The Texas Lawbook

Free Speech, Due Process and Trial by Jury

Asked & Answered with Michael Lyons: Representing the Little Guy

NOVEMBER 20, 2026 | **BY ALEXA SHRAKE**

Michael Lyons has practiced law for nearly three decades. While he is proud of his many achievements, one stands out.

In 2021, Lyons and his team represented Neva Rogers, a woman who lost three of her children in a car accident outside Midland. The three children were living with her ex-husband when his car was struck by an oil field worker headed to work in a sleet storm, driving 95 miles per hour, killing everyone.

The worker was off duty. However, according to Lyons, his company, DanCar Energy Construction, had a policy that if an employee wanted to be paid for an inclement weather day, the worker had to check in at the job site before the workday began.

DanCar Energy Construction claimed it was not liable for the deaths of Rogers' children and ex-husband because it didn't have a formal policy requiring workers to show up and sign in even in inclement weather. It argued that employees could call in if they had questions about the weather.

Lyons argued the company's policy was negligent because it encouraged workers to engage in risky behavior to get paid.

"You're encouraging people not only to get on the road but to get on the road in bad weather, and in this case, the guy drove like a jerk and lost control and wiped out a family," Lyons said.

Rogers, who is Black, was then living in Alabama. Lyons said the prospect of winning her case in Midland seemed bleak.

"Protests and things were really hot



Michael Lyons was inducted into the American Board of Trial Advocates this year. (Photo by Jeremy Enlow)

in terms of the racial connotation of a Black lady suing for kids that she did not have possessory control over in a venue like Midland, Texas, which was like 80 percent for Trump, and we were told after we did some jury research, like there's no way you're going to win this case," Lyons said. "They're not going to award money to an African American lady from Alabama, and we won the case."

Lyons proved the jury's research findings wrong. The jury awarded nearly $6 million to Rogers.

Lyons and his trial team won the John Howie Award from the Dallas Trial Lawyers Association for his work on the case in 2021.

"The award is given for the relentless pursuit of justice in the face of adversity. The fact that that is nominated by and then voted on by your peers means a lot

to me," Lyons said.

Lyons was inducted into the American Board of Trial Advocates this year, calling it an important milestone.

"It was a pretty rigorous membership process," Lyons said. "I was very proud of that."

Lyons earned his undergraduate degree in psychology from the University of Texas in 1995 and his law degree from South Texas College of Law in 1999.

He started his career at Gwinn & Roby, then joined Beirne, Maynard & Parsons in 2001. In 2008, he and Greg Dean founded Deans & Lyons, which is now Lyons & Simmons.

Lyons recently sat down with *The Texas Lawbook* to discuss opening his own law firm and trends he is seeing in the legal field. The following conversation has been edited for length and clarity.

Texas Lawbook: Why did you choose to go to law school?

Lyons: My parents divorced when I was very young, and my father remarried when I was about eight years old. His wife, who's still my stepmom today, was a paralegal for a very prominent Dallas attorney. I think a lot of the stories about the cases that they worked on and hanging around that law office piqued my interest in what it would be like to be a trial lawyer, and I never shook that interest.

From [age] 8 on, I felt I loved the law, and I wanted to be a not just a lawyer, but I wanted to be a trial lawyer. As I got older, I realized that there were certain aptitudes I had that would probably adapt well to doing trial work. I really was fortunate because it enabled me to be very purposeful about my path, even as far back as high school when I began working at a law firm, and then, of course, I molded myself based on what I studied in undergrad, and when I got to law school, I picked a law school that had a very strong advocacy curriculum, and it really shaped me. I was very fortunate that I figured that out at an early age.



Michael Lyons is a partner at Lyons & Simmons. (Photo by Jeremy Enlow)

Lawbook: Tell me more about what you did in high school working at a law firm.

Lyons: I really started working at a law firm when I was a junior in high school because I had a driver's license at that point, and so I worked for some young plaintiff's lawyers who were a hot commodity and worked around that office. That's when I started realizing that not only do I want to be a trial lawyer, but I want to be a plaintiff's trial lawyer.

I really got hooked on the stories of the clients and what they have been through and the tragedies that they were coping with, and I developed a real appreciation for what personal injury and wrongful death attorneys do; there's a real heroic quality about that role as a lawyer.

You're trying to right a wrong as best you can, and you're trying to give people hope when they've lost everything. That started in earnest when I was a junior in high school and moving forward.

During the summers I went to college, I would come back, and I would work at Baron and Budd in the file room, and I really loved it. I liked being around the lawyers and seeing and smelling and hearing what it's like to work at a plaintiff shop, and felt like I was a sponge, soaking up everything that I heard and saw.

All through college ... I worked at some big law firms at the time. I worked

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Michael Lyons founded Lyons & Simmons in 2008.

at Haynes and Boone for a while. I worked at Liddell Sapp, which I guess is now called Locke Lord, and I worked for the former Chief Justice of the Texas Supreme Court, John Hill. He was a partner at the firm at the time and a really nice man.

I went away to law school, and I knew what I was and what I wanted to do because of that experience.

Lawbook: What was your first trial?

Lyons: When I got out of law school in 1999, I knew I wanted to do plaintiffs' work, but I financed my education, both undergrad and law school. I thought I'd better have a guaranteed paycheck job, as opposed to being a plaintiffs' lawyer where I'm working on a contingency.

I went to work at an insurance defense shop called Gwinn & Roby in Dallas. Great group of people, great lawyers, and a partner at the firm came to me and said, "I have a docket of car wreck cases; go try some cases." And so I tried fender-bender car wrecks right after I got licensed, and the very first trial, I think, was a person who made an illegal left-hand turn in a lane that they were not supposed to go left in and turned into another car. It was a low-speed impact case, but the plaintiff was claiming all kinds of injuries, and that was my first trial.

My first really big trial was a case I tried against Roger Williams and Ken Molberg. [Molberg], at the time, was highly respected, and he was really kind to me. I was a green lawyer; I'd probably been practicing maybe a year, and here I am trying this big electrical shock case involving a man who had been shocked in an apartment washateria that had real severe, serious injuries. That was my first really big case.

I tried a bunch of cases that were representing big corporate defendants, and I didn't love that work. I knew that I needed to get away from it and start my own law firm so that I could represent personal injury plaintiffs.

I got out in '99, and I really fulfilled my dream of doing plaintiffs' work starting in 2008 when I left the big firm. At the time, that firm was called Beirne, Maynard & Parsons, which was a Fulbright & Jaworski spinoff. I left in '08, and I started my own law firm. That was 18 years ago.

Lawbook: What has been surprising about running your own firm?

Lyons: Probably the most sobering thing about it is how much time away from the actual practice of law management and administration of your own law firm takes. I was very excited when I left a defense practice to do plaintiffs' work because I was untethered from having to keep track of billable hours and send out bills and collect bills from clients, because when you're a contingency fee lawyer, you get paid based on what the recovery is.

But the trade-off of managing your own law firm is that you have infrastructure that you have to manage, whether it's your IT setup or the administrative role of managing your roster of employees and lawyers, your office lease, your insurance, your health insurance.

There are pandemics that come and go, and you've got to figure out how to make sure everybody's getting paid. We handed out raises and bonus checks, even though the firm really was not making a lot of money during the pandemic, because people are dependent on that.

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And to you, it may be a business if you're an owner and you're managing it for your employees. It's their lives, and they're dependent on their compensation from that job or that profession.

The most rewarding part about it is the autonomy to make the decisions, either good or bad. You have the autonomy. There's a great weight that goes with that because not only are your clients depending on you to make the right decisions, but your personnel and your employees are. There's a ton riding on it, but it's also very satisfying. The people that you're working with that are in the same foxhole, they become your family.

I'm really, truly blessed to have some incredible people that I work with. Really, top to bottom, we just have wonderful lawyers, wonderful staff who've been with me for a very long time, and they're all incredible professionals, very dedicated. That part is incredibly satisfying. It's not just the results for the client; we've changed the lives of a lot of the people that we work with because it's been a good journey that we've all been on together.

Lawbook: What would be your top advice for people considering opening their own firm?

Lyons: The first would be, as discreetly as you can, go talk to people who have done it.

I did that. I talked to people who were my peers, some of whom ultimately became my competitors. But you'd be surprised; particularly if you do what I do as a plaintiff's lawyer, there's plenty of work to go around, and it's a challenging area of the profession. But you'd be really surprised at how many people are willing to help. I feel like I have to pay that forward.

There were really good friends of mine who were already out there doing it successfully, who gave me the names of, "Hey, here's the person you call to do your IT work. Here's the insurance person. Here's the guy you call for your phones." You would never even know where to start, but there are people out there that have already done it and can tell you, learning through trial and error, their own mistakes, what works and what doesn't. "Here's the bookkeeper I use." Don't hire a full-time bookkeeper when you get started. Hire a person who works as a contractor.

I got lots of advice like that, and almost all of it was solid advice. Whether you're a corporate M&A guy or you're an insurance defense guy who wants to own an insurance defense shop, or you're a plaintiffs' personal injury lawyer. You will be amazed at the people who will come out of the woodwork when they realize that you're on this voyage to help you be successful. Whether that is, like I said, giving you recommendations on setting your office up, or perhaps even more importantly, sending you a case or a client or a lead.

People become a whole lot more invested when they know that you are a stakeholder. That business is not going to go to some faceless entity that's a giant law firm. It's going to go to a person that they know, and it's a game changer, and the old adage in *Field of Dreams*: "If you build it, they will come."

I think that's true about starting your own business. There are some steps in there that you've got to make sure that you adhere to, which is to develop your craft, become a master at something that you do and do well, and so people are going to know you and find you because of that.

There's never a good time to cut ties with the big firm and step out and do your own thing. There's a host of excuses for why now is not a good time. I've got two young kids, or I'm trying to pay this mortgage off, or whatever it is. But I will tell you, it's the most rewarding thing, short of getting married and having kids, that I've ever done in my life. I could never go back to where I was; I'm super thankful and grateful for all the mentors and people who believed in me and saw something in me to help train me and develop me and bring me along as a lawyer.

But once I flew the nest and cut ties with the big firm and started my own

firm, that's really when my journey as a lawyer began for me: huge growth, both as a professional and as a person. Tons of adversity, tons of learning experiences, but all that made me better.

Lawbook: What is a recent win of yours?

Lyons: I've been managing the firm for 18 years, and well, I would say the win most people have been talking about recently was the case that I tried last year in San Antonio in 2025. That case was a gas explosion case where two people were blown up in their home and suffered horrific burn injuries.

There were liability questions, and they offered some low seven-figure number just before we started trial, and we were just committed to trying that case, and the clients really needed a substantive recovery for them to ever be right. They've had terrible injuries. They also had the uphill battle of the fact that both of our clients had intellectual disabilities before this ever happened, and so it was very satisfying.

We got a $109.5 million verdict.

But we've had some other really satisfying verdicts, and they're not necessarily based on what the numeric value of the verdict was; [it was] more vindicating for our clients. I tried a case in Midland, Texas, which is a very conservative venue, where I represented a woman who had lost three of her four children to a head-on collision, and it was also a very difficult liability case where the defendant and their insurance carrier had dug in and said, "We're just not going to pay anything on this," and so we tried it, and it ended up being the biggest verdict in the history of the county at the time for a wrongful death case. That was very satisfying.

I got to try a case alongside Jason Itkin, who's a dear friend. Arnold & Itkin in Houston, I think, is one of certainly one of our biggest competitors, but also one of the best firms in the country, and they're really good friends. They were kind enough to ask me to help try that case with Jason Itkin. It was an $860 million verdict here in Dallas County for a young woman who was killed by a tower crane that collapsed. Made some big headlines here in Dallas, and so that was a really big verdict, and I think a really important public safety issue, which is these huge tower cranes that line our skyline.

Lawbook: What is a trend you are seeing in your practice area?

Lyons: I think the advent of AI is very interesting. Different lawyers are more aggressively implementing AI into their practices. I can tell you, one of the ways we have been using it is that it helps us digest large pieces of information, huge document productions, or maybe you're trying to decipher what a corporate defendant has said in their SEC filings, outward-facing statements. You can have AI review thousands of pages of documents in a matter of minutes that would take a team of lawyers weeks to do. That is a game changer if you know how to use it.

Now, I do think that there are limitations to it, and you have to know what the limits are, or you can get into a lot of trouble. What you can and can't rely on.

What I view AI as is a primer to start your investigation. You can use it as a tool to organize and maybe even summarize, but you've got to trust but verify. Don't just rely on AI. I think that's where lawyers get into trouble. But that's obviously a huge trend.

I'm seeing a lot of defense lawyers who are using mandamus. That's where you are appealing a judge's ruling on an interlocutory basis. In other words, not a final judgment where you've had a verdict and a judgment entered, but a judge enters a discovery ruling that you think is bad, and so you take that up to the court of appeals.

What's alarming to me is the tolerance level that these courts of appeals have to entertain all of these discovery appeals. The standard for a trial judge making a discovery ruling is abuse of discretion, which is a pretty high burden to overcome on appeal if you're appealing that ruling.

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But what I think it is really about is slowing down the trial courts, slowing down your ability to get to trial, busting and blowing up trial settings, and it's being used offensively. In my opinion, it's not good for the practice. It's not good for the appellate courts; it's certainly not good for the litigants. Drives up costs, but it's something that I see occurring at an alarming rate all over the state.

Lawbook: Do you have a pretrial ritual?

Lyons: It's kind of a painful ritual. The ritual is really that I believe in a complete mastery of the law and the facts in any case that you're going to take to trial, and so my process is immersive. I try to touch everything I can, every exhibit, every line of testimony, every part of a bench brief or a limiting motion, and so it's a very thorough, exhaustive review, and ideally starts weeks, if not months, in advance of a trial that I know is going. That's my process.

If I'm preparing a witness or getting ready for a cross, I will read as much as I can to try to identify fertile areas that could either be coming to cross my client or what I want to cross an adverse witness with, and so I develop a very intense, immersive game plan of finding bits of information that I could possibly find on a particular witness.

Lawbook: Do you have a post-trial celebration?

Lyons: I have three little kids, and I'm very happily married, and I really miss being with my family when I'm in trial. I have to withdraw from family activities, and you lose that autonomy when you have a trial going. A lot of times I'm out of town anyway, but I really like to reconnect as soon as I can when I get done. For my family, it's either going to the Bahamas, where we spend a lot of time and just reconnecting, or going to our lake house, which is down in the Hill Country. Just finding a family activity where we can just be together, and it takes me a little while to decompress and get out of trial, but that really helps me unpack and just get back to normal.

Lawbook: Is there a case that isn't yours that you are watching?

Lyons: I'm definitely paying very close attention to what's going on with the Oak Cliff line strike cases against Atmos Energy. One, because I have cases against Atmos. Two, because I know the lawyers and want to see them do well. That's certainly a case that I'm paying close attention to.

I'm constantly monitoring cases that are up on appeal, particularly at our Texas Supreme Court, just because I feel like we're constantly in a battle with the curtailments and moving of the goalposts on anything that's plaintiffs-related.

For the last 30 years, the Texas Supreme Court has really been more defendant- and insurance company-friendly. I don't think that's even a controversial statement. I think a lot of the rulings and opinions that have come out of that court have been specifically designed to curtail rights and to knock down plaintiffs' awards and make the pathway to a jury and a successful verdict more difficult for plaintiffs. I'm constantly managing or monitoring important decisions that are up on appeal at the Supreme Court.

Lawbook: Who or what inspires you?

Lyons: I'm really inspired by heroes, and it's something I've studied my whole life. And it's not what you think. It's not people who have necessarily done something exceptional, like some type of heroic battlefield glory or some incredible athlete. I mean, those people used to be my heroes when I was a child, but I'm more interested in the people who live in obscurity who do heroic things, and those people are all around us.

I'm inspired by people who do the right thing in the face of adversity, like people who stay home and take care of a family member who's sick or injured, or people who have a child with a learning difference and maybe have to go in late to work or stay late at work to make up

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for the time that they spend working with their child, or a teacher who doesn't get paid a whole lot but spends time after work working with kids that need the extra help.

Those people are amazing, and they're all around us.

We live in a time that's so cynical, and people are so drained with the social warfare and the tribalism and all that. But if we just stop and take a breath for a second, most of us aren't that different, and everybody has their own adversity and their own story. If you pay attention long enough, you can figure out what that is. But those people are out there. If you ask the right questions, you'll figure out who they are. They're humble, they're decent, and in my opinion, it's what makes the world and our country great. They're people who sacrifice for others with zero expectation of there being some parade or medal awarded. They're just doing it because it's the right thing to do. Those people inspire me.

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