

Duly Noted



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Texas State Law Library

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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 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.

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Banking and Finance

1. Criminal tax, money laundering, and Bank Secrecy Act litigation

By Peter Hardy

This title discusses the current law, procedure, and practical considerations regarding complex criminal cases handled by the IRS and Department of Justice federal prosecutors. Some topics covered include offshore accounts, corporate prosecutions, tax-shelter prosecutions, and the federal sentencing guidelines. Bureau of National Affairs, 2010. 1671 pages.

KF 6334 H37 2010

Business Organizations

2. Legal guide for starting & running a small business

By Fred Steingold

This book covers the different types of business structures. It walks the reader through the structure, financing, and formation of a business. It includes chapters on licensing, taxes, franchising, insurance, and business contracts. It discusses some legal requirements when dealing with customers and some methods to use when solving legal disputes. It includes a checklist to assist in starting a business. The book is written in plain English and tries to identify areas that would leave a business vulnerable to a lawsuit. Nolo Press, 2011. 448 pages.

KF 1659 Z9 S7 2011

Class Actions

3. Practitioner's guide to class actions

By Marcy Greer

Class action suits are complicated by the fact that state rules regarding them differ as you move from jurisdiction to jurisdiction. The ABA's *Practitioner's guide to class actions* aims to simplify understanding these differences by providing a state-by-state analysis of how these rules differ from the standard FRCP. Other sections of the guide cover class action criteria and provide examples of unique problems in class action litigation. Certification, ethics, settlements, arbitration, and claims administration are also discussed. American Bar Association, 2010. 1354 pages.

KF 8896 P73 2010

Constitutional Law

4. Born under the Constitution: why recent attacks on birthright citizenship are unfounded

By Elizabeth Wydra

In this March 2011 brief, Wydra takes on the recent and controversial attempts by members of Congress to pass legislation that would limit birthright citizenship. By focusing on the legislative history of the 14th Amendment, which grants citizenship to "all persons born or naturalized in the United States and subject to the jurisdiction thereof," the author attempts to persuade the reader that arguments limiting birthright citizenship to those who, for example, have at least one parent who is a citizen, are unfounded. A short and interesting read in light of recent heated political discussions. American Constitution Society for Law and Policy, 2011. 15 pages. Online at: http://www.acslaw.org/sites/default/files/Wydra_Born_Under_Constitution.pdf

KF 4700 W93 2011

Contracts

5. Contract drafting: powerful prose in transactional practice

By Lenne Espenschied

This title is a practical guide, organized into fourteen lessons which demonstrate such skills as choosing the most appropriate, consistent, unambiguous wording in order to produce a contract that better protects the client. Lessons include an overview of various stage of the contract process as well as exercises and sample documents which teach the reader how to edit prior documents to be more effective. American Bar Association, 2010. 311 pages.

KF 807 E84 2010

Criminal Procedure

6. Habeas for the twenty-first century: uses, abuses, and the future of the great writ

By Nancy King

A look at the use and abuse of the Writ of Habeas Corpus through legal and empirical analysis and case study. King offer proposals on how to reform the writ process for a 21st century legal world inundated with emerging problems such as global terrorism and increased immigration. Habeas Corpus law and cases are examined in their past and present forms with an aim to help outline the future definition of the great writ. University of Chicago Press, 2011. 255 pages.

KF 9011 K56 2011

Debtor and Creditor

7. Collections and creditors' rights 101, 2011

By State Bar of Texas

This course was held in San Antonio on May 4, 2011. The first section on creditors' causes of action includes information on sworn accounts, unjust enrichment claims, and promissory notes. The second section covers the anatomy of the collection process. It covers fee agreements, the debtor's location and identity, demand letters, payment agreements, and includes a series of forms for practice management. State Bar of Texas, 2011. 1 volume.

KFT 1024 S7N 2011

8. Collections and creditors' rights, 2011

By State Bar of Texas

Course director Daniel Goldberg coordinated this two day seminar. The topics covered include defending default judgments, representing creditors in a Chapter 7 practice, UCC Article 2, fraudulent transfers, summary judgments in collection cases, and pre-judgment remedies.

State Bar of Texas, 2011. 1 volume.

KFT 1024 S7C 2011

Elder Law

9. Empowered paralegal: working with the elder client

By Robert E. Mongue

This text examines the legal and social issues involved in working with elderly clients. Legal issues discussed include estate planning, understanding estate planning tools, public benefit programs, and elder abuse. Other issues presented are end-of-life planning, understanding and documenting competency, stereotypes, psychological effects of aging, and dealing with the clients' family. Carolina Academic Press, 2010. 310 pages.

KF 320 L4 M663 2010

Entertainment Law

10. American Bar Association's legal guide to independent filmmaking

By Michael Donaldson

Designed to cover the entire process of creating an independent film—from the inception of an idea to distribution and delivery — this title serves as a great guide to the legal aspects of independent filmmaking. Though primarily written with producers and the production team in mind, intellectual property lawyers, creative contributors (e.g., writers, directors), and other key stakeholders (e.g., distributors) are sure to find it a great resource. The filmmaking process is divided into four phases: developing an idea; financing the film; putting together a team and principal photography; and distributing and delivering your film. You'll find legal forms, comments, and tips scattered throughout the text. A companion CD-ROM with legal forms, contracts, and other documents is also available. American Bar Association, 2010. 205 pages. KF 4298 D66 2010

Environmental Law

11. Brownfields: a comprehensive guide to redeveloping contaminated property

By Todd Davis

The third edition of *Brownfields* focuses on the environmental and economic measures necessary to redevelop contaminated property. Part I covers the essential background information needed to thoroughly understand the issues surrounding brownfields including a definition of brownfields, an overview of state and federal laws, and cost recovery under CERCLA. Part two looks at redeveloping contaminated property and the associated legal, business, financial, and political issues. Part three provides strategies for community rebuilding after the completion of a redevelopment project. Part four discusses the

scientific concepts used to address contaminated property. The final section covers voluntary cleanup programs from 47 states and the District of Columbia. American Bar Association, 2010. 1161 pages. KF 1299 H39 D39 2010

12. Ocean and coastal law and policy

By Donald Baur

From the ABA Section of Environment, Energy, and Resources comes this authoritative volume on U.S. coastal law. Written with practitioners, government employees, and scholars in mind, topics covered include international boundaries, the Public Trust doctrine, states roles, coastal wetlands, water quality, marine pollution, fishery management, offshore energy development, Marine species, and “climate change and the Marine Environment.” American Bar Association, 2008. 708 pages. KF 5627 O273 2008

Health and Health Care

13. Complementary and alternative medicine and the law

By Lucinda Jesson

This text provides an introduction the laws governing complementary and alternative medicine (CAM). First, CAM is defined and the tensions between CAM and conventional medicine are discussed. Then licensure and how it relates to CAM both in terms of licensed and unlicensed providers is covered. Finally authors discuss traditional health law basics: scope of practice, malpractice, informed consent, FDA regulation of dietary supplements, and antitrust as they relate to CAM. The final chapter discusses innovations in regulations such as the medical freedom acts. Carolina Academic Press, 2010. 295 pages. KF 3821 J47 2010

Intellectual Property

14. Texas intellectual property law handbook

By Herbert Hammond

The second edition of this volume examines basic principles of Texas law regarding trade secrets, trademark infringement, unfair competition, misappropriation, copyright, false advertising, and restrictive covenants.

The relationship between Federal law, Texas common law, and the Texas Trademark Act is given special attention. The topics of creation of trademarks, registration, infringement of trademark rights, remedies and defenses to trademark infringement and unfair competition claims are covered in detail, as well as an examination of the Anti-Cybersquatting Consumer Protection Act. Also available is a CD-ROM containing statutes, regulations, and rules. Juris, 2011. 553 pages.

KFT 2980 H36 2011

Juvenile Law

15. Youth rights manual: a guide about your rights at school, at home, and in your community

By American Civil Liberties Union of Texas

This is a succinct guide to your rights as a student under Federal and Texas state laws as put together by members of the ACLU of Texas. Topics include general rights and responsibilities regarding education and attendance, student freedom of speech and expression, discrimination in the classroom, control over academic records, and rights regarding school discipline and peace officers on campuses. American Civil Liberties Union of Texas, 2010. 74 pages. Online at: <http://www.aclutx.org/reports/2010YouthRightsManual.pdf>

KFT 479 Y96 2010

Labor and Employment

16. Employment litigation handbook

By Cathy Beveridge

Now in its second edition, this title is intended to assist the practitioner representing either party in any employment case including those dealing with harassment, discrimination, or wrongful termination. Each chapter covers a different stage of the lawsuit beginning with “commencing the lawsuit.” Subsequent chapters discuss responding, discovery, experts, summary judgment, pre-trial motions, special evidentiary concerns, trial preparation, juries, the trial, post-trial motions, appeals, and finally professionalism and ethics. Each chapter has appendixes that contain checklists, sample pleadings, questionnaires, timetables, sample letters and more. This title also has a companion CD which contains electronic versions of the documents found in the appendixes.

American Bar Association, 2010. 557 pages.

KF 3464 E46 2010

Law Practice Management

17. Mathematics, physics and finance for the legal profession

By Ashley Lipson

In his preface, the author says “Like it or not, we all live in a scientific world, a digital world—one that is ruled by numbers, equations, formulas and statistics.” Many lawyers are not comfortable with statistics and “hard” science, but an understanding of these subject is vital for an attorney in many legal situations. If they practice in the corporate area they must be able to recognize faulty or deceptive bookkeeping. Many personal injury cases hinge on the scientific evidence that is presented. The ability to spot manipulated statistics or “junk science” is vital. This text attempts to present math and science concepts and illustrate their use in actual cases. Carolina Academic Press, 2011. 436 pages.

KF 8961 L57 2011

18. Social media for lawyers: the next frontier

By Carolyn Elefant

This guide explains what social media is and how to use it for your law practice. It also breaks down ten common misconceptions of social media by the legal profession and includes a section on developing criteria for choosing the right social media platform for your business. The author discusses the ethical and legal implications of social media including protecting your copyrighted material and how to avoid false and misleading communications. American Bar Association, 2010. 221 pages.
KF 320 A9 E44 2010

19. Virtual law practice: how to deliver legal service online

By Stephanie Kimbro

This is the legal professional's guide to how to provide services to clients via the internet. The author provides a brief introduction to virtual practice, including terminology, and the benefits and risks of working online. She includes case studies and sample documents to get you started. There is also a discussion of ethics and malpractice issues as they relate to your virtual practice, including state bar ethics and advisory opinions. American Bar Association, 2010. 213 pages.
KF 320 A9 K56 2010

Legal Research and Writing**20. Law 101**

By Jay Feinman

Feinman's Law 101 is an excellent introduction to basic legal principles affecting everyday life and the subjects covered in the first year of law school. Feinman uses an informal question and answer format that is accessible, but not simplistic. As librarians, we are often confronted with the statement "just tell me what the law is" and rolled eyes when we cannot give a quick, concise answer. This publication will be a good source to give to someone who wants to get a quick overview of an area of law. It will also be helpful in illustrating the complexities involved in any "simple" legal situation. Oxford University Press, 2010. 363 pages.
KF 387 F45 2010

21. Understanding and mastering The bluebook: a guide for students and practitioners

By Linda Barris

Barris's guide to the nineteenth edition of *The Bluebook* (2010) is an invaluable "survival manual" aimed at law students, law practitioners, or anyone struggling with legal citations. It is organized primarily by authority type, with separate chapters for cases, statutes, constitutions, regulations, procedural and court rules, secondary sources, litigation documents, quotations, numbering systems, parentheticals, and capitalization. Because of this organization, it pulls together rules found in different sections of *The Bluebook* and neatly organizes them by authority type. This second edition takes into account recent modifications to *The Bluebook*, including the citing of commercial databases such as Westlaw and LexisNexis. Note that this is not a replacement for *The Bluebook*; the author intends for it to be used alongside *The Bluebook*. Carolina Academic Press, 2010. 171 pages.
KF 245 B37 2010

Natural Resources

22. Evolution of natural resources law and policy

By Lawrence MacDonnell

This book is a look at how environmental law has evolved in this country, as well as, a discussion of the possible scenarios for the future. The contributors are well known writers in the fields of water law, the environment, and natural resources. The explanation of the changes in public policy and philosophy adds to the understanding of the current law and regulations and their changes over time. Of particular interest to Texas might be the section on water law. American Bar Association, 2010. 417 pages. KF 5505 E94 2010

23. Texas wind law

By Ernest Smith

Wind-generated energy is rapidly increasing throughout the U.S. and is especially important to Texas. This timely volume of laws, regulations and rulings will help attorneys remain current on the latest developments. It covers such topics as elements of wind energy leases, conveyance, severance of wind rights, litigation, permitting and legislative efforts, transmission issues, and offshore leasing. Lexis Nexis Matthew Bender, 2011. 1 volume.

KFT 2140 W56 S65 2011

Religion

24. Guide to representing religious organizations

By Lisa Runquist

Written by members of the American Bar Association Business Law Section's Religious Organizations Subcommittee, this book provides an overview of the law and risks affecting religious organizations. It covers constitutional issues, organizational structures, taxes, fundraising, employment law, tort liability, copyright, and building and renovating real properties. Special attention is given to Board of Directors issues, including liability and fiduciary duty, and to the Religious Land Use and Institutionalized Persons Act of 2000. American Bar Association, 2009. 321 pages. KF 4865 G85 2009

Trial Practice

25. Nine principles of litigation and life

By Michael Tigar

From the author's preface, "The great trial lawyers of this and all other times have defined themselves as seekers for justice. I therefore believe that if you seek out principles about how, why, and for whom to seek justice, that voyage will lead you to discover how to live your life." This book examines Tigar's nine life and work principles: courage, rapport, skepticism, observation, preparation, structure, candor, empowerment, and presentation. American Bar Association, 2009. 290 pages.

KF 8915 T547 2009

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