

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 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 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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Appellate Practice

1. Federal Court of Appeals manual: a manual on practice in the United States courts of appeals

By David Knibb

David Knibb's *Federal Court of Appeals manual* is a helpful walk through the appellate process from start to finish. This resource is organized into three sections: starting the appeal, special appeals, and the appeal process. Guidance is supplied to help determine whether to appeal, how to file in a timely manner, and what to do to avoid dismissal. Tips for effective written and oral argument are also included. Thomson West, 2013. 1020 pages. KF 9050 K5 2013

Corporations

2. Public company organizational documents: model forms and commentary

By Lawrence Hamermesh

This publication was put together jointly by two American Bar Association committees and provides sample articles of incorporation for a public corporation as well as a sample set of bylaws. These models are based on the Model Business Corporation Act (MBCA), so one would need to do additional research to tailor them for compliance with Texas law. Since so many corporations file in Delaware and Delaware's laws vary greatly from the MBCA, the authors also include a model certificate of incorporation for a public Delaware corporation. Also includes a CD-ROM with forms and commentary, which can be requested at the reference desk. American Bar Association, 2009. 136 pages. KF 1420 A65 P83 2009

Courts

3. The Texas Supreme Court: a narrative history, 1836-1986

By James Haley

Composed under the auspices of the Texas Supreme Court Historical Society, this work is the first book-length history of the Texas Supreme Court published since 1917. Though it does discuss landmark cases and judicial philosophy, this work, as the title implies, is written in a narrative style, emphasizing stories, drama, and the people who contributed to Texas' legal history in the first 150 years of statehood. University of Texas Press, 2013. 322 pages. KFT 353 H35 2013

Criminal Law

4. Federal criminal discovery

By Robert Cary

Criminal proceedings do not have the same discovery rights that are available to civil cases. The introduction notes that there was no right at all until "a modest version of Rule 16 of the Federal Rules of Criminal Procedure was first adopted in 1964." FRCrP Rule 16 was expanded and now provides for a more reciprocal discovery process. This volume, written by defense lawyers, examines the current federal law on criminal discovery from both the prosecution and defense perspectives. The text provides practical advice and also proposes reforms to ensure each side comes before the judge and jury on even footing. American Bar Association, 2011. 499 pages. KF 9650 C37 2011

Criminal Procedure

5. Mental disability and the death penalty: the shame of the states

By Michael Perlin

This work appears at a time when many have speculated upon the morality and legality of executing those who may have mental disabilities. Using real cases as examples, the author explores the relationship between the death penalty and mental disabilities in terms of history, policy, and advocacy. He addresses several timely issues such as the concept of future dangerousness, neuroimaging, adequacy of counsel, and international human rights. Rowman & Littlefield, 2013. 283 pages.

KF 9227 C2 P47 2013

6. Winning the acquittal: tips from a high profile trial

By Michael Pasano

This title from the American Bar Association Criminal Justice Section gives the reader a look at the winning strategies of a criminal defense attorney. Pasano combines a set of “trial journals” that recount his real life experience during the high-profile trial of an advisor to a former Puerto Rican governor with advice and thoughts on practice for a unique and engaging approach to criminal defense practice. American Bar Association, 2011. 172 pages.

KF 9656 P37 2011

Environmental Law

7. Clean Air Act

By Roy Belden

This Basic Practice Series title provides a starting point for practitioners working with the Clean Air Act and its implementing regulations. Its history and an overview of the Act are provided, as well as information specifically on National Ambient Air Quality Standards, state implementation plans, control of hazardous air pollutants, acid rain

control, Title V operating permits, and the Montreal Protocol as it relates to stratospheric ozone. The appendices contain an acronym list, frequently asked questions about the Clean Air Act, a listing of the Act’s subchapters, the Code of Federal Regulations sections on air quality programs and key cases. The second edition of this title has been updated to include recent developments such as regulations on greenhouse gas emissions. American Bar Association, 2011. 339 pages.

KF 3812 B45 2011

Evidence

8. McCormick on evidence

By Charles McCormick

While this classic title is now in its 7th edition, the preface states that the purpose remains the same: “to set out the law of Evidence in as complete and understandable a manner as possible in a work of moderate length.” This two-volume Practitioner’s Treatise is an excellent reference work on the principles of evidence. The format and style follow the student textbooks widely used in law school evidence classes. For exhaustive in-depth coverage one would turn to the multi-volume Wigmore or Weinstein treatises on evidence. This new edition incorporates the revised Federal Rules of Evidence adopted after the 6th edition. It covers not only the Federal Rules of Evidence, but also state law in jurisdictions not following Federal Rules.

Thomson West, 2013. 2 volumes.

KF 8935 M3 2013

9. Texas rules of evidence manual

By David Schlueter

Most recently updated in 2013 with clarifications and references to new case law, this title provides an in-depth look at each of the Texas Rules of Evidence. Beginning in 1998, Texas consolidated both the civil and criminal rules of evidence into one set, presented in detail here. This title is arranged numerically according to the numbering system used in the Rules of Evidence. For each rule, the authors include (1) the text of the rule itself; (2) an editorial analysis that includes how the rule works and how it relates to other rules, what Texas courts have said about it, and any existing federal precedent; and (3) any additional notes or comments provided by those who drafted the rule. The authors intend this to be a convenient guide for determining the correct usage and application of the Texas Rules of Evidence. Juris, 2012. 1 volume.

KFT 8935 W46 2012

*Family Law***10. Divorce, when it's the only answer**

By Robin Green

As an alternative to many titles about divorce which strictly address the practice aspect, this title from Robin Green also guides the reader through many of the decisions that must occur before the paperwork arrives at the courthouse. Mr. Leonard covers what to consider when determining whether or not one should get divorced, how to locate and hire a lawyer, and how to protect oneself from violence in family law cases. Subsequent chapters also discuss the courtroom procedure and the effects of the divorce such as custody and property division. Ordinary Mortals Guide, Inc, 2005. 445 pages.

KFT 535 G74 2005

*Grandparents***11. Grandparents' rights in Texas: a guide to the law**

By Jimmy Lynn Verner, Jr.

This brief publication, written by a Texas attorney Board-certified in family law, guides you through grandparents' custody and visitation rights in Texas. It begins with a look at Troxel v. Granville, a landmark U.S. Supreme Court case from 2000 that dealt with grandparents' rights, and then discusses related Texas legislation and Texas cases. The author also includes brief checklists for those looking for succinct summaries of the law on grandparents' rights. It also includes the full text of three relevant Texas Supreme Court opinions. VernerLegal, 2013. 69 pages.

KFT 547 V47 2013

*Guardianship***12. A road map to guardianship alternatives**

By State Bar of Texas

This guide provides an examination of the many alternatives to guardianship that are available to Texas residents. It also includes forms to assist in avoiding a court-supervised administration. From the State Bar of Texas's website: "The contents of *A Road Map to Guardianship Alternatives* are taken and adapted from material in the *Texas Guardianship Manual* and *Texas Real Estate Forms Manual*, published by the State Bar of Texas." State Bar of Texas, 2012. 177 pages.

KFT 553 R63 2012

Guns

13. Traveler's guide to the firearm laws of the fifty states

By J. Scott Kappas

This title provides essential information for anyone looking to carry a firearm across state lines. A brief, one page summary of relevant gun laws is provided for each of the 50 states as well as Canada and Mexico. Many common traveling issues for gun owners are discussed, such as firearms and national parks, motorcycle issues, universally restricted areas, the Castle doctrine, and traveling by air, cruise ship, train, and Greyhound bus. A national reciprocity list is also provided to identify which states recognize permits from other states. New to this edition is information on vehicle gun possession at colleges and right of self-defense or "stand your ground" laws. *Traveler's Guide*, 2013. 67 pages.

REF DESK KF 3941 K37 2013

Immigration

14. Immigration practice

By Robert Divine

This title takes an in-depth look at immigration practice and procedure. It starts with a practical discussion of how best to deal both with clients and with government agencies—including client intake and fees, navigating the Department of Justice and the Department of Homeland Security, and requesting government files—before moving on to the immigration process itself. The various types of temporary and permanent residencies are also discussed. This 14th edition from 2012 has been updated with pertinent links to government websites; new statutes, regulations, and agency memoranda; and court decisions relevant to immigration practitioners. Includes a CD-ROM with frequently used forms, documents, and checklists which can be requested at the reference desk. *Juris*, 2012. 1 volume.

KF 4819 D58 2012

Insurance

15. The future of insurance regulation in the United States

By Martin Grace

Though the insurance industry is currently regulated on the state level, changes in legislation and the gradual nationalization of insurance companies have led to more and more proponents of an optional system of federal regulation. This collection of papers written by insurance and regulatory experts discusses the current system of regulation in depth as well as forecasts possible changes and their repercussions. *Brookings Institution*, 2009. 232 pages.

KF 1164 F88 2009

Intellectual Property

16. What is a copyright?

By Frank Andorka

This slim, yet functional volume from the Section of Intellectual Property Law of the American Bar Association, is designed to provide an overview of the basics of copyright law. Specific topics covered include what can be copyrighted, copyright ownership, the Digital Millennium Copyright Act, copyright duration, copyright formalities, infringement, fair use, remedies, and criminal offenses. *American Bar Association*, 2011. 23 pages.

KF 2995 A53 2011

Juries and Jury Instructions

17. Texas criminal pattern jury charges: crimes against persons

By State Bar of Texas

This title provides a thorough discussion of legal issues of concern in drafting criminal charges. It begins with a complete general charge but also includes special instructions for a variety of topics. Presented in outline form, each section states the applicable statutes and legal definitions

and then applies the law to the facts in plain English. The book also includes a quick guide to drafting a jury charge. State Bar of Texas, 2011. KFT 8984 S7 C7 2011

Labor and Employment

18. Employment discrimination law

By Barbara Lindemann

This two-volume set covers virtually all of the federal laws governing discrimination claims. Sections cover theories of discrimination, prohibited bases, employment actions, information on the involved parties, procedural issues, and other sources of protection such as the National Labor Relations Act. The new 5th edition has updated information on Affirmative Action Compliance from Federal contractors and EEOC Administrative Processes as well as information on recent Supreme Court decisions. American Bar Association, 2012. 2 volumes. KF 3464 L56 2012

Law Practice Management

19. Cloud computing for lawyers

By Nicole Black

This title discusses the fundamentals of cloud computing, legal cloud computing products, and step-by-step instructions for implementing cloud computing in a law practice. It will help the practitioner understand the current state of cloud computing technology, evaluate the risks and benefits of cloud computing, assess legal cloud computing applications, and weigh ethical issues that comes with storing client data in the cloud. It also includes a sample policy and service level agreement. American Bar Association, 2012. 222 pages. KF 242 A1 B575 2012

20. Limited scope legal services: unbundling and the self-help client

By Stephanie Kimbro

This book provides attorneys with solutions for setting up unbundling practices. It offers the practitioner a step-by-step checklist for implementation, tips for unbundling in various practice areas, an overview of ethics concerns, guidance for avoiding malpractice risk, best practices for billing and marketing, guidance about using technology, case studies, sample limited scope agreements, and advice about creating and building your brand. American Bar Association, 2012. 229 pages. KF 300 K59 2012

21. The paperless law office: a practical guide to digitally powering your firm

By Benjamin Yale

This book will help you transform a small law firm or solo practice to a paperless law office, where all documents are scanned, stored electronically (either on a computer or in the cloud), searchable, and retrievable electronically. It's written in plain English. Some of the things discussed include why to convert to a paperless office, common programs that can assist in the conversion, presenting documents, storing and finding information, private data storage versus cloud computing, and managing information disruptions. American Bar Association, 2012. 267 pages. KF 318 Y35 2012

Public Information and Records

22. Federal information disclosure

By James O'Reilly

The winter 2012 edition of this title offers in-depth treatment of the federal Freedom of Information Act. O'Reilly speaks with authority on the historical development and current status of the laws promoting government openness and laws protecting the privacy rights of individuals and businesses. Specific chapters cover FOIA definitions, affirmative publication and rule dissemination, FOIA in court, confidential business information, the agency memoranda exemption, law enforcement records, court records disclosure, and state information and access laws. Thomson West, 2012. 2 volumes. KF 5753 O74 2012

Securities

23. Securities law and practice deskbook

By Gary Brown

This concise reference title provides a useful overview of current securities laws and regulations. Now in its 6th edition and updated April 2013, it covers the latest major changes such as the Dodd-Frank Act and new “proxy access” rules. Chapters feature handy checklists to assist the practitioner with providing securities advice to corporations. Practising Law Institute, 2012. 1 volume. KF 1439 S6 2012

Taxation

24. American Taxpayer Relief Act of 2012: law, explanation & analysis

By Commerce Clearing House

The American Taxpayer Relief Act of 2012 is a complex bundle of tax provisions that makes many “temporary” tax relief provisions permanent as well as adds some new language. CCH editorial staff examines the law and provides explanation and professional commentary to assist the tax professional. Numerous tables are provided to assist the practitioner. These tables provide quick answers to what sections have changed and when various provisions come into effect. In addition to assisting the professional, the title provides “client letters” that provide attorneys with a more plain English explanation to clients on the impact of the legislation. Commerce Clearing House, 2013. 495 pages. KF 6356.62 A44 2013

Trial Practice

25. Forms book

By Texas Municipal Courts Education Center
Updated to reflect changes from the 82nd Legislature, the Texas Municipal Courts Education Center's 2011 *Forms book* aims to provide municipal courts with the forms they need to efficiently and effectively process cases. A broad range of forms are included—from warrants to judgments. Readers will note that in this newly revised edition, sample complaint forms have been removed from the *Forms book* and can now be found in a Complaint Bank on the TMCEC website. This resource is also available in PDF on the TMCEC website. Texas Municipal Courts Education Center, 2011. 1 volume. Online at: <http://www.tmcec.com/public/files/File/Resources/Final%20Website%20Forms%20Book/PDF/Forms%20Book%20for%20Web.pdf>
KFT 8775 F67 2011

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