

# Duly Noted



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## Texas State Law Library

# 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.

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## *Administrative Law*

### **1. Administrative law and practice**

By Charles H. Koch

This respected treatise is now out in its 3rd edition. Coverage includes internal processes of the administrative system, agency rulemaking, elements of adjudication, due process rights, informal adjudication, judicial action, standards of review, and public information. Appendices include the Administrative Procedure Act, Freedom of Information Act, Privacy Act, and the Model State Administrative Procedures Act. Thomson West, 2010. 5 volumes.  
KF 5402 K6 2010

## *Agriculture*

### **2. 4th annual John Huffaker agricultural law course, 2010**

By State Bar of Texas

This two day seminar held in Lubbock looked at various issues in agriculture law. It covered diverse topics such as cattle marketing, biosecurity, agritourism, wind energy issues, the national Organic Program, recreational land use, and groundwater issues. State Bar of Texas, 2010. 1 volume.  
KFT 1682 A57 2010

## *Alternative Dispute Resolution*

### **3. Collaborative law course, 2010**

By State Bar of Texas

The Collaborative Law Course, 2010 contains 19 articles on the topic, including articles written by attorneys, financial analysts, paralegals, licensed clinical social workers, licensed professional counselors, licensed specialists in school psychology, and psychologists. Contains examples and overviews of the collaborative process as a whole as well as specific articles dealing with

mental health issues, substance abuse issues, same-sex partners, and specific client concerns, as well as summaries of books for further research. State Bar of Texas, 2010. 1 volume.  
KFT 505 C73 2010

## *Civil Rights*

### **4. Section 1983 litigation in a nutshell**

By Michael G. Collins

This concise overview of Section 1983 litigation includes coverage of Monroe and the modern Section 1983 Action; Parratt and the scope of due process; excessive force, private violence, and Section 1983; and enforcing the laws under Section 1983. It also discusses municipal liability, state sovereign immunity, and personal immunities. Thomson West, 2006. 417 pages.  
KF 1325 C58 C65 2006

## *Constitutional Law*

### **5. Constitutional law in a nutshell**

By Jerome A. Barron

Now in its 7th edition, this volume provides a comprehensive overview of many areas of Constitutional law. Divided into two parts, the first part covers the allocation of powers focusing directly on judicial review, legislative powers, state power in American federalism, and Congress and the executive branch. The second section covers individual rights and liberties including due process of law, equal protection, freedom of expression, freedom of religion, state action, and congressional legislation in the aid of civil rights and liberties. Thomson West, 2009. 709 pages.  
KF 4550 B3 2009

## *Consumer Protection*

### **6. American Bar Association guide to credit & bankruptcy: everything you need to know about credit repair, getting and staying out of debt, and personal bankruptcy**

By American Bar Association

This text offers information to the consumer on how to build and protect credit and handle debt. It also provides information for those considering bankruptcy as an option. Another focus of the book is to help the consumer decide when they can work on their own and when to seek legal advice. Some of the topics included are dealing with debt, applying for credit, unfair lending, bankruptcy and resolving credit disputes. American Bar Association, 2009. 339 pages.  
REF DESK KF 1524.6 A43 2009

### **7. Know your rights!: answers to Texans' everyday legal questions**

By Richard M. Alderman

This book, written in a question and answer format, is best aimed for everyday people to understand their rights under the law. The author's focus is primarily consumer law covering topics such as applying for credit, contracts, the Deceptive Trade Practices Act, online sales, and small claims court. He also covers family law, immigration, and wills and probate. Taylor Trade Publishing, 2010. 333 pages.  
KFT 387 A4 2010

## *Criminal Law*

### **8. Autobiography of an execution**

By David R. Dow

David R. Dow, litigation director of the Texas Defender Service, provides us with a candid and frank memoir of his experience serving as defense counsel for Texas inmates sentenced to the death penalty. With tales that meander back and forth between his public and private lives, Dow gives us a glimpse into the sober reality that is the life of capital punishment defense attorney. His memoir is at once an exploration and critique of the criminal justice system and a humanistic account of the toll the death penalty takes on all parties involved. As the New York Times' review states, "Dow isn't doing high constitutional theory here; this is pure red meat." Twelve, 2010. 273 pages.  
KF 373 D635 A3 2010

### **9. Death penalty in a nutshell**

By Victor L. Streib

Part of the highly useful and concise nutshell series, Death Penalty in a Nutshell covers both the substantive and procedural law of capital punishment. Arguments for and against the death penalty and coverage of constitutional challenges and limitations are provided at the beginning. Major sections cover specific capital crimes and defenses. Trial level and post-trial procedural issues are discussed. Special topics of interest include race and gender bias, executing the innocent, and international and foreign law issues. Thomson West, 2008. 319 pages.  
KF 9227 S77 2008

**10. Pretrial diversion in the 21st century: a national survey of pretrial diversion programs and practices**

By National Association of Pretrial Services Agencies

Pretrial diversion is being studied as an effective alternative to routine criminal case processing. Generally this is considered a “problem solving” approach to address the background causes of criminal behavior and allow for treatment for those social issues and restitution to the community and victim. Because there is no criminal conviction, there are fewer obstacles to getting back into the community and the workforce. A lengthy bibliography is included for additional research. National Association of Pretrial Services Agencies, 2009. 40 pages. Online at: <http://www.napsa.org/publications/NAPSAPretrialPracticeSurvey.pdf>  
KF 9632 N38 2009

**11. Texas tough: the rise of America’s prison empire**

By Robert Perkinson

This title is a very interesting history of the Texas prison system. The author argues that Texas prisons were developed in large part as a replacement for the slave labor lost in emancipation. He traces the history and provides an in-depth look at the personalities and times that shaped the development of prison system in Texas and the nation. His coverage of David Ruiz and the reform effort he started are a fascinating account of law and politics in Texas. Metropolitan Books, 2010. 484 pages.  
KFT 9730 T4 P47 2010

*Criminal Procedure*

**12. Federal postconviction remedies and relief: with forms**

By Donald E. Wilkes

Designed for attorneys who practice in the field of federal postconviction remedies, this manual contains all the basic federal statutes, federal rules of court and related reference sources essential to litigating a federal postconviction remedy proceeding. It deals at length with the six principal federal postconviction remedies for federal convicts and the federal habeas corpus remedy for state convicts. Contains relevant statutes and rules with author commentary, along with forms, appendixes and an extensive bibliography. Thomson West, 2009. 1 volume.  
KF 9690 W55 2009

*Discovery*

**13. Electronic discovery and digital evidence institute, 2009**

By State Bar of Texas

A State Bar of Texas boot camp on the recent changes in e-discovery and digital evidence. Presenter topics cover a wide gamut of issues ranging from most recent case law to tips for cost effective practice. Attorneys are briefed on such matters as technology terms and knowledge, how to conduct smarter searches for digital evidence, and how to maintain professional and ethical conduct when working with e-discovery. State Bar of Texas, 2009. 1 volume.  
KFT 8900 E43 2009

## *Elections & Campaign Finance*

### **14. Texas election laws**

By Karen Ann Norris

This report summarizes many of the changes in election laws during the 81st legislative session (2009) that affect Texas counties. It also covers other political jurisdictions with which a county may conduct a joint election. The summary is organized by topic in a manner similar to the Election Code. Texas Association of Counties, 2009. 26 pages. Online at: <https://www.county.org/resources/legal/pdf/TexasElectionLaws.pdf>  
KFT 4885 T45 2009

## *Family Law*

### **15. All about Texas law and kids: what every lawyer and every parent MUST know**

By Bobbi Reilly Sheahan

Being legally underage affects most areas of the law and this book discusses many of those situations. Topics discussed include rights and obligations of parents, child abuse and neglect, custody, adoption, contracts, child support and parental liability. The text also provides a table of cases and several appendices, including a child support chart and a “timeline for a special education due process hearing”. Texas Lawyer Press, 2009. 364 pages.  
REF DESK KFT 479 M5 A4 2009

### **16. Texas family law practice manual**

By State Bar of Texas

This title consists of six volumes with 730 forms used in title 1, title 2, title 4, and title 5 proceedings. Alternative situations that occur most often are covered in the forms. Contains marginal notes, a subject index and an alphabetical list of forms by title. This text also includes summaries of relevant law and practical advice for attorneys practicing in the field. State Bar of Texas, 2010. 6 volumes.  
KFT 505 S7T 2010

## *Health and Health Care*

### **17. Health care reform special alert**

By Timothy S. Jost

This two volume set provides expert analysis of the Patient Protection and Affordable Care act signed by President Obama in March 2010. The implications of the act for tax-exempt hospitals and employee benefit plans are discussed. Also discussed are new tax provisions as well as fraud and abuse enforcement. The second volume discusses the 11 different titles of the U.S. Code that have been affected by the act. Lexis Nexis Matthew Bender, 2010. 2 volumes.  
KF 1183 A32 A2 2010

## *Immigration*

### **18. Immigration law 101, 2010**

By State Bar of Texas

This one day CLE class took place in Houston in February 2010. Topics covered include an overview of current U.S. immigration law, an examination of the “language” of immigration, as well as sessions on client intake, 87 temporary status, immigrant status options for families and businesses, criminal law implications of immigration, and consular processing compared to adjustment of status for permanent residency. State Bar of Texas, 2010. 1 volume.  
KFT 4819 A2 S7N 2010

## *Intellectual Property*

### **19. Intellectual property law advanced course, 2010**

By State Bar of Texas

This two day seminar held in Austin in March 2010 looked at various intellectual property law issues. Topics covered include the Google book search settlement, intellectual property due diligence, the Uniform Trade Secret act, inequitable conduct, practice management, patent prosecution including information on extraterritorial reach, trademarks, infringement litigation, and e-discovery. State Bar of Texas, 2010. 1 volume.

KFT 2980 I57 2010

## *Labor and Employment*

### **20. Employment law manual for Texas cities**

By Laura Mueller

The *Employment law manual for Texas cities* is written for city officials and contains information taken from *Texas town & city* magazine articles, educational conferences hosted by the Texas Municipal League and Texas City Attorney Association, and information from the Texas Municipal League website. Topics covered include hiring, the Fair Labor Standards act, FLSA, COBRA, the Family and Medical Leave act, drug testing, volunteers, ADA, and discrimination. Texas Municipal League, 2010. 64 pages. Online at: [http://www.tml.org/legal\\_pdf/2010EmplManual.pdf](http://www.tml.org/legal_pdf/2010EmplManual.pdf)

KFT 3319 M83 2010

## *Local Government*

### **21. Texas municipal procurement laws made easy**

By Julian Grant

This title released by the Texas Office of the Attorney General provides answers to the most frequently asked questions about Texas municipal procurement laws. Specific topics covered include the application of municipal procurement laws, bidding threshold amounts, general procedural requirements, bid requests, exceptions to the competitive bidding requirements, and alternative delivery methods for the construction of structures. Texas Attorney General, 2010. 45 pages. Online at: [http://www.oag.state.tx.us/AG\\_Publications/pdfs/procurement\\_easy.pdf](http://www.oag.state.tx.us/AG_Publications/pdfs/procurement_easy.pdf)

KFT 849 G73 2010

## *Oil and Gas*

### **22. Oil and gas law in a nutshell**

By John S. Lowe

Now in its 5th edition, this nutshell book provides a good overview of the oil and gas law landscape. The text covers topics such as the nature, protection, and conveying of oil and gas rights, leasing, and taxation. It contains a table of cases cited as well as a useful glossary of terms. Thomson West, 2009. 496 pages.

KF 1850 L6 2009

## Religion

### 23. Crusading against the courts: the new mission to weaken the role of the courts in protecting our religious liberties

By Bert Brandenburg

This report, released by the Justice at Stake campaign, examines the attacks from religious groups designed to undermine the impartiality of judges and the court system. The report looks at legislative court-stripping efforts, the role of religion in the confirmation and the election of judges, efforts to impeach non-compliant judges, and the broad deference of courts to religious claims. Finally the report lists suggestions for resisting religious influence in the courts. Justice at Stake Campaign, 2007. 33 pages. Online at: [http://www.justiceatstake.org/file.cfm/media/resources/CrusadingAgainstCourts\\_20121F89B068B.pdf](http://www.justiceatstake.org/file.cfm/media/resources/CrusadingAgainstCourts_20121F89B068B.pdf)

KF 4783 B73 2007

## Torts

### 24. Litigation update institute, 2009

By State Bar of Texas

The Texas Bar Continuing Legal Education litigation update institute 2009 volume contains twenty-two articles covering the areas of intellectual property, criminal law, labor and employment law, oil and gas law, business and commercial law, personal injury and medical malpractice, and insurance law. Updates on the Texas Supreme Court, the United States Supreme Court and Fifth Circuit are included, as well as articles on multi-district litigation, arbitration, procedure, an evidence and discovery update, plus an article from the bench, "Tips and Traps From The Judges." State Bar of Texas, 2009. 1 volume.

KFT 8840 S8U 2009

### 25. Sack on defamation: libel, slander, and related problems

By Robert D. Sack

Providing numerous case citations, the 4th edition of Sack on Defamation provides a thorough overview of the field, from its common law and constitutional foundations to recent influential case law. It covers the basic elements of a defamation claim; the types of damages that can be awarded in defamation suits; the categories within which a statement may be deemed slanderous per se and actionable; the various causes of action in invasion of privacy torts; the elements of a cause of action for intentional infliction of emotional distress; and the elements involved in a false-light cause of action, private facts tort, and slander of title tort. Practising Law Institute, 2010.

2 volumes.

KF 1266 S2 2010

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June/July 2010

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