

# Lis Pendens Research Guide

## Overview

This research guide includes information and resources on lis pendens. Latin for “pending lawsuit,” lis pendens is “the jurisdiction, power, or control acquired by a court over property while a legal action is pending.” It also refers to “a notice, recorded in the chain of title to real property, required or permitted in some jurisdictions to warn all persons that certain property is the subject matter of litigation, and that any interests acquired during the pendency of the suit are subject to its outcome.” (*Black’s Law Dictionary, 12<sup>th</sup> ed.*) 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.

*Related guides: Deeds, Foreclosure, Receiverships*

## Statutes and Codes

Texas Statutes Online [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

Texas Property Code

- §12.007 Lis Pendens *et seq*  
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.12.htm#12.007>

## Secondary Resources in Print

**Texas Forms Real Estate REF KFT 1326 .A65 0266**

- Ch. 10 Miscellaneous Closing Forms
  - Form 10:18 Notice of lis pendens
  - Form 10:19 Lis pendens—Release
  - Form 10:20 Expunge lis pendens—Motion
  - Form 10:21 Expunge lis pendens—Response

- Form 10:22 Expunge lis pendens—Order
- Form 10:23 Cancel lis pendens—Motion
- Form 10:24 Cancel lis pendens—Response
- Form 10:25 Cancel lis pendens—Order

**Texas Forms Pleading and Practice REF KFT 1730 .A65 T482**

- Vol. 8A, Ch. 160 Lis Pendens

**Texas Litigation Guide REF KFT 1730 .T4**

- Vol. 17 Ch. 254 Deeds and Conveyances
  - §254.07[5][d] Lis Pendens
  - §254.51 Notice of Lis Pendens
  - Form §254.100 Notice of Lis Pendens
  - Form §254.101 Motion to Expunge Lis Pendens
  - Form §254.102 Motion to Cancel Lis Pendens

**Texas Family Law Practice Manual REF KFT 1294 .T4S7**

- Ch. 6 Information Gathering and Third-Party Notices
  - §6.11 Lis Pendens (3<sup>rd</sup> Party Notices)
  - §8.43 Receiverships
  - §27.27 Lis Pendens (Mandamus)
  - Form 6-41 Notice of Lis Pendens
  - Form 6-42 Release of Lis Pendens
  - Form 6-43 Motion to Cancel Lis Pendens
  - Form 6-44 Order on Motion to Cancel Lis Pendens
  - Form 6-45 Motion to Expunge Lis Pendens
  - Form 6-46 Order on Motion to Expunge Lis Pendens

## Texas Real Estate Forms Manual REF KFT 1326 .T4

- §2.159 Lis Pendens
- §21.1
- Form 26-28 Lis Pendens

## Texas Foreclosure Manual REF KFT 1330.5 .F6S7

- §4.16 Lis Pendens
- §4.18 Receiverships (lis pendens)

## CLE Materials

### Advanced Real Estate Law KFT 1312 .A75

- 2020 Ch. 10, Section XIV. Cancellation of Lis Pendens
- 2020 Ch. 31 The Texas Supreme Court Addresses Real Estate – Lis Pendens, p. 2-3
- 2019 Ch. 12 Lis Pendens Update 2019

### Advanced Real Estate Strategies (PDF only)

- 2021 Ch. 2.2 Post Foreclosure Attacks on Sale, Collection of Deficiency, Limitations and Related Matters

### Real Estate Law 101 (PDF only)

- 2019 Ch. 7.1 Examination and Production for the Title Report, p. 2

## Online Resources

Understanding Lis Pendens in Texas (attorney blog)  
<https://www.wilsonlegallgroup.com/blogs/litigation/understanding-lis-pendens-in-texas>

Lis Pendens (Cornell Law School LII)  
[https://www.law.cornell.edu/wex/lis\\_pendens](https://www.law.cornell.edu/wex/lis_pendens)

Lis Pendens in Texas (attorney blog)  
<https://lonestarlandlaw.com/lis-pendens-in-texas/>

## 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)