

Gibson Dunn Litigators Pen Article Analyzing Constitutional Challenge to Texas Business Court

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The Texas Lawbook

Writing for the [Texas Lawbook](#), partner Brad Hubbard and Ben Barnes, with contributions from associates Jack DiSorbo and Jed Greenberg, discuss a recent challenge to the constitutionality of the Texas Business Court. They recount the legal history underlying statutory courts like the Business Court, and explain that the “constitutional arguments overlook Texas’s long history of creating statutory courts with special powers, and the Legislature’s broad authority to create them.” They then analyze each of the specific arguments against the court, concluding that “if the question ever reaches the Texas Supreme Court, it’s highly unlikely that we’ll see a departure from the Court’s century-long line of decisions consistently blessing the constitutionality of statutory courts just like this one.”

Gibson Dunn continues to be a leading firm on representing clients in the newly created Business Court and Fifteenth Court of Appeals, and on publishing legal analysis and commentary on developing issues in this field.

The article was published in the *Texas Lawbook* on June 4, 2026.

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