

# Writ of Mandamus Research Guide

## Overview

This research guide includes information and resources on writ of mandamus. This writ is “issued by a court to compel performance of a particular act by a lower court or a governmental officer or body, usually to correct a prior action or failure to act.” (*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/)

Texas Rules of Appellate Procedure (TRAP)  
<https://www.txcourts.gov/rules-forms/rules-standards/>

- Rule 24.4 Appellate Review
- Rule 52.1 Commencement
- Rule 72.1 Leave to File

Texas Rules of Civil Procedure (TRCP)  
<https://www.txcourts.gov/rules-forms/rules-standards/>

- Rule 173.7 Review (a) Right of Appeal
- Rule 694 No Mandamus Without Notice

Texas Government Code

- §22.221 Writ Power  
<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.22.htm>
- §802.003 Writ of Mandamus  
<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.802.htm#802.003>

## Secondary Resources in Print

### **Texas Criminal Lawyer’s Handbook KFT 1775.D36**

- Vol. 1, Ch. 13 §13.42 Mandamus to Compel Discovery

### **Texas Criminal Practice Guide KFT 1775.T49**

- Vol. 4, Ch. 90B Extraordinary Writs

### **Texas Litigation Guide KFT 1730.T4**

- Vol. 10, Ch. 152 §152.03(1)(a) Mandamus

### **Texas Probate, Estate and Trust Administration KFT 1344.T465**

- Vol. 4, Ch. 83 §83.02(3) Change of Venue

### **O’Connor’s Texas Family Law Handbook KFT 1294.A291 O26**

- Ch. 4-B, §4.6 Appellate review

### **Texas Family Law Practice and Procedure KFT 1294.F35**

- Vol. 3, Task G5 Seeking writ of mandamus

### **Texas Family Law Practice Manual KFT 1294.T4S7**

- Vol. 1, Ch. 5 §5.10 Mandamus as remedy
- Vol. 2, Ch. 27 Mandamus

### **Texas Practice Guide: Civil Appeals KFT 1280.T4931**

- Vol. 2, Ch. 16 §16.142 Petition for writ of mandamus
- Vol. 2, Ch. 16 §16.6 Types of writs available; uses-Mandamus

### **Texas Civil Practice KFT 1730.M3**

- Vol. 3, Ch 12 §12.66(D) Mandamus

### **Texas Forms: Pleading and Practice KFT 1730.A65 T482**

- Vol. 8A, Ch. 165 Mandamus

### Texas Transaction Guide KFT 1268.K45

- Vol. 18, Ch. 81A §81A.46(3)(b) Writ of Mandamus

### Texas Torts and Remedies KFT 1395.T49

- Vol. 6, Ch. 109 §109.19 Review of Discovery Orders

### Texas Practice: Civil Trial and Appellate Procedure KFT 1738.W52

- Vol. 2, Ch. 9 §9-8 Motion for Judgment; Mandamus to Compel Trial Judge to Render, Cause Entry of, and Enforce Judgment
- Vol. 3, Ch. 24 §24-5. Mandamus Practice

## CLE Materials

### Advanced Family Law KFT 1294.S83

- 2020 Vol. 3, Ch. 69 I Fought the Law: Mandamus for the Trial Lawyer

### Advanced Civil Trial Course KFT 1738.A2S73

- 2021 Ch. 2 Mandamus
- 2020 Ch. 26 Mandamus
- 2019 Vol. 1, Ch. 10 Mandamus for the Trial Lawyer

### Advanced Evidence and Discovery Course KFT 1740.A75S7

- 2022 Ch. 4 Mandamus and Sanctions
- 2017 Ch. 18 Mandamus
- 2015 Ch. 14 Mandamus with a Spotlight on Discovery and Motion for New Trial Orders
- 2012 Ch. 11 Mandamus

### Advanced Civil Appellate Practice Course KFT 1755.A75S7

- 2021 Ch. 4 Mandamus
- 2018 Ch. 25 Permissive Interlocutory Appeal and Mandamus: Picking Your Procedural Path Prudently
- 2014 Ch. 22 Mandamus Update

### Marriage Dissolution Institute KFT 1300.M372

- 2014 Ch. 23 Remand, Mandamus, and Habeas Corpus

## Online Resources

From the prosecutor's toolshed, the writ of mandamus (TDCAA)

<https://www.tdcaa.com/journal/from-the-prosecutors-tool-shed-the-writ-of-mandamus/>

A Family Law Practice: Mandamus (blog)

<https://www.ondafamilylaw.com/appellate-lawyer-texas/mandamus-mandamus/#:~:text=A%20writ%20of%20mandamus%20is,no%20adequate%20remedy%20at%20law.>

Writ of Mandamus in Texas (blog)

<https://www.mylawteam.com/writ-mandamus-texas/>

The Original Writ of Mandamus in the Supreme Court of Texas (St. Mary's University)

<https://commons.stmarytx.edu/cgi/viewcontent.cgi?article=1147&context=thestmaryslawjournal>

What is the deadline for filing a mandamus petition? (blog)

<https://www.butlersnow.com/2020/11/whats-the-expiration-date-on-that-mandamus/>

"To Mandamus or Not?" is Often the Question (ABA)

<https://cilacademy.org/2021/01/25/to-mandamus-or-not-is-often-the-question/>

## 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)