

Duly Noted



New titles from the Texas State Law Library

Subject	Title	Page
<i>Adoption</i>	Adoption law handbook: practice, resources, and forms for family law professionals.....	3
<i>Alternative Dispute Resolution</i>	AAA yearbook on arbitration and the law	3
	Texas practice guide: alternative dispute resolution	3
<i>Bankruptcy</i>	Environmental obligations in bankruptcy.....	3
<i>Business Organizations</i>	Drafting LLC and partnership operating agreements	3
	Emerging companies guide: a resource for professionals and entrepreneurs.....	4
<i>Commercial Law</i>	Law of advertising, marketing, and promotions	4
<i>Constitutional Law</i>	United States Supreme Court: original jurisdiction cases and materials.....	4
<i>Consumer Protection</i>	Zoning out payday loan stores and other alternative financial services providers.....	4
<i>Criminal Procedure</i>	Search and seizure: a manual on state and federal law	5
<i>Debtor and Creditor</i>	Asset protection strategies and forms	5
<i>Education</i>	From schoolhouse to courthouse: the judiciary's role in American education	5
<i>Elections & Campaign Finance</i>	Realist's guide to redistricting: avoiding the legal pitfalls.....	5
<i>Environmental Law</i>	2010 Gulf Coast oil disaster: litigation and liability.....	6
	Clean Water Act handbook	6
<i>Health and Health Care</i>	Assisted reproductive technology: a lawyer's guide to emerging law and science.....	6
<i>Judges and Judicial Conduct</i>	Exploring judicial politics.....	7
<i>Juries and Jury Instructions</i>	Jury instructions drafting manual and resource guide	7
<i>Law Practice Management</i>	Lawyers, anger, and anxiety: dealing with the stresses of the legal profession.....	7
	Legal assistant's complete desk reference: a handbook for paralegals and assistants.....	7
<i>Legal Research and Writing</i>	Lawyer's essential guide to writing: proven tools and techniques	8
<i>Real Property</i>	Advanced real estate law course, 2009	8
<i>Torts</i>	Regulation by litigation.....	8
<i>Trial Practice</i>	Litigators on experts: strategies for managing expert witnesses from retention through trial	8
<i>Wills, Trusts, and Estate Planning</i>	Understanding trusts and estates.....	8

Texas State Law Library

205 West 14th Street • Austin, Texas 78701 • (512) 463-1722 • www.sll.texas.gov

Duly *Noted*

Items listed in *Duly Noted* include a sampling of recently received books, reports and documents. Most items listed are available for circulation with the exception of some reference materials. All items listed in *Duly Noted* are temporarily housed behind the circulation desk. If you are interested in checking any of these items out, you may contact us by phone, email or by returning the order form on the last page of this issue. If you are registered borrower with the library, we can have your selections ready for pick-up at the circulation desk. If you are not already registered with us, you will first need to come by the circulation desk with a photo ID to register.

The library can provide photocopies or scans of sections of these publications as part of our document delivery service.

When checking out, non-state employees are subject to a \$1.00 circulation fee per item.

The library also has a variety of other resources to meet your research needs. Please let us know how we may assist you.

Texas State Law Library

205 West 14th Street • Austin, Texas 78701-1614

Phone (512) 463-1722 • Fax (512) 463-1728

www.sll.texas.gov • library@sll.texas.gov

Follow us on Twitter: [Twitter.com/SLLTexas](https://twitter.com/SLLTexas)

Adoption

1. Adoption law handbook: practice, resources, and forms for family law professionals

By Jennifer Fairfax

This is a concise resource that explains all aspects of handling an adoption case. It includes chapters on public and private agency adoption, as well as independent adoption. The appendices also contain sample adoption forms and agreements. Also available is a CD-ROM which can be requested at the reference desk. American Bar Association, 2011. 479 pages.
KF 545 F35 2011

Alternative Dispute Resolution

2. AAA yearbook on arbitration and the law

By American Arbitration Association

Published for the first time since 2007, this annual survey examines significant developments in arbitration law. The first part provides analysis of the relevant opinions from the United States Supreme Court, the United States Court of Appeals and state supreme courts. The second part features articles on a range of arbitration topics, including information about the activities of the AAA itself as well as the international AAA/ICDR. Also available is a CD-ROM which can be requested at the reference desk. Juris, 2011. 1 volume.
KF 9084 A37 2011

3. Texas practice guide: alternative dispute resolution

By Jerome Levy

Now in easy to use pamphlet format, this title provides the practitioner with a comprehensive overview of the alternative dispute resolution process. It includes strategies, tips, examples, and sample forms with references to relevant Texas laws, rules, and regulations. Thomson West, 2011. 1 volume.
KFT 209 T5 ADR

Bankruptcy

4. Environmental obligations in bankruptcy

By Lawrence Ahern

Written for attorneys, this book looks at an overview of bankruptcy law and environmental law. It then looks at where those two areas of practice intersect with regards to abandonment of contaminated property, administrative priorities for environmental obligations, environmental obligations as a lien, discharge of environmental obligations, and liability of third parties for environmental obligations. The book includes a table of laws, rules, and cases. Thomson West, 2011. 1 volume.
KF 1298 E597 2011

Business Organizations

5. Drafting LLC and partnership operating agreements

By Joseph Boucher

This book contains sample LLC and partnership agreements. It looks at entity choices as well as drafting advice for various industries such as agricultural, construction, wholesale, retail, insurance, technology, and medical devices. It includes a searchable CD-Rom of sample forms. James Publishing, 2011. 786 pages.
KF 1380 B68 2011

6. Emerging companies guide: a resource for professionals and entrepreneurs

By Robert Brown

This book was written for both attorneys and entrepreneurs who are looking to establish an emerging company. It covers the entire lifecycle of a new business from its organization and development to its sale. It addresses issues such as tax aspects, financial reporting, intellectual property, product development, public relations, online business activities, and estate planning. Also available is a CD-ROM which can be requested at the reference desk. American Bar Association, 2011. 598 pages.
KF 1355 E46 2011

Commercial Law**7. Law of advertising, marketing, and promotions**

By David Bernstein

This book provides in depth information regarding advertising law. It covers special advertising issues such as political advertising, online advertising, advertising to children, false advertising, and remedies. It also looks at deceptive advertising, claim substantiation, disclosures, and disclaimers. The authors include additional coverage on intellectual property rights, sweepstakes, contests, and direct marketing. Law Journal Press, 2011. 1 volume.
KF 1614 B47 2011

Constitutional Law**8. United States Supreme Court: original jurisdiction cases and materials**

By Gordon Weil

This three-volume reference set is a compilation of all U.S. Supreme Court cases in which the SCOTUS had original jurisdiction. Spanning from 1793 to 2010, these cases are presented chronologically and deal with litigation where the parties are ambassadors and consuls, citizens of different U.S. states, one state against citizens of another state, a state against the U.S., or two or more states. For each SCOTUS case, all court opinions are reprinted and a case history is also included. Also included are essays that explain original jurisdiction in the SCOTUS and an index to all cited cases. Arthur McAllister Publishers, Inc., 2010. 3 volumes.
KF 390.5 J8 U6 2010

Consumer Protection**9. Zoning out payday loan stores and other alternative financial services providers**

By Amy Lavine

In Texas, payday lenders are generally considered "credit services organizations," as defined by chapter 393 of the state's Finance Code. While Texas, along with most other states, regulates these lenders at the state level, local governments have begun using zoning ordinances to restrict the operations of these lenders who are usually described as predatory. This informative essay by a staff attorney at the Albany Law School provides a solid understanding of how this industry functions and the various methods that municipalities have used to regulate these lenders. Also included is an appendix that lists municipal ordinances from across the U.S. that regulate payday lenders. Social Science Research Network, 2011. 45 pages.
KF 1040 L38 2011

Criminal Procedure

10. Search and seizure: a manual on state and federal law

By Michael Charlton

This book was originally authored by Michael Charlton in 2006 and was updated by R. Kelly Price in 2009. Charlton states: “This book’s sole purpose is to provide both an overview of the Fourth Amendment and the Texas law construing it and to provide citations in order that the practitioners can quickly find cases they need.” Published by the Texas Criminal Defense Lawyers Association, this is an excellent addition to the addition to the practitioner’s library. Texas Criminal Defense Lawyers Association, 2009. 333 pages.
KFT 9630 C43 2009

Debtor and Creditor

11. Asset protection strategies and forms

By Alan Eber

Written by an asset protection expert, this volume provides the practitioner with all the tools necessary to properly protect inheritances. Methods discussed begin by covering simple living trust modifications and continue through complex international asset protection structures. Specific chapters cover fraudulent transfers, strategic planning, domestic trusts, international asset protection trusts, corporations, family limited partnerships, limited liability companies, and insurance. Also included are 64 forms as well as diagrams that provide helpful visuals of the different structures. Also available is a CD-Rom which can be requested at the library’s reference desk. Latest supplement received February 2011. James Publishing, 2008. 1 volume.
KF 9025 E24

Education

12. From schoolhouse to courthouse: the judiciary’s role in American education

By Joshua Dunn

Put out by an education-policy think tank, this book serves as a survey of education-focused litigation from the past 30 years. It is divided into three parts. The first provides context and helps to frame the discussions included in the book. The other two look at both issues that are generally considered to be settled (desegregation, school finance, special education) and those that are still in contention (religion, discipline, and No Child Left Behind). Brookings Institution, 2009. 275 pages.
KF 4119 F76 2009

Elections & Campaign Finance

13. Realist’s guide to redistricting: avoiding the legal pitfalls

By Gerald Hebert

In this brief title, the authors seek to provide a realistic view of the redistricting process—realistic in that it takes into account that a state’s districting plans will not go unchallenged while, at the same time, the lower courts are “all over the map”. Given the legal issues Texas is facing regarding redistricting, this is a great read for anyone who would like to learn more about what factors are at play. The authors begin by looking at how populations are measured and what Constitutional limits exist on gerrymandering before moving on to more in-depth treatment of the Voting Rights Act (sections 2 and 5). American Bar Association, 2010. 89 pages.
KF 4905 R39 2010

Environmental Law

14. 2010 Gulf Coast oil disaster: litigation and liability

By Phyllis Skupien

This title contains a varied collection of legal materials relevant to the Deepwater Horizon disaster. Included is commentary from the editors on topics such as challenges faced by the Gulf States, the impact on the oil industry, and multidistrict litigation issues arising from the spill. Also included are Westlaw journal articles that previously appeared in the Westlaw Journals *Environmental* and *Toxic Torts* along with timelines of the Deepwater Horizon oil spill and a history of litigation for the Exxon Valdez spill. Finally there are annotated versions of the Oil Pollution Act (33 USC §2701-2761) and the Louisiana Oil Spill Prevention and Response Act (LSA-R.S. 30:2541-2496), selections from the treatises *Rodgers' Environmental Law and Admiralty and Maritime Law*, Multidistrict Litigation Orders, BP's claims procedure, selected complaints, and relevant case law. Andrew Publications, 2010. 426 pages.
KF 1299 H39 G85 2010

15. Clean Water Act handbook

By Mark Ryan

This updated edition of the Clean Water Act Handbook offers in-depth information from 21 leading CWA experts. Specific topics covered include controlling water pollution under the National Pollutant Discharge Elimination System, the application procedure for NPDES permits, publicly owned treatment works, wetlands and Section 404, oil and other hazardous spills, wet weather regulations, and total maximum daily loads as covered by Section 303(d). New to this edition is a chapter on CWA jurisdiction after the changes in the law because of *Solid Waste Agency of Northern Cook County v. Army Corps of Engineers* and *Rapanos v. United States*. A guide to Environmental Appeals Board Practice is also provided. American Bar Association, 2011. 323 pages.
KF 3790 C545 2011

Health and Health Care

16. Assisted reproductive technology: a lawyer's guide to emerging law and science

By Charles Kindregan

Assisted reproductive technology (ART) is still considered to be a somewhat unsettled area of law. This volume combines ART legislation, model legislation, and relevant case law into one useful, easy to reference volume. Chapters cover intrauterine insemination, in vitro fertilization, surrogacy, ART regulations, posthumous reproduction, reproductive cloning, standards of care, ART contracts and documents, and ABA's Model Act Governing ART. American Bar Association, 2011. 425 pages.
KF 3830 K56 2011

Judges and Judicial Conduct

17. Exploring judicial politics

By Mark Miller

This text is an interesting look at the political aspects of the judicial branch. Written by numerous political science professors coupled with researchers from the National Center for State Courts, the editor's goal is to examine the court's position at the "intersection of the law and politics". Issues discussed include judicial selection, judicial power and limits, popular perception of the judiciary, and jury reform. A lengthy bibliography and table of cases is included. Oxford University Press, 2009. 368 pages.
KF 8775 M55 2009

Juries and Jury Instructions

18. Jury instructions drafting manual and resource guide

By Elyse Fox

Clearly drafted jury instructions or jury charges are vital to the jurors' decisions making process. Poorly drafted instructions that do not correctly convey the law open a path to appeal the verdict. Ms. Fox provides information on locating sources of jury instructions for each state and federal district. Additionally, she provides a topical listing of jury instructions. If you find that you must draft your own, she provides a concise how to and a bibliography of additional sources. Elyse Fox, 2010. 1 volume.
KF 8984 F69 2010

Law Practice Management

19. Lawyers, anger, and anxiety: dealing with the stresses of the legal profession

By Rebecca Nerison

This text explores the relationship between anger and anxiety and their cost to the legal profession. It also offers solutions to common anxiety producing situations for attorneys. Examples of these situations include enduring inequality in the courts, managing losses, and managing the billable hour. Chapters include Happiness and success through the stages of your career", "Getting and staying happily employed", and "Is my stress normal or is it a problem." American Bar Association, 2010. 211 pages.
KF 300 N47 2010

20. Legal assistant's complete desk reference: a handbook for paralegals and assistants

By Ursula Furi-Perry

This reference acts as a guide for legal assistants in the performance of their duties. Topics covered include the structure and procedure of the court system; sample information on preparing legal instruments, documents and court filings; a list of legal research and writing resources; tips on trial preparation; and information on select areas of practice. Also available is a CD-ROM which can be requested at the reference desk. American Bar Association, 2011. 454 pages.
KF 320 L4 L449 2011

Legal Research and Writing

21. Lawyer's essential guide to writing: proven tools and techniques

By Marie Buckley

This a contemporary guide to legal writing which provides instruction on writing everything from legal documents such as memoranda and briefs to more casual formats such as email and blogs. The book concentrates on these writing principles, using plain English, leading from the top, and telling your readers what to do next. Some of the chapter topics are “organizing your research for efficient writing”, “talking about cases and other authority”, and “tips for transactional attorneys”. It also includes a usage and punctuation guide. American Bar Association, 2011. 261 pages. KF 250 B83 2011

Real Property

22. Advanced real estate law course, 2009

By State Bar of Texas

This 3 day CLE course was held in June, 2009 in San Antonio. Topics covered on day one include the securitization process, title insurance endorsements, property tax exemptions, land title issues, material alteration of documents, and “insurance provisions: lessons from Ike”. Day two examined residential issues such as foreclosures, RESPA rules, consumer bankruptcy, loss mitigation and short sales, and tenant eviction and lockouts. Also covered on day two were commercial issues including foreclosures, workouts, real estate investment vehicles, and completion guarantees. Day three topics included mechanic's liens, lease defaults and remedies, and additional sessions on title insurance. State Bar of Texas, 2009. 2 volumes. KFT 570 S7A 2009

Torts

23. Regulation by litigation

By Andrew Morriss

In this title, experts in regulatory law and theory analyze federal agency use of litigation to impose regulatory measures, focusing on three major cases. Authors argue that litigation is an ineffective method to establish regulatory provisions and suggest reforms that may prevent reliance on this practice. Yale University Press, 2009. 282 pages. KF 1600 M68 2009

Trial Practice

24. Litigators on experts: strategies for managing expert witnesses from retention through trial

By Wendy Couture

The foreword states that this volume “offers cogent insights and guidance from pre-engagement of the expert through preparation and testimony, or deposition and cross”. An expert witness's testimony can vital to make your case, but choosing the best one and preparing him to assist in your case takes considerable care and attention to detail. This volume gathers the insights of numerous legal practitioners to assist you in getting the best and most cost effective result from expert witness testimony. American Bar Association, 2010. 554 pages. KF 8961 L58 2010

Wills, Trusts, and Estate Planning

25. Understanding trusts and estates

By Roger Anderson

Designed as a supplementary text for students, this volume discusses foundational principles of estates and trusts. Each case cited includes a brief factual description and extensive footnotes which direct the reader to other sections of the book and related cases. Lexis Nexis Matthew Bender, 2009. 342 pages. KF 730 A86 2009

ORDER FORM

December 2012/January 2012

If you would like to check out any of the books and reports described in this issue, please:

1. Locate the number beside the book or report you would like to check out and circle the corresponding number below. Because *Duly Noted* items are in demand, we ask that you limit your circulation to no more than three items at a time.
2. Complete the REQUESTOR information below.
3. Remove this page and return it to the State Law Library by mail or fax (512-463-1728) or call us at 512-463-1722.

1	2	3	4	5
6	7	8	9	10
11	12	13	14	15
16	17	18	19	20
21	22	23	24	25

REQUESTOR

Office of _____

Name _____

Address _____

Phone Number _____

Library Card Number _____