

Duly Noted



New titles from the Texas State Law Library

Subject	Title	Page
<i>Adoption</i>	Law of adoption.....	3
<i>Civil Liberties</i>	Restoring the right to vote	3
<i>Civil Procedure</i>	Civil process for Texas	3
<i>Construction</i>	American Bar Association legal guide to home renovation	3
<i>Courts</i>	Access to justice: opening the courthouse door	3
	Future trends in state courts 2007.....	4
	Texas courts: a survey: cases and materials	4
<i>Eminent Domain</i>	2008 Eminent domain made easy: answers to the most frequently asked questions about the eminent domain law	4
<i>Ethics and Professional Responsibility</i>	Red flags: a lawyer's handbook on legal ethics.....	4
<i>Homeowners Associations</i>	Homeowners association and you: the ultimate guide to harmonious community living.....	5
<i>Immigration</i>	AILA's asylum primer: a practical guide to U.S. asylum law and procedure.....	5
	Essentials of immigration law	5
	Immigration & nationality law handbook	5
	U.S. immigration: a reference handbook.....	6
<i>Judges</i>	Blinking on the bench: how judges decide cases	6
	Fair courts: setting recusal standards.....	6
	How judges think.....	6
	Rational judicial behavior: a statistical study	7
<i>Landlord and Tenant</i>	Landlords' and tenants' guide.....	7
<i>Law Reform</i>	Lawsuit climate 2008: ranking the states	7
<i>Legal Research and Writing</i>	Dictionary of legal terms: a simplified guide to the language of law.....	7
<i>Malpractice</i>	Texas legal malpractice & lawyer discipline: a guide to the liability and discipline of Texas lawyers	7
<i>Pro se Representation</i>	Civil legal assistance for all Americans.....	8
<i>Real Estate</i>	English-Spanish real estate glossary	8
<i>Taxation</i>	Texas property tax system.....	8

Texas State Law Library

205 West 14th Street • Austin, Texas 78701 • (512) 463-1722 • www.sll.state.tx.us

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.

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

205 West 14th Street • Austin, Texas 78701-1614

Phone (512) 463-1722 • Fax (512) 463-1728

www.sll.state.tx.us • library@sll.state.tx.us

Adoption

1. Law of adoption

By Margaret C. Jasper

This is a good primer on adoption laws. While not an in-depth treatment, this book covers the basic points of the adoption process. It explains the types of adoptions available, including the costs and some of the resources available to mitigate those costs. It covers adoption procedures, including the home study, placement and finalization. Issues regarding consent and termination of parental rights are addressed, as well as information on who may adopt and who may be adopted. Post-adoption issues, including contact agreements, access to records and inheritance rights, are discussed as well. There is also a chapter on international adoption. The book includes a glossary of adoption terms and several appendices, including state adoption statutes, directory of state adoption information web sites and a table of allowable adoption expenses, to name a few. Oceana, 2008. 207 pages.
KF 545 Z9 J37 2008

Civil Liberties

2. Restoring the right to vote

By Erika Wood

Erika Wood of the Brennan Center for Justice presents this brief argument against criminal disenfranchisement laws in the United States. Tracing the history of disenfranchisement since Jim Crow laws, Ms. Wood contends that the current laws serve no purpose and in fact run counter to the American ideal of universal suffrage. The paper concludes with recommendations for policy changes to restore democratic opportunity for released felons. Brennan Center for Justice at New York University School of Law, 2008. 34 pages.
Online at: http://brennan.3cdn.net/8782cc82daf02b9431_29m6ibzbu.pdf
KF 4891 W66 2008

Civil Procedure

3. Civil process for Texas

By John Steinsiek

This book was written as a handy guide for the service of civil documents. It covers service and liability rules and issues relating to the different types of documents and service issues relating to property. It also includes easy reference charts for citation publication, eviction, protective orders and example service returns. There is also a glossary of civil process terms. For each type of document served, there is a definition, a summary of the requirements needed for service and the information required for that return. There are also tips and notes provided for many of the service documents, as well as references to the Texas Rules of Civil Procedure and Texas Code sections for each document type. LexisNexis, 2007. 135 pages.
KFT 8816 S74 2007

Construction

4. American Bar Association legal guide to home renovation

By

This book provides information to assist homeowners with the legal aspects behind home renovation. Topics include planning a renovation, choosing a contractor, negotiating the contract, permits and licenses, resolving disputes, and ways to work with a lawyer. Random House, 2006. 206 pages.
KF 902 A46 2006

Courts

5. Access to justice: opening the courthouse door

By David Udell and Rebekah Diller

In this white paper, the authors argue that the gap between America's promise of equal justice and the reality of that justice is substantial and grow-

ing. The chief areas of concern are meaningful access to the courts with representation by counsel, the ability to physically enter court and understand and participate in the proceedings, and the opportunity to have claims heard. The authors attribute these shortfalls in these areas to, among other causes: the insufficient number and ineffectiveness of lawyers who represent low-income people, insurmountable barriers to court buildings and procedures for those with physical or psychiatric disabilities, inadequate language translation services, and an increased reliance on alternative dispute resolution, which places judicial review out of reach for an increasing number of people. Brennan Center for Justice at New York University School of Law, 2007. 26 pages. Online at: http://brennancenter.org/dynamic/subpages/download_file_48493.pdf
KF 4764 U34 2007

6. **Future trends in state courts 2007**

By Carol R. Flango

This book outlines the current practices in state courts that the National Center for State Courts identifies as trends. The organization identifies three different areas of focus for the courts: technology, problem-solving courts, and “promising practices.” Trends in technology include electronic filing and electronic court records. Trends in problem solving courts look at court responses to the treatment of families and children, as well as the handling of drug cases and elder abuse. The third category covers what the center refers to as promising trends and examines items such as the use of foreign language interpreters, immigration issues and library access. National Center for State Courts, 2007. 112 pages.
KF 8732 Z9 F87 2007

7. **Texas courts: a survey: cases and materials**

By Alex Wilson Albright

Written by a University of Texas Law School faculty member, this text provides law students with a comprehensive view of many aspects of Texas civil proceedings. Topics covered include jurisdiction, venue, pleadings, evidence, summary judgment, verdicts, judgments, motions for new trial, appeals, discovery, privileges, expert witnesses, complex litigation, settlements and the jury. Most chapters begin with an introductory discussion of the topic and end with answers to questions that students are likely to ask. Imprimatur Press, 2006. 786 pages.
KFT 8816 A42 2006

Eminent Domain

8. **2008 Eminent domain made easy: answers to the most frequently asked questions about the eminent domain law**

By Julian Grant

This paper provides a brief overview of eminent domain with references to relevant case law and statutes. It explains the legal basis for the power of eminent domain and the procedures used to acquire property, as well as the procedures used when the property owner and condemnor are unable to agree on the price of property. Attorney General of Texas, 2008. 12 pages. Online at: http://www.oag.state.tx.us/AG_Publications/pdfs/eminentdomain_easy_2008.pdf
KFT 5599 G73 2008

Ethics and Professional Responsibility

9. **Red flags: a lawyer's handbook on legal ethics**

By Lawrence J. Fox

This title discusses ethics and professional responsibility for the legal practitioner. The authors focus on what they refer to as the “4 Cs” of legal ethics: communication, competence, confidentiality and conflicts of interest resolution. The book

provides various questions and answers for ethics situations to guide attorneys through the American Bar Association's Model Rules of Professional Conduct. The book also covers remedies, determining when to seek advice, and methods of getting assistance. ALI-ABA Committee on Continuing Professional Education, 2005. 327 pages. KF 306 F69 2005

Homeowners Associations

10. **Homeowners association and you: the ultimate guide to harmonious community living**

By Marlene Coleman

This book discusses how homeowners associations work from the point of view of both a homeowner and a member of the board of directors. Topics covered include community living, the structure of an association, conflict resolution, financial management, communication and procedure for meetings. This book includes a glossary of terms, sample letters, forms and checklists to assist the running of an association. Sphinx, 2006. 225 pages. KF 576 C65 2006

Immigration

11. **AILA's asylum primer: a practical guide to U.S. asylum law and procedure**

By Regina Germain

The number of asylum seekers in this country is growing, as are the complexities and challenges to receiving asylum status. Because many asylum seekers have fled to this country with few resources, this area of law has a great need for lawyers wanting do more pro bono work. This publication is a comprehensive procedural guide for the attorney working through a claim. Practical aspects of the publication include checklists for each stage of the application process and sample forms and many practice tips. Additionally, a chapter is devoted to other forms of relief, should

the asylum claim be denied. American Immigrant Lawyers Association, 2007. 636 pages. KF 4836 G47 2007

12. **Essentials of immigration law**

By Richard A. Boswell

This book serves as a comprehensive overview of immigration law. The author acknowledges that immigration law is an extremely complex area of study with a profound impact on the lives of individuals trying to navigate through the "labyrinth." Changing policies on immigration have created a patchwork of laws and regulations and a dizzying array of agencies involved in enforcing statutes. This book provides the essentials for understanding immigration law in a readable format and serves as a springboard for more in-depth research in other American Immigration Lawyers Association publications. It is complemented by appendices that explain key concepts, abbreviations and acronyms. American Immigration Lawyers Association, 2006. 244 pages. KF 4819 B67 2006

13. **Immigration & nationality law handbook**

By American Immigration Lawyers Association

This handbook contains over 60 articles on a broad range of advanced immigration law topics. Written by leaders in the field, these articles provide "how-to" advice and analysis on subjects such as temporary visas, labor certification, family immigration, asylum, law office management, ethics, citizenship and naturalization, litigation, judicial review and consular processing. American Immigration Lawyers Association, 2007. 664 pages. KF 4819 A41 2007/08

14. U.S. immigration: a reference handbook

By Michael C. LeMay

Michael C. LeMay's handbook on US immigration law provides an in-depth overview of major changes in immigration policy since the 1960s. LeMay analyzes the prominent issues facing today's immigrants and how they have been addressed by recent legislation. Features of this book include a chronology of immigration policies, summaries and excerpts from key decisions and legislation, biographical sketches of prominent players in immigration reform, an extensive list of agencies and organizations, and a bibliography of books, journals and other media on immigration. ABC-CLIO, 2004. 283 pages. KF 4819 L46 2004

Judges**15. Blinking on the bench: how judges decide cases**

By Chris Guthrie, Andrew J. Wistrich and Jeffrey Rachlinski

This article attempts to determine how judges make decisions by demonstrating that neither of the two current models, formalist and realist, is accurate. Instead, the authors make a case for what they call the "intuitive-override" model of judging. Basing their conclusions on contemporary psychological research and their empirical evidence, they posit "that judges generally make intuitive decisions but sometimes override their intuition with deliberation." Their model differs from other studies of judicial decision-making in that they study trial judges rather than appellate judges and identify judicial accuracy, not judicial activism, as the most challenging issue facing the courts. Vanderbilt University, 2007. 68 pages. Online at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1026414
KF 8775 G88 2007

16. Fair courts: setting recusal standards

By James Sample

The public is increasingly skeptical that the courts are independent and impartial forums. Judicial appointments are often perceived as a reward for political loyalty, while campaign contributions from special interest groups can be perceived as buying an elected judge. The authors of this paper discuss the problems of public confidence in the courts and the problems with the existing recusal system. They offer 10 proposals "to strengthen the fairness and legitimacy of state recusal systems." Retired Chief Justice of the Texas Supreme Court, Thomas R. Phillips, contributed the Forward to the paper. Brennan Center for justice at New York University School of Law, 2008. 47 pages. Online at: http://brennan.3cdn.net/1afc0474a5a53df4d0_7tm6brjhd.pdf
KF 8861 S24 2008

17. How judges think

By Richard A. Posner

Posner, an appellate court judge and prolific writer, seeks to shed some light on the judicial decision-making at the appellate court levels, including the U.S. Supreme Court. Posner notes that "judges are reticent to talk about judging." This cloaking of the process preserves the "aura of professionalism," but it does not add to the legal profession or public's trust of the judicial branch. Nor does it allow judges to critically analyze the decision-making process. Posner describes various intellectual approaches to judging and the strengths and weaknesses of each. Posner seems to conclude that as much as judges want to believe they base their decisions on legal theory alone, they are a product of their own personal and political leanings. Harvard University Press, 2008. 387 pages.
KF 8775 P67 2008

18. Rational judicial behavior: a statistical study

By William M. Landes

This paper analyzes the connection between judicial voting records and ideology, using a large sample of court of appeals cases decided since 1925, and Supreme Court cases decided since 1937. The analysis takes into account the ideological classifications of votes (e.g., liberal or conservative), the party of the appointing President, the relative number of Republican and Democratic Senators at the time of the judge's confirmation, the appointment year, characteristics of the judge (e.g., gender, race and prior experience), and the ideological profile of the judges on the court in which the judge sits, as measured by the relative number of judges appointed by Republican and Democratic presidents. Law School, University of Chicago, 2008. 58 pages. Online at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1126403

KF 8775 L36 2008

*Landlord and Tenant***19. Landlords' and tenants' guide**

By Judon Fambrough

Laid out in an easy-to-read question and answer format, Texas A&M University's Real Estate Center provides answers to common landlord/tenant issues with citations to the relevant statutes. Revised in January 2008, this is a current and useful reference guide for both landlords and tenants. Real Estate Center, 2008. 118 pages. KFT 586 F35 2008

*Law Reform***20. Lawsuit climate 2008: ranking the states**

By U.S. Chamber Institute for Legal Reform
The U.S. Chamber Institute for Legal Reform conducted the 2008 State Liability Systems Ranking Study from a national sample of in-house general counsel and other senior corporate litiga-

tors in order to explore and quantify how reasonable and balanced they perceive the tort liability system to be. Each year all 50 states are ranked by those familiar with the litigation environment in each state. Respondents were asked to judge the states in the following areas: creation and enforcement of meaningful venue requirements; overall treatment of tort and contract litigation; treatment of class action suits and mass consolidation suits; punitive damages; timeliness of summary judgment or dismissal; discovery; scientific and technical evidence; non-economic damages; judges' impartiality and competence; and juries' predictability and fairness. U.S. Chamber Institute for Legal Reform, 2008. 32 pages. Online at: <http://www.instituteforlegalreform.com/states/2008/pdf/LawsuitClimateReport.pdf>
REF KF 1301 L38 2008

*Legal Research and Writing***21. Dictionary of legal terms: a simplified guide to the language of law**

By Steven H. Gifis

Barron's Dictionary of Legal Terms is a reference volume aimed at the non-lawyer. Clear and concise definitions make this a solid basic resource for those without a legal background. Words in definitions that are defined elsewhere in the dictionary are featured in bold type. Similar terms, examples of usage, and terms under the main entry's umbrella are often listed for further clarification for the user. Barron's, 2008. 575 pages. REF KF 156 G53 2008

*Malpractice***22. Texas legal malpractice & lawyer discipline: a guide to the liability and discipline of Texas lawyers**

By Charles F. Herring

This text discusses legal malpractice and lawyer liability in Texas. It provides a guide to the provi-

sions of the Texas Disciplinary Rules of Professional Conduct and to the procedures that govern lawyer discipline. It also discusses obligations that arise from the Texas Lawyer's Creed and how to enforce them, and its appendices present the text of the most important rules, codes and statutes affecting Texas lawyers. Texas Lawyer Press, 2008. 780 pages.

KFT 1289 H4 2008

Pro se Representation

23. Civil legal assistance for all Americans

By Jeanne Charn and Richard Zorza

This proposal, published by the Bellows-Sacks Access to Civil Legal Services Project, outlines the difficulties that people without legal representation face and ways in which these problems can be overcome. The authors suggest specific policies to increase access to legal representation and democracy, such as expanding eligibility to include moderate- and low-income people, increasing services by incorporating paraprofessionals, and contracting with the state bar to facilitate providing services. A critical analysis of assumptions about access to legal services leads to a description of an ideal legal service delivery system, which in turn is discussed in terms of potential challenges to such as system's design and implementation. Harvard Law School, 2005. 64 pages. Online at: <http://www.law.harvard.edu/academics/clinical/bellow-sacks/papers/bellow-sacks.pdf>

KF 8841 C5 2005

Real Estate

24. English-Spanish real estate glossary

By Jack C. Harris

This English-Spanish glossary covers over 500 real estate terms. Items are organized alphabetically by the English spelling of the term. Following the English definition, the same concept

is defined in Spanish. The terms selected for the glossary are likely to be found when purchasing a home and reading a real estate contract. Real Estate Center, 2007. 103 pages.

REF HD 1365 E54 2007

Taxation

25. Texas property tax system

By Charles E. Gilliland

Charles E. Gilliland has written a number of publications and articles in his work at Texas A&M University's Real Estate Center. In this publication, he presents a brief but thorough explanation of Texas's property tax system. He provides an overview that lists all the governmental entities involved in the tax system as well as their functions. Separate chapters are devoted to property owner's rights, market value concepts and appraisal principles. He then provides an explanation of each phase of the implementation of the tax, giving the reader an authoritative and concise guide to this much discussed tax system. Real Estate Center, 2006. 57 pages.

KFT 6525 G5 2006

ORDER FORM

June/July 2008

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.
2. Complete the REQUESTOR information below.
3. Remove this page and return it to the State Law Library by mail or fax (512-463-1728) or call us at 512-463-1722.

1	2	3	4	5
6	7	8	9	10
11	12	13	14	15
16	17	18	19	20
21	22	23	24	25

*Numbers with grey circle are reference only

REQUESTOR

Office of _____

Name _____

Address _____

Phone Number _____

Library Card Number _____