## Fifteen Things to Know About the Fifteenth Court of Appeals

By: Justice April Farris

# #1 What is the new 15<sup>th</sup> Court of Appeals?

#### Highlights

- The Legislature created the Fifteenth Court of Appeals during its 88th Session in 2023.
- The Court is composed of a Chief Justice and two justices.
- The Fifteenth Court's initial term began on September 1, 2024.



#### First new appellate seats in 40 years!

- First new intermediate appellate court in nearly 60 years—since 1967.
- First new intermediate appellate judicial seats in forty years—since 1984 (80 justices).
- During that span, Texas population has increased 80%.
- 3 Justices until Sept. 1, 2027 (83 justices), when 2 more will be added (85 justices).
- 6-year terms, statewide elections.
- Stats by Dylan Drummond.



#### S.B. 1045

#### AN ACT

relating to the creation of the Fifteenth Court of Appeals with jurisdiction over certain civil cases, the compensation of the justices of that court, and the jurisdiction of the courts of appeals in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. FIFTEENTH COURT OF APPEALS

# #2 What makes the 15<sup>th</sup> Court unique?

### The district



### The district

Sec. 22.201. COURTS OF APPEALS DISTRICTS. (a) The state is organized into 15 courts of appeals districts with a court of appeals in each district.

- (b) The First Court of Appeals District is composed of the counties of Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Grimes, Harris, Waller, and Washington.
- (c) The Second Court of Appeals District is composed of the counties of Archer, Clay, Cooke, Denton, Hood, Jack, Montague, Parker, Tarrant, Wichita, Wise, and Young.

### The district

- (o) The Fourteenth Court of Appeals District is composed of the counties of Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Grimes, Harris, Waller, and Washington.
- (p) The Fifteenth Court of Appeals District is composed of all counties in this state.

## The jurisdiction

- Sec. 22.220. CIVIL JURISDICTION. (a) Except as provided by Subsection (d), each court of appeals has appellate jurisdiction of all civil cases within its district of which the district courts or county courts have jurisdiction when the amount in controversy or the judgment rendered exceeds \$250, exclusive of interest and costs.
- (b) If a court of appeals having jurisdiction in a case, matter, or controversy that requires immediate action is unable to take immediate action because the illness, absence, or unavailability of the justices causes fewer than three members of the court to be present, the nearest available court of appeals, under rules prescribed by the supreme court, may take the action required in the case, matter, or controversy.
- (c) Each court of appeals may, on affidavit or otherwise, as the court may determine, ascertain the matters of fact that are necessary to the proper exercise of its jurisdiction.

#### Exclusive Jurisdiction: three buckets



#### Bucket 1: certain matters involving the state

- (d) The Court of Appeals for the Fifteenth Court of Appeals District has exclusive intermediate appellate jurisdiction over the following matters arising out of or related to a civil case:
- (1) matters brought by or against the state or a board, commission, department, office, or other agency in the executive branch of the state government, including a university system or institution of higher education as defined by Section 61.003, Education Code, or by or against an officer or employee of the state or a board, commission, department, office, or other agency in the executive branch of the state government arising out of that officer's or employee's official conduct, other than:

## Except....

- (A) a proceeding brought under the Family Code and any related motion or proceeding;
- (B) a proceeding brought under Chapter 7B or Article 17.292, Code of Criminal Procedure;
- (C) a proceeding brought against a district attorney, a criminal district attorney, or a county attorney with criminal jurisdiction;
  - (D) a proceeding relating to a mental health commitment;
  - (E) a proceeding relating to civil asset forfeiture;
- (F) a condemnation proceeding for the acquisition of land or a proceeding related to eminent domain;
- (G) a proceeding brought under Chapter 101, Civil Practice and Remedies Code;

## Except...

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(H) a claim of personal injury or wrongful death;
             (I) a proceeding brought under Chapter 125, Civil Practice
and Remedies Code, to enjoin a common nuisance;
                  a proceeding brought under Chapter 55, Code of Criminal
Procedure:
             (K) a proceeding under Chapter 22A, Government Code;
             (L)
                  a proceeding brought under Subchapter E-1, Chapter 411,
Government Code:
                  a proceeding brought under Chapter 21, Labor Code;
             (M)
             (N)
                 a removal action under Chapter 87, Local Government
Code; or
             (0) a proceeding brought under Chapter 841, Health and
Safety Code:
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#### Chapter 22A

#### CHAPTER 22A. SPECIAL THREE-JUDGE DISTRICT COURT

Sec. 22A.001. ELIGIBLE PROCEEDINGS. (a) The attorney general may petition the chief justice of the supreme court to convene a special three-judge district court in any suit filed in a district court in this state in which this state or a state officer or agency is a defendant in a claim that:

- (1) challenges the finances or operations of this state's public school system; or
- (2) involves the apportionment of districts for the house of representatives, the senate, the State Board of Education, or the United States Congress, or state judicial districts.

#### Bucket 2: certain constitutional challenges

- (2) matters in which a party to the proceeding files a petition, motion, or other pleading challenging the constitutionality or validity of a state statute or rule and the attorney general is a party to the case; and
  - (3) any other matter as provided by law.

## Bucket 3: Business Court appeals, Tex. Gov't Code Section 25A.007(a), (c)

(a) Notwithstanding any other law and except as provided by Subsection (b) and in instances when the supreme court has concurrent or exclusive jurisdiction, the Fifteenth Court of Appeals has exclusive jurisdiction over an appeal from an order or judgment of the business court or an original proceeding related to an action or order of the business court.

#### Other odds and ends...

action.

SECTION 1.12. Section 2301.751(a), Occupations Code, is amended to read as follows:

- (a) A party to a proceeding affected by a final order, rule, or decision or other final action of the board with respect to a matter arising under this chapter or Chapter 503, Transportation Code, may seek judicial review of the action under the substantial evidence rule in:
  - (1) a district court in Travis County; or
- (2) the court of appeals for the  $\underline{\text{Fifteenth}}$  [ $\underline{\text{Third}}$ ] Court of Appeals District.

#### Other odds and ends...

SECTION 1.13. Section 39.001(e), Utilities Code, is amended to read as follows:

- (e) Judicial review of competition rules adopted by the commission shall be conducted under Chapter 2001, Government Code, except as otherwise provided by this chapter. Judicial review of the validity of competition rules shall be commenced in the Court of Appeals for the <a href="Fifteenth">Fifteenth</a> [Third] Court of Appeals District and shall be limited to the commission's rulemaking record. The rulemaking record consists of:
  - (1) the notice of the proposed rule;
  - (2) the comments of all interested persons;
- (3) all studies, reports, memoranda, or other materials on which the commission relied in adopting the rule; and
  - (4) the order adopting the rule.

## #3 What kind of writ power does it have?

### Texas Gov't Code Section 22.221

(c-1) The original jurisdiction of the Court of Appeals for the Fifteenth Court of Appeals District to issue writs is limited to writs arising out of matters over which the court has exclusive intermediate appellate jurisdiction under Section 22.220(d).

## #4 Is it constitutional?



#### In re Dallas County, 697 S.W.3d 142 (2024)

Neither the text nor history of Article V, § 6(a) of the Texas Constitution prohibits the legislature from adding an additional court of appeals with statewide reach.

Same provision vested the Legislature with sufficient authority to give the Fifteenth Court exclusive intermediate appellate jurisdiction over certain matters, as well as to decline to vest that court with criminal jurisdiction.

#### In re Dallas County: District Composition

- Question: Article V, Section 6(a) states that the state shall be "divided into courts of appeals districts." Did the Legislature violate the Constitution by creating the Fifteenth Court to have all counties within the state as its district?
- Answer: "Without substantive change since 1891, the Constitution has mandated that "[t]he state shall be divided into courts of appeals districts." Tex. Const. art. V, § 6(a). That mandate has been and remains satisfied. The State is divided into courts of appeals districts, a fact that is not changed by the existence of the Fifteenth Court. All existing courts of appeals remain in place; a new one has been added. At most, the text forbids having a single court of appeals—the situation that the 1891 amendments to Article V changed."

#### District Composition

"If the Constitution's text and history actually required this result—that the Fifteenth Court be deemed unconstitutional until it loses some tiny slice of territory occupied exclusively by cacti and scorpions that would be the end of the matter. But Texas courts favor the "textually permissible interpretation that furthers rather than obstructs the document's purpose."



#### How we got here....

The 1876 Constitution dictated that "[t]he judicial power of this State shall be vested in one Supreme Court, in a Court of Appeals, in District Courts, in County Courts, in Commissioners' Courts, in Justices of the Peace, and in such other courts as may be established by law."

By 1879, SCOTX was 900 cases behind and COA was 200 cases behind.

SCOTX decisions effectively "nullified" the "other courts" provision.

#### How we got here...

- "The People tried again in 1891."
- "[I]n addition to the preexisting "shall vest" language, the amended Constitution explicitly stated that "[t]he Legislature may establish such other courts as it may deem necessary and prescribe the jurisdiction and organization thereof, and may conform the jurisdiction of the district and other inferior courts thereto."
- Also directed Legislature to "divide the State into not less than two nor more than three supreme judicial districts, and thereafter into such additional districts as the increase of population and business may require, and shall establish a Court of Civil Appeals in each of said districts..."

#### Incubus is out!

Among the core goals of these textual changes "was to avoid the force" of this Court's line of cases that had limited the legislature's ability to shape the judiciary in response to the State's changing needs. Stewart, 41 S.W. at 655. By "ridding the state of the incubus which the construction contended for had saddled upon it"....(emphasis added).



#### Elastic is in!

[T]he drafters hoped to "render elastic the judicial system provided for in the constitution."



#5 Can you have one intermediate court with statewide jurisdiction over some kinds of matters?

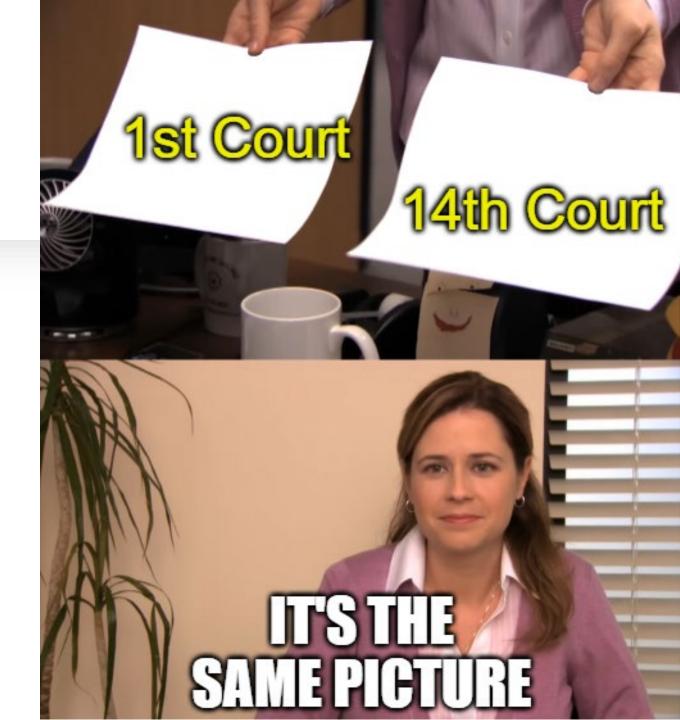
#### We've seen this before....



"The Third Court effectively exercised statewide jurisdiction over many appeals that implicated the State's interests because, regardless of geographic nexus, the underlying suit had to be filed in Travis County."

## Overlapping jurisdiction

- "Texas has the only intermediate appellate system in the nation with overlapping geographical appellate districts." James T. Worthen, The Organizational and Structural Development of Intermediate Appellate Courts in Texas, 1892–2003, 46 S. Tex. L. Rev. 33, 63–64 (2004).
- 1<sup>st</sup> and 14<sup>th</sup> Courts share the same ten counties since 1967.



#### Texas Business Law Foundation Amicus Brief

- 1915 Legislature included Panola County in both the 9<sup>th</sup> and 6<sup>th</sup> Courts.
- 1925: Palo Pinto County shared by 11<sup>th</sup> and 2<sup>nd</sup> Courts.
- 1934: Hunt County in 5<sup>th</sup> and 6<sup>th</sup>.
- 1963: Overlap overdrive
- Kaufman and Van Zandt Counties shared by 5<sup>th</sup> and 12<sup>th</sup>.
- Hopkins, Wood, Upshur, Rusk, Panola, and Gregg Counties in 6<sup>th</sup> and 12<sup>th</sup>.



## #6 Who is on the Court?



## Chief Justice Scott Brister

- 6 years on the Texas Supreme Court (2003–09)
- 3 years as a Justice and Chief Justice of the First and Fourteenth Courts of Appeals in Houston (2001–03),
- 11 years as Presiding Judge of the 234th District Court in Harris County (1989–2000)
- Partner at Andrews Kurth, LLP
- Briefing attorney for SCOTX Chief Justice Joe Greenhill
- Harvard Law, J.D. (cum laude); Duke (summa cum laude)



### Chief Justice Scott Brister

- Best thing that he can cook: French toast (holidays or birthdays only)
- Best concert ever attended: Elton John, Heart of Texas Coliseum in Waco, TX
- Favorite sport to watch: Duke basketball
- Favorite Movie: The Day after Tomorrow (lots of weather, none of it hot and humid)
- How many spaces after a period? One. Also case citations in footnotes.

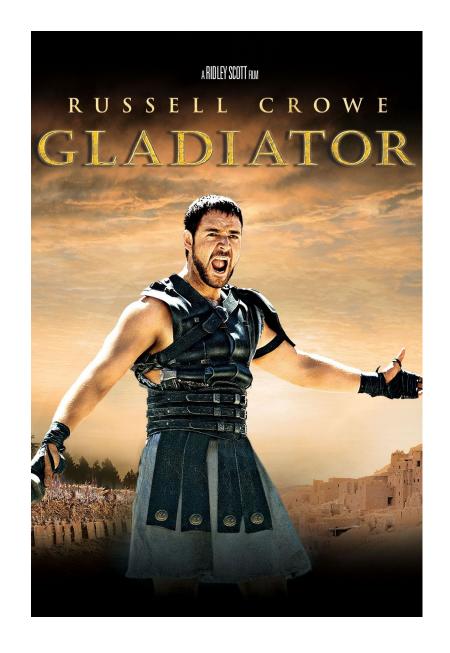
### Justice Scott Field

- Inaugural Judge for the 480th
   District Court of Williamson County
- Partner at Butler Snow LLP
- Six-year term on the Third Court of Appeals in Austin
- Law clerk to Justice Raul Gonzales
- UT School of Law (Order of the Coif)
- Texas A&M (summa cum laude)



#### Justice Scott Field

- Best thing he can cook: fajitas
- Best concert ever attended: Night Ranger/Cheap Trick
- Favorite sport to watch: football
- Favorite movie: Gladiator (the original)
- How many spaces after a period? Two.



## Justice April Farris (not a Scott)

- 3.5 years on the First Court of Appeals
- Partner at Yetter Coleman LLP
- Law clerk for Jennifer Walker Elrod,
   U.S. Court of Appeals for the Fifth
   Circuit
- Harvard Law School (cum laude)
- Abilene Christian University (summa cum laude)



## Justice April Farris (not a Scott)

- Best thing that she can cook: tacos
- Best concert ever attended: Dashboard Confessional & Counting Crows
- Favorite sport to watch: tennis
- Favorite movie: Sound of Music
- How many spaces after a period? Two.



# #7 Who is the Clerk of Court?

#### Chris Prine

- Appointed as Clerk of the 14<sup>th</sup> Court of Appeals in 2008.
- Appointed to also serve as Clerk of the First Court of Appeals in 2013.
- Previously served as a briefing attorney for the 14<sup>th</sup> Court and a chambers attorney at the 1<sup>st</sup> Court.
- Served the courts through the ransomware attack, covid, Hurricane Harvey, Winter Storm Uri, and more.



#8 How do cases get to the Fifteenth Court? Two primary ways....

#### Amendment to TRAP 25.1(d)

- (9) state whether the appeal involves a matter:
  - (A) brought by or against the state or a board, commission, department, office, or other agency in the executive branch of the state government, including a university system or institution of higher education;
  - (B) brought by or against an officer or employee of the state or a board, commission, department, office, or other agency in the executive branch of the state government arising out of that officer's or employee's official conduct; or
  - (C) in which a party to the proceeding challenges the constitutionality or validity of a state statute or rule and the attorney general is a party to the case.

#### New docketing statement: TRAP 32.1

#### Rule 32. Docketing Statement

#### 32.1. Civil Cases

Promptly upon filing the notice of appeal in a civil case, the appellant must complete and file in the appellate court the Docketing Statement approved by the Office of Court Administration or another document that includes the same information.

XV. Fifteenth Court of Appeals Jurisdiction
Effective 9/1/24, certain cases filed with this court must be transferred to the new Fifteenth Court of Appeals (See SB 1045, 88th Legislature, Regular Session). To assist the court in the orderly transfer or cases, please complete the following information.
Does this appeal involve a matter brought by or against the state or a board, commission, department, office, or other agency in the executive branch of the state government, including a university system or institution of higher education as defined by Section 61.003, Education Code, or by or against an officer or employee of the state or a board, commission, department, office, or other agency in the executive branch of the state government arising out of that officer 's or employee 's official conduct?   Yes
If the answer is yes, does this appeal involve:  a proceeding brought under the Family Code and any related motion or proceeding; a proceeding brought under Chapter 7B or Article 17.292, Code of Criminal Procedure; a proceeding brought against a district attorney, a criminal district attorney, or a county attorney with criminal jurisdiction; a proceeding relating to a mental health commitment; a proceeding relating to civil asset forfeiture; a condemnation proceeding for the acquisition of land or a proceeding related to eminent domain; a proceeding brought under Chapter 101, Civil Practice and Remedies Code; a claim of personal injury or wrongful death; a proceeding brought under Chapter 125, Civil Practice and Remedies Code, to enjoin a common nuisance; a proceeding brought under Chapter 55, Code of Criminal Procedure; a proceeding under Chapter 22A, Government Code; a proceeding brought under Subchapter E-1, Chapter 411, Government Code; a removal action under Chapter 87, Local Government Code; a proceeding brought under Chapter 841, Health and Safety Code;



#### (b) Application.

- (1) The transfer process in this rule applies to appeals:
  - (A) improperly taken to the Fifteenth Court of Appeals; or
  - (B) over which the Fifteenth Court of Appeals has exclusive intermediate appellate jurisdiction.
- (2) This rule does not apply to appeals transferred by the Supreme Court for good cause, including for docket equalization purposes.

#### TRAP 27a(c)(1): On a Party's Motion

- (A) A party may file a motion to transfer an appeal. The motion should be filed within 30 days after the appeal is perfected but must be filed by the date the appellee's brief is filed. The motion must be filed in the transferor court and may be supported by briefing. The movant must immediately notify the transferee court of the motion.
- (B) The transferor court must notify the parties and the transferee court of its decision on the motion. The transferor court may transfer the appeal if: (i) no party files an objection to the transfer within 10 days after the motion's filing or the transferor court determines that any filed objection lacks merit; and (ii) the transferee court agrees to the transfer.
- (C) The transferee court must file, within 20 days after receiving notice from the transferor court of its decision on the motion, a letter in the transferor court explaining whether it agrees with the transferor court's decision.

#### TRAP 27a(c)(2): On Its Own Initiative

- (A) The transferor court must notify the parties and the transferee court of its intent to transfer on its own initiative.
- (B) The transferor court may transfer an appeal on its own initiative if: (i) no party files an objection to the transfer within 10 days after receiving notice from the transferor court of its intent to transfer or the transferor court determines that any filed objection lacks merit; and (ii) the transferee court agrees to the transfer.

- (d) Transfer by the Supreme Court.
  - (1) If the transferor court and transferee court do not agree on whether the appeal should be transferred, then the transferor court must forward to the Supreme Court either:
    - (A) the party's motion to transfer, any briefing, the transferee court's letter under (c)(1)(C), and a letter explaining the transferor court's decision on the motion; or
    - (B) a letter from the transferor court that explains its reasons for requesting transfer and that notes any party objections and the transferee court's letter under (c)(2)(C).
  - (2) Unless exceptional circumstances require additional time, the documents in (1) must be submitted to the Supreme Court within 20 days after receipt of the transferee court's letter under (c)(1)(C) or (c)(2)(C).
  - (3) After receipt of all relevant documents, the Supreme Court will consider and decide the motion or request by the transferor court to transfer.

#9 The Business Court is just starting to get cases. You must not have anything to do.....



### Supreme Court of Texas

Misc. Docket No. 24-9055

Transfer of Cases to the Fifteenth Court of Appeals

#### **ORDERED:**

I.

In accordance with Act of May 21, 2023, 88th Leg., R.S. ch. 459 (S.B. 1045), and Texas Government Code section 73.001(a), on September 1, 2024, all cases pending in the Courts of Appeals for the First to Fourteenth Court of Appeals Districts (a) that were filed on or after September 1, 2023, and (b) that those Courts have determined are within the exclusive intermediate appellate jurisdiction of the Court of Appeals for the Fifteenth Court of Appeals District, are hereby transferred to the Court of Appeals for the Fifteenth Court of Appeals District.

#### Transfers

- 95 cases transferred in and waiting on day one.
- 49 were from the Third Court of Appeals.
- Administrative law is top category.



#10 Can you tell us about recent developments in the 15<sup>th</sup> Court?

#### I sure can....

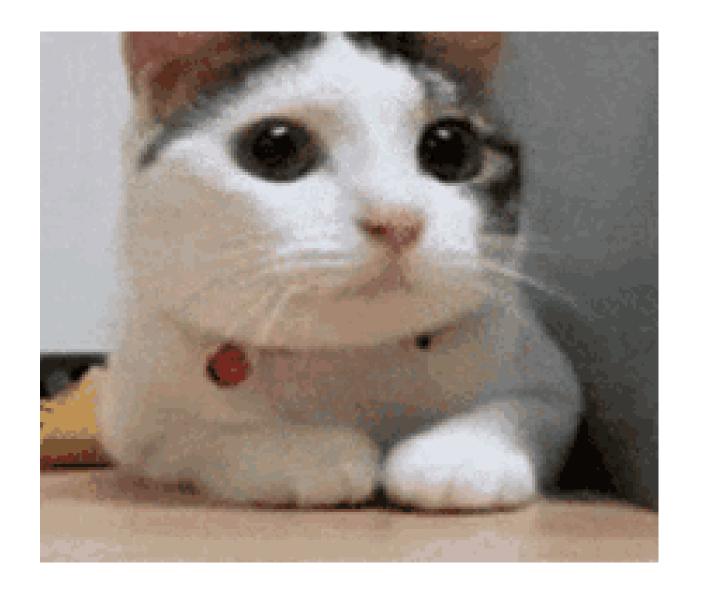


### Fifteenth Court Numbers

134 cases transferred into 15 <sup>th</sup> Court of Appeals (most in first batch transferred September 1; 28 as part of docket equalization)
14 cases transferred out
70 cases disposed
85 new cases filed
Oral argument granted in 22 submitted cases.
Six school law cases.

#### SCOTX clarifies jurisdiction

- Tex. Gov't Code Section 22.220(a) says that "each court of appeals has appellate jurisdiction of all civil cases within its district." District is whole state.
- Can any civil appeal be filed in Fifteenth Court?



### Kelly v. Homminga, 706 S.W.3d 829 (Tex. 2025) (per curiam)

- When is a case "inappropriately filed" in Fifteenth Court and subject to transfer? TEX. GOV'T CODE § 73.001(c)(1).
- Appellants noticed appeal to Fifteenth Court on theory that court had general jurisdiction over the case.
- SCOTX concluded that statute's fair meaning was that Legislature "did not intend to grant "every civil appellant the option of litigating in the Fifteenth Court."
- Court only has three justices, would be overwhelmed if any civil appeal could be filed there.
- Fifteenth Court can hear (1) appeals and writs within the court's exclusive intermediate jurisdiction and (2) appeals transferred to equalize dockets. All other cases "must" be transferred.
- Dismissal required where court lacks jurisdiction. By contrast, "where an appellate court has jurisdiction over a case but should not exercise it in deference to another court with concurrent jurisdiction, the case is transferred from one court to another."

### Supreme Court of Texas

Misc. Docket No. 25-9015

Preliminary Approval of Amendments to Texas Rule of Appellate Procedure 27a

Comment to 2025 change: Rule 27a is amended to clarify the rule's applicability and to relax some of the transferee court's duties when it agrees with the transferor court's decision on a motion to transfer or intent to transfer on its own initiative. Other clarifying changes have been made to the objection procedures. To accommodate these changes, some paragraphs have been rearranged and relettered or renumbered.

- (b) Application.
  - (1) The transfer process in this rule applies to appeals:
    - (A) improperly taken to the Fifteenth Court of Appeals that are not within the Fifteenth Court of Appeals' exclusive intermediate appellate jurisdiction; or
    - (B) taken to a regional court of appeals and over which the Fifteenth Court of Appeals has exclusive intermediate appellate jurisdiction.
  - (2) This rule does not apply to appeals transferred by the Supreme Court for good cause, including for docket equalization purposes.

- (b) Application.
  - (1) The transfer process in this rule applies to appeals:
    - (A) improperly taken to the Fifteenth Court of Appeals that are not within the Fifteenth Court of Appeals' exclusive intermediate appellate jurisdiction; or
    - (B) taken to a regional court of appeals and over which the Fifteenth Court of Appeals has exclusive intermediate appellate jurisdiction.
  - (2) This rule does not apply to appeals transferred by the Supreme Court for good cause, including for docket equalization purposes.

- (c) Transfer by a Court of Appeals.
  - On a Party's Motion.
    - (A) A party may file a motion to transfer an appeal. The motion should be filed within 30 days after the appeal is perfected but must be filed by the date the appellee's brief is filed. The motion must be filed in the transferor court and may be supported by briefing. The movant must immediately notify the transferee court of the motion.
    - (B) A party may file an objection to the transfer. The objection must be filed within 10 days after the motion's filing.

- (BC) The transferor court must notify the parties and the transferee court of its decision on the motion. The transferor court may must transfer the appeal if:
  - no party files an objection to the transfer within 10 days after the motion's filing or the deadline for filing an objection has passed;

#### (ii) either:

- a. the transferor court is a regional court of appeals
  and it determines that any filed objection lacks
  meritthe appeal is within the Fifteenth Court of
  Appeals' exclusive intermediate appellate
  jurisdiction; or
- b. the transferor court is the Fifteenth Court of Appeals and it determines the appeal is not within its exclusive intermediate appellate jurisdiction; and
- (CD) If Tthe transferee court disagrees with the transferor court's decision on the motion, the transferee court must file, within 20 days after receiving notice from the transferor court of its decision on the motion, a letter in the transferor court explaining whether it agrees with the transferor court's decision its disagreement.

# #11 Where can I find your opinions?

Appellate Case #

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#### **ANNOUNCEMENT**

Olerks and Court Reporters: The TAMES Records Submission Portal is now functioning for the Fifteenth Court of Appeals. Clerk's and Court Reporter's records must be filed electronically and must conform to Appendix C of the Texas Rules of Appellate Procedure. The record must be submitted through the TAMES Records Submission Portal (RSP). Notices of Appeal, information sheets, extension requests, and monthly court reporter reports should also be filed through the RSP. Clerks and Court Reporters can request access to the portal. Once processed, a password and filing instructions will be emailed to you by the Office of Court Administration. Your login and password will work for all Courts of Appeals.

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#### WELCOME TO THE FIFTEENTH COURT OF APPEALS, AUSTIN, TEXAS

The Court's offices are located in suite 607 of the William P. Clements Building in Austin, Texas.

The legislature created the Fifteenth Court of Appeals during its 88th Session in 2023. The Court is composed of a Chief Justice and two justices. The Fifteenth Court's initial term began on September 1, 2024

The court has statewide civil intermediate appellate jurisdiction and exclusive intermediate appellate jurisdiction over matters arising out of or related to a civil appeals brought by or against the state or a board, commission, department, office, or other agency in the executive branch of the state government, including a university system or institution of higher education as defined by Section 61.003, Education Code, or by or against an officer or employee of the state or a board, commission, department, office, or other agency in the executive branch of the state government arising out of that officer's or employee's official conduct (subject to certain exceptions). In addition, the Fifteenth Court has exclusive jurisdiction over appeals from the Texas Business Courts, involving cases dealing with business disputes valued at more than \$10 million

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## #12 How do you cite the Fifteenth Court?

Crowley I.S.D. v. Stoneham, No. 15-24-00051-CV, 2024 WL 4822467, at \*1 (Tex. App. (15 Dist.) Nov. 19, 2024).

#13 Does the Fifteenth Court of Appeals have its own courthouse?



# Not yet. Arguing at UT Law and CCA.

# #14 Where can I watch oral argument?



#### **Texas Fifteenth Court of Appeals**

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This channel is for the webcasting and storage of oral arguments for the Fifteenth Court o...more

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15-24-00054-CV - HHSC n, a/k/a Texas Department of...



15-24-00008-CV - Thoele, Mike Barro, Ryan Partlow,...

15-24-00007-CV - Mike Morath v. Kingsville ISD et al. 15-24-00051-CV - Crowley

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Independent School District...

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# #15 Any tips for practice?

#### Practice Tips

- Fifteenth Court of Appeals has no intermediate court precedent. We are bound by controlling precedent from SCOTUS and SCOTX.
- If an issue is an open question, tell the Court.



#### Ethics and Practice Tips

 The Fifteenth Court has one of the highest rates of granted oral argument. If you want oral argument, request it.



#### Ethics and Practice Tips

• The purpose of oral argument is to help the court resolve hard issues. Tough questions are an opportunity to help the court understand why you should win.





Cite the record for all factual assertions.