

# 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, 11<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.

## Statutes and Codes

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