

Writ of Attachment (Property) Research Guide

Overview

This research guide includes information and resources on writ of attachment. Attachment is the seizing of a person's property to secure a judgment or to be sold in satisfaction of a judgment. (*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

Civil Practice and Remedies Code

- Ch. 31 Judgments "Texas Turnover Statute"
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.31.htm>
- Ch. 61 Writ of Attachment
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.61.htm>

Texas Rules of Civil Procedure

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

- Rule 592 Application for Writ of Attachment and Order
- Rule 717 Claimant Must Make Affidavit

Secondary Resources in Print

Texas Litigation Guide KFT 1730.T4

- Vol. 3, Ch. 41 Attachment

Texas Commercial Causes of Action: Claims, Defenses and Remedies KFT 1733.W7

- Ch. 8-7 Attachment

O' Connor's Texas Causes of Action KFT 1733.026

- Ch. 2 Abuse of Process, 2 § 7.5 Wrongful Attachment

Texas Criminal Practice Guide KFT 1775.T49

- Vol. 2, Ch. 63 Attachment

Texas Jur KFT 1265.T48

- Vol. 17, Creditors' Rights and Remedies §125-509

West's Texas Digest KFT 1257.W58

- Vol. 12C, Cred Rem §141

Texas Torts and Remedies KFT 1395.T49

- Vol. 4, § 55.20(2) Abuse of Process Action Compared to Action for Wrongful Attachment

West's Legal Forms KF 170.W4

- Vol. 10, Ch. 9 Creditor Prejudgment Remedies and Debtor Responses, Section B. Attachment §9:5-9:35
- Vol. 14, Ch. 56 Attachment of a Security Interest

CLE Materials

Collections and Creditors Rights KFT 1367.C6S7

- 2022 Ch. 17 Risks and Exposers in Collections: Boorish Debtors and How to Manage Them
- 2021 Ch. 6 Texas Uniform Fraudulent Transfer Act and Extraordinary Remedies
- 2020 Ch. 4 Nuts and Bolts of Turnover Receiverships May 2020

Online Resources

Debt Collection Research Guide (TSLL)

<https://guides.sll.texas.gov/debt-collection/collecting-the-debt>

Texas Civil Process Field Guide (TJCTC)

- Part III: Civil Process That Must Be Served by Law Enforcement B.2 Writ of Attachment for Property <https://www.tjctc.org/tjctc-resources/Deskbooks.html>

Civil Deskbook (TJCTC)

- Ch.10.D Writ of Attachment <https://www.tjctc.org/tjctc-resources/Deskbooks.html>

Arresting the Debtor (Cook Keith and Davis Law Firm)

<https://texascollections.com/arresting-the-debtor/>

Writ of Attachment in Debt Collection (FindLaw)

<https://www.findlaw.com/smallbusiness/business-finances/writ-of-attachment-in-debt-collection.html>

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)