



A. Statute of Limitations

- **Personal injury and property damage:** two years from the day of the accident
- **Wrongful death:** two years from the date of death

Sec. 16.003 Tex. Civ. Practice & Remedies Code

B. Comparative Fault

- A plaintiff may not recover damages if their percentage of responsibility is greater than 50%
- Plaintiff's damages are reduced by their percentage of responsibility
- Negligence of settling defendants submitted in liability question
- Negligence of designated responsible third parties submitted in liability question

Tex. Civ. Practice & Remedies Code Chapter 33

C. Joint and Several Liability

Each liable defendant is jointly and severally liable for damages recoverable by the claimant if the defendant's percentage of responsibility is greater than 50% or the defendant acted with specific intent to do harm and committed a felony (murder, kidnapping, etc.) A defendant who is jointly and severally liable is only liable for damages after the total award is reduced by the plaintiff's percentage of responsibility and the dollar amounts of all settlements.

Tex. Civ. Practice & Remedies Code §33.013

D. Responsible Third Parties

Defendants can designate parties not sued by the Plaintiff as responsible third parties. Negligence of designated responsible third parties submitted in liability question.

Tex. Civ. Practice & Rem. Code § 33.011(6)

E. PIP

No subrogation for PIP.