

# Duly Noted



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# 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 in the bookshelf at the entrance to the library. 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 a 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.

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## Arts

### 1. ABA legal guide to fashion design, 2014

By David Faux

This book seeks to help the fashion designer learn the legal and business challenges associated with the field. It covers intellectual property issues, such as trademark creation, brand protection, fashion and copyright law, and the design patent. Some of the business issues discussed are choosing a business structure, financing and fashion licensing. *American Bar Association, 2013. 211 pages.*  
*KF 3086 A93 2013*

## Civil Rights

### 2. Civil rights litigation: representing plaintiffs today, 2013

By Rebecca Taylor

This book focuses on finding answers for the problems faced by civil rights plaintiffs and their attorneys. It highlights the foundations of civil rights and litigation. Some of the topics covered are discrimination due to sexual orientation, due diligence, practice tips, forming your case, discovery and the “new guerilla warfare of civil rights.” *American Bar Association, 2013. 301 pages.*  
*KF 4750 T37 2013*

## Consumer Protection

### 3. A guide to credit card cases

By Texas Justice Court Training Center

This brief yet carefully annotated handbook is aimed primarily at justice court personnel. The authors intend it to be used as a “readily accessible source of information” for justice courts that hear cases related to credit card debt. The authors look at the many legal issues that may arise in these types of suits: how to proceed on a motion for default judgment; summary judgments; compelled arbitration; unjust enrichment; and suits filed under

Texas Rule of Civil Procedure 185. With citations to case law as well as statutes and rules, this title is a great resource for justice courts, practitioners, and those involved in credit card debt litigation. The authors also include commonly used motions and orders. *Texas Justice Court Training Center, 2008. 120 pages.*  
*KFT 1040 G85 2008*

## Criminal Law

### 4. Media coverage in criminal justice cases: what prosecutors and defenders should and should not say

By Andrew Taslitz

This work highlights the ever increasing media coverage of criminal trials. In the past, media coverage evoked images of reporters and cameramen, but now there are myriad avenues for access to information about criminal charges and trials. Both sides of the criminal justice system need to be aware of the importance of maintaining control over how the criminal justice system is portrayed and how their specific case is being discussed. Chapters written by experts in the field cover the theory and practicalities from the perspective of the defense and prosecution. There is even a chapter with advice for law professors asked by the media to provide expert commentary. *American Bar Association, 2013. 353 pages.*  
*KF 9223.5 M43 2013*

## *Criminal Procedure*

### **5. Texas search and seizure**

By Robert Barton

This title is designed as a practical guide for attorneys and judges on issues of search and seizure. This sixth edition is divided into three parts, each of which extensively covers arrests (with or without warrants), search and seizure, and the evidence obtained by arrest, search, and seizure. Each section is thorough and cites both case law, statutory and constitutional law, as well as other secondary sources. This resource is a go-to for anyone with questions related to search and seizure. Since the author updates the title periodically, it also addresses current issues such as search warrants for electronic communications and mobile tracking devices. *Juris*, 2014. 1088 pages.

*KFT 9630 B3 2014*

## *Education*

### **6. The educator's guide to Texas school law**

By Adrian Bastianelli, III

This volume explains Texas school law in plain English for easy use by Texas educators. The eighth edition of this title addresses the most recent legislative changes to student assessment and district accountability laws as well as the laws on charters. All major topics in Texas education law are covered including student attendance, instructional programs, special education, the employment relationship, educators' right to expression, student discipline, and privacy issues. Laws are explained in a way that educators might understand the reasoning behind the laws as well as their rights and responsibilities as an educator. The authors provide a subject index and a case index as well as a glossary of terms. *University of Texas Press*, 2014. 1 volume.

*KFT 4119 K4 2014*

## *Elections & Campaign Finance*

### **7. The new politics of judicial elections 2011-12 : how new waves of special interest spending raised the stakes of fair courts**

By Alicia Bannon

This report from the Brennan Center for Justice and the National Institute on Money in State Politics examines the effect that special interest spending has on fair courts. Specific chapters look at "the money trail", TV ads for judicial elections, and recent contentious judicial electoral campaigns. This publication also has appendixes providing information on 2012 elections in all states. *Justice at Stake Campaign, 2013*. 53 pages. Online at: <http://newpoliticsreport.org/content/uploads/JAS-NewPolitics2012-Online.pdf>  
*KF 8776 B36 2013*

## *Evidence*

### **8. Exculpatory evidence: the accused's constitutional right to introduce favorable evidence**

By Edward J. Imwinkelried

In the foreword the authors note that "In *Washington v. Texas*, 388 U.S. 14 (1967), the Supreme Court elevated to constitutional status the right to present exculpatory evidence." The authors created this volume to be a comprehensive examination of the development of the defendant's right to present exculpatory evidence. Defense attorneys need to be aware of every possible avenue to overcome the evidentiary exclusionary rules that might present a roadblock to presentation of exculpatory evidence. While this third edition came out in 2004, it is updated annually to keep the information up to date. *Lexis Nexis Matthew Bender*, 2004. 603.  
*KF 9678 I4 2004*

**9. The forensic autopsy for lawyers**

By Michael Panella

Forensic evidence gathered in a postmortem autopsy is needed in both criminal and civil liability cases. This work introduces the attorney to what an adequate autopsy consists of and the various laboratory tests that provide clues as to cause of death. The reliability of the procedures used to determine death is examined so the attorney will know where evidentiary weaknesses might lie. The authors note that there is not a large body of information on this topic and they include research references, relevant West Key numbers, American Law Report citations and articles from legal encyclopedias and legal periodicals. *American Bar Association, 2013. 238 pages. KF 8802 P36 2013*

*Judges and Judicial Conduct***10. What's law got to do with it?: what judges do, why they do it, and what's at stake**

By Charles Geyh

The authors of this title take a close look at the often-heard allegation that judges are not influenced solely by the law itself. Each chapter of this book is written by a different legal scholar and examines one facet of this issue. The authors first look at the study of judicial behavior itself before discussing politics, policy, and stare decisis in the context of judicial decision-making. The last two parts of this title examine how these outside influences affect the selection of judges as well as public confidence in the courts. This is a great read for anyone interested in the courts and how judges may reach their decisions. *Stanford Law Books, 2011. 355 pages. KF 8775 A75 W48 2011*

*Juries and Jury Instructions***11. The science of persuasion: a litigator's guide to juror decision-making**

By Brad Bradshaw

As the author states, "The ability to persuade is dependent on several things, including the speaker's credibility and likeability, his or her understanding of the audience, and how the message is framed." Having earned his Ph.D in psychology — specifically studying persuasion and juror decision making — the author now practices as a litigation consultant. This second edition of his book is aimed to assist the trial lawyer in presenting his side to the jury and deflecting the negatives presented by the other side. The author includes tips and pointers for all stages of litigation, from jury selection to closing arguments. *American Bar Association, 2014. 339 pages. KF 8972 B73 2014*

*Juvenile Law***12. Trial manual for defense attorneys in juvenile delinquency cases**

By Randy Hertz, Marty Guggenheim, Anthony Amsterdam

The text is geared exclusively to defense attorneys. The authors do not try to examine juvenile law from the prosecution's perspectives. It is a manual in the sense that it eschews theory and provides practical guidance on taking a juvenile case through the possible resolutions. The book's chapters follow the usual sequence of events of a juvenile case. Rather than referring you elsewhere in the book, the authors repeat information as needed relating it to topic at hand. Practical advice is given on working with the clients, their parents, and the court system so you can provide the best advocacy possible to ensure the best outcome for the child. *American Bar Association, 2014. 968 pages. KF 9815 H47 2014*

## Labor and Employment

### 13. Especially for Texas employers

By Texas Workforce Commission

This title was written to assist Texas employers in understanding federal and state employment law. It provides clear language on employment law topics such as payment of wages, policy problems, work separation, and post-employment issues. It also provides sample training materials such as employee handbooks, as well as forms and websites to visit for additional employment law information. *Texas Workforce Commission, 2014. 384 pages. Online at: <http://www.twc.state.tx.us/news/efte/efte.pdf> KFT 3319 E87 2014*

## Local Government

### 14. A Guide to becoming a city official

By Texas Municipal League

This brief publication from the Texas Municipal League is a great resource for anyone considering running for a city office. The authors answer many questions related to the decision to run, required filings, and dual-office holding. They also explain the various duties of city officers, the different types of city governments, city finances, ethics, and the Texas Open Meetings Act and the Public Information Act. *Texas Municipal League, 2014. 19 pages. Online at: <http://www.tml.org/> Then search for "A Guide to becoming a city official" KFT 5304 G85 2014*

## National Security

### 15. The fundamentals of counterterrorism law

By Lynne Zusman

This text explores the basic legal framework of dealing with terrorism. A good deal of the book discusses international law, rules, and norms. Some of the topics covered are international investigations, national security law, ethics, privatization, drones, and cyber terrorism. The many chapters of the book are written by experts in the field. *American Bar Association, 2014. 399 pages. KF 9430 F86 2014*

## Oil and Gas

### 16. Landman's legal handbook: a practical guide to mineral leasing

By Rocky Mountain Mineral Law Foundation

This comprehensive title takes a close look at the many legal aspects of mineral leasing, a rather arcane area of law. The authors start by looking at general rules related to the recording of instruments that affect real property and then move on to oil and gas leases. Subsequent chapters cover mineral leases, title examination, leasehold estates, probate and succession, and the authors end with a look at unconventional oil and gas drilling. While not one's first pick for leisurely reading, this title is a great resource for oil and gas law practitioners. *Rocky Mountain Mineral Law Foundation, 2013. 450 pages. KF 1865 L3 2013*

## Parliamentary Practice

### 17. Robert's rules of order newly revised

By Henry Robert

In contrast to the 60 page *Modern Rules of Order*, the 11th edition of the Robert's Rules of Order, Newly Revised is over 700 pages. This classic work on parliamentary procedure is a comprehensive source seeking to cover all the possible circumstances that may arise in a "deliberative assembly." The work includes a very interesting history of the development of rules of assembly through the formalization of the rules by Henry Martyn Roberts. Helpful charts, tables and lists streamline the access to rules to various types of motions. The library also has Robert's *Rules* in plain English for readers wanting a less comprehensive approach. *Da Capo Press, 2011. 48.*  
*JF 515 R65 2011*

### 18. The modern rules of order

By Donald Tortorice

The author believes that the standard Robert's *Rules of Order* are not appropriate for many meeting situations, including corporate board meetings. Unfortunately, there has not been a commonly accepted alternative. With the *Modern Rules of Order* the author proposes a "more modern simplified procedure that promotes efficiency, decorum and fairness in a form that can be easily mastered and later referred to with ease." In furtherance of that goal, the author has only fifteen rules. He includes a brief chapter explaining how the rules work in practice. Additional chapters provide general information on conducting a meeting and provide examples of business meeting requisites, taking minutes, and the agenda. *American Bar Association, 2014. 60 pages.*  
*REF KF 4313 T67 2014*

## Philosophy of Law

### 19. The soul of the law

By Benjamin Sells

This text takes a look at the law from a psychological, philosophical, and legal viewpoint. It has been described as a guidebook to maintaining a healthy psychological and emotional life. It discusses what the law wants and how it thinks, the litigious mind, the conflict-adverse lawyer, cope or quit, and coming to terms with loss and failure. *American Bar Association, 2014. 176 pages.*  
*KF 300 S4 2014*

## Real Property

### 20. Essentials of Texas water resources

By Mary Sahs

Now in its third edition, this extensive title is a collaboration of more than 80 Texas water law legal and technical experts. It is intended as a vital resource to all parties involved in water law in Texas, from attorneys to conservationists to water boards. The updated third edition contains information about the 2012 State Water Plan and the State Water Implementation Fund for Texas. Other topics covered include groundwater, surface water, water planning, drinking water, and water utilities. The Environmental and Natural Resources Law Section of the State Bar of Texas is responsible for the title. *State Bar of Texas, 2014. 1 volume.*  
*KFT 5569 E87 2014*

**21. Real estate opinion letter practice**

By Robert Thompson

This text contains practical information regarding the preparation and negotiation of real estate opinion letters. It also examines theories and standards of legal liability and the professional responsibility which apply to the groundwork and enforcement of all legal opinions. Subjects include general enforceability of mortgage loan documents, usury, title issues, choice of law, ethics, as well as environmental and land use issues. This is a comprehensive text for practicing attorneys looking for information on real estate opinion letter practice. *American Bar Association, 2009. 947 pages.*  
*KF 665 T48 2009*

**22. The TDR handbook : designing and implementing successful transfer of development rights programs**

By Arthur Nelson

Transfer of Development Rights (TDR) allow communities to steer development from areas with little or no infrastructure to areas where public services exist. The goal of TDR is to preserve environments such as wetlands, vistas, farmland, wellhead protection, etc. This book is intended as a comprehensive guide that includes advice concerning statutes, model ordinances, program administration, as well as comparisons with other preservation programs. There are also case studies for more practical information. *Island Press, 2012. 313 pages.*  
*KF 5692 T37 2012*

**Taxation****23. Beginner's guide to the housing credit**

By Mark Shelburn

This is a brief primer on the federal low-income housing tax credit, also known as LIHTCs. This book is truly intended for the beginner and should be read from beginning to end. It provides information on the history of LIHTCs, method of calculation, entity structure, equity investment, QAPs, allocation requirements, project operations, and compliance. *American Bar Association, 2014. 64.*  
*KF 6397 S52 2014*

**Torts****24. Toxic tort litigation**

By Arthur Foerster

The second edition of this title assists practitioners in navigating the complex landscape of toxic tort litigation. The first part provides a broad overview of the elements of this type of litigation. It covers topics such as damages, common defenses, the use of scientific evidence, causation, and settlements. The second part provides causation standards for all fifty states. *American Bar Association, 2013. 513 pages.*  
*KF 8925 T67 T69 2013*

**25. The lawyer's guide to financial planning**

By Cynthia Sharp

This book discusses accumulation and growth strategies, including a six-step approach to financial planning, whether you should consult a financial advisor or do it yourself, investment perspectives and real estate ownership. Another major topic is concrete strategies for the three life stages, which include funding education, retirement planning and long-term care. Conservation and distribution strategies are also discussed. *American Bar Association, 2014. 223 pages.*  
*KF 750 S45 2014*

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October/November 2014

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- **AILALink** from the American Immigration Lawyers Association
- **Aspen Treatise Libraries:** treatises on a variety of topics such as bankruptcy, construction law, elder law, employment law, trial practice, family law, estate planning, and more
- **Gale Virtual Reference Library:** eBooks in this collection include *American Law Yearbook*, *the Bill of Rights*, *Gale Encyclopedia of American Law*, *National Survey of State Laws*, and more
- **National Consumer Law Center:** information on NCLC titles including *Collection Actions*, *Fair Debt Collection*, *Foreclosures*, *Repossessions*, *Student Loan Law*, and more
- **Legal Information Reference Center:** hundreds of “plain English” books from Nolo and thousands of legal forms on topics such as family law, immigration, and debt collection
- **Legal Source:** over 1,200 scholarly law journal articles on topics such as criminal justice, international law, federal law, environmental law, and ethics
- **Loislaw:** case law, statutes, administrative rules and regulations, and court rules for all state and federal jurisdictions also Texas AG Opinions and Texas Business and Nonprofit Entity Forms
- **Stevenson’s Legal Forms and Practice Guide:** Texas legal forms in more than 23 practice areas including adoption and termination, civil litigation, probate, personal injury, and more
- **TexShare Databases** from the Texas State Library and Archives Commission

We also continue to offer access to the following databases for **in library use only**:

- **Bloomberg BNA** includes U.S. Law Week and Tax Management Portfolios
- **HeinOnline** contains legal journals, periodicals, government documents, and other legal titles
- **LexisNexis** includes Matthew Bender Publications such as the *Texas Litigation Guide*
- **Westlaw** contains State and Federal cases, Texas Jurisprudence, and Texas Practice titles