

Duly Noted



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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 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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Admiralty and Maritime Law

1. **Admiralty in a nutshell**

By Frank L. Maraist

This text covers maritime jurisdiction as well as substantive maritime law. It explores maritime property liens and seaman employment issues such as wages, injury claims, and wrongful death. It also addresses topics such as salvage, carriage of goods, maritime liens, and tort law.

Thomson/West, 2005. 414 pages.

KF 1105 M3 2005

Bankruptcy

2. **Reorganizing failing businesses: a comprehensive review and analysis of financial restructuring and business reorganization**

By Weil, Gotshal & Manges LLP

This revised edition is updated with coverage of the restructuring process as it is practiced today under the Bankruptcy Code. It contains explanations of the relevant laws, customs, and techniques that are central to restructurings. These two volumes address how the new Code interacts with other legal disciplines such as the federal securities laws, finance, intellectual property laws, antitrust tax laws, and environmental laws.

It is written for professionals who engage in restructurings, including corporate lawyers and litigators, executives, bankers, and accountants. American Bar Association, Section of Business Law, 2006. Looseleaf.

KF 1544 R463

Civil Liberties

3. **Thinking about terrorism**

By Michael E. Tigar

Michael E. Tigar contributes his thoughts on the post 9/11 debate over whether the civil liberties guaranteed by the United States Constitution and

our laws should be curtailed to allow the State more latitude in the fight against terrorism. Fear of possible threats encourage some to be willing to compromise on constitutional protections of civil liberties. By providing examples of government responses to terrorist threats throughout history, Tigar states "I hope to draw out definitions of terrorism that make sense and to describe ways of dealing with terrorism that are likely to succeed and that are unlikely to provoke results worse than the evil they confront." American Bar Association, 2007. 221 pages.

KF 9430 T54 2007

Class Actions

4. **Class actions and other multi-party litigation in a nutshell**

By Robert H. Klonoff

This book covers the Class Action Fairness Act of 2005 and the 2003 amendments to Rule 23 of the Federal Rule of Civil Procedure. It looks at topics related to class action law and practice such as requirements for class certification, class action discovery, the Seventh Amendment and due process issues, class settlements, and ethical and policy issues. Thomson/West, 2007. 443 pages.

KF 8896 Z9 K58 2007

Disabilities Law

5. **Disabilities and the law**

By Laura F. Rothstein

Rothstein explores complex physical and mental disability issues in employment, education, higher education, public accommodations and services, transportation, housing, and access to health care with a focus on rights rather than benefits. Discusses the Americans with Disabilities Act, the Rehabilitation Act, and other disability rights laws. Chapters cover Elementary and

Secondary Education, Higher Education, Employment, Public Accommodations and Public Services, Architectural Barriers, Housing, Transportation, Pursuit of Happiness, and Health Care. Thomson/West, 2006. 869+ pages.
KF 480 R67 2006

Eminent Domain

6. Bulldozed: “Kelo,” eminent domain, and the American Dream

By Carla T. Main

Eminent domain entered the awareness of many Americans with the U.S. Supreme Court case, *Kelo v. New London*, in which the Court majority said that, for the sake of economic development, a local government may transfer property from one private party to another under the “public use” clause of the Constitution. Carla T. Main, who in the past has represented the condemning authorities in eminent domain cases, examines how property rights in America have changed, tracing the history of eminent domain from the Revolutionary War to the *Kelo* case. However, the focus of the book is how eminent domain has affected an American family and the small-town community where they have lived and worked for decades. In the 1940s, Pappy and Isabel Gore established a shrimp processing plant called Western Seafood in Freeport, Texas that thrived for three generations. As conditions in the Freeport economy worsened, city officials decided to build a private yacht marina on the Old Brazos River and employ eminent domain to seize waterfront property from the Gores. *Bulldozed* both recounts the Gores’ fight with city hall and ponders larger questions of what property rights mean for the individual today. Encounter Books, 2007. 304 pages.
KF 5599 M35 2007

Employment

7. ERISA survey of federal circuits

By Brooks R. Magratten

This newly revised and updated new edition is designed to acquaint a practitioner with the ERISA law of a particular circuit. A project of the ABA Health and Disability Insurance Law Committee, the survey addresses issues that frequently arise in the prosecution and defense of claims for ERISA-regulated benefits, including preemption, administrative remedies, standard of review, discovery, and evidence. American Bar Association. Tort Trial & Insurance Section, 2007. 456 pages.
KF 3512 E72 2007

8. Sleuthing 101, background checks and the law

By Barry J. Nadell

Sleuthing 101 provides information to conduct any type of background check. The author discusses steps that employers and pre-employment screeners can use to select the best candidate. This manual covers the federal and state laws surrounding background checks, workplace investigations, drug testing, credit checks, and also provides guidance as to what information is available about a candidate. Barry J. Nadell, 2004. 173 pages.
KF 3457 N33 2004

Environmental Law

9. Global climate change and U. S. law

By Michael Gerrard

Global climate change and U.S. law provides comprehensive coverage of U.S. law as it relates to global climate change. The introduction summarizes the factual and scientific background of global climate change. Part I outlines the international and national legal framework of climate change regulation and associated litigation. Part II describes emerging regional,

state and local actions, and it includes a 50-state survey. Part III covers issues of concern to corporations, including disclosure, fiduciary duties, insurance, and subsidies. Part IV examines the legal aspects of efforts to reduce greenhouse gases, such as voluntary efforts, emissions trading, and carbon sequestration. The book's key resource aids include a glossary of climate related terms, a list of acronyms, extensive endnotes, and a comprehensive index. American Bar Association, Section of Environment, Energy, and Resources, 2007. 754 pages.
KF 3775 G56 2007

Government Information

10. **Access to government in the computer age: an examination of state public records law**

By Martha Chumbler

Access to Government in the Computer Age examines public records laws enacted in the mid to late 20th century and how they have been interpreted since computers became an integral part of day-to-day life. The extensive appendices contain state-by-state comparisons of public records statutes, a list of cases pertinent to the development of each state's public records case law, as well as a list of supplemental materials helpful to a study of public records law. American Bar Association, Section of State and Local Government Law, 2007. 218 pages.
KF 5753 A94 2007

Hate Crimes

11. **Burning crosses, hangman's nooses, and the like: state statutes that proscribe the use of symbols of fear and violence with the intent to threaten**

By Kathleen Anne Ruane

This paper provides a very broad overview of threatening symbolic speech and how this topic is dealt with in statutes across the United States.

The discussion of how the speech prohibited by these laws falls under the protection of First Amendment is an excellent starting place for research on the topic. Congressional Research Service, 2007. 17 pages. Online at:
<http://fas.org/sgp/crs/misc/RL34200.pdf>
KF 6773 R78 2007

Insurance

12. **New Appleman insurance law practice guide**

The New Appleman insurance law practice guide steers the legal professional through the analysis and evaluation of many complex issues inherent in the practice of insurance law. Points to consider, important strategic points, or potential pitfalls are presented throughout the text, as well as sample forms and instructions for their use. Also helpful are instructions on searching for salient information on Lexis.com. LexisNexis, 2007. 3 vols.
KF 1164 A765

Judicial Opinions

13. **Evolution of the judicial opinion: institutional and individual styles**

By William D. Popkin

An extensively researched book on the history of judicial opinion in the United States, Popkin's work traces the evolution of judicial opinion from the traditional common law system in England through the founding of the United States and up to the development of the institutional and individual styles commonly seen in the 19th century and today. An examination of statutes regarding judicial reporting on a state-by-state basis narrows the focus of his analysis, allowing for a more specific and detailed view of the overall picture presented. New York University Press, 2007. 301 pages.
KF 8990 P67 2007

Legal Research and Writing

14. **Burton's legal thesaurus**

By William C. Burton

This fourth edition is updated with new and contemporary words and phrases commonly used in the legal profession, but left out of previous editions. This includes 8,000 terms, synonyms, definitions and parts of speech, over 1000 of which are new entries. The work is compiled as a reference for judges, lawyers and students of the law. This new format is user-friendly and contains thorough cross-referencing.

McGraw-Hill, 2007. 1063 pages.

REF DESK KF 156 B85 2007

15. **Dictionary of modern legal usage**

By Bryan A. Garner

This revised edition of the dictionary contains the following new material:

- Every existing entry has been updated
- Hundreds of new entries
- Hundreds of new sections within existing entries
- Over 3,000 new illustrative quotations from judicial opinions and leading law books by prominent legal commentators
- It reconsiders previously held positions, for example, it extends the permissibility of contractions in legal writing.
- It takes into account numerous comments received from first edition users
- It expands and updates cross-references to guide readers quickly and easily

This new second edition also has the following features:

- Functions both as a style guide and as a law dictionary
- Helps writers to distinguish between true terms of law and jargon
- Illustrates recommended forms of expres-

sion as well as common blunders, with thousands of quotations and citations

- Explains the origins of expressions lawyers regularly use, such as “Know all men by these present”, or “party of the first part”
- Records and evaluates more than 100 20th century neologisms, from “conclusory” to “farminor”
- Distinguishes American from British usage and refers to current practice among Australian, Canadian, and Scottish legal writers

Oxford University Press, 2001. 951 pages.

REF DESK KF 156 G38 2001

16. **Law (in plain English) for writers**

By Leonard D. DuBoff

This book is intended for the freelance writer who requires knowledge of the law. It looks at the business side of writing and the legal issues facing a writer. It covers such topics as the freedom to write, privacy, defamation, negligence, copyright and access to information. It also looks into writers' relationships with publishers, literary agents and the contracts that define these relationships. It concludes with a discussion on types of businesses, tax information, wills and estates and dispute resolution. It includes an appendix of internet resources and a glossary of terms. Sphinx Publishing, 2005. 280 pages.

KF 390 D83 2005

17. **Legal research: how to find and understand the law**

By Stephen Elias

This is a good resource for anyone who finds themselves in need of a primer on legal research. It provides an overview of both legal research and the law in plain English. With summaries and examples, Elias advises readers on how to best perform research in a law library and online.

This book provides instruction on how to read and understand statutes, regulations and cases, and how to use the basic tools of legal research. Readers are also provided with exercises that reinforce the basic skills needed to navigate through online and print resources. Nolo Press, 2007. 322 pages. KF 240 E35 2007

18. **Redbook: a manual on legal style**

By Bryan A. Garner

This style manual focuses on the needs of legal writers. It covers the mechanics (punctuation, capitalization, document design, numbers, citations, etc.), grammar, usage and editing of legal writing. It also provides instruction on preparing legal documents, including case briefs, opinion letters, pleadings, motions and contracts. This edition includes a new detailed table of contents and is illustrated with sample documents. It is designed for paralegals, legal secretaries, law students, law professors, practicing lawyers and judges. Thomson/West, 2006. 510 pages. REF DESK KF 250 G37 2006

19. **Writing to win: the legal writer**

By Steven D. Stark

Writing to Win focuses on legal writing for lawyers, not judges, and includes dozens of examples of effective (and ineffective) real-life writing—as well as models drawn from advertising, journalism, and fiction. It deals with the problems lawyers face in writing, from organization to strengthening and editing prose. It also teaches ways of improving arguments, addresses litigation and technical writing in all its forms, and covers the writing attorneys must perform in their practice, from memos and letters to briefs and contracts. Each chapter opens with a succinct set of rules for easy reference, and Stark elaborates on each rule in every chapter with some discussion and examples to reinforce these rules.

There is also a handy list of the “Thirteen Rules of Professionalism in Legal Writing” in the appendix. Main Street Books, 1999. 283 pages. KF 250 S8 1999

Medical Records

20. **Guide to HIPAA security and the Law**

By Stephen S. Wu

The Health Insurance Portability and Accountability Act (HIPAA) requires the promulgation of federal standards for privacy and security of “protected health information.” This publication focuses on the federal regulations relating to security of protected health information in electronic format. The regulations seek to create systems that allow for ease of data sharing, while simultaneously establishing safeguards against unauthorized access. Lawyers can use this guide to gain an understanding of technological issues related to information security. It provides guidance in the creation of policies and procedures that comply with the rules and protect clients from costly data security breaches. American Bar Association, Section of Science & Technology Law, 2007. 324 pages. KF 3827 R4 G85 2007

Native Americans

21. **American Indian law in a nutshell**

By William C. Canby

Titles in the Nutshell Series purport to be “succinct exposition of the law.” They provide an excellent starting point for those researching an unfamiliar legal topic. The author of this volume, William C. Canby, Jr., teaches Indian law and has frequently been called on to testify before Congress on Indian law and policy issues. His volume provides an overview of the law “dealing with the status of the Indian tribes and their special relationship to the federal gov-

ernment, with all the attendant consequences for the tribes and their members, the states and their citizens, and the federal government.” Covering the historical development, major cases and relevant statutes, this publication provides a grounding in this body of law and a basis for further research. Thomson/West, 2004. 496 pages. KF 8205 C3 2004

Practice of Law

22. **MacCarthy on cross-examination**

By Terence F. MacCarthy

Terence MacCarthy is well known for his CLE lectures on cross-examination skills. In his experience, cross-examination is the most challenging area for trial lawyers. Lawyers adept at crafting strong, persuasive opening and closing arguments often find themselves losing ground during cross-examinations. Using actual cases, the author seeks to demonstrate techniques lawyers can use to manage witnesses during cross-examination without appearing “controlling, extracting or insulting.” The three key strategies to employ are to “look good, tell a story, and use short statements.” American Bar Association, 2007. 221 pages. KF 8920 M33 2007

23. **Model rules for lawyer disciplinary enforcement**

Over a period of many years the American Bar Association developed model rules for the regulation of lawyers and the legal profession. *Model Rules for Lawyer Disciplinary Enforcement* provides a “best practices” guide for procedures to hold lawyers accountable to the legal and ethical standards of the legal profession. American Bar Association, Standing Committee on Professional Discipline, 2007. 72 pages. KF 308 A55 2007

Real Estate

24. **Real estate finance law**

By Grant S. Nelson

This two volume set is part of the Thomson/West Practitioner Treatise Series. The 5th edition covers the traditional elements of real estate financing and has been updated to include the many new developments in mortgage lending. Other new developments covered include the impact of two recent uniform laws developed by the National Conference of Commissioners on Uniform State Laws, the 2002 Uniform Foreclosure Act and the 2002 Uniform Assignment of Rents Act. Additionally, the impact on the mortgage lending community by the provisions of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 are discussed. Thomson/West, 2007. 2 vols. KF 695 O8 2007

Religion and the Law

25. **Law of church and state: U.S. Supreme Court decisions since 2002**

By Cynthia M. Brougher

This survey of Supreme Court opinions illustrates the challenges the court faces in religion cases arising from the First Amendment. This report explains the holdings of each of the Court’s church-state cases since 2002, and also explains the position of justices who concurred in the judgments or dissented in each case. Congressional Research Service, 2007. 17 pages. Online at: http://assets.opencrs.com/rpts/RL34223_20071030.pdf KF 4865 B75 2007

26. **State and religion in a nutshell**

By Thomas C. Berg

This title discusses the attention the Supreme Court has given to religious-freedom issues under the First Amendment over the last 15 years. The

text covers the issue of separation of church and state, equality of treatment, and religious liberty. It also provides a historical perspective on the interactions of the Establishment Clause and the Free Exercise Clause. Thomson/West, 2004. 312 pages.
KF 4865 B47 2004

Restaurant Law

27. Law (in English) for restaurants and others in the food industry

By Leonard D. DuBoff

Leonard DuBoff's guide to the legal aspects of the food industry provides clear information, aimed at the non-lawyer, on developing a restaurant business. Its scope is excellent in that it not only addresses the most evident legal issues pertaining to restaurants, such as developing business plans, protecting recipes, employment law, etc, but also discusses related topics such as taxes, trademarks, copyright, and warranties. An extensive glossary and index offer increased access points to information. Sphinx Publishing, 2006. 284 pages.

KF 2042 D83 2006

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