

Consumer Debt Litigation Index

Top Recommendations for Reform in Texas

Texas's Score: 37/100

Texas's National Rank: 5th

Consumer debt lawsuits dominate civil court dockets across the country. In an overwhelming number of cases—more than 70% in many places—the people sued do not respond or defend themselves. As a result, courts often enter default judgments without determining whether the defendant even knows about it, it is timely, or has merit. In turn, people face high fees and interest, onerous payment plans, seizure of wages and possessions, and potential imprisonment. States across the country have established laws and practices aimed at reducing unjust lawsuits and producing fairer outcomes. To support states in their respective efforts, the National Center for Access to Justice in 2024 created the Consumer Debt Litigation Index in consultation with a panel of experts. The Index ranks the states on their progress in adopting 24 best policies (“benchmarks”) for fairness. See our Top Recommendations and Complete Findings, below.

1. Establish Pleading Requirements (Benchmark 6)

Why: People facing debt collection lawsuits often have difficulty understanding the claim against them. Lax pleading requirements also invite illegitimate lawsuits. Requiring complaints to name the original creditor, demonstrate ownership of the debt, and break out the specific amounts sought can deter meritless filings and enable defendants to assert legitimate defenses, promoting fairness. Delaware, New Mexico, New York, and Washington, D.C. all require complaints to include these key elements. Although Texas has these requirements in place in Justice Courts, it does not have them in place in District Courts.

How: Texas should adopt a law or practice that requires plaintiffs in consumer debt cases to allege in all courts: (a) the name of the original creditor; (b) the plaintiff’s standing (e.g. the chain of ownership of the debt); and (c) an itemization of the amount sought, including debt principal, interest, fees, costs, and other charges to date. If it does so, the state’s score would increase 10 points.

2. Require Authenticated Business Records for A Default (Benchmark 7)

Why: Creditors too often bring legally insufficient cases, relying on the likelihood that many defendants will not respond (or “default”) and that the merits of the creditors’ claims will never be assessed by a court. Requiring creditors to establish — before a default judgment may be entered — (a) proof of service, (b) validity of the debt using authenticated business records, and (c) itemized amounts sought, also using authenticated business records, promotes fairness, as these required elements deter lawsuits that lack merit and lower the number of unwarranted default judgments. Alaska, Maine, New York, Washington, D.C., Washington State, and Wisconsin all require creditors to prove these essential elements before a court may enter a default judgment. Although Texas requires the plaintiff to provide proof of the amount of damages, it does not require the submission of authenticated business records. Further, it does not require proof of service.

How: Texas should adopt a law or practice that requires plaintiffs in consumer debt cases to establish the following before a court may enter a default judgment: (a) proof of service; (b) validity of the debt through authenticated business records (e.g. contract, account statements, or other evidence of obligation); and (c) amount of the judgment through authenticated business records, itemizing damages, court fees, attorneys' fees, and interest. If it does so, the state's score would increase 10 points.

3. Require Government Notice of a Consumer Debt Lawsuit (Benchmark 1)

Why: All too often, process servers hired by debt collectors fail to serve a notice of a complaint to a defendant and then file a false affidavit claiming that the notice has been properly served. This practice—commonly referred to as “sewer service” because sometimes process servers literally throw the notice in the gutter—means that people never get notice that they are being sued. This makes it impossible to respond to the lawsuit and mount a defense. To address this issue, New York requires the court clerk to send to the defendant, by first class mail, an additional notice of a lawsuit arising out of a consumer credit transaction, and provides that default judgment will not be entered if the notice is returned as undeliverable. Texas, however, allows service by private persons and does not require supplemental notice from the courts.

How: Texas should fix the problem of ineffective or fraudulent (“sewer”) service by adopting a law that either (a) requires a public official (such as a sheriff) to complete service; or (b) requires the court to send the defendant, by first class mail, supplemental notice of a new consumer debt lawsuit and deny default judgment if that notice is returned as undeliverable. If it does so, the state's score would increase 5 points.

What Would Happen if Texas were to Implement these Recommendations?

These three recommendations, if adopted by the state, would substantially increase Texas's score and ranking. For more on how Texas can do better, see the complete findings below and visit NCAJ's [Consumer Debt Litigation Index](https://ncaj.org/state-rankings/consumer-debt) at <https://ncaj.org/state-rankings/consumer-debt> or reach out to NCAJ at NCAJ@fordham.edu.

Complete Consumer Debt Litigation Index Findings for Texas

I. Issue Area: Help people know when they are being sued and where to find help.

1 - Government Notice of Lawsuits

Score: 0/5

Does the state respond to the problem of ineffective or fraudulent ("sewer") service in consumer debt lawsuits by: a. Public Official Service - requiring that a public official (e.g. the court or the sheriff) handle service? or, b. Court Supplemental Notice - requiring the court to send the defendant, by first class mail, supplemental notice of a new consumer debt lawsuit and deny default judgment if that notice is returned as undeliverable?

No

Texas does not meet this benchmark for two reasons. First, Texas does not meet sub-benchmark 1a because Texas law authorizes a process server or anyone not a party over the age of 18 to serve process other than in eviction cases. See Tex. R. Civ. P. 500.3. Second, sub-benchmark 1b is not met because Texas does not require the court to mail a defendant supplemental notice of a new consumer debt lawsuit and deny entry of default judgment if that notice is returned as undeliverable.

2 - Guidance on Finding Help

Score: 0/5

Does the state require that notice to the defendant in a consumer debt lawsuit include guidance on where to seek help, including free legal assistance?

No

Texas does not meet this benchmark because Texas does not require that notice in a consumer debt lawsuit provide guidance to defendants on where to find help. See Tex. R. Civ. P. 502.2, 508.2.

II. Issue Area: Make it easier to respond to a lawsuit.

3 - Simplified Answer

Score: 0/2

Does the state provide a simple Answer process by making available an Answer form for use by unrepresented persons in consumer debt lawsuits?

No

Texas does not meet this benchmark because it does not provide an Answer form for use in debt claims cases and in small claims court. Note: Some independent organizations in the state such as the Texas Justice Court Training Center, which is an entity of Texas State University, have developed forms suitable for this purpose. See Forms, Tex. Just. Ct. Training Ctr., <https://www.tjctc.org/tjctc-resources/forms.html> (last visited Nov. 10, 2023). Though the Texas Justice Court Training Center provides resources that justice courts could offer to defendants, there is no requirement to do so and the link is difficult to locate in the website. The Texas Justice Court Training Center's resources are specific to justice courts, but consumer debt claim cases can be filed in county and district court, as well as justice court.

4 - No Notarization Requirement to Answer**Score: 2/2**

Does the state make it easier to respond to consumer debt lawsuits by never requiring defendants to have an Answer notarized before filing?

Yes

Texas meets this benchmark because it does not require pleadings to be verified or notarized. See Tex. R. Civ. P. 502.1.

5 - No Fee to Answer**Score: 5/5**

Does the state permit the filing of an Answer in consumer debt lawsuits without charging a filing fee?

Yes

Texas meets the benchmark because there is no fee to file an answer, although there is a fee for filing a counterclaim or cross-action. Tex. Loc. Gov't Code Ann. § 133.151 (West).

III. Issue Area: Require the creditor to provide evidence of a valid debt claim.

6 - Pleading Requirement**Score: 0/10**

Does the state require consumer debt complaints to allege all of the following: a. Name of original creditor; b. Basis of plaintiff's standing (e.g. chain of ownership of debt); and c. Itemization of amount sought including debt principal, interest, fees, costs, and other charges to date?

No

Texas does not meet this benchmark because although in Texas's justice courts (i.e. small claims courts), "claim[s] for the recovery of a debt brought by an assignee of a claim, a financial institution, a debt collector or collection agency, or a person or entity primarily engaged in the business of lending money at interest," see Tex. R. Civ. P. 508.1, asserted in a petition must include (a) the name of the original creditor, (b) the basis of plaintiffs' standing, and (c) an itemization of amount sought, see Tex. R. Civ. P. 508.2, these requirements do not apply outside of justice courts.

7 - Authenticated Records for Default**Score: 0/10**

Does the state require the following be established before a default judgment can be granted: a. Proof of Service b. Validity of debt through authenticated business records (e.g. contract, account statements, or other evidence of obligation); and c. Amount of judgment through authenticated business records, itemizing damages, court fees, attorneys' fees, and interest?

No

Texas does not meet this benchmark because it does not meet any of the sub-benchmarks for all types of consumer debt claims. However, Texas does impose requirements that would meet the benchmarks for most types of consumer debt claims. Specifically, TRCP 508.3 requires that for claims "for the recovery of a debt brought by an assignee of a claim, a financial institution, a debt collector or collection agency, or a person or entity primarily engaged in the business of lending money at interest," the party seeking default must establish through evidence that the defendant is obligated to pay the debt, as well as the amount of the debt. In all other

consumer debt cases, Texas courts may grant default judgments pursuant to Texas Rules of Civil Procedure 239 and 239a which do not impose any of the requirements in sub-benchmarks (a) through (c). There is also no Texas statute that separately imposes requirements regarding the entry of default judgments.

IV. Issue Area: Require consumer debt collection actions to be brought within a reasonable time of non-payment.

8 - Burden on Plaintiff to Allege Timeliness

Score: 0/2

Does the state place the pleading burden on the consumer debt plaintiff to allege in the Complaint the timeliness of each claim, including each of the following: a. applicable statute of limitations; b. date that claim accrued; and c. date that statute of limitations expires?

No

Texas does not meet this benchmark because the statutes and rules of Texas do not place the burden of pleading timeliness on the plaintiff and do not require that a debt collection complaint include (a) the applicable statute of limitations, (b) the date the claim accrued or (c) the date that the statute of limitations expires. See Tex. R. Civ. P. 94; Tex. R. Civ. P. R. 508.2.(a).

9 - Four Year Statute of Limitations

Score: 5/5

Does the state require 4-year (or shorter) statute of limitations for the causes of action most commonly used to pursue consumer debt collection: breach of contract (written or oral), open account, account stated, unjust enrichment, conversion, bad check?

Yes

Texas meets this Benchmark because it imposes a 4-year (or shorter) statute of limitations for all consumer debt claims. In particular, Texas has the following limitations periods: • breach of written contract: 4-year limitations period (Tex. Civ. Prac. & Rem. Code Ann. § 16.004; Tex. Bus. & Com. Code Ann. § 2.725(a)); • breach of oral contract: 4-year limitations period (Tex. Civ. Prac. & Rem. Code Ann. § 16.004; Tex. Bus. & Com. Code Ann. § 2.725(a)); • open account: 4-year limitations period (Tex. Civ. Prac. & Rem. Code Ann. § 16.004); • account stated ("an action for any article charged on an account in a store"): 4-year limitations period (Tex. Civ. Prac. & Rem. Code Ann. § 16.004(c)); • unjust enrichment: 2-year limitations period (Elledge v. Friberg-Cooper Water Supply Corp., 240 S.W.3d 869, 870 (Tex. 2007)); • conversion: 2-year limitations period (Tex. Civ. Prac. & Rem. Code Ann. § 16.003(a)); and • passing a bad check: 2-year limitations period (Tex. Civ. Prac. & Rem. Code Ann. § 16.003(a)).

10 - Prohibit Revival of Time-Barred Claims

Score: 0/2

Does the state prohibit revival of time-barred consumer debt claims, even where defendant makes subsequent payment toward a debt?

No

Texas does not meet this benchmark because it makes consumer debt claims subject to revival even after the statute of limitations has run when a debtor acknowledges the debt in a signed writing. Tex. Civ. Prac. & Rem. Code Ann. § 16.065 ("An acknowledgment of the justness of a claim that appears to be barred by limitations is not admissible in evidence to defeat the law of limitations if made after the time that the claim is due unless the acknowledgment is in writing and is signed by the party to be charged."); DeRoeck v. DHM Ventures, LLC,

576 S.W.3d 875, 877 (Tex. App. 2019) (“The acknowledgment can come before or after suit on the original debt is barred by limitations.”). To renew the statute of limitations, an acknowledgment of debt must: “1) be in writing and signed by the party to be charged; 2) contain an unequivocal acknowledgment of the justness or the existence of the particular obligation; and 3) refer to the obligation and express a willingness to honor that obligation.” DeRoeck, 576 S.W.3d at 877. A signed check can, if found to meet this criteria, be sufficient to revive an expired debt-collection claim. Id. at 578.

V. Issue Area: Prohibit attorneys' fee shifting, and cap interest.

11 - Prohibit Attorneys' Fees Shifting

Score: 0/3

Does the state prohibit attorneys' fee shifting in consumer debt lawsuits regardless of contractual provision or reciprocity in fee shifting?

No

Texas does not meet this benchmark because it statutorily authorizes recovery of attorney's fees for a prevailing plaintiff in consumer debt cases. The Supreme Court of Texas has held that an award of attorneys' fees is permitted only where such fees are authorized by statute or contract. *Wheelabrator Air Pollution Control, Inc. v. City of San Antonio*, 489 S.W.3d 448, 453 n.4 (Tex. 2016). Section 38.001 of the Texas Civil Practice and Remedies Code provides that a plaintiff awarded monetary damages pursuant to a successful claim for breach of an oral or written contract may be awarded reasonable attorneys' fees. Note: the case law and code are silent when it comes to reciprocal rights.

12 - Interest Caps

Score: 0/3

Does the state cap interest in consumer debt lawsuits (regardless of any contractual provision) as follows: a. Pre-judgment interest for debt buyers capped at an annual rate of 7% (or less); and b. Post-judgment interest for all creditors capped at 5% (or less) of the judgment?

No

Texas does not meet this benchmark because it does not satisfy either sub-benchmarks (a) or (b). Under Texas law, prevailing parties generally receive prejudgment interest as a matter of course, absent exceptional circumstances. *Richter, S.A. v. Bank of America Nat. Trust and Sav. Ass'n*, 939 F.2d 1176 (5th Cir. 1991). Prejudgment interest is computed as simple interest with a rate equal to the post-judgment interest rate applicable at the time judgment is rendered. Texas's post-judgment interest is at a minimum 5% and can be more (see below). Thus, Texas does not satisfy sub-benchmark (a). Regarding post-judgment interest, the interest rate is based on the prime rate as published by the Federal Reserve System, with a minimum rate of 5% and a maximum rate of 15%. Thus, Texas does not meet sub-benchmark (b).

VI. Issue Area: Reduce the likelihood that consumer debt collection actions leave people homeless, or perpetuate a cycle of debt.

13 - Require Court Order to Garnish or Attach

Score: 5/5

Does the state in consumer debt lawsuits require a court order for garnishment and attachment?

Yes

Texas meets the benchmark because a court clerk must issue a writ of garnishment or a writ of attachment. Tex. Civ. Prac. & Rem. Code §§ 63.001-002; 61.022. In small claims actions, justice court judgments are enforceable in the same method as in county and district courts. Tex. R. Civ. P. 505.2.

14 - Bank Account Garnishment Exemptions Are Self Executing

Score: 0/2

Does state law require in consumer debt lawsuits that garnishment exemptions for bank accounts are self-executing?

No

Texas does not meet the benchmark because it does not require financial institutions to protect money deposited in bank accounts unless a judgment debtor asserts an exemption. Further, it does not provide a specific exemption from attachment for money deposited in bank accounts. TX Prop. § 41.002.

15 - Essential Exemptions

Score: 5/5

Does the state prevent people from becoming impoverished, unhoused, or unable to work by exempting income and assets from attachment and garnishment, as follows: a. Income of at least \$576.92 per week, the minimum to keep a family of four above the federal poverty level, as defined by the U.S. Federal Poverty Guidelines in 2023; b. Home, regardless of value, or at least the median price of a home in the state; and c. Car value, state exemption for, at least, the first \$15,000 in value?

Yes

Texas meets the benchmark. Texas law provides as follows: (a) Income: Texas meets sub-benchmark (a) because it exempts 100% of a person's wages for consumer debt. Tex. Const. art. 16, § 28; Tex. Civ. Prac. & Rem. Code Ann. § 63.004. (b) Home: Texas meets sub-benchmark (b) because it exempts one home, regardless of value, subject to certain limited exceptions. Tex. Prop. Code Ann. §§ 41.001–41.002. (c) Car: Texas meets sub-benchmark (c) because a person's property, which may include a car, is exempt up to an aggregate fair market value of \$100,000 if the person has a family or \$50,000 if the person is a single adult. Tex. Prop. Code Ann. §§ 41.001–41.002. For more information on garnishment exemptions see Michael Best and Carolyn Carter, No Fresh Start 2023, National Consumer Law Center (Dec. 2023), https://www.nclc.org/wp-content/uploads/2023/12/2023_Report_No-Fresh-Start-3.pdf.

16 - Require Prior Notice of Garnishment

Score: 0/5

Does the state require notice to debtor prior to actual garnishment that explains all of the following: a. potential exemptions? b. how to challenge the order? and c. how to assert exemptions?

No

Texas does not meet this benchmark because a judgment debtor is not entitled to notice prior to garnishment of their property (notice is instead sent to the judgment debtor after service of the writ of garnishment on the garnishee). See Tex. R. Civ. P. 663a. Additionally, even if notice were provided prior to garnishment, the state would not meet sub-benchmark (b) because notice required to the judgment debtor is not required to provide the manner in which to challenge an order. See *id.* Notably, the Texas constitution prohibits wage garnishment in all cases except those involving child or spousal support. <https://statutes.capitol.texas.gov/Docs/CN/htm/CN.16.htm#16.28>

VII. Issue Area: Eliminate debtors' prison.

17 - Prohibit Incarceration for Failure to Obey a Court Order to Pay Consumer Debt

Score: 5/5

Does the state prohibit incarceration for contempt for failure to obey a court order to pay all or part of a consumer debt judgment?

Yes

Texas meets the benchmark because Texas law prohibits incarceration for failure to pay all or part of a debt judgment. First, Texas's constitution states: "No person shall ever be imprisoned for debt." Tex. Const. art. I, § 18. Courts have held that a person may not be imprisoned for failure to obey a court order to pay a debt. See, e.g., *Ex parte Thomas*, 610 S.W.2d 213 (Tex. Civ. App. 1980) ("To hold him in contempt and order him to jail for nonpayment of a debt is in violation of the Texas Constitution.").

18 - Prohibit Incarceration for Failure to Obey a Court Order to Appear at a Debtor's Examination, Unless Nonappearance Was Willful

Score: 5/5

Does the state prohibit arrest and/or incarceration for contempt for failure to appear at a debtor's examination (i.e. a judgment enforcement proceeding), unless the person's failure to appear was willful?

Yes

Texas meets the benchmark because a person may not be held in contempt for failure to appear at a post-judgment discovery hearing (a debtor's examination) unless the failure to appear was willful. After a judgment, a judgment creditor may initiate "any discovery proceeding authorized by these rules for pre-trial matters." Tex. R. Civ. P. Rule 621a. Failure to obey a court order to appear may constitute contempt. The Texas Supreme Court has broadly defined contempt as "disobedience to or disrespect of a court by acting in opposition to its authority," and that there must be "willful intent to violate the order." See *Ex Parte Chambers*, 898 S.W.2d 257 (Tex. 1995).

19 - Provide Right to Counsel

Score: 0/5

Does the state provide a lawyer without charge in any contempt or other proceeding in which incarceration is a potential outcome in a consumer debt lawsuit?

No

Texas does not meet the benchmark because it does not provide a right to counsel in contempt cases in which incarceration is possible. See Tex. Gov't Code §§ 79.001(6), (7); 21.002. In addition, courts have held that there is no right to counsel in contempt proceedings. See, e.g., *Ex parte Wilson*, 559 S.W.2d 698 (Tex. App. 1977).

VIII. Issue Area: Prevent government from undue intervention on behalf of creditor.

20 - Prohibit Collaboration Between Creditors and Prosecutors

Score: 0/2

Does the state prohibit relationships (including financial relationships) in which prosecutors lend the authority of their offices to facilitate the activities of debt collectors (e.g. payments by creditors to prosecutors who threaten or bring criminal prosecutions in bad check cases)?

No

Texas does not meet this benchmark because there is no statutory or judicial prohibition on relationships or financial arrangements between prosecutors and debt collectors. See Tex. Penal Code § 32.41.

21 - Prohibit Paying Bail/Bond to Creditor

Score: 0/2

Does the state prohibit use of bail to pay the creditor in all contempt proceedings, or in other proceedings in a consumer debt lawsuit in which incarceration is a possible outcome?

No

Texas does not meet the benchmark because its laws do not expressly prohibit the use of bail or bond to pay a creditor. See Tex. R. Civ. P. Rule 621a.

22 - Limit Frequency of Examinations

Score: 0/5

Does the state in consumer debt litigation schedule or otherwise limit financial examinations to no more than once per year?

No

Texas does not meet the benchmark because the judgment creditor may request post-judgment discovery at any time after rendition of a judgment. Tex. R. Civ. P. 621a. There is no limitation as to the frequency of the discovery request. The only limitation as to the debtor examination is that the debtor can file an objection to the discovery request and the court shall have a hearing to determine whether the discovery request is valid. Tex. R. Civ. P. 500.9

IX. Issue Area: Collect data to improve the system.

23 - Data Collection: Number of Lawsuits

Score: 3/3

Do state courts at least annually collect and publish statewide data on number of consumer debt lawsuits?

Yes

Texas meets BM 23 (number of claims) because its state courts collect and publish statewide data on both: the number of "commercial/consumer/debt" lawsuits in the trial courts and on "debt" lawsuits in the Justice Courts (These categories are not precise fit for the Benchmark, but reflect overall a commitment to producing substantial data that helps to illuminate consumer debt litigation), and, the types of dispositions of consumer debt lawsuits in the Justice Courts. For BM 23, Texas tracks the number of "commercial/consumer/debt" lawsuits in the trial courts. It relies on a definition of "Consumer/Commercial/Deb" that includes: "Cases involving a buyer of goods or services bringing a suit against the seller for failure either to deliver said goods or services or to honor a warranty as promised in an expressed or implied contract. Also, cases involving a seller of goods or services bringing a suit against a buyer for failure to pay for said goods or services as promised in an expressed or implied contract (debt collection). Examples include agreements, breach of contract, contracts, fraud, notes, sworn accounts, debts, and assignment of creditors." Relatedly, Texas tracks the number of "debt claim" cases in the Justice Courts. It relies on a definition of "Debt Claim" that includes: "Cases filed on or after September 1, 2013 to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily

engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any. Debt claim cases in justice court are governed by Rules 500-507 and 508 of Part V of the Rules of Civil Procedure." The state meets Benchmark 24 ("types of dispositions") because it tracks Justice Court debt claims outcomes using categories that include: Change of Venue, Default Judgments, Agreed Judgments, Summary Judgments, Final Judgments After Non-Jury Trial, By Jury Verdict, By Directed Verdict, Dismissed for Want of Prosecution, Non-Suited or Dismissed by Plaintiff, All Other Dispositions. See ANNUAL STATISTICAL REPORT FOR THE TEXAS JUDICIARY (last visited May 2, 2023): txcourts.gov/media/1454127/fy-21-annual-statistical-report-final.pdf.

24 - Data Collection: Disposition of Lawsuits

Score: 2/2

Do state courts at least annually collect and publish statewide data on types of dispositions of consumer debt lawsuits?

Yes

Texas meets BM 23 (number of claims) and BM 24 (types of claims) because its state courts collect and publish statewide data on both: the number of "commercial/consumer/debt" lawsuits in the trial courts and on "debt" lawsuits in the Justice Courts (These categories are not precise fit for the Benchmark, but reflect overall a policy commitment to producing substantial data that helps to illuminate consumer debt litigation), and, the types of dispositions of debt lawsuits in the Justice Courts. For BM 23, Texas tracks the number of "commercial/consumer/debt" lawsuits in the trial courts. It relies on a definition of "Consumer/Commercial/Debt" that includes: "Cases involving a buyer of goods or services bringing a suit against the seller for failure either to deliver said goods or services or to honor a warranty as promised in an expressed or implied contract. Also, cases involving a seller of goods or services bringing a suit against a buyer for failure to pay for said goods or services as promised in an expressed or implied contract (debt collection). Examples include agreements, breach of contract, contracts, fraud, notes, sworn accounts, debts, and assignment of creditors." Relatedly, Texas tracks the number of "debt claim" cases in the Justice Courts. It relies on a definition of "Debt Claim" that includes: "Cases filed on or after September 1, 2013 to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any. Debt claim cases in justice court are governed by Rules 500-507 and 508 of Part V of the Rules of Civil Procedure." For Benchmark 24, Texas tracks the "types of dispositions," Texas tracks Justice Court debt claims outcomes using categories that include: Change of Venue, Default Judgments, Agreed Judgments, Summary Judgments, Final Judgments After Non-Jury Trial, By Jury Verdict, By Directed Verdict, Dismissed for Want of Prosecution, Non-Suited or Dismissed by Plaintiff, All Other Dispositions. See ANNUAL STATISTICAL REPORT FOR THE TEXAS JUDICIARY (last visited May 2, 2023): txcourts.gov/media/1454127/fy-21-annual-statistical-report-final.pdf.

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