

# Duly Noted



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## Texas State Law Library

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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.

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

When checking out, non-state employees are subject to a \$1.00 circulation fee per item.

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

## **Texas State Law Library**

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## *Construction Law*

### **1. Fundamentals of construction law**

By Franklin Elmore

This ABA title provides an excellent overview of construction law. Leading construction law practitioners wrote the chapters for their field of expertise. Coverage is grounded in real world issues that arise in the construction industry such as contracts, insurance, building codes, and finance. Prior to discussing these issues, authors discuss the perspectives of each party to a construction contract, which allows the reader to understand the concerns of all parties. Each chapter contains references to sources that provide either more detailed coverage or a broader perspective on the topic. The detailed index and table of cases provide additional access points. Forum on the Construction Industry, 2013. 386 pages.

KF 902 F86 2013

## *Family Law*

### **2. Changing lives: lawyers fighting for children**

By Lourdes Rosado

The Children's Rights Litigation Committee (CRLC) was created by the Section of Litigation of the American Bar Association with the intent of focusing on the unique needs of children in the legal system and their right to competent legal representation. Members of the CRLC have contributed to this resource, which describes the many ways in which children need attorneys to advocate for them and how attorneys can best meet these needs. Each chapter describes a real-life case involving children and one of the many ways that they can become entangled in the legal system—from foster care to the juvenile justice system. Each case narrative is complemented by relevant statutory law and expert advice as well as guidance pertinent to that case. First Chair Press, 2014. 149 pages.

KF 337.5 J88 C48 2014

### **3. Collaborative law: start to finish**

By Kim Munsinger

Collaborative divorce allows separating couples to come to an agreement, with the help of attorneys and other professionals, without going to court. This book defines, instructs in the practice of, and explains the philosophy behind the practice of collaborative law in Texas. The second half of the book contains "essential documents," which include various contracts to assist the collaborative law practitioner from beginning to end. This title is easy to read and is recommended for family law attorneys as well as the lay person interested in learning more about a collaborative divorce. State Bar of Texas, 2014. 339 pages.

KFT 535 A2 C6 2014

### **4. Family violence investigation and prosecution**

By Ellic Sahualla

Family violence is a serious and pervasive problem that affects tens of thousands of Texans a year. In response to this problem, the El Paso District Attorney's Office has developed an innovative and nationally regarded early intervention domestic violence prevention program. Two prosecutors from this office, Ellic Sahualla and Patricia Baca, have compiled their experience and expertise to create this manual. Eight chapters, which cover topics ranging from the initial emergency call to punishment, provide a comprehensive guide to the unique and challenging aspects of a family violence prosecution. The accompanying CD-ROM contains forms and sample documents from all stages of the trial and can be requested at the reference desk. Texas District and County Attorneys Association, 2012. 1 volume.

KFT 9323 S24 2012

## *Gambling*

### **5. The little book of horse racing law**

By Charles Palmer

As part of the American Bar Association's Little Book series, this casebook explores legal issues surrounding horse racing in a fun and engaging way by looking at some of the important court decisions. Chapters look at a variety of topics including gambling, discrimination against patrons considered "rascals," search and seizure, performance-enhancing drugs, misrepresentation of a horse, and torts. American Bar Association, 2014. 140 pages.

KF 3989 P35 2014

## *Health and Health Care*

### **6. What your clients need you to know about health law course, 2014**

By State Bar of Texas

This course was held in February 2014 in Dallas and provided an overview of some of the major changes implemented by the Affordable Care Act (ACA). The course focused on how these changes affect hospital administrators, human resources departments, and small business owners. Information is provided on the Texas Medical Records Privacy Act, accountable care organizations and health care collaboratives, requesting medical records, secondary payor issues, the employer shared responsibility mandate, and issues surrounding the intersection divorce and healthcare issues. State Bar of Texas, 2014. 1 volume.

KFT 3825 W53 2014

## *Immigration*

### **7. Immigration practice**

By Robert Divine

The 15<sup>th</sup> edition of this title, updated in 2014, takes an in-depth look at immigration practice and procedure. It starts with a practical discussion of how best to deal with both clients and government agencies including—handling 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 edition has been updated with pertinent links to government websites, recent court and Board of Immigration Appeals decisions, and agency regulations and policy memoranda. Includes a CD-ROM with frequently used forms, documents, and checklists which can be requested at the reference desk. Juris, 2014. 1 volume.

KF 4819 D58 2014

## *Judges and Judicial Conduct*

### **8. Pro se defendants in municipal court**

By Texas Municipal Courts Association  
Center

This DVD was produced to help pro se defendants prepare for appearances in municipal court. The video provides information in an easy-to-understand format with the main points and definitions such as "ex parte" appearing in text at the bottom of screen. A discussion of the role of the court, the rights of criminal defendants, and a timeline of a case are provided. This video is freely available in two parts on YouTube. Texas Municipal Courts Association, 2005. 1 videodisc. Online at: <http://www.youtube.com/watch?v=4R-X-obd7Uw> (Part 1) and <https://www.youtube.com/watch?v=eRvejtpdjVU> (Part 2)

DVD KFT 8841 T45 2005

## *Law Practice Management*

### **9. Attorney and law firm guide to the business of law: planning and operating for survival and growth**

By Edward Poll

This text educates attorneys on how to create a successful law firm or solo practice. It outlines the fundamental tasks involved in running a law practice. Some of the main topics addressed are creating a business plan, creating a marketing plan, marketing beyond advertising, managing financial matters, supervising employees, and using technology. It also includes checklists, sample forms, and documents. American Bar Association, 2014. 448 pages.

KF 315 Z9 P64 2014

### **10. Internet branding for lawyers: building the client-centered website**

By Jeff Lantz

This title provides detailed instructions on how law firms and solo practitioners can create the engaging websites today's clients expect. The title begins with a discussion of why it is important to have a web presence before getting into the mechanics of website creation. Branding specifics such as taglines and logos are discussed, as well as tips for effective web design and the creation of high-value content. Finally, information is provided on content management systems, website developers, search engine optimization, domain names, and website hosting. American Bar Association, 2012. 232 pages.

KF 320 A9 L365 2012

### **11. iPad in one hour for lawyers**

By Tom Mighell

As the publisher notes, earlier editions of this book "helped thousands of attorneys" become iPad proficient. Arranged into lessons, this book is most appropriate for the beginner. Lessons include information on the physical set-up, email configuration, and downloading apps. The second

half of the book has an updated annotated list of productivity apps, as well as those for "doing lawyer things." Highlights of legal-specific apps include tools for trial practice such as jury selection, reviewing and annotating depositions, as well as a variety of legal research apps.

American Bar Association, 2014. 107 pages.

KF 320 A9 M48 2014

### **12. Paperless in one hour for lawyers**

By Sheila Blackford

Most attorneys have seen firsthand the volume of paper produced by the practice of law. This slim volume from the American Bar Association's Law Practice Division not only makes a solid case for why you should transition to a paperless practice, but also provides nine lessons on how reach that goal. The authors guide readers through determining goals, analyzing workflow, assessing technological needs, developing protocols, and ethically managing paperless files. Readers may find the authors' recommendations for specific brands and models of technological equipment such as scanners, software, and apps particularly helpful. American Bar Association, 2014. 132 pages.

KF 318 B57 2014

### **13. Practice skills toolkit: tips on ADR, discovery & ethics**

By American Bar Association

This text is a compilation of articles that provide successful practitioners' viewpoints on basic issues faced by attorneys. The main topics covered are alternative dispute resolution, discovery, and ethics. Specific topics include international arbitration, mediator selection, e-discovery, expert witnesses, and the ethics of social media. It was written with the new attorney in mind, but may also serve as a refresher tool for the seasoned attorney. American Bar Association, 2013. 471 pages.

KF 9084 P73 2013

## *Legal History*

### **14. Dream of empire: a human history of the Republic of Texas, 1836-1846**

By John Weems

New to the library but first published in 1971, this title tells the story of the ten years when Texas existed as an independent nation—the Republic of Texas. According to the foreword, this book was the first of its kind because it was aimed at the general reader, yet it maintained its academic credentials. Roger Conger, former president of the Texas State Historical Association, praised this title for both its thoroughness and its “entertaining style.” Starting with the years preceding the Republic, each chapter delves into a small chunk of Texas history. Overall, a good read for anyone wanting to learn more about the time when Texas was its own nation. Simon and Schuster, 1995.

363 pages.

KFT 350 W4 1995

## *Legal Research and Writing*

### **15. A brief guide to brief writing: demystifying the memorandum of law**

By Janet Kole

This practice guide provides both the experienced and new attorney with tips on how to write a persuasive brief. Some of the topics covered are things to avoid, humanizing your client, finding and arguing the law, writing responsive briefs, as well as ethical issues and the mechanics of organization. The author summarizes her instructions with seven persuasive writing rules of thumb. It also includes a brief-writing checklist.

American Bar Association, 2013. 135 pages.

KF 251 K65 2013

### **16. Legal research FAQs: 189 ready answers**

By Elyse Fox

This small spiral bound pamphlet answers clearly and concisely many questions that those without a J.D. might ask regarding legal research. The questions range from defining legal jargon to asking which legal resource might help a reader find specific information. The text is targeted to those with beginner knowledge and would be most appropriate for the general public, paralegal students, and first-year law students. Legal Information Services, 2014. 94 pages.

REF DESK KF 240 F69 2014

### **17. Lifting the fog of legalese: essays on plain language**

By Joseph Kimble

This collection of Kimble’s essays on plain language is divided into two parts. The first lays out the case for using plain language. The second provides more information on plain language and usage examples. Examples of documents translated from legalese to plain language are provided throughout the text. Carolina Academic Press, 2006. 199 pages.

KF 250 K53 2006

## *Practice of Law*

### **18. Reinventing the practice of law: emerging models to enhance affordable legal services**

By Luz Herrera

The ABA’s Standing Committee on the Delivery of Legal Services put together these essays written by attorneys that explore various methods of providing affordable legal services. These essays discuss limited scope representation, delivering legal services online, unbundling services, fee shifting, and “low bono” attorneys. A great trove of ideas for practitioners who wish to reach members of the public who may not have enough means to afford legal services. American Bar Association, 2014. 178 pages.

KF 336 H47 2014



**19. The modern rules of business etiquette**

By Donna Gerson

This very brief and easy-to-read title aims to show that “good manners are, simply put, good for business.” In Emily Post fashion, the authors provide tips and suggestions for a variety of situations that attorneys and legal professionals face every day. They focus on interactions with clients, peers and “those more junior,” managers and “those more senior,” potential employers, and opposing counsel. Also discussed are tips on changing jobs with tact, how to work well with others, and how to handle various social situations. American Bar Association, 2014. 152 pages. KF 319 G47 2014

*Privacy***20. The ABA cybersecurity handbook: a resource for attorneys, law firms, and business professionals**

By Jill Rhodes

In 2012, the ABA created the Cybersecurity Legal Task Force. It is made up of attorneys from numerous practice areas because this issue is critical to every law practice, business, and government. This group’s goal was to create not only a practical handbook for “understanding, planning for, and responding to a cyber-breach,” but also to provide a framework for the national discussion on privacy and security in an increasingly electronic world. This handbook includes numerous appendices that provide references to relevant statutes, court decisions, and ethics opinions on outsourcing, cloud computing, and metadata. Additional information can be found on the Task Force’s webpage: [http://www.americanbar.org/groups/leadership/office\\_of\\_the\\_president/cybersecurity/resources.html](http://www.americanbar.org/groups/leadership/office_of_the_president/cybersecurity/resources.html). This page serves as a repository of the information they gathered and continue to gather in their research. American Bar Association, 2013. 299 pages. KF 318 A75 2013

*Public Information and Records***21. ABA standards for criminal justice. Law enforcement access to third party records**

By American Bar Association

The ABA has been in the process of updating their best practices and standards that ensure criminal investigation procedures are predictable and fair to law enforcement, as well as the defense. This title looks at issues surrounding law enforcement agencies accessing records, such as purchases, or even views on the Internet from third parties. These third parties can be bookstores, pharmacies, online merchants, and banks that collect information on consumers. This trove of data can be very revealing to criminal investigators. These standards seek to strike the “delicate balance between law enforcement’s legitimate need for access to such records and the privacy rights of the subjects of those records.” Each standard is followed by a commentary to aid in understanding. American Bar Association, 2013. 134 pages. KF 1263 C65 A744 2013

*Real Property***22. Texas foreclosure manual**

By William Locke

Now in its third edition, the *Texas Foreclose Manual* has been expanded to two volumes and contains twenty-two new chapters. It was written for practitioners representing either the borrower or the lender, as well as experts in the real estate field. It also provides forms and instructions for the entire foreclosure process. New chapters include pre-foreclosure title concerns, borrower challenges to foreclosure and lender responses, consequences of wrongful foreclosure, the commercial foreclosure process, and reverse mortgage foreclosure. The set also has an appendix entitled “Texas County Foreclosure Resources” which includes information on the

designated sale sites, appraisal district's website, and a list of each county's website. Additional information is supplied for some counties such as designated sale site on holidays, locations for filing and posting notices, and the person responsible for posting. State Bar of Texas, 2014. 2 volumes.  
KFT 697 F6 L6 2014

### *Roads and Highways*

#### **23. Texas law of streets and alleys: a handbook**

By Kenneth Bennight, Jr.

This concise handbook directly addresses common legal issues involving Texas streets and alleys in a question and answer format. Author Kenneth Bennight, Jr. draws on years of real estate law experience to briefly explain key components of street law. Several sample forms for public-street easement deeds, street-closure deeds, street-closure ordinances, and joint-use agreements are included after the main text. Especially recommended for real estate professionals or city employees. Alpha Major, 2014. 107 pages.  
KFT 5525 B46 2014

### *Sports*

#### **24. How to play the game: what every sports attorney needs to know**

By Darren Heitner

Written as a practical guide for those interested in practicing law in the sports world, this text is easy to read and takes the reader through the many issues a sports lawyer may encounter. The text is divided into a variety of issues from collective bargaining agreements and drug testing to IP and ethics. Real world examples are given, as well as case studies for each topic. This text is well-researched and contains many footnotes citing news and law review articles as well as statutes and applicable cases. The appendix also includes samples of frequently used forms. Highly recommended for attorneys and law students interested in practicing sports law. American Bar Association, 2014. 219 pages.  
KF 299 S66 H45 2014

### *Veterans*

#### **25. The legal guide for military families: everything you need to know about family law, estate planning, and the Service-Members Civil Relief Act**

By American Bar Association

The American Bar Association publishes several excellent legal guides in plain English. This volume addresses general consumer topics, as well as issues particular to service members and their families. The reader will be able to make informed consumer decisions by knowing the protections afforded them by their military status. Chapters cover a variety of topics including military health care and insurance, discharge and veterans' benefits, and disability. Each chapter concludes with a listing of Internet resources for further research. Random House Reference, 2013. 372 pages.  
KF 390 M55 A58 2013



## ORDER FORM

June/July 2014

If you would like to check out any of the books and reports described in this issue, please:

1. Locate the number beside the book or report you would like to check out and circle the corresponding number below. Because *Duly Noted* items are in demand, we ask that you limit your circulation to no more than three items at a time.
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Please visit: <http://www.sll.texas.gov/remote-databases> for more information.

All Texas residents can access these databases by registering for a Texas State Law Library card. Texas residents can register for a Texas State Law Library card in person at the library or online by visiting: <http://www.sll.texas.gov/library-card/>

This card allows access to the databases for three months. After three months, the card can be renewed for an additional three months. To check out print materials or access our in library use only databases, you must come to the library in person and present a valid form of Texas identification.

### The following databases are available for remote access:

- **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**:

- **AILALink** from the American Immigration Lawyers Association
- **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