

Writ of Certiorari Research Guide

Overview

This research guide includes information and resources on writ of certiorari. Certiorari is “an extraordinary writ issued by an appellate court, at its discretion, directing a lower court to deliver the record in the case for review.” (*Black 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

- §51.002 Certiorari from Justice Court
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.51.htm#51.002>
- §51.011 Appeal from County or District Court after Certiorari from Justice Court
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.51.htm#51.011>

Texas Rules of Civil Procedure

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

- Rule 506.4 Writ of Certiorari

Texas Rules of Appellate Procedure

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

- Rule 18.2 Stay of Mandate (Supreme Court)
- Rule 72.1 Leave to File (Extraordinary Matters)
- Rule 72.2 Disposition

Secondary Resources in Print

West's Texas Forms REF KFT 1268 .W47

- Vol. 5, Ch. 35 Proceedings in and Appeals from Justice Courts

Texas Forms Pleading and Practice REF KFT 1730 .A65 T482

- Vol. 3A, Ch. 60 Certiorari

Dorsaneo's Texas Litigation Guide REF KFT 1730 .T4

- Vol. 3, Ch. 46 Justice Court Proceedings §46.30 Writ of Certiorari

Texas Practice Series REF KFT 1280 .T4

- Probate, Vol. 17, Ch. 6 Sec. B Certiorari §120-127
- Probate, Vol. 18, §971 Effect of the Sale of Real Estate for Non-authorized Purposes
- Probate, Vol. 18, §979 Effect of Irregularities in the Order of Sale
- Probate, Vol. 18, §1112 District Court Review of Probate Court Action Regarding Final Settlement

Carlson's Texas Rules of Appellate Procedure Annotated REF KFT 1755 .A34H36

- Rule 18.2 Stay of Mandate (Supreme Court)
- Rule 72.1 Leave to File (Extraordinary Matters)
- Rule 72.2 Disposition

CLE Materials

Oil and Gas Disputes KFT 1458 .L4 028

- 2022 Ch. 3 Discovery Update: What's New and a Quick Review – Section II. A. 4. Rule 506.4 – Writ of Certiorari

Advanced Civil Appellate Practice Course KFT 1755 .A75S7

- 2021 Ch. 5 Getting and Keeping Appellate Jurisdiction – Section II. C. The Supreme Court Can Dismiss Your Case As “Improvvidently Granted”

Online Resources

Civil Deskbook (TJCTC) <https://www.tjctc.org/tjctc-resources/deskbooks.html>

- Ch. 9 Other Post-Judgment Remedies, Section A. Writ of Certiorari

Appealing a Justice Court Case (Texas Law Help)
<https://texaslawhelp.org/guide/appealing-a-justice-court-case>

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)