

Irwin and Its Effect on UM/UIM

Thomas A. Crosley
2022

1

Allstate v. Irwin: A Game-Changing Opinion

IN THE SUPREME COURT OF TEXAS

No. 19-0885

ALLSTATE INSURANCE COMPANY, PETITIONER

v.

DANIEL WES IRWIN, RESPONDENT



2



3



4

TOPICS TO BE COVERED

- UM/UIM Key Issues
- CPRC Ch. 37 (UDJA)
- Allstate v. Irwin*
- Attorney's Fees Practice Tips

5

Key UM-UIM Provisions

§ 1952.106. Recovery Under Underinsured Motorist Coverage

Currentness

Underinsured motorist coverage must provide for payment to the insured of all amounts that the insured is legally entitled to recover as damages from owners or operators of underinsured motor vehicles because of bodily injury or property damage, not to exceed the limit specified in the insurance policy, and reduced by the amount recovered or recoverable from the insurer of the underinsured motor vehicle.

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Recent Developments in Prosecuting and Defending UM/UIM Actions

Also available as part of the eCourse

[2022 Car Crash Updates: Texas Auto Policies, Uninsured Motorists, Medical Expenses, and More](#)

First appeared as part of the conference materials for the
2022 The Car Crash Seminar session

"Recent Developments in Prosecuting and Defending UM/UIM Actions"