

Duly Noted



New titles from the Texas State Law Library

Subject	Title	Page
<i>Administrative Law</i>	Mastering administrative law	3
<i>Agriculture</i>	Food, farming, and sustainability: reading in agricultural law.....	3
<i>Animal Rights</i>	Listed: dispatches from America's Endangered Species Act	3
<i>Bankruptcy</i>	Corporate governance in insolvency and bankruptcy: a Collier monograph.....	3
<i>Biotechnology</i>	Nanotechnology: environmental law, policy, and business considerations.....	4
<i>Environmental Law</i>	Environmental aspects of real estate and commercial transactions: from Brownfields to green buildings.....	4
	Law of clean energy: efficiency and renewables.....	4
<i>Evidence</i>	Future of evidence: how science and technology will change the practice of law	4
<i>Health and Health Care</i>	Hospital law manual.....	5
<i>Insurance</i>	No-fault and uninsured motorist automobile insurance	5
<i>Intellectual Property</i>	Intellectual property law course 101: IP agreements	5
<i>Labor and Employment</i>	Hiring and firing.....	5
<i>Legal Ethics</i>	Lawyers in the dock: learning from attorney disciplinary proceedings .	5
<i>Legal Research and Writing</i>	Navigating legal research & technology: quick reference guide to the 1,500 most common questions about traditional and online legal research.....	6
	Point made: how to write like the nation's top advocates	6
	Writing for litigation.....	6
<i>Local Government</i>	From sprawl to sustainability: smart growth, new urbanism, green development, and renewable energy	6
<i>Prisoner Rights</i>	A jailhouse lawyer's manual	7
<i>Real Property</i>	Real estate litigation handbook	7
<i>Torts</i>	Aviation tort and regulatory law.....	7
	Determining economic damages	7
<i>Trial Practice</i>	Texas summary judgment and related termination motions.....	7
<i>Water Law</i>	Whose drop is it, anyway? legal issues surrounding our nation's water resources.....	8
<i>Zoning</i>	Understanding the law of zoning and land use.....	8
	Zoning law and practice	8

Texas State Law Library

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.

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Administrative Law

1. Mastering administrative law

By William Anderson

Carolina Academic Press began the “Mastering” series in 2008. The series is similar to West’s Nutshell series in introducing a legal topic, providing a broad overview and keeping footnotes to a minimum. To assist in learning the topic each chapter begins with a “roadmap” or outline of what will be covered and ends with a checklist of the key topics covered in the chapter. A brief master checklist at the end of the volume recaps the topic and is a handy reference or study guide. Numerous flow charts and diagrams sprinkled throughout the text are a bonus for visual learners. Carolina Academic Press, 2010. 261 pages. KF 5402 A83 2010

Agriculture

2. Food, farming, and sustainability: readings in agricultural law

By Susan Schneider

This book pulls together readings about agricultural law and policy from a variety of sources. The readings look at various policy issues such as economic support, environmental law, discrimination, labor law, animal welfare, and biotechnology. All of the readings include citations to where they were originally published. Carolina Academic Press, 2011. 738 pages. KF 1682 S36 2011

Animal Rights

3. Listed: dispatches from America’s Endangered Species Act

By Joe Roman

Written by a conservation biologist, *Listed* uses specific cases to examine the uses and abuses of the Endangered Species Act since its passage in 1973. Roman looks at the act’s history, the politics that go into determining which species are listed, arguments against the ESA and why opponents often find it threatening. Ultimately he illustrates the importance of biodiversity in economic and philosophic terms. Harvard University Press, 2011. 360 pages. KF 5640 R64 2011

Bankruptcy

4. Corporate governance in insolvency and bankruptcy: a Collier monograph

By Christopher Frost

This title looks at general corporate governance principles and then goes on to look at corporate governance in insolvent corporations and enforcing pre-bankruptcy governance obligations. It also looks at corporate governance during chapter 11, touching on structure, operating decisions, plan negotiation, and replacement of officers. Lexis Nexis Matthew Bender, 2011. 128 pages. KF 1544 F76 2011

Biotechnology

5. Nanotechnology: environmental law, policy, and business considerations

By Lynn Bergeson

This book is written for attorneys to facilitate their understanding of how environmental statutes in the United States apply to nanotechnology. This book looks at how the Environmental Protection Agency regulates nanomaterials and nanopesticides and how nanotechnology works with the Endangered Species Act, the Clean Water Act, and the National Environmental Policy Act. American Bar Association, 2010. 296 pages.
KF 1890 H53 N36 2010

Environmental Law

6. Environmental aspects of real estate and commercial transactions: from Brownfields to green buildings

By James Witkin

This title is written by a group of experts in real estate and environmental law and it focuses on the entire range of environmental issues that arise during real estate development. Topics include environmental liability, due diligence, environmental problems during development, and problems with developed properties. American Bar Association, 2011. 793 pages.
KF 1298 E57 2011

7. Law of clean energy: efficiency and renewables

By Michael Gerrard

This volume attempts to assist individuals looking for the disparate laws from all level of government dealing with clean energy. Part one covers energy efficiency and conservation laws. Part two covers incentives, both tax and nontax, for green technologies. Part three discusses different “energy use sectors” such as buildings, motor vehicles, and agriculture. Part four covers renewable energy sources such as wind, solar, and hydropower. American Bar Association, 2011. 642 pages.
KF 2120 L39 2011

Evidence

8. Future of evidence: how science & technology will change the practice of law

By Carol Henderson

This title explores emerging areas of science and technology and focuses on their implications on evidence presented in the courtroom in order to help lawyers understand the complexities involved. Each chapter is written by a different author and covers a variety of issues, including: the admissibility of expert testimony; expert testimony in civil cases; digital visual evidence; the juror and courtroom “of the future”; neuroscientific evidence; DNA; the child witness; privacy and technology; the “confession problem” (voluntariness, validity, and prejudicial impact); and keeping current with research resources are covered. Though not all-encompassing, this ABA title is a great survey of the legal issues surrounding evidence as science and technology progress. American Bar Association, 2011. 326 pages.
KF 8935 F88 2011

*Health and Health Care***9. Hospital law manual**

By Cynthia Conner

This five volume set provides authoritative coverage of the legal responsibilities and liabilities of hospitals and health care providers. The first four volumes present thorough analysis of all major health law issues from accreditation of health care organizations to taxation. These sections provide state-by-state analysis of key legal issues, case law, forms, practical advice and checklists. Volume V contains up to date rules, regulations, and laws on different health law topics including abortion, AIDS, fraud and abuse, health care coverage, medical records, unions, and medical records. Also comes with a companion CD-ROM. Latest update from June, 2011. Aspen, 1959. 5 volumes.
KF 3825 A6 A85

*Insurance***10. No-fault and uninsured motorist automobile insurance**

By Matthew Bender (Firm)

This practical set is a guide for handling no-fault, uninsured motorist and underinsured motorist insurance claims. It provides forms, pleadings, statutes, checklists, charts, and appendices to assist both the plaintiff's and defendant's counsel. Latest update from June, 2011. Lexis Nexis Matthew Bender, 1984. 4 volumes.
KF 1219.5 N59 1984

*Intellectual Property***11. Intellectual property law course 101: IP agreements**

By State Bar of Texas

This one day seminar was held in Dallas in March, 2011. It includes presentation materials on drafting confidentiality agreements, IP indemnities, royalties, warranties, and joint development agreements. State Bar of Texas, 2011. 1 volume.
KFT 2980 I59 2011

*Labor and Employment***12. Hiring and firing**

By Tyler Paetkau

Written with small business owners in mind, this guide is intended to help with the most perilous parts of the employment relationship. Specific topics covered include applications, avoiding liability while recruiting and interviewing, making an offer, background checks, privacy, trade secrets, leaves of absence, and termination. Includes appendixes with sample polices and forms. Entrepreneur Press, 2007. 270 pages.
KF 3471 P32 2007

*Legal Ethics***13. Lawyers in the dock: learning from attorney disciplinary proceedings**

By Richard Abel

This is an analysis of disciplinary proceedings that shed light on the most common ethical dilemmas facing attorneys. According to this text, these are neglecting clients, overcharging clients, and displaying excessive zealotry. The author takes a look at case studies to illustrate the point and concludes by exploring possible structural changes that may reduce the opportunity and incentives for lawyers to betray their clients' trust. Oxford University Press, 2008. 573 pages.
KF 306 A73 2008

Legal Research and Writing

14. Navigating legal research & technology: quick reference guide to the 1,500 most common questions about traditional and online legal research

By Joel Fishman

Includes an introduction to legal research, legal citations, constitutions, statutes, legislative history, administrative law, legal ethics, and the internet. The appendices include lists of legal research web sites, law firm technology web sites, guides to popular subjects of law, and popular legal titles. Bridge Publishing Group, 2010. 363 pages.

KF 240 F585 2010

15. Point made: how to write like the nation's top advocates

By Ross Guberman

The author uses examples from top attorneys to illustrate great writing tips. By looking at fifty of the most renown and influential legal advocates, Guberman shows his readers the patterns that developed in hopes of teaching them how to emulate writing techniques that will help them best effectively represent their clients. Oxford University Press, 2011. 311 pages.

KF 251 G83 2011

16. Writing for litigation

By Kamela Bridges

This coursebook examines the types of documents associated with a case from start to finish. It takes a look at each document in relation to its individual parts and provides the user with instructions on how to effectively create his own documentation. The appendix contains a complete set of sample documents. Some examples of the included documents are pleadings, discovery requests, motions, demand letters, complaints, answers, responses and jury instructions. Wolters Kluwer, 2011. 221 pages.

KF 250 B75 2011

Local Government

17. From sprawl to sustainability: smart growth, new urbanism, green development, and renewable energy

By Robert Freilich

A great resource for city planners, land use lawyers, and other public officials, this title is divided into four parts. The first covers sprawl and the need for sustainable growth policies, looking at the specifically at the problems brought on by sprawl, the need for good policies, and The Ramapo Plan. The second section covers state and regional sustainability solutions with specifics on California, Hawaii, New Jersey, Florida, Minneapolis-St. Paul, Portland, Seattle, San Diego, and other locations. The third covers new urbanism and green development such as form-based codes, LEED, green building benefits, and renewable energy. The final section covers geographical and locational tier solutions such as working within already urbanized areas, city-county urbanizing, and agricultural/rural areas. Also includes a list of relevant cases and a bibliography. American Bar Association, 2010. 368 pages.

KF 5692 F74 2010

Prisoner Rights

18. A jailhouse lawyer's manual

By Zachary Weintraub

Jailhouse Lawyer's Manual is intended to assist prisoners understand their legal rights and common procedures to secure these rights. The manual provides instruction on performing legal research, reading legal documents, and completing legal paperwork to attack unfair convictions, sentences, or treatment. *Columbia Human Rights Law Review*, 2011. 1077 pages. KF 9732 J3 2011

Real Property

19. Real estate litigation handbook

By David Soley

This handbook guides the practitioner through the stages of complex real estate litigation. Progressing from the initial step of the client interview, all the way through settlements and final judgments, this book provides strategic guidance and sample documents on topics such as easements, title disputes, and boundary issues. American Bar Association, 2010. 300 pages. KF 572 S66 2010

Torts

20. Aviation tort and regulatory law

By Charles Krause

This comprehensive set covers federal and state aviation statutes, federal aviation regulations and lawsuit procedural methods. Specific topics include government, manufacturer, and carrier liability, airport operations and security, and aviation insurance. Latest update from January, 2011, Thomson West, 2002. 3 volumes. KF 1290 A9 S64

21. Determining economic damages

By Gerald Martin

Revised annually, this title is written by an economist with a doctorate in finance who has consulted on thousands of cases. He includes analyses as well as practice tips, methods, and strategies on issues such as selecting and working with an expert forensic economist; determining the value of employer benefits and household services; taxes and interest rates; and adjusting totals due to outside factors. Overall, an extensive title that helps litigators accurately determine economic damages by considering the factors that come into play. Includes sample forms, questionnaires, also includes a CD-ROM that allows you to search through the full-text of the title and to view tables, graphs, and other figures. Latest update from September, 2011. James Publishing, 2010. 1 volume. KF 1250 M317 1990

Trial Practice

22. Texas summary judgment and related termination motions

By David Finley

This practice guide, updated most recently for 2010-11, assists litigators in making or opposing termination motions such as summary judgment, adjudication, dismissal, quash summons, strike, and judgment on the pleadings. It is intended both for the motion proponent (those representing a party moving to terminate an action) and for the motion opponent (those representing a party seeking to oppose defense motions). The title is divided into five chapters: summary judgment; plea to the jurisdiction; motion to strike; special appearance; and dismissal motions. Included are analyses of these procedures, sample motions and briefs, templates, citations, and practice tips. Thomson West, 2010. 1 volume. KFT 209 T4 V. 52 2010-11

Water Law

23. Whose drop is it, anyway? legal issues surrounding our nation's water resources

By Megan Baroni

After the Texas summer of 2011, the availability of water can no longer be taken for granted. The prediction that we are entering a long term drought adds immediacy to what has long been an intellectual discussion. The need to understand how the existing water laws came to be is clear. Equally important is the need to examine what needs to be done to ensure that access to this essential resource. While this 2011 text cannot cover all elements of water law, it is a good overview of the development of water law and discussion of current issues. American Bar Association, 2011. 264 pages.

KF 5569 W486 2011

25. Zoning law and practice

By E. C. Yokley

The first edition of this title was published in 1948. Now in its fourth edition, it has continued as a practical reference to attorneys, judges and planning and zoning commission members. The eight volumes cover all aspects of zoning and include references to the cases from all fifty states and local ordinances. Although generally practical in nature, Yokley can wax eloquent as demonstrated in his description of the "corrosive effect" of spot zoning. "It is a high wave of disturbing character, spawned by legislative gusts that mar an otherwise calm sea of orderly community life." The library has the 2009 revised version. Lexis Nexis Matthew Bender, 1978. 8 volumes.

KF 5698 Y6Z 1978

Zoning

24. Understanding the law of zoning and land use

By D. Barlow Burke

The LexisNexis "Understanding" series is similar to West's Nutshells and Carolina Academic Press' "Mastering" series. Each topic mirrors the coverage of a first year law school course. Major statutes and important case law are covered, but detailed footnotes are left for the treatise on the subject. While written with law students in mind, this type of overview can be helpful as a refresher for lawyers or a starting point for other researchers. LexisNexis provides a detailed Table of Contents and the first chapter of most volumes in the series on their website: <http://www.lexisnexis.com/lawschool/study/understanding/> Lexis Nexis Matthew Bender, 2009. 350 pages.

KF 5698 B87 2009

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