

Duly Noted



New titles from the Texas State Law Library

Subject	Title	Page
<i>Alternative Dispute Resolution</i>	Alternative dispute resolution in a nutshell Processes of dispute resolution: the role of lawyers.....	3 3
<i>Antitrust Law</i>	Mergers and acquisitions: understanding the antitrust issues.....	3
<i>Arbitration</i>	The science of settlement : ideas for negotiators.....	3
<i>Capital Punishment</i>	Innocent: inside wrongful conviction cases	3
<i>Courts</i>	Supreme conflict : the inside story of the struggle for control of the United States Supreme Court	4
<i>Criminal Justice</i>	Judicial hellholes	4
	Doing justice: a prosecutor's guide to ethics and civil liability	4
	Second chances in the criminal justice system: alternatives to incarceration and reentry strategies	4
<i>Criminal Procedure</i>	Texas law enforcement handbook: contemporary criminal procedure	5
<i>Disabilities Law</i>	Mentally disordered inmate and the law	5
<i>Education</i>	Educating children without housing.....	5
<i>Ethics and Professional Responsibility</i>	Judicial conduct and ethics.....	5
<i>Evidence</i>	Evidentiary foundations.....	6
<i>Family Law</i>	Teen rights and responsibilities	6
<i>Immigration</i>	Criminal lawyer's guide to immigration law: questions and answers.....	6
<i>Judges</i>	The inside scoop: what judges really think about the way lawyers write....	6
	Handbook for judges: an anthology of inspirational and educational readings	7
<i>Juries</i>	American juries: the verdict	7
	Scientific jury selection	7
<i>Law Reform</i>	A Texas turnaround: the impact of lawsuit reform on business activity in the lone star state	7
<i>Science & the Law</i>	A litigator's guide to DNA	7
<i>Taxation</i>	Fiduciary duties of nonprofit directors and officers	8
<i>Trial Practice</i>	Causes of action 2008.....	8
	Vouching: a defense attorney's guide to witness credibility, law, and strategy	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

Alternative Dispute Resolution

1. Alternative dispute resolution in a nutshell

By Jacqueline M. Nolan-Haley

“Alternative dispute resolution in a nutshell” by Jacqueline Nolan-Haley is an update to the 2001 edition in Thomson West’s nutshell series. In addition to the discussion of the subject from Ms. Nolan-Haley, the appendices contain the complete text of key rules and laws, including the Model Standards of Conduct for Mediators, The Uniform Arbitration Act, Uniform Mediation Act, and Federal Rules of Civil Procedure. Users familiar with the nutshell format will find this book concise and informative with extensive bibliographic references. Thomson/West, 2008. 490 pages.

KF 9084 N65 2008

tive analysis applied to transactions; possible coordinated and unilateral effects arising from a transaction; potential mitigating factors, efficiencies, and defenses; joint ventures and vertical and conglomerate mergers; international transactions; and judicial relief and remedies. Written by economists, this content provides the reader with a deeper understanding of the relevant economic issues in a way accessible to those without formal economic training. American Bar Association, 2008. 1201 pages.

KF 1655 M47 2008

Arbitration

4. The science of settlement : ideas for negotiators

By Barry Goldman

In this book Barry Goldman looks at negotiation behavior. He relates misconceptions regarding negotiations and settlements through various examples and shows techniques that can help improve one’s practice of negotiation. He focuses on the preparation for a negotiation and how to bargain once the preparatory work is complete. The book includes a glossary and a bibliography. ALI ABA, 2008. 196 pages.

KF 9084 G65 2008

Capital Punishment

5. Innocent: inside wrongful conviction cases

By Scott Christianson

Christianson, an investigative journalist with experience in New York state’s criminal justice division, discusses recent New York state criminal cases that seem to reveal that wrongful conviction, either from abuse of the system or human error, is much more widespread than we like to think. He sets out the facts of the case, talks with witnesses, examines the evidence presented and reveals abuses and mistakes that

Antitrust Law

3. Mergers and acquisitions: understanding the antitrust issues

By Robert S. Schlossberg

A comprehensive review of U.S. substantive merger law, “Mergers and Acquisitions” explains relevant case law, antitrust guidelines, policies, speeches and consent decrees on the subject. Other subjects covered include: substan-

were allowed to stand. Christianson also explores the role prisoners, post-conviction counsel and the news media play in bringing facts to light and the case back into the court system for another chance at justice. New York University Press, 2004. 196 pages.
KF 9756 C49 2004

Courts

6. Supreme conflict : the inside story of the struggle for control of the United States Supreme Court

By Jan Crawford Greenburg

Jan Crawford Greenburg's book looks at the conservative shift in the United States Supreme Court with the appointments of Chief Justice Roberts and Justice Alito. The author interviewed current and former justices, their clerks, and white house officials to show how the court has evolved over the past decades. The book shows the dynamics between the justices and how their personalities affect debates. Penguin Books, 2008. 354 pages.
KF 8742 G74 2008

7. Judicial hellholes

By American Tort Reform Association

This report highlights jurisdictions in which the American Tort Reform Association (ATRA) believes judges apply laws and court procedures in an inequitable manner and classifies such jurisdictions as "judicial hellholes." ATRA seeks to identify areas of the country where the scales of justice are radically out of balance and to provide solutions for restoring balance, accuracy and predictability to the American civil justice system. The report also mentions areas that are considered "points of light", where the judiciary and others have intervened to correct problems or prevent abuses. American Tort Reform Association, 2007. 1 vol.

KF 1250 B75 2007

Criminal Justice

8. Doing justice: a prosecutor's guide to ethics and civil liability

By Aime L. Clifford

This book is a joint project of the National College of District Attorneys and the Education Division of the National District Attorneys Association. With the growing interest in wrongful convictions, these groups are especially cognizant that the actions of public prosecutors are under increased scrutiny by the public and press, especially since most prosecutors enter the field to "do justice." Each chapter, written by practicing prosecutors, focuses on ethical issues and provides guidance to ensure the prosecutor acts responsibly. National Center for Prosecution Ethics, 2007. 302 pages.
KF 306 D65 2007

9. Second chances in the criminal justice system: alternatives to incarceration and reentry strategies

By American Bar Association Commission on Effective Criminal Sanctions.

At the 2003 American Bar Association (ABA) annual meeting, Justice Anthony Kennedy "raised fundamental questions about the fairness and efficacy of a criminal justice system that imprisons so many people for such long periods of time, and that returns them to their communities in worse shape than when they left." The ABA responded to his request to examine American sentencing and corrections policies and practices, by creating the Justice Kennedy Commission and the Commission on Effective Criminal Sanctions. These groups held hearings and gathered input and developed policy recommendations for the ABA. This publication includes the reports and recommendations in the hopes it will serve as a blueprint for reform efforts. American Bar Association, 2007. 88 pages.
KF 9750.5 A75 2007

Criminal Procedure**10. Texas law enforcement handbook:
contemporary criminal procedure**

By Larry E. Holtz

This book studies modern criminal procedure and provides a quick reference to important classical and current court decisions from the U. S. Supreme Court, Texas Court of Criminal Appeals and the Courts of Appeal. For each issue presented, there is a brief discussion followed by pertinent cases, with a question, answer, rationale and note. The question presents the general issues of the case, the answer represents the holding of the case or rule of law, the rationale is the court's analysis and reasoning behind the rule of law and the notes explore more of the subject area. Topics analyzed include laws of arrest, search and seizure, investigative detentions, interviews, confessions and Miranda, the right to counsel, identification procedures, evidence, and law enforcement liability. LexisNexis, 2007. 899 pages.

KFT 5399 H65 2007-2008

Disabilities Law**11. Mentally disordered inmate and the law**

By Fred Cohen

The second edition of Fred Cohen's "The mentally disordered inmate and the law" expands its coverage of the legal issues that face mentally disordered inmates and prison professionals alike. The two volume set discusses a wide range of topics regarding inmates, beginning with a general treatment of the inmate's place in the legal world and narrowing to specialized treatment of juvenile and sexually violent offenders. In addition to in-depth analysis of the significant court cases on the topic, Cohen presents readers with the actual text of the decisions. Civic Research Institute, 2008. 2 vols.

KF 9731 C64 2008

Education**12. Educating children without housing**

By Barbara Duffield

This book addresses the federal educational mandates related to homeless students under the McKinney-Vento Homeless Assistance Act. It provides strategies for educators, school administrators, state coordinators, policymakers, advocates and attorneys to ensure the education rights of students experiencing homelessness. Additions include new sections on: homeless students with disabilities; students involved in the child welfare system; application of the Act in response to disasters; as well as expanded sections on definitions, preschool children, and unaccompanied youth. The book also includes an updated directory of resources. American Bar Association, 2007. 64 pages.

KF 4217 H6 D83 2007

Ethics and Professional Responsibility**13. Judicial conduct and ethics**

By James J. Alfini

Now in its fourth edition, "Judicial Conduct and Ethics" is a guide to the conduct of federal, state, and local judges. It analyzes every type of accountable action, including judicial demeanor and conduct, ex parte communications, case management and administrative imperatives, financial activities and disclosure, civic and charitable activities, and election and political activities. Some of the substantial new material added to this edition includes appendices of Tables of Model Code Provisions, both the 2007 and 1990 versions of ABA Model Code of Judicial Conduct, and the Guidelines for Cases Involving Judicial Disability. LexisNexis, 2007. 1 vol.

KF 8779 S5 2007

Evidence

14. Evidentiary foundations

By Edward J. Imwinkelried

Evidentiary Foundations looks at all major evidentiary doctrines. In this 7th edition the author looks at each doctrine, cites to the applicable Federal Rule of Evidence, discusses the leading cases on the topic, lists the foundation elements, and then gives an example of a sample foundation. Each foundation element is given a number which is used again in the sample to help illustrate how the foundation is used. LexisNexis, 2008. 1 vol.

KF 8935 I45 2008

Immigration

16. Criminal lawyer's guide to immigration law: questions and answers

By Robert James McWhirter

This book covers immigration law in a convenient question and answer format. Topics include aliens and government, aliens and criminal convictions, immigration crimes, reentry after deportation and illegal entry and alien witnesses and defendants. The author writes from the perspective of a practicing lawyer. "His straightforward organization gives answers to everyday practice questions." The book also includes a handy table of questions and a table of cases. Criminal Justice Section. American Bar Association, 2006. 1 vol.

KF 4819 M39 2006

Judges

17. The inside scoop: what judges really think about the way lawyers write

By Kristen K. Robbins Tiscione

Tiscione, with the assistance of other Georgetown University staff members, conducted a survey composed of twenty-nine questions designed to ascertain how federal judges view the briefs they receive. She questioned judges about the goals of written advocacy, how often briefs achieve those goals and the overall quality of writing. She also invited written comments on the quality of advocates' writing and how law school courses might assist in improving persuasive writing in practice. Surveys were submitted to all sitting federal judges on the supreme, circuit, and district court levels and 355, or 46% as of 1999, responded. Georgetown University, 2008. 28 pages. Online at: <http://lsr.nellco.org/cgi/viewcontent.cgi?article=1061&context=georgetown/fwps>

KF 8870 T85 2008

18. Handbook for judges: an anthology of inspirational and educational readings

By Kathleen M. Sampson

This anthology has readings on The Qualities of a Judge, The Work of a Judge, The Interdependence of Courts and Communities, The Judicial Reform Movement and Looking over the Rim - The Future and Courts. Within each of these topics there are current and classic selections. While written mainly by judges, the authors include "literary figures, academics, social scientists, court managers and a psychologist". Reading through the handbook will give anyone in the judicial community an opportunity to reflect on the important work of serving justice. American Judicature Society, 2004. 263 pages.

KF 211 H3 2004

Juries**19. American juries: the verdict**

By Neil Vidmar, Valerie P. Hans

This title investigates the strengths and weaknesses of the American jury system. The authors trace the history of the jury system, examine jury demographics and note the effect of pre-trial publicity. They then analyze the jury's decision making process using real trials to illustrate their points. The book also looks at jury decisions in cases involving scientific evidence, malpractice, insanity pleas, and the death penalty. Prometheus Books, 2007. 428 pages.

KF 8972 V53 2007

20. Scientific jury selection

By Joel D. Lieberman

This book reviews techniques used by jury consultants to select jurors and the effectiveness of these methods. It contains an overview of the voir dire process including the questioning of jurors in the courtroom, nonverbal behavior of jurors, juror demographics, mock juries and post trial interviews. Attorneys can use this book to help

them decide whether to hire a consultant for jury selection and the types of services one can provide. American Psychological Association, 2007. 261 pages.

KF 8979 L54 2007

Law Reform**21. A Texas turnaround: the impact of lawsuit reform on business activity in the lone star state**

By the Perryman Group

A look at how lawsuit reform in Texas has dramatically improved the fairness and efficiency of the civil justice system. This study takes a look at the costs of the U.S. civil justice system, Texas' past problems and current status, as well as the impact of lawsuit reform since 1995. The analysis also takes a look at the impact of 2003 limits on non-economic damages in medical malpractice litigation. Perryman Group, 2008. 103 pages.

KFT 384 T47 2008

Science & the Law**22. A litigator's guide to DNA**

By Ron Michaelis

This book explains various aspects of the use of DNA evidence in criminal and civil trials. It is written for attorneys, judges, and students with little or no science background. The book explains the scientific principles surrounding the use of DNA in the courtroom. It includes illustrations and a glossary to aid in understanding the material presented. Elsevier, 2008. 429 pages.

KF 9666.5 M53 2008

Taxation

23. Fiduciary duties of nonprofit directors and officers

By Hugh K. Webster

This title explores “the legal obligations that directors and officers of non-profit organizations must adhere to in order to avoid liability”. It covers topics such as the qualifications and general authority for nonprofit directors and examines their duties including investment responsibility. This title includes worksheets such as a sample code of ethics, an audit committee charter, and policies. Tax Management Inc., 2008. 1 vol. (loose-leaf).

KF 6289 A1 T35 No. 488

has stepped over the ethical boundary. The author has extensive experience in criminal prosecution on both the state and federal level. American Bar Association, 2008. 241 pages.

KF 8950 E46 2008

Trial Practice

24. Causes of action 2008

By Michael C. Smith

The articles housed in this book are taken from a “State Bar of Texas sponsored ... course entitled ‘Causes of Action’”. This two-day continuing legal education program took place in Spring 2008 both in Dallas and in Houston. The articles included cover topics such as libel and slander actions, legal malpractice, business damages, IP causes of action, and subprime lending litigation. State Bar of Texas, 2008. 1 vol.

KFT 1250 C38 2008

25. Vouching: a defense attorney’s guide to witness credibility, law, and strategy

By Donna Lee Elm

Since it is the jury’s responsibility to assess the credibility of witnesses at trial, a prosecutor can be accused of “vouching” if he improperly influences the jury to place more credence in a witness than it would get from the witnesses’ testimony. This book seeks to help the prosecutor avoid improperly influencing the jury. and guides the defense attorney in recognizing when the prosecutor

Duly Noted

ORDER FORM

August/September 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

REQUESTOR

Office of	<hr/> <hr/>
Name	<hr/> <hr/>
Address	<hr/> <hr/>
Phone Number	<hr/> <hr/>
Library Card Number	<hr/> <hr/>