

# Duly Noted



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# Duly *Noted*

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## *Banking and Finance*

### **1. Usury and Texas credit laws**

By Robert Wisner

This publication provides an overview of the Texas laws affecting interest rates and credit. Specific topics include consumer loans, secondary mortgage loans, motor vehicle and retail installment sales, open-end credit, and consumer protection. Also provided is a thorough analysis of the Texas Finance Code, including interpretations and case law, as well as coverage of all applicable State and federal laws and such as Truth in Lending, RESPA, and regulations from OCC, Fed, FDIC, OTS and FTC. Robert R. Wisner, 2010. 1 volume.

REF DESK KFT 1036 W47 2010

## *Bankruptcy*

### **2. Advanced business bankruptcy course, 2010**

By State Bar of Texas

This two-day course was presented in Dallas in June 2010. It covers topics such as credit bid issues, equity committees, federal court practice, conflicts of interest, real estate bankruptcy issues, Chapter 11 bankruptcy cases, attorneys' fees, non-debt releases in chapter 11 plans, corporate group problems, and intercreditor agreements. State Bar of Texas, 2010. 1 volume.

KFT 1524 S7AB 2010

### **3. Employee benefits and executive compensation in corporate bankruptcy**

By John Cornell

This title, part of the Collier monograph series that accompanies Collier on Bankruptcy, examines the issues that arise with employee benefits and compensation when a corporation files for bankruptcy. Benefits discussed include welfare plans, qualified retirement plans, stock options, split-dollar life insurance, multiemployer plans, and voluntary employees' beneficiary associations. Other topics covered include executive compensation, retiree benefits, health coverage tax credit, union matters, prepetition planning, and first-day motions. Lexis Nexis Matthew Bender, 2010. 348 pages.

KF 1526 E45 2010

## *Civil Rights*

### **4. Injunctive relief: temporary restraining orders and preliminary injunctions**

By Kirstin Stoll-DeBell

This ABA title extensively covers injunctive relief at both the federal and all state levels. Written by attorneys, it is divided into three sections that examine the requirements for obtaining an injunction, the issues that should be considered before filing, and the procedures for filing motions related to injunctive relief. This title also contains a bibliography, a table of cases, and an index. American Bar Association, 2009. 459 pages.

KF 9014 S76 2009

## Commercial Law

### 5. Small business toolkit

By Texas Young Lawyers Association

This Texas Young Lawyers Association toolkit is designed to help users understand the laws and familiarize themselves with the legal issues they may face when opening and running a small business. Topics discussed include financing, management, basic employment law overview, lease agreements, protecting your ideas and goodwill and strategic alliances. Texas Young Lawyers Association, 2010. 48 pages. Online at: <http://www.tyla.org/tasks/sites/default/assets/File/37655SmallBusinessToolKitLoRes.pdf>  
KFT 1659 S52 2010

## Consumer Protection

### 6. Advanced consumer and commercial law course, 2010

By State Bar of Texas

This continuing legal education seminar covers topics such as evaluating consumer law cases, protecting client privacy, fair debt collection practices, legal writing, using social media, Texas trends in consumer class action cases and arbitration, business torts, avoiding malpractice, and the Texas Home Solicitation Act. State Bar of Texas, 2010. 1 volume.  
KFT 889 A2 A3 2010

### 7. Consumer warranty law: lemon law, Magnuson-Moss, UCC, manufactured home, and other warranty statutes

By Carolyn Carter

The fourth edition of this title from the National Consumer Law Center provides a comprehensive treatment of warranty law. Specific topics covered include the Magnuson-Moss warranty act, express warranties, implied warranties, ways to beat warranty disclaimers, breaches of warranties, used cars, service contracts, leases, and UCC remedies and damages. Additional appendices provide state-by-state analyses of lemon laws, service contract laws, and new home and condo warranty laws. Also includes sample notices of rejection, revocation, and deduction of damages, sample complaints, sample discovery, and sample trial documents. Also available is a companion website for use in the library. National Consumer Law Center, 2010. 1136 pages.  
KF 919 C6 S42 2010

## Criminal Law

### 8. Criminal justice debt: a barrier to reentry

By Alicia Bannon

A report on state-imposed “user fees,” financial obligations imposed over and above fines or restitution in the context of criminal convictions. The report covers fifteen sample states and examines the hidden costs to communities and taxpayers, noting that not one of the states has conducted studies to assess whether the revenue collected from the fines exceeds the costs to administer them. The report concludes that criminal justice debt imposes unfair collateral consequences upon defendants and creates de facto “debtor’s prisons.” Brennan Center for Justice, 2010. 63 pages. Online at: [http://brennan.3cdn.net/c610802495d901dac3\\_76m6vqhpy.pdf](http://brennan.3cdn.net/c610802495d901dac3_76m6vqhpy.pdf)  
KF 9039 B36 2010

**9. In for a penny: the rise of America's new debtors' prisons**

By American Civil Liberties Union

The ACLU investigated the assessment and collection of legal financial obligations [LFOs] in five states: Louisiana, Michigan, Ohio, Georgia, and Washington. The report, conducted over the course of a year, shows how indigent defendants are imprisoned for failing to pay legal debts they can never hope to manage. Key findings center on the hardships men and women have to face when re-entering society after being jailed for failure to meet their LFOs and the economic waste made by fruitless efforts to extract payments from defendants who may be homeless, unemployed or simply too poor to pay. American Civil Liberties Union, 2010. 90 pages. Online at: [http://www.aclu.org/files/assets/InForAPenny\\_web.pdf](http://www.aclu.org/files/assets/InForAPenny_web.pdf)  
KF 9039 I54 2010

**10. Reforming indigent defense: how free market principles can help to fix a broken system**

By Stephen Schulhofer

Professors of Law, Stephen Schulhofer and David Friedman, make an analysis and pose a new framework for indigent defense that borrows heavily from free market principles. They argue that budgetary vulnerability and implicit conflicts of interest are inherent in any system where the defendant's attorney is chosen for him or her by the state. They further argue that allowing freedom of choice for the indigent defendant can produce gains for both the individual and the public at large. A detailed discussion of how such a free market system should be implemented accompanies their analysis. Cato Institute, 2010. 23 pages. Online at: <http://www.cato.org/pubs/pas/pa666.pdf>  
KF 9646 S33 2010

**Education****11. Law of schools, students, and teachers in a nutshell**

By Kern Alexander

This title, intended for teachers and education professionals, examines federal and state laws governing school operations. Potential contentious issues such as freedom of speech, religion in public schools, search and seizure, discipline, discrimination, the education of disabled children, student records and student testing are discussed. Also covered is the information on employment terms for teachers, teacher's constitutional rights and teacher dismissal. The text looks at education law in terms of case law, statutory law, and constitutional law. Thomson West, 2009. 593 pages.  
KF 4119 A4 2009

**Elections & Campaign Finance****12. A citizen's guide to redistricting**

By Justin Levitt

The 2010 census has been completed, so now comes the time to for electoral districts within each state to be redrawn to reflect the population changes. This guide explains the theory and process of redistricting in the hopes that citizens will take an active role in the creation of these districts. How the lines are drawn profoundly affects how well citizens are represented. Being involved in the creation of the districts is equally important to a citizen's political representation as voting in the elections. This guide explains the complexities of the in plain English and will enable citizens to have an educated voice in and understanding of redistricting. Information specifically on Texas redistricting is available on the Texas Legislative Council's website <http://www.tlc.state.tx.us/redist/redist.html> Brennan Center for Justice, 2010. 133 pages. Online at: [http://brennan.3cdn.net/7182a7e7624ed5265d\\_6im622teh.pdf](http://brennan.3cdn.net/7182a7e7624ed5265d_6im622teh.pdf)  
KF 4905 L4 2010

## *Evidence*

### **13. New wigmore: a treatise on evidence: expert evidence**

By David Kaye

This is a discussion of the rules and principles of expert evidence. This book looks at and evaluates major trends and variations in the approaches to expert evidence. Some of the topics discussed are the subject matter of and need for expert testimony, expert qualifications, treatises and other learned writings, standards for scientific evidence and forensic science and identification. Aspen, 2011. 806 pages.

KF 8935 A1 N49EX 2011

## *Immigration*

### **14. Advanced immigration law course, 2010**

By State Bar of Texas

This CLE from the State Bar of Texas is from the advanced immigration law course that took place in February of 2010 in Houston. It contains 17 chapters, each of which covers the advanced immigration topics covered at the live event. In total, this title contains 13 CLE hours, 3.75 of which count for ethics. Specific topics covered include inadmissibility and waive options, child status protection act, labor certification, automatic citizenship, and material changes in nonimmigrant or immigrant I-129 and I-140 petitions. State Bar of Texas, 2010. 1 volume.

KFT 4819 A2 S7 2010

### **15. Representing clients in immigration court**

By Catholic Legal Immigration Network

This title pulls together information from many immigration practitioners in order to extensively treat removal proceedings. The book began as a series of training guides written by staff from the Catholic Legal Information Network, Inc., and has been updated, revised, and adapted into this current version. Also included are a list of relevant federal forms and a handful of sample forms. American Immigration Lawyers Association, 2009. 381 pages.

KF 4819 I45 R48 2009

## *Intellectual Property*

### **16. Advanced patent litigation: strategies and tactics, 2010**

By State Bar of Texas

This CLE was held July, 2010 in San Antonio. Topics presented on include doing more with less money, managing litigation for in-house counsel, “false marking 35 U.S.C. §292,” patent damages, post-judgment remedies, experts at trial, and “preserving error for appeal.” State Bar of Texas, 2010. 1 volume.

KFT 3155 A75 A3 2010

## *Law Practice Management*

### **17. Perfecting your practice, 2010**

By State Bar of Texas

These are the State Bar materials for the November 19, 2010 seminar held in Austin. Topics presented on included “Mapping your firm from beginning to end,” efficiently managing your cases, trends in legal technology, protecting client data, how to avoid common grievances, and “Virtual law practice.” State Bar of Texas, 2010. 1 volume.

KFT 318 P47 2010

*Legal Ethics***18. Red flags: a lawyer's handbook on legal ethics**

By Lawrence Fox

This title discusses ethics and professional responsibilities 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. American Law Institute, 2010. 306 pages.

KF 306 F69 2010

*Legal Research and Writing***19. Nolo's encyclopedia of everyday law: answers to your most frequently asked legal questions**

By Shae Irving

A desk reference on everyday legal questions designed for the layman, this volume covers family law, real estate, neighbors, landlord tenant issues, money, cars and driving, wills, criminal law and mediation. Chapters on topics helpful to the small business person are also included. An appendix contains a guide to legal research, including the best legal websites, an explanation of legal citations, how to find legal forms, and good resources for further research. Nolo Press, 2010. 494 pages.

REF DESK KF 387 N65 2010

**20. Typography for lawyers**

By Matthew Butterick

This book explains how to get professional results with the word processing tools you already have - quickly and easily. It will take you from the basics of type composition to advanced page-layout techniques. Topics include special keyboard characters, line length, point size, font choice, headings, and hyphenation. The book also includes tutorials on common types of documents like résumés, research memos, letterhead and motions. Jones McClure, 2010. 216 pages.

REF DESK KF 250 B88 2010

*Medical Malpractice***21. Medical malpractice (Texas Practice Series)**

By Michael Penick

Now in its 3rd edition, Medical Malpractice provides a good theoretical and procedural overview of malpractice actions in the health care field. The first volume includes updated chapters specifically addressing Texas law on liability, damages, insurance issues and settlement. The second appendix volume provides drafting guides for a wide variety of actions and discovery aids as well as reprinting relevant provisions of the Texas Administrative Code. The text is also available electronically in the library via our Westlaw Patron Access subscription. Thomson West, 2010. 2 volumes.

KFT 209 T4 V.44-44A 2010

## *Probate*

### **22. Texas probate forms & procedures**

By Keith Branyon

This title provides forms, tips, and law to improve effectiveness and efficiency in many probate-related transactions. Topics include everything from engagement and administration to creditors and contested matters. Also available is a CD containing a searchable, full-text version of the treatise and all 176 forms available as Microsoft Word documents. James Publishing, 2008. 1 volume.  
KFT 765 B73 2008

## *Public Information and Records*

### **23. Open meetings act**

By Texas Association of Counties

This handbook is intended to outline the Open Meetings Act for county judges and commissioners and their staff. It covers the basics of the Act, including telephone and videoconferencing, an overview of the legalities of notice, and procedures and permissible reasons for closed meetings. Attention is given to violations of the Open Meetings Act, including criminal penalties, specifics on criminal liabilities of judges or commissioners, removal from office, civil sanctions, and legal standing. The appendix includes sample forms. Texas Association of Counties, 2010. 34 pages. Online at: <http://www.county.org/resources/legal/pdf/OpenMeetingsAct.pdf>  
KFT 5105.5 O6 2010

## *Trial Practice*

### **24. Strategies for damages and attorney fees, 2010**

By State Bar of Texas

This two day CLE on damages and fees was held in Dallas in February, 2010. Specific presentations include “papering your damages before trial”, attorney fees, expert witness fees, sanction fees, damages and insurance coverage, damages in employment law, lost wages, exemplary damages, proportionate responsibility, and damages to person and real property. State Bar of Texas, 2010. 1 volume.  
KFT 446 E93 2010

## *Water Law*

### **25. United States water law: an introduction**

By John Johnson

Water is the stuff of life and increasingly litigation. The federal government and the states are called upon to protect the quality and the availability of water for a number of competing interests. There are also private property rights that must be preserved. This introductory text serves as a primer on the development of water law and policies in the United States. The glossary of hydrological terms is helpful to those new to the topic. The appendices included numerous references and links to state and federal statutes and regulatory agencies. CRC Press, 2009. 471 pages.  
KF 645 J64 2009

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December 2010/January 2011

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