



TADC *e-Update*
The Texas Association of Defense Counsel, Inc.

LEGISLATIVE UPDATE

May 4, 2011

[CLICK HERE](#) *to be directed to Texas Legislature On-Line homepage where you may look up any bill before the legislature by bill number*

The House is scheduled to debate CSHB 274, the Governor's civil justice reform bill, on Thursday, May 5. As you know, this bill contains several components, including:

- modified offer of settlement procedures;
- an interlocutory appeal of controlling questions of law; and
- SCOT rule-making for an expedited trial process for smaller claims and a motion to dismiss similar to FRCP 12(b)(6).

It is common for omnibus bills to attract numerous amendments, and we expect CSHB 274 to be no exception. TADC will be closely monitoring this bill during House debate and will oppose proposed amendments that substantially modify the bill as it was reported out of committee.

Once passed by the House, CSHB 274 moves on to the Senate for further consideration.

Please keep in mind that this bill, as with CSHB 2661 and CSHB 2031, are in the relatively early stages of the legislative process. Despite the significant (and unanticipated) gains we have made in the House to date, we must now continue our efforts to work on the portions of these bills that remain concerns to TADC. We have multiple opportunities to do so going forward. As the legislative process continues to unfold, we will continue our

efforts to work with the legislature to eliminate those provisions in proposed legislation that limit access to the courts and/or infringe on the right to trial by jury.

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