

Default Judgments Research Guide

Overview

This research guide includes information and resources on default judgments. A default judgment is “a judgment entered against a defendant who has failed to plead or otherwise defend against the plaintiff’s claim.” (*Black’s Law Dictionary, 11th ed.*) If a defendant does not appear for a scheduled hearing, the plaintiff/petitioner could be granted a default judgment by the judge. 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. 39 Default Judgments in Certain Cases Defined by Attorney General
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.39.htm>

Texas Family Code

- Ch. 157 Enforcement §157.115 Default Judgment
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.157.htm#157.115>

Texas Property Code

- Ch. 71 Escheat of Property §71.106 Default Judgment
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.71.htm>

Secondary Resources in Print

Texas Family Law Practice Manual REF KFT 1294 .T4S7

- Ch. 26 Posttrial Proceedings and Appeals Forms 26-1 to 26-4 Motion to Set Aside Default Judgment

O’Connor’s Texas Civil Forms REF KFT 1735 .A6503

- Ch. 9, Form 9C:2 No-answer default judgment
- Ch. 9, Form 9C:3 Post-answer default judgment

O’Connor’s Texas Rules – Civil Trials REF KFT 1729 .A1903

- Ch. 7 Disposition Without Trial, Section A. Default Judgment

Texas JUR KFT 1265. T48

- Vol. 4, Ch. 66 Appealability of default judgments

Texas Pretrial Practice KFT 1737 .T4B7

- Vol. 2, Ch. 37 Default Judgment and Dismissals

Texas Litigation Guide KFT 1730 .T4

- Vol. 7, Ch. 100 Default Judgment

Texas Practice Guide KFT 1280 .T4931

- Civil Appeals, Vol. 1, Ch. 8.82 Default Judgment
- Civil Pretrial, Vol. 1, Ch. 9 Time Calculations and Default Judgments

Texas Family Law Handbook KFT 1204 .A291 .026

- Ch. 3.3 Default Judgment

Texas Jurisprudence Pleading and Practice REF KFT 1730 .A65

- Vol. 8, Ch. 152 Judgments Section E. Default Judgment §152:30-152:47

Vernon’s Texas Codes Annotated KFT 1230.5

- Vol. 7, Ch.157.115 Default Judgment

- Vol. 28, Ch. 39 Default Judgments in Certain Cases Defended by Attorney General

UT Law CLE: Default Judgments (2013 article)
https://utcle.org/conferences/PL13/get-asset-file/asset_id/30941

CLE Materials

Collections and Creditors' Rights KFT 1367 .C6S7

- 2022 Ch. 2 Post Judgment Remedies (*PDF only*)
- 2022 Ch. 16 Nuts and Bolts of Turnover Receiverships (*PDF only*)
- 2016 Ch. 19 Defending Default Judgments
- 2012 Ch. 8 Service of Process and Default Judgment (includes sample forms)

Advanced Family Law Course KFT 1294 .S83

- 2021, Ch. 20 Preserving Your Record
- 2019, Ch. 8 Declaratory Actions, MSJ's and Other Weird and Effective Family Law Tools

Collections and Creditors Rights 101 KFT 1367 .C6C645

- 2016, Ch. 2 Services of Process and Default Judgments and Forms

Advanced Civil Appellate Practice Course KFT 1755 .A75S7

- 2018, Ch. 5 Texas Civil Procedure Update

Advanced Civil Trial Course KFT 1738 .A2S73

- 2019, Ch. 7.1 Filing and Resisting Motions for Summary Judgment
- 2018, Ch. 10 You Want Me to Turn Over What?

Damages in Civil Litigation KFT 1290 .D3D36

- 2022 Ch. 18 You Won. You Have a Judgment. But, How Do You Collect It? Practical Tips on Post-Judgment Collection (*PDF only*)

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)

Online Resources

How to Set Aside a Default Judgment (Texas Law Help) <https://texaslawhelp.org/article/how-to-set-aside-a-default-judgment>

Motion to Set Aside a Default Eviction Judgment (Texas Law Help) <https://texaslawhelp.org/guide/motion-to-set-aside-a-default-eviction-judgment>