

A Snapshot of the Texas Business Court's Docket

On September 1, 2024, pursuant to House Bill 19, the Texas Business Court came into existence and began accepting cases. According to House Bill 19's sponsor, the bill "is intended to streamline resolutions of business disputes and ensure the court is staffed by qualified and skilled judges, ideally giving businesses confidence in Texas's legal system and encouraging them to incorporate and headquarter in Texas." As the Business Court approaches its second anniversary, the Court is fulfilling its mission.

A. The Disputes

As anticipated, high-dollar and high-complexity cases are finding their way into the Business Court. As of March 25, 2026, a snapshot of the court's docket reveals some commonalities in the types of relationships between Business Court litigants. Buyer-seller disputes, involving some type of commercial conflict arising from a deal for goods or services, commonly land in the court. Also rising to the top are corporate-mismanagement disputes, which generally involve accusations against an entity's co-owner or executive for poor governance or fiduciary breaches.

B. The Industries

The industries involved in the pending cases generally mirror the makeup of Texas's commercial landscape, with nearly a third of the cases involving the energy sector.

The real estate and construction industries are the most prevalent players in the early Business Court cases, with the technology industry also often appearing in these suits. House Bill 40, which went into effect September 1, 2025, expanded the Court's jurisdiction by adding concurrent jurisdiction over claims arising out of intellectual property, the Texas Uniform

Trade Secrets Act, and arbitration-related disputes.

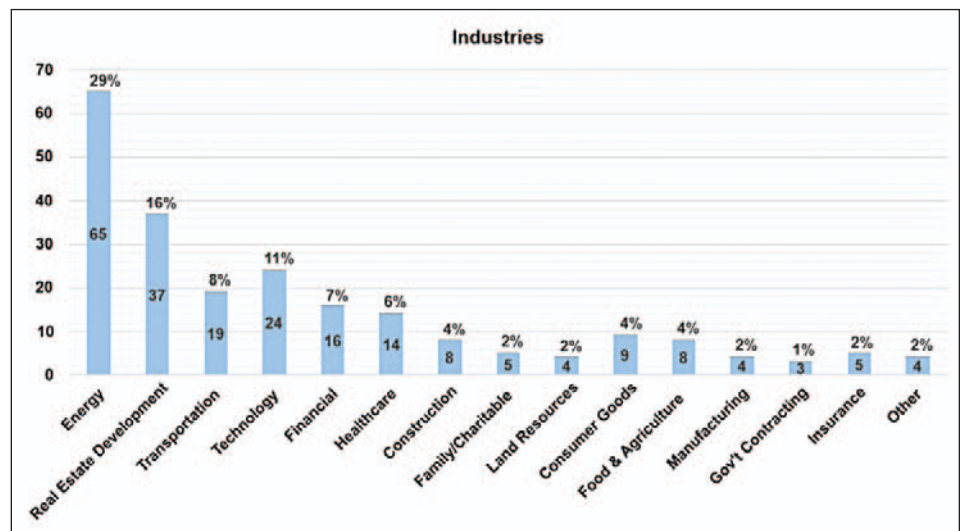
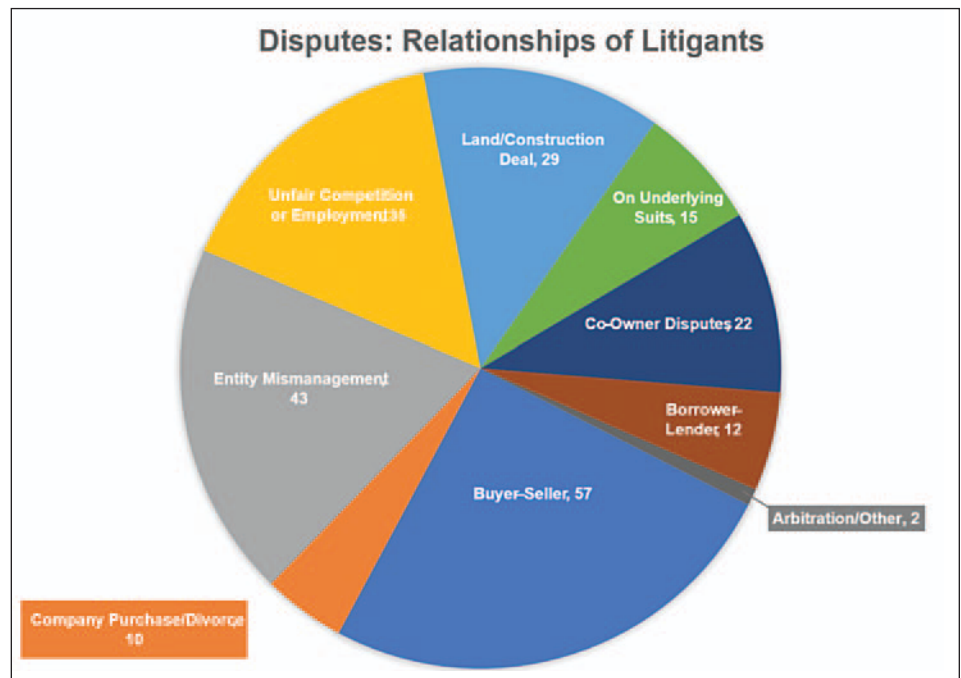
C. The Opinions

The Business Court is the first trial court in Texas's state judicial system to be charged with issuing written opinions for certain decisions, such as dispositive rulings upon a party's request and other rulings that are important to the state's



Hon. Jerry Bullard, Judge
Texas Business Court, Eighth Division

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jurisprudence. *See* TEX. R. CIV. P. 360. The Court has already begun discharging this duty, with over 80 opinions having been issued at the time of writing. All opinions are available on the Business Court's website at txcourts.gov/business-court.

The Court's initial opinions largely concerned its own authority to hear cases that commenced before September 1, 2024—the date specified in the statute's enabling legislation in House Bill 19 during the 88th Legislative Session. One early Business Court opinion illuminates the pleading standard for remanding a suit back to a court of general jurisdiction. In *C Ten 31 LLC v. Tarbox*, the court's Third Division ruled that, where the removing party has pleaded the dispute satisfies the monetary threshold and the plaintiff's petition does not plead otherwise, the party seeking remand bears the initial burden of proving the amount pleaded is fraudulent or that a lower amount is readily established. 2025 Tex. Bus. 1, 708 S.W.3d 223 (3d Div. 2025).

In another Business Court case, the Fifteenth Court of Appeals affirmed the Court's ability to reconsider prior remand orders and then remand a case to district court after a plaintiff pleaded its way out of the Business Court. *See In re ColossusBets Limited*, No. 15-25-00150-CV, 2026 WL 392034 (Tex.App.—15th Dist., Feb. 12, 2026, no pet. h.). In so holding, the Court of Appeals stated "[t]he Business Court statute does not prevent parties from choosing what claims to file, even if that means forgoing certain business-related claims to avoid that court's reach. *Id.*, at *4.

This snapshot reveals that lawmakers' vision for the scope of the Texas Business Court's authority has come to early fruition in the court's first few months. The complex commercial litigation described in Chapter 25A of the Government Code is in full swing, with the lawyers in those suits forging the path within this brand-new forum. ★



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