HS/htm/H.S.192.htm>

#### Insurance Code

- Ch. 102. Charitable Gift Annuities Sec. 102.152  
<https://statutes.capitol.texas.gov/Docs/IN/htm/IN.102.htm>
- Ch. 443. Insurer Receivership Act Sec. 443.011  
<https://statutes.capitol.texas.gov/Docs/IN/htm/IN.443.htm#443.011>

#### Labor Code

- Ch. 213. Enforcement Of Texas Unemployment Compensation Act Sec. 213.007  
<https://statutes.capitol.texas.gov/Docs/LA/htm/LA.213.htm#213.007>

#### Local Government Code

- Ch. 552. Municipal Utilities Sec. 552.071  
<https://statutes.capitol.texas.gov/Docs/LG/htm/LG.552.htm#552.071>

#### Property Code

- Ch. 5 Conveyances Sec. 5.202  
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.5.htm>
- Ch. 53 Mechanic's, Contractor's, or Materialman's Lien Sec. 53.282  
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.53.htm#53.282>
- Ch. 93. Commercial Tenancies Sec. 93.007  
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.93.htm#93.007>

#### Transportation Code

- Ch. 315. Artificial Lighting Sec. 315.093  
<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.315.htm>
- Ch. 524. Administrative Suspension Of Driver's License For Failure To Pass Test For Intoxication Sec. 524.012  
<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.524.htm#524.012>
- Ch. 601 Motor Vehicle Safety Responsibility Act Sec. 601.293  
<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.601.htm#601.293>

- Ch. 724 Implied Consent Sec. 724.048  
<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.724.htm#724.048>
- Ch. 729 Operation Of Motor Vehicle By Minor Sec. 729.001  
<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.729.htm#729.001>

#### U.S. Constitution – Fifth Amendment

- Amdt5.3.7.3 Collateral Estoppel (Issue Preclusion) and Double Jeopardy  
[https://constitution.congress.gov/browse/essay/amdt5-3-7-3/ALDE\\_00000158/](https://constitution.congress.gov/browse/essay/amdt5-3-7-3/ALDE_00000158/)

### Secondary Resources in Print

#### O'Connor's Texas Causes of Action REF KFT 1733 .O26

- Ch. 49 Estoppel Defenses

#### O'Connor's Texas Causes of Action Pleadings REF KFT 1735 .A65 O36

- Ch. 53 Estoppel Defenses

#### Texas Criminal Forms REF KFT 1775 .A6G5

- Ch. 8 Double Jeopardy and Collateral Estoppel

#### Texas Practice Guide: Business and Commercial Litigation REF KFT 1280 .T4931

- § 21:160. Form—Petition in cause of action for breach of implied contract and promissory estoppel

#### Texas Real Estate Forms Manual REF KFT 1326 .T4

- Ch. 6 Promissory Notes

#### Advanced Criminal Procedure KF 9619.3 .C366

- Ch. 9 Sec. D. Collateral Estoppel

### CLE Materials

#### Advanced Child Protection Law (PDF Only)

- 2024 Ch. 12 A View From the High Court

#### Advanced Estate Planning and Probate (PDF Only)

- 2024 Ch. 10 If You Kill Your Honey, Don't Expect the Money: The Rights of a Killer in Texas to Share in His Victim's Estate

- 2024 Ch. 14 Drafting Effective Settlement Agreements in Trust & Estate Litigation
- 2024 Ch. 29 Altering Marital Property Rights: Intended and Unintended Consequences
- 2023 Ch. 6 Who is an Heir?

#### **Advanced Insurance Law (PDF Only)**

- 2024 Ch. 8 Texas Supreme Court Update
- 2023 Ch. 3 Stowers Update: What's The State of The World?

#### **Advanced Medical Torts (PDF Only)**

- 2024 Ch. 1 Health Care Liability in Texas

#### **Advanced Real Estate Drafting (PDF Only)**

- 2024 Ch. 5 A Practical Guide to Assignments and Subleasing
- 2024 Ch. 12 Drafting Surface Use Agreements
- 2023 Ch. 2 Ground Leases: Fundamentals, Financeability, and Other Drafting Considerations
- 2023 Ch. 3.2 Development Agreements: Private Incentives Clash with Public Limits
- 2023 Ch. 6 Easement Forms and Drafting Suggestions
- 2023 Ch. 13 Rural Subdivisions: Preparing Deed Restrictions and Agreements for Access and Maintenance
- 2023 Ch. 15 A Walk Down "Bad Deed Lane"

#### **Changing Face of Water Law (PDF Only)**

- 2024 Ch. 15 Uniform Easement Relocation Act

#### **Collections Creditors Rights (PDF Only)**

- 2024 Ch. 1 Creditors' Causes of Actions
- 2024 Ch. 3 Overcoming Defenses

#### **Government Law 101 (PDF Only)**

- 2024 Ch. 3 Sovereign Immunity or "The Road Goes on Forever, and the Party Never Ends!"

#### **Marriage Dissolution Institute (PDF Only)**

- 2024 Ch. 18 Enforcing Decrees and Agreements Incident in Divorces

#### **Oil Gas Mineral Title Examination Course (PDF Only)**

- 2024 Ch. 13 Safe Harbor and Texas Division Order Practice for the Title Examiner

#### **Real Estate Law 101 (PDF Only)**

- 2024 Ch. 4 An Overview of Restrictive Covenants and Property Owners Associations
- 2024 Ch. 6 Zoning Diligence for Transactional Real Estate Attorneys

### **Online Resources**

A Study of the Interplay between Promissory Estoppel and At-Will Employment in Texas

<https://scholar.smu.edu/cgi/viewcontent.cgi?article=1785&context=smulr>

Affirmative Defenses

<https://texaslawhelp.org/article/affirmative-defenses>

Estoppel Certificate <https://www.house.gov/doing-business-with-the-house/leases/estoppel-certificate>

Civil Resource Manual 209. Estoppel

<https://www.justice.gov/archives/jm/civil-resource-manual-209-estoppel>

Litigation, Overview – Promissory Estoppel

<https://www.bloomberglaw.com/external/document/X5F9I534000000/litigation-overview-promissory-estoppel>

Understanding the Judicial Estoppel Doctrine

<https://adrimes.com/judicial-estoppel/>

Social Security Program Operations Manual System (POMS) DI 11011.001 Applying Collateral Estoppel in Disability Claims

<https://secure.ssa.gov/poms.nsf/lnx/0411011001>

Social Security Program Operations Manual System (POMS) HA 01220.030 Collateral Estoppel — Issues Already Decided in a Prior Claim

<https://secure.ssa.gov/apps10/poms.nsf/lnx/2501220030>

Litigation, Overview - Collateral Estoppel

<https://www.bloomberglaw.com/external/document/X9G5LJ8G000000/litigation-overview-collateral-estoppel>

Litigation, Overview - Estoppel: Contract Defense

<https://www.bloomberglaw.com/external/document/X67H2CG4000000/litigation-overview-estoppel-contract-defense>

Equitable Adoption: A Look at How to Address Pitfalls  
in Texas' Process (State Bar of Texas)

<https://www.texasbar.com/AM/Template.cfm?Section=articles&Template=/CM/HTMLDisplay.cfm&ContentID=42116>

## 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=legaline>

**Tarrant County Bar Association Lawyer Referral  
Service:** <https://www.tarrantbar.org/?pg=LRIS>

