

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 circulating items listed in *Duly Noted* are temporarily housed on the library's new book shelves. 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.

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Alternative Dispute Resolution

1. Mediating legal disputes: effective strategies for neutrals and advocates

By Dwight Golann

This book explains how to mediate high stakes commercial disputes which require the neutral to command a broad range of mediation tactics. The author discusses a variety of dispute resolution techniques and provides examples from actual mediations to show how they can be applied. An accompanying DVD demonstrates the mediation skills described in the book being applied to international business mediation. American Bar Association. Section of Dispute Resolution, 2009. 370 pages.
KF 9085 G63 2009

Animal Law

2. Litigating animal law disputes: a complete guide for lawyers

By Joan Schaffner

This comprehensive treatment of the emerging field of animal law provides a solid introduction to the topic for lawyers. Each chapter provides an overview of the major areas of animal law such as negligence and tort law, veterinary malpractice, ownership disputes, animal-related contracts, and criminal laws involving issues such as animal cruelty. The book also provides information on practical issues such as developing a fee agreement, any possible impact a case may have on future business dealings, alternative dispute resolution, and settlements. American Bar Association, 2009. 584 pages.
KF 390.5 A5 L58 2009

Arts Law

3. Art, artifact, architecture & museum law

By Jessica L Darraby

This two-volume treatise looks at laws and policies that affect the visual arts. It first provides an overview of the business of visual art and the issues raised by its creation, trade, and transfer. Later chapters discuss copyright, unfair competition, exhibitions, art fraud, archeology, and preservation. It contains an artist bibliography as well as a legal bibliography and a table of cases. West, 2008. 2 vols.
KF 4288 A94 2008

Civil Rights

4. De facto disenfranchisement

By Erika Wood

This paper from Erika Wood and Rachel Bloom of the Brennan Center for Justice examines the confusion surrounding felony disenfranchisement policies across the United States and how, when combined with puzzling and complicated registration procedures, the result is often incorrectly disenfranchised voters. The authors discuss several causes of this confusion and make policy suggestions about how to remedy it. Brennan Center for Justice, 2008. 19 pages.
KF 4891 W67 2008

Commercial Law

5. Data security handbook

By American Bar Association

This book for legal practitioners looks at common information security vulnerabilities and how to manage them. It also examines security safeguard requirements, legal obligations when faced with data breaches, and legal theories in actions involving alleged misuse or compromise of personal information. It includes a table of cases and a list of relevant data security statutes.

American Bar Association. Section of Antitrust Law, 2008. 150 pages.
KF 1263 C65 D38 2008

rights, and concealed handgun licensing. Texas Criminal Defense Lawyers Association, 2008. 1 vol.
REF DESK KFT 9685 H36 2008

Criminal Law

6. Privilege of silence: fifth amendment protections against self-incrimination

By Steven M. Salky

Salky's "Privilege of Silence" is organized as an annotated bibliography of case law focusing on the fifth amendment's protection against self-incrimination. Each chapter focuses on a particular aspect of the fifth amendment including, but not limited to, its scope, proceedings in which it may be asserted, how to determine the validity of the assertion and even the stigma of invoking one's privilege to silence. Additionally, each chapter contains a series of short passages covering the various facets of the section's main topic followed by a listing of applicable cases, citations, and brief synopses of the findings. This resource aims to serve as a basic research tool on a deceptively complex topic. American Bar Association. Criminal Justice Section, 2009. 190 pages.
KF 9668 S25 2009

7. Texas punishment 2007-08: a source book for defense lawyers

By Keith S. Hampton

Texas Punishment 2007-08 began as a seminar paper for the Austin Criminal Defense Lawyers Association by Keith Hampton. What sets this sourcebook apart from other materials on the subject is the length at which Hampton covers the unforeseen consequences of criminal punishments. In addition to covering degree classifications for penal code and controlled substance offenses, Hampton also lays out the hidden impacts regarding deportation, driver's license suspension, career restrictions, voting

Discovery

8. E-Discovery: twenty questions and answers

By John M. Barkett

New technologies have raised a number of thorny issues in terms of document retention protocols, discovery obligations, and privilege and access to data. As the e-discovery issues judges are dealing with today did not exist ten years ago, precedent is still in the making and it is not uncommon to find conflicting decisions on the topic. Barkett's ABA publication on e-discovery frames these issues by positing a series of questions that force us to critically examine all the facets of this emerging aspect of contemporary law. This is a resource for those interested in the impact of new technology on the legal profession and the possibilities and pitfalls it can bring. American Bar Association, 2008. 125 pages.
KF 8902 E42 B37 2008

9. Ethics of e-discovery

By John M. Barkett

John M. Barkett follows up on his previous publication, E-Discovery: 20 Questions and Answers, with a piece tailored to specifically address the problems caused by e-discovery regarding ethical conduct. This resource begins with a discussion of how electronic information differs from traditional paper resources and includes a primer for those unfamiliar with such terms as metadata, soft deletion, and active data. Barkett then focuses primarily on the interplay between Federal e-discovery rules and real life ethical dilemmas that can arise from electronic information. The publication ends with a discussion of *Qualcomm v. Broadcom* (2008

WL 66932) in regards to client and attorney responsibilities for e-discovery and the impact of outsourcing. American Bar Association. Section of Litigation, 2009. 125 pages.

KF 8902 E42 B37 2009

10. Introduction to e-discovery: new cases, ideas, and techniques

By Ralph C. Losey

Ralph C. Losey writes a blog on e-discovery at www.ralphlosey.wordpress.com. This publication is based on the blog entries written in 2008. The author retains his concise, entertaining and readable style of his blog in this, his second, "blook." Selected reader comments and guest blogs are included in the text. Losey's publications and blogs are the basis of many CLE seminars and law school classes on electronic discovery. American Bar Association, 2009. 518 pages.

KF 8902 E42 L675 2009

Entertainment Law

11. Entertainment law

By Robert Fremlin

This work covers the major areas in the law of entertainment from the perspective of the entertainer in the courtroom. It focuses on litigation by and against celebrities. This book includes information on copyright infringement, trademarks, unfair competition, rights of privacy, defamation, the malice standard, performance contracts, and publishing agreements. West, 2008 update. 1,290 pages.

KF 4290 F74 2006

Estate Planning

12. Texas estate planning & probate manual

By Christopher Pettit

This book covers a wide variety of aspects of practicing estate law in Texas, including wills, trusts, probate, taxes, and will contests, with an emphasis on conserving and distributing client wealth. The book comes with a CD of estate and probate forms, client data intake sheets, and with several Texas Codes, such as the Probate Code and Texas Trust Code, in rich text format. Juris, 2008. 828 pages.

KFT 750 P48 2008

Family Law

13. Children, law, and disasters: what we have learned from Katrina and the hurricanes of 2005

By American Bar Association

In the aftermath of Katrina and Rita, many children faced unique and compound challenges in adapting to new homes, new communities, as well as the stress and trauma of such disasters. A joint project between the ABA Center on Children and the Law and the University of Houston's Center for Children, Law, and Policy, this book offers suggestions for preparing for, responding to, and recovering from disasters affecting children by planning, communicating, coordinating, funding and re-evaluating. The authors discuss the effect of disasters on several aspects of children's lives, such as foster homes, juvenile justice, and education. American Bar Association. Center on Children and the Law, 2009. 348 pages.

KF 3735 C475 2009

14. Representing children in child protective proceedings: ethical and practical dimensions

By Jean Koh Peters

This expanded third edition of the title contains new data on current practices in international jurisdictions, including discussion of the United Nations Convention on the Rights of the Child. Special focus is laid upon the psychological and sociological aspects of representing children in abuse and neglect cases, and relevant journal articles and ABA standards of practice are reprinted as appendices. LexisNexis, 2007. 1,276 pages.
KF 3735 P4 2007

Federal Practice and Procedure**15. Hart and wechsler's the federal courts and the federal system.**

By Richard H. Fallon

Now in its 6th edition, this casebook includes a broad range of primary and secondary material on the federal courts as well as extensive textual notes that provide historical background for discussion. In the new edition, the coverage remains comprehensive, but at the same time the authors have made the book more teachable and accessible to students by deleting or confining to footnotes unnecessary details. Some topics explored include the development and structure of the federal judicial system, the jurisdiction of the Supreme Court, federal common law, suits challenging official action, and federal habeas corpus. Foundation Press, 2009. 2 vols.
KF 8718 H32 2009

Intellectual Property**16. Intellectual property deskbook for the business lawyer: a transactions-based guide to intellectual property law**

By American Bar Association. Business Law Section

This text is intended to refresh the memory and facilitate deeper research on a wide range of intellectual-related issues regularly confronted by the business lawyer. Chapters are structured around typical transactions and provide an overview of the issues, identify traps, suggest strategies, supply checklists and forms, and offer references to additional materials for further analysis and research. Some specific topics include software financing, security interests, licensing, representations and warranties, probate and estate planning, bankruptcy, and antitrust law. American Bar Association. Business Law Section, 2009. 431 pages.
KF 2980 I63 2009

Juries and Jury Instructions**17. Jury selection: the law, art, and science of selecting a jury**

By James J. Gobert

This title looks at the history and functions of a jury. It then discusses the latest methods and techniques to assist attorneys to identify problems, spot personality traits, and isolate biases that could affect jury decisions. This book includes sample questions for plaintiff and defense lawyer as well as tips for making favorable impressions on the jury. West, 2009. 644 pages.
KF 8979 J6 2009

Labor and Employment Law

18. Employment law in a nutshell

By Robert N. Covington

This book provides an introduction to employment law. The text discusses the development of the topic as well as individual employee rights such as personal safety, discrimination, benefit programs, and privacy considerations. There are new sections on restrictive covenants and trade secrets. The authors have included extra case citations for readers whose legal expertise is outside of employment law. West, 2009.

567 pages.

KF 3455 C68 2009

Law Practice Management

19. Gain the edge!: negotiation strategies for lawyers

By Martin E. Latz

Aimed at the non-lawyer, Martin E. Latz's "Gain the edge!" offers a detailed treatment of the strategies behind negotiations and how to effectively employ them. In Part I, Latz introduces the reader to his five golden rules of negotiation. Hypothetical situations and personal anecdotes illustrate the major points of Latz's approach. In Part II, Latz discusses how to analyze a situation and apply the most appropriate negotiation strategy. Part III examines real life situations and how to best to use the analysis skills and strategies from the first two parts to one's advantage. Readers will find that the bullet style emphasizes the most important information and is easy to follow. Latz Negotiation Institute, 2008. 34 pages.

KF 9084 L38 2008

20. Solo by choice: how to be the lawyer you always wanted to be.

By Carolyn Elefant

Directed at established lawyers looking to make a change in their current practice, Carolyn Elefant's "Solo by choice" makes a persuasive argument toward transitioning to a solo practice. In addition to providing things to consider when making the choice to go solo, Elefant offers a suggested course of action from the initial planning stages of a solo firm to establishing and marketing a new solo firm. Nine sidebars from independent law practitioners (and the full interview text in appendix 6) offer a personal perspective on this decision. Decision Books, 2007. 300 pages.

KF 300 Z9 E44 2007

Legal Research and Writing

21. Garner on language and writing: selected essays and speeches of Bryan A. Garner

By Bryan A. Garner

Garner's collection of speeches and essays provides advice on writing and language for the legal professional. Garner tailors his advice to several varieties of writing; the reader will find instructive essays on varied topics such as style, legal briefs, legal citations, autobiographical essays, and interviews. The essays are peppered with interesting quotes, diagrams, and are full of references to additional sources. American Bar Association, 2009. 839 pages.

KF 250 G376 2009

Local Government

22. Guide to Texas laws for county officials

By David B. Brooks

Designed to assist new county officials identify state laws affecting county office operations, this guide compiles relevant statutes through the 81st legislative session in a quick-reference table format. The guide is organized by county office and provides a handy source for questions regarding the scope of their individual duties.

It is primarily focused on financial, personnel, public welfare, and ministerial responsibilities, typically omitting statutory responsibilities listed in the Penal Code, Code of Criminal Procedure, or Rules of Civil Procedure. Texas Association of Counties, 2009. 164 pages. Online at: http://www.county.org/resources/legal/pdf/2009Guide_to_TXLaws.pdf

REF DESK KFT 5330 T4G 2009

Taxation

23. Practical guide to Texas margin tax

By Giles B. Sutton

The passage in 2006 of the revised Texas franchise tax brought dramatic changes to the taxation of businesses in Texas. This publication explains this controversial new tax and will assist businesses in understanding and complying with the new provisions. CCH, 2009. 216 pages.

KFT 6450 P73 2009

Trial Practice

24. Preparing witnesses: a practical guide for lawyers and their clients

By Daniel I. Small

The author notes that due to an explosion of government and private investigations, litigation and other inquiries, it is essential that an attorney be skilled in preparing a witness for trial. A witness is admonished to tell the truth in

responding to questions; however, responding accurately to the questions posed can be difficult for the unprepared witness in a high-pressure situation. An attorney must spend the time to teach the witness how to respond to the question (and only the question) clearly, truthfully and calmly. The text is written in a very accessible style, so attorneys may want to have their clients read it as part of their preparation. American Bar Association, 2009. 221 pages.

KF 8950 S63 2009

Water

25. Essentials of Texas water resources

By Mary K. Sahs

A project of the Environmental and Natural Resources Law Section of the State Bar of Texas, this book is a collaboration of more than 30 Texas water law legal and technical experts. It is intended as a resource to lawyers, engineers, industry professionals, consultants, regulators, conservationists, water boards, groundwater conservation districts, state agencies, river authorities, utilities, municipalities, and academic institutions. Topics include groundwater, surface-water, water planning, drinking water, and water utilities.

State Bar of Texas, 2009. 824 pages.

KFT 5569 E87 2009

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