



BELL NUNNALLY'S HEATH CHEEK AND IAN KLEIN ON TEXAS LAWYER EXPLORE STATE OF TCPA REFORM

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Bell Nunnally Partner Heath Cheek and Associate Ian G. Klein authored the *Texas Lawyer* article “How Updates to the Texas Citizens’ Participation Act Are Working.” The piece explores the impact to date of the 2019 move by the Texas Legislature to narrow the scope of “matters of public concern” language in the Texas Citizens’ Participation Act (TCPA). The Legislature’s reform limited TCPA language to only include statements or activities relating to public officials, public figures or other persons who have drawn substantial public attention; matters of political, social or other interest to the community; or a subject of concern to the public, courts and litigators. Cheek and Klein note that now – over two years later – we are beginning to see indications that “while the revisions to the TCPA had some effect, questions still remain regarding its scope.”

Cheek and Klein explore the following TCPA aspects, diving into related case law:

- How misappropriation of trade secrets and non-compete cases are no longer being litigated.
- Uncertainty remains regarding the coverage of legal malpractice cases.
- Defamation claims may continue to face strict scrutiny.

Cheek and Klein conclude by noting, “In summary, while the 2019 revisions to the TCPA have reigned in a lot of the abuses of the statute, several open questions remain on how successful the revisions have been. Further guidance from the Texas Supreme Court could resolve some of these open issues over the next few months.”

To read the full article, please click [here](#).



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R. Heath Cheek