

Duly Noted



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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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Banking and Finance

1. Texas collections manual

By State Bar of Texas

Texas collections manual walks practitioners through the entire process of debt collection. Topics covered include finding debtor and debtor's assets, repossession, prejudgment remedies and liens, bankruptcy, as well as trial procedure. This volume contains extensive forms many of which can be found on the CD-ROM. Please request the CD-ROM at the reference desk. State Bar of Texas, 2011. 3 volumes.
KFT 1024 S7 2011

Construction Law

2. Green building and sustainable development: the practical legal guide

By Jonathan Furr

The preface quotes a 2007 EPA study that shows "Buildings consume 39% of all energy in the United States and 72% of the nation's electricity, while producing 39% of the country's greenhouse gas (GHG) emissions." So we cannot just produce energy efficient cars to take care of dwindling energy resources and address climate change issues. This ABA title provides the lawyer with a thorough grounding in the concepts and terminology of green building and sustainability. It looks at green building initiatives that are gaining ground all over the country and examines the legal issues that result. There is even a chapter to assist you in incorporating green practices in your own law firm. American Bar Association, 2009. 304 pages.
KF 5505 G735 2009

Consumer Protection

3. Foreclosure defense: a practical litigation guide

By Rebecca Taylor

Written by an attorney with considerable litigation experience, this title looks at what attorneys can do to help homeowners with their foreclosure defense. It looks at ethical considerations in foreclosure and covers trial basics in foreclosure cases such as written arguments, initial client interviews, loss mitigation, affirmative defenses, and discovery. The last section of this book looks at summary judgments, trial orders, and bankruptcy. Also available is a companion CD-ROM which can be requested at the reference desk. American Bar Association, 2011. 261 pages.
KF 697 F6 T39 2011

4. Legal guide to affordable housing development

By Tim Iglesias

This title from the ABA Forum on Affordable Housing and Community Development Law will be helpful to both attorneys and housing developers. It is broken into three parts. The first looks at the history of affordable housing in America. The second part looks at the regulations surrounding affordable housing and includes a look to mixed-use developments. The final part looks at what happens after housing is built. This title includes an appendix that contains a resource list for readers who wish to do additional research on the topic. American Bar Association, 2011. 548 pages.
KF 5729 L44 2011

Courts

5. Trial courts as organizations

By Brian Ostrom

In this volume is intended to provide readers assistance in determining the culture of a specific court as well as how to see if the court's culture affects the court's performance. The authors apply methodologies regarding work environments and management styles to felony criminal state trial courts in California, Florida, and Minnesota. The four specific court cultures discussed in this volume include communal courts, networked courts, autonomous courts, and hierarchical courts. Specific chapter topics include a court culture framework, strategies for measuring court culture, consequences of court culture, court culture preferences, and implications of this study. Temple University Press, 2007. 194 pages.

KF 8719 T75 2007

Criminal Law

6. Arson law and prosecution

By John Decker

This book serves as a comprehensive resource for attorneys as well as fire and police investigators working with an arson case. It first covers crime scene investigation when looking for evidence of arson and goes on to cover police interrogations. It includes a 50 state survey of arson statutes and examines liability and defenses in arson cases as well as production of evidence. Carolina Academic Press, 2009. 569 pages.

KF 9377 D428 2009

7. Cultural issues in criminal defense

By Linda Ramirez

An extensive resource for criminal lawyers working with foreigners or immigrants, this title covers issues that may arise at any point of the legal process. Each chapter is written by distinguished professors, an experienced public defender, or a criminal defense lawyer. The book is divided into 4 parts: client interview and case evaluation; pre-trial practice; trial practice; and post-trial practice. Some of the topics include language proficiency, cultural issues during psychological evaluations, evidence collection abroad, the testimony of cultural experts, cultural issues in jury selection, and bridging cultural gaps during sentencing. Juris, 2010. 1100 pages.

KF 9646 C85 2010

8. Misplaced priorities: over incarcerate, under educate

By National Association for the Advancement of Colored People

This is an NAACP report on the country's underfunding of education and its overfunding of prisons. It asserts that the prison system is costly, unfair, and broken. It discusses the impact of the situation at the community level, with examples of areas where the problem seems to have a disproportionate impact. It also includes a call to action with recommendations on how we can invest in education. National Association for the Advancement of Colored People, 2011. 57 pages.

KF 9730 M57 2011

Education

9. Legal rights of teachers and students

By Nelda Cambron-McCabe

This title provides a general overview on the legal rights of teachers and students, written in easy to understand terms. The treatment is broad, not deep, and thus it would serve as an excellent starting point for further research. Specific topics covered include the legal framework of public education, tort liability, church/state relations, instructional issues, terms and conditions of employment, student classification, students with disabilities, and student discipline. Also includes a listing of relevant Supreme Court cases. Pearson Higher Education, 2009. 324 pages.

KF 4119 M38 2009

10. Public school law: teachers' and students' rights

By Stephen Thomas

This title provides a comprehensive treatment of the legal rights of teachers and students in public schools. Topics include church/state relations, school attendance and instructional issues, students' rights in noninstructional matters, student classifications, student discipline, rights of students with disabilities, discrimination in and termination of employment, teachers' constitutional rights, labor relations, and tort liability. Also included are selected Supreme Court decisions. Pearson Higher Education, 2009. 530 pages.

KF 4119 M3 2009

Elections & Campaign Finance

11. Voting law changes in 2012

By Wendy Weiser

The Brennan Center for Justice, a non-partisan public policy and law institute, published this comprehensive overview of all the recently passed state laws that affect voting rights. In 2011, 14 states enacted pieces of legislation that affect voter registration or the voting process, and this brief title analyzes those new state laws to project what impact they may have across the United States. Topics include voter ID laws (with a focus on Texas), proof of citizenship, new restrictions on registration, and the elimination of some early voting procedures. Brennan Center for Justice, 2011. 56 pages. Online at: http://www.brennancenter.org/content/resource/voting_law_changes_in_2012

KF 4886 W45 2011

Eminent Domain

12. Eminent domain: a handbook of condemnation law

By David Callies

The government's eminent domain powers pitted against an individual's private property rights provokes strong emotions and diverse opinions. Expanding the notion of eminent domain from "public use" to "public purpose" is creating additional controversy and legal work on both sides of the issue. This volume "hopes to introduce general practitioners working for condemnors and property owners alike to the many intricacies of condemnation practice." American Bar Association, 2011. 220 pages.

KF 5599 E468 2011

Evidence

13. Texas evidentiary foundations

By David Schlueter

Written for the attorney new to practicing in Texas courts, this title covers the basics of the law of evidence in Texas and the details of the real world of Texas trial practice. This fourth edition offers analysis of modern technical evidentiary issues, including the authentication of e-mail, caller identification, and computer simulations. The process for offering social media conversations and statements into evidence is also added. The complete Texas Rules of Evidence is included as an appendix. Lexis Nexis Matthew Bender, 2011. 1 volume. KFT 8935 S3 2011

Family Law

14. Making it legal: a guide to same-sex marriage, domestic partnerships & civil unions

By Frederick Hertz

As same-sex marriage is available in several U.S. states and Canada, this book tries to answer questions for same-sex couples. Some of the issues addressed include your state's rules about same-sex partnerships, whether your marriage will be recognized in other states, how marriage will affect you if you have children, whether or not a will or living trust is needed and other legal issues. This edition also contains updated laws for all states. The appendix also includes a relationship recognition chart, which shows states with some form of recognition for same-sex couples along with some of the laws for that state. Nolo Press, 2011. 275 pages. KF 539 H475 2011

Franchises

15. Franchise litigation handbook

By Dennis LaFiura

This book serves as a resource for attorneys representing both franchisees and franchisors undergoing litigation. It covers all aspects of a lawsuit from initial pleadings, preliminary injunctions, and discovery through motions for summary judgment, the trial process, arbitration, and mediation. It includes references to Federal Rules of Civil Procedure when procedural issues are discussed and has a table of cases for additional research. American Bar Association, 2010. 313 pages. KF 2023 F673 2010

Insurance

16. Complex insurance coverage litigation handbook

By Kirk Pasich

This volume assists attorneys with handling complex insurance litigation fairly and efficiently. It provides procedural guidance on all steps of the process from understanding insurance policies to settlements and trial management. The accompanying CD-ROM includes numerous sample forms. American Bar Association, 2010. 276 pages. KF 1189 P37 2010

17. Insurance settlements

By Kevin Quinley

Offering insider tips from claims adjusters, managers, and plaintiff's attorneys, this set helps attorneys negotiate with insurance companies for the best possible settlement. Topics discussed in this two-volume set include claims handling, valuing claims, coverage evaluation, documenting claims, effective negotiation, efficient settlement, and specific cases types. Most recent revision received 12/10. Also available is a companion CD-ROM which can be requested at the reference desk. James Publishing, 2005. 2 volumes.
KF 1164 I57 2005

Law Practice Management**18. Lawyering with planned early negotiation: how you can get good results for clients and make money**

By John Lande

This text offers strategies to help the reader become a more effective negotiator. It also outlines a general approach to the practice of law. Some of the topics covered include lawyers' relationships with opposing counsel, a basic primer on the two main approaches to negotiation, and the use of additional professionals in negotiation. The appendices provide forms and checklists that you may adapt for use in your practice. Also available is a companion CD-ROM which can be requested at the reference desk. American Bar Association, 2011. 318 pages.
KF 300 L25 2011

Legal Research and Writing**19. Grammar and writing handbook for lawyers**

By Lenne Espenschied

This text functions as a how-to guide for attorneys who want to improve their writing skills. Some the topics include using words to convey meaning, composing sentences, parts of speech, and composing legal memorandum. It includes an appendix of irregular verbs and sample legal memorandum. American Bar Association, 2011. 300 pages.
KF 250 E84 2011

20. Lone star law: a legal history of Texas

By Michael Ariens

This volume is a part of Texas Tech University Press's American Liberty and Justice Series. In this book Michael Ariens examines the development of Texas law as a reaction to, as well as a shaping force in, the political and social culture of Texas. He notes that "The story of law in Texas is a persistently human story, one in which human weaknesses and human strengths appear in equal measure." Ariens does a great job of relating those stories in an honest and entertaining way. Especially interesting and relevant to today's concerns is the chapter covering land, oil, and water law. Texas Tech University Press, 2011. 366 pages.
KFT 242 A75 2011

21. Texas legal research

By Spencer Simons

This guide opens with a general discussion of legal research and then explores specific types of Texas resources such as case law, statutes, and administrative law. Additionally this guide addresses updating research with citators, helpful secondary sources, and legal citation. Carolina Academic Press, 2009. 235 pages.
REF DESK KFT 240 S56 2009

22. Writing shorter legal documents: strategies for faster and better editing

By Sandra Oster

Aiming to improve readability and accessibility, this brief handbook has 35 useful editing strategies for anyone who must draft or revise legal documents. The author provides examples from actual legal documents for clarity and focuses on developing a plain-English writing style that is concise and conforms to legal standards. This is a quick read and recommended for new and veteran attorneys, paralegals, and law students alike. American Bar Association, 2011. 178 pages.
KF 250 O84 2011

National Security**23. Homeland security: legal and policy issues**

By Joe Whitley

Since 2001, homeland security has become the topic of our times. The scope of homeland security has expanded from anti-terrorism to public health pandemics and natural disasters. This volume grows out of the 2008 ABA Homeland Security Law Institute and covers the diverse legal and policy issues in homeland security. American Bar Association, 2009. 284 pages.
KF 4850 H65 2009

Non-profits**24. Nonprofit legal toolkit**

By Texas Community Building with Attorney Resources

Published by Texas C-BAR, a RioGrande Legal Aid project whose mission is to provide pro bono business law resources to nonprofits, this free toolkit is an invaluable resource for tax-exempt nonprofits. It helps navigate the often complex framework of state and federal laws that govern Texas nonprofits. Topics include federal and state tax law reporting requirements, charitable raffles, fundraising, corporate governance, and risk management. This title is also available for free online. Texas Rio Grande Legal Aid, 2011. 87 pages. Online at: http://www.texasbar.org/content/legal_library/pubs/downloads/NonProfitLegalToolkit2011.pdf
KFT 1388 N66 2011

Zoning**25. American law of zoning**

By Patricia Salkin

The fifth edition of this five volume set provides a complete overview of zoning laws in America. The first volume looks at the history of zoning and provides an introduction to zoning law. Specific topics covered in volume one include the standard city planning enabling act, the standard state zoning enabling act, the ABA Model Land Development code, interjurisdictional dynamics, and stakeholders. Chapters 9 (volume 1) to 17 (volume 2) covers types of zoning regulations including variances, nonconforming uses, and eminent domain. Volume three covers regulation of specific uses including mobile home parks, religious uses, and historic preservation. Volumes four and five cover a wide range of topics including growth controls, moratoria, environmental law, administration, and judicial review for several topics. Thomson West, 2008. 5 volumes.
KF 5698 A762 2008

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