

# 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.

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

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

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## *Administrative Law*

### **1. Administrative law and process**

By Richard Pierce, Jr.

Part of the University Textbook Series, this text is geared towards students but is also a useful refresher for practitioners who have not worked much in the field of administrative law. Numerous footnotes and references to additional resources are included. Specific chapters cover the political nature and the legal nature of the administrative process as well as legislative, executive, and judicial control of administrative discretion, “access to private and public information,” and “fairness and political accountability.” Thomson West, 2009. 659 pages.  
KF 5402 P5 2009

## *Banking and Finance*

### **2. Banking and financial institutions law in a nutshell**

By William Lovett

This reference guide provides coverage of recent developments in banking and financial institutions law and policy. Per the publisher, it covers subjects such as “increased competition, deregulation, bank and thrift failures, large-scale bailout, and restructuring efforts. Unresolved challenges include budget stimulus, deficits, and renewed supervision by regulators.” Thomson West, 2009. 491 pages.  
KF 974 L6 2009

### **3. Law of bank deposits, collections, and credit cards**

By Barkley Clark

This set covers the latest developments in statutes, regulations, and case law and is intended to help the reader avoid legal complications for his institution or client involving bank deposits, collections, and credit cards. Additionally, it looks at important cases and provides guidance on what actions will prevent possible problems. Latest update received January 31, 2012. A.S. Pratt & Sons, 1999. 2 volumes.  
KF 974 C5 1999

## *Contracts*

### **4. Tech contracts handbook: software licenses and technology services agreements for lawyers and businesspeople**

By David Tollen

Written in a plain-English style by a seasoned technology and intellectual property attorney, this book is a great tool to assist in writing and understanding tech contracts. The author goes “clause-by-clause” through software licenses, software contracts, IT services contracts, and contracts that combine both software and services. Some of the issues discussed include open source software, copyright, data security, warranties, indemnities, liabilities, and nondisclosure agreements. Includes sample contracts. American Bar Association, 2010. 224 pages.  
KF 905 C6 T65 2010

## *Criminal Procedure*

### **5. Guide to asset seizure and forfeiture**

By Don Clemmer

This authoritative text from the Texas District and County Attorneys Association on asset seizure and forfeiture covers the history and construction of chapter 59 of the Code of Criminal Procedure. Other topics covered include new rules of discovery, asset forfeiture pleadings, the four categories of prosecution, defenses against forfeiture, disposition without trial, sufficiency of evidence, and ethical considerations. The manual also includes forms in print and on a CD. Please request the CD-ROM at the reference desk, Texas District and County Attorneys Association, 2010. 1 volume.  
KFT 9747 C4 2010

### **6. Texas criminal procedure & the offender with mental illness: an analysis & guide**

By Bryan Shannon

This resource was published by the Texas division of the National Alliance on Mental Illness. It provides practitioners with an overview of both the historical policy measures that have caused a substantial uptick in the incarceration of mentally ill offenders as well as procedural issues of the Texas justice system for dealing this population. The resource is divided into chapters which cover the procedure subsequent to arrest, competency to stand trial, insanity as a defense, and post-conviction issues and remedies. NAMI - Texas, 2008. 264 pages.  
KFT 9242 S5 2008

## *Debtor and Creditor*

### **7. Texas practice guide: creditor's rights**

By Hugh Ray

This is a text for the legal practitioner that offers debt collection practice tips, checklists and forms. Some of the topics discussed include, the attorney's role in the debt collection process, statutory liability and procedures, investigating debtors, collection without suit, and filing suit. Also provided are a table of cases, laws and rules, and an index to forms. Thomson West, 2011. 2 volumes.  
KFT 209 T5 CRED. RGHTS

## *Evidence*

### **8. Myers on evidence of interpersonal violence: child maltreatment, intimate partner violence, rape, stalking, and elder abuse**

By John Myers

In this fifth edition of his book on evidence, Professor Myers continues to expand its coverage. This is reflected in the broader title: *Myers on Evidence of Interpersonal Violence*. He notes in the preface that his is the only treatise that provides comprehensive coverage of this type of evidence. Myers also examines historical and current psychological and medical research and provides extensive footnotes to these studies. An extensive table of cases and detailed index aid in the functionality of the treatise. Wolters Kluwer, 2011. 1298 pages.  
KF 8935 M94 2011

**9. New Wigmore: a treatise on evidence: impeachment and rehabilitation**

By Roger Park

This title provides an overview of the rules regarding the impeachment, the support, and the rehabilitation of witnesses. Other material covered includes impeachment by character evidence, contradiction, interest or influence, and the limits on impeachment. Also contains examples of successful and unsuccessful cross-examinations. Wolters Kluwer, 2012. 423 pages.  
KF 8935 A1 N49IM 2012

**10. Restyled federal rules of evidence: effective December 1, 2011, absent congressional action**

By Daniel Capra

Daniel Capra, law professor and reporter to the Judicial Conference Advisory Committee on the Federal Rules of Evidence, explains why the rules needed to be restyled and how that was accomplished. The various national rules of procedure were enacted over a number of years without “consistent style conventions.” They were also written prior to the plain English movement. Recognizing that this led to problems for those trying to follow the rules, the Judicial Conference Standing Committee on Rules and Practice and Procedure has worked to “restyle” the procedural codes, while being careful to avoid changing them substantively. “Before and after” examples of the most challenging rules are given with the Reporter’s comment to the changes. Lexis Nexis Matthew Bender, 2011. 141 pages.  
KF 8935 W395 2011

**Family Law****11. Texas practice guide: Family law**

By Stewart Gagnon

A comprehensive family law text designed for the legal practitioner. It provides research references, practice tips, views from the bench, checklists, and forms which include answers to questions that commonly arise during the pretrial phase of a case. Also provided are a table of cases, laws and rules and an index to forms. Thomson West, 2011. 3 volumes.  
KFT 209 T5 Fam

**Immigration****12. Immigration practice pointers: tips for handling complex cases**

By American Immigration Lawyers Association  
This eleventh edition of *Immigration practice pointers* serves as a supplement to the annual American Immigration Lawyers Association conference. The book is divided into short articles written by panelists from the conference (and some outside contributors). Each article offers practice pointers and serve as guides to particular topics that were presented on at the annual conference. Topics include ethics issues, pro bono representation, business and employment, PERM and labor certifications, state and federal court litigation, admissibility and waivers, temporary visas categories, consular and related issues, asylum issues, removal and relief, LGBT and HIV issues, family immigration, tax practice, criminal issues, worksite enforcement and corporate compliance, and immigration to other countries. American Immigration Lawyers Association, 2010. 925 pages.  
KF 4816 I46 2010

## *Judges and Judicial Conduct*

### **13. Path to the federal bench**

By American Constitution Society  
Article III of the U.S. Constitution relates to federal judges that are nominated by the President, confirmed by the Senate, and appointed for life. This pamphlet is aimed at lawyers and law students who hope to attain Article III federal judgeships. It outlines, in detail, the complete path to the bench: assessing one's candidacy, the nomination process, and the confirmation process. While it is directly marketed at a very specific audience, this pamphlet is also a quick and interesting read for anyone curious about federal judgeships. American Constitution Society for Law and Policy, 2011. 29 pages. Online at: [http://www.acslaw.org/files/Path\\_to\\_the\\_Federal\\_Bench.pdf](http://www.acslaw.org/files/Path_to_the_Federal_Bench.pdf)  
KF 8776 P38 2011

## *Law Practice Management*

### **14. Raising the bar: the crucial role of the lawyer in society**

By Talmage Boston  
This work profiles notable lawyers, both real and fictional, who serve as inspiration for lawyers and laypersons alike. Referencing both historical figures such as Abraham Lincoln and more modern attorneys such as Leon Jaworski, Boston seeks to highlight the vital role of the legal profession in society. State Bar of Texas, 2012. 211 pages.  
KF 297 B67 2012

## *Legal Research and Writing*

### **15. Legal system: helping yourself**

By Texas Legal Services Center  
This video is a general guide on how to represent yourself in court. It describes basic courtroom procedure and courtroom decorum. Other topics discussed in the video are researching your case, filing your case, what happens after the case is filed, going to court, and how to hire an attorney when needed. Request this item at the reference desk. Texas Legal Services Center, 2011. 1 disk.  
CD KFT 8841 L44

### **16. Legal writing for the rewired brain**

By Robert Dubose  
This text explores how and why technology is affecting the way people read. It provides tips to make legal writing faster and easier to read. Some of the tips discussed are helping the reader read less, using outlines, effective summaries, and brevity. There are also several chapters devoted to how our brains are rewired by technology. Texas Lawyer Press, 2010. 150 pages.  
KF 250 D83 2010

## *Medical Malpractice*

### **17. Medical malpractice depositions**

By Michael Brophy  
This treatise is a good single volume on discovery via deposition for a practitioner who wants to pursue a medical malpractice claim. Initial chapters discuss the issues affecting litigation such as tort reform and general considerations in evaluating a claim. The remainder of the volume is divided into broad types of injuries and examination of specific injury claims in that category. For each specific injury, a brief overview of the facts of the case and comments on strategy is provided. Transcripts of the questions and responses coupled with practitioner's comments are provided. Latest update received is from 2011. Juris, 2011. 1 volume.  
KF 8900 B77 2004

### *National Security*

#### **18. Legal issues in the struggle against terror**

By John Moore

This compilation of essays takes an investigative and academic approach to some of the more troublesome legal questions that have been raised regarding the “war on terror” and the struggle against al Qaeda since September 11<sup>th</sup>, 2001. While addressing domestic law, international law, and the intersection of the two, this title offers various perspectives from leading scholars and authorities. Some of the topics include the treatment of detainees, the use of military tribunals, civil liberties, civil litigation against terrorism, U.S. intelligence efforts, renditions and extraditions, immigration, and nuclear/biochemical/cyber threats. Carolina Academic Press, 2010. 580 pages.  
KF 9430 L44 2010

### *Oil and Gas*

#### **19. Treatise on the law of oil and gas: including forms, statutes, regulations**

By Eugene Kuntz

This revision of Thornton includes a historical and technical background on oil and gas law. It looks at ownership issues, oil and gas leases, drilling clauses, royalty clauses, special clauses, federal and state regulations, and implied covenants. It includes forms and an extensive table of cases. Latest update received August 2011. Anderson Publishing, 1989. 7 volumes.  
KF 1849 K8

### *Privacy*

#### **20. American privacy: the 400-year history of our most contested right**

By Frederick Lane

This book is a very interesting history of a “right” that we both hold dear and yet often readily give up without too much thought. The author contends that while the word “privacy” was not used in the founding documents, the concept is inherent in the protections in the Bill of Rights. Personal autonomy and freedom from government intrusion are essentially privacy. This book traces the changes in American society and technology that relaxed our demand for privacy. The telegraph and the introduction of the cheaper rate for post cards made us give up privacy in communications in exchange for speed. Wars and political conflicts have shaped the government’s desire to monitor communications for the sake of security. “Privacy rights” will continue to evolve with and because of technology and human nature. Beacon Press, 2009. 282 pages.  
KF 1262 L36 2009

## **21. Information security and privacy: a practical guide for global executives, lawyers and technologists**

By Thomas Shaw

Written by legal and technology experts and compiled by the ABA's Science & Technology Law Section, this is an in-depth treatment of nearly all aspects of information security. This title begins by defining information security, spelling out why it is important, and explaining how it relates to privacy and risk management. It also covers federal, state, and international laws that come into play with information security. It ends with a discussion of emerging technologies (e.g., cloud computing, mobile computing) and their security issues. Overall, this is an expansive and in-depth title of interest to anyone charged with protecting sensitive information. Also includes information security/privacy standards and guidelines. American Bar Association, 2011. 395 pages.

KF 390.5 C6 I543 2011

## **22. Understanding privacy**

By Daniel Solove

Professor Daniel Solove, Associate Professor of Law at George Washington University School of Law, offers a new theory of privacy. In this book, he endeavors to "set forth a theory of privacy that will guide our understanding of privacy issues and the crafting of effective laws and policies to address them." He and many other scholars characterize our approach to privacy as a "muddle." His conceptualizing of privacy "seeks to be contextual without being overly tied to specific contexts, flexible enough to accommodate changing attitudes toward privacy, yet firm enough to remain stable and useful." This book provides a more theoretical and global perspective than the *American privacy*. Harvard University Press, 2008. 257 pages.

KF 1262 P74 S65 2008

## ***Real Property***

### **23. Real estate for the general practitioner**

By David Goldberg

This one-volume work provides a comprehensive overview of all aspects of real estate transactions. Specific topics include buying, selling, mortgages, restrictive covenants, title, taxes, litigation, insurance, and construction contracts. Lexis Nexis Matthew Bender, 1997. 1 volume. KF 665 G63 1997

## ***Trial Practice***

### **24. Texas trial handbook 3d**

By Elaine Buccieri

This title provides thorough coverage of Texas trials, including attorney-client relationships, attorney malpractice, jurisdiction and venue, alternative dispute resolution, settlement, discovery, witness preparation, experts, pretrial procedures, document management, juries, settlement, jury trials, trial procedure, and post judgment motions. It includes forms, checklists, and an index arranged by legal concept and fact words. Thomson West, 2011. 2 volumes.

KFT 8911 J6

## ***Wills, Trusts, and Estate Planning***

### **25. Wills road map: practical considerations in will drafting**

By Steve Akers

This title ties in concepts from wills, probate, and trust law to provide guidance in properly assembling a will. It also addresses principles that can affect the will beyond the language of the will itself such as estate taxes. The appendix provides a checklist and sample wills forms. State Bar of Texas, 2011. 293 pages.

KFT 753 W55 2011

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