

# 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 in the bookshelf at the entrance to the library. 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 a 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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## *Appellate Practice*

### **1. Federal Court of Appeals manual: a manual on practice in the United States courts of appeals**

By David Knibb

David Knibb's *Federal Court of Appeals Manual* is a helpful walk through the appellate process from start to finish. This resource is organized into three sections: starting the appeal, special appeals, and the appeal process. Tactics and guidance are supplied to aid practitioners in determining whether to appeal, filing on a timely basis, and avoiding dismissal-inducing mistakes. Tips for effective written and oral arguments as well as forms are also included. Thomson West, 2013. 1020 pages.  
KF 9050 K5 2013

## *Bankruptcy*

### **2. Consumer bankruptcy law and practice**

By Henry Sommer

The tenth edition of the National Consumer Law Center's now classic treatise continues in the tradition of the prior editions by providing a current, nuts-and-bolts approach to consumer bankruptcy law. This treatise was created as a basic resource for bankruptcy law and can serve as an introduction to the topic for a novice or as a quick reference resource for an experienced practitioner. Volume 1 contains an overview of the legal issues, a basic practice guide, and more detailed discussions of bankruptcy cases in the final chapters. Volume 2 contains appendices such as statutes, rules, regulations, and sample forms. Access to the companion website (which contains forms, pleadings, and other documents) is available from library computers. National Consumer Law Center, 2012. 2 volumes.  
KF 1524 S6 2012

## *Criminal Law*

### **3. Locked out: a Texas legal guide to reentry**

By Texas RioGrande Legal Aid

This guide was put together by Texas RioGrande Legal Aid and Texas C-BAR to help ease the transition back into society after incarceration. It provides guidance on how to obtain identification cards, what your criminal record contains, who is eligible for expunctions and nondisclosure orders, how to seek employment, shelter and housing issues, family law issues, voting, education and financial aid, and other public benefits. This is a great resource for ex-offenders as well as advocacy organizations. Texas RioGrande Legal Aid, 2012. 1 volume. Online at: <http://www.texascjc.org/sites/default/files/uploads/TRLA%20REENTRY%20GUIDE%202012.pdf>  
KFT 9747 L63 2012

### **4. Search and seizure: a treatise on the Fourth Amendment**

By Wayne LaFave

The new fifth edition of this classic treatise on the Fourth Amendment expands and updates subject matter to give a thorough treatment of developments in search and seizure law. Readers will find discussion of the many new significant Supreme Court cases decided since the publication of the last edition, as well as discussion of emerging topics that are gaining importance. Ripped from the headlines, a discussion of data mining and collection of the private information of citizens is included in the update. Thomson West, 2012. 6 volumes.  
KF 9630 L3 2012

## *Criminal Procedure*

### **5. Federal criminal procedure litigation manual 2013**

By Stephen Saltzburg

This very practical manual provides the text of each of the Federal Rules of Criminal Procedure and then provides a commentary to highlight the “key issues” associated with the rule. “Practice Tips” for both the defense and prosecution are included to help put the rules into practice. Providing citations to related rules, constitutional and statutory provisions, leading cases, and treatises allows the reader to easily locate additional information, while keeping the manual compact. Reprints of the Federal Rules of Criminal Procedure, Federal Rules of Appellate Procedure, and the Federal Rules of Evidence are included as appendix material. Anderson Publishing, 2013. 1 volume.  
KF 9619 F43 2013

### **6. Improving discovery in criminal cases in Texas: how best practices contribute to greater justice**

By Texas Appleseed

In this study the authors researched the criminal discovery policies of over 40 Texas counties and, in conjunction with the state discovery statutes, compared them to the American Bar Association’s best practices. The authors then provide recommendations for changes to the Texas statutes which may decrease the likelihood of wrongful convictions. Texas Appleseed, 2013. 39 pages. Online at: [http://media.cmgdigital.com/shared/news/documents/2013/02/26/discovery\\_report.pdf](http://media.cmgdigital.com/shared/news/documents/2013/02/26/discovery_report.pdf)  
KFT 8900 I46 2013

## *Disabilities*

### **7. Civil mental disability law, evidence and testimony: a comprehensive reference manual for lawyers, judges and mental disability professionals**

By John Parry

This volume from the American Bar Association’s Commission on Mental and Physical Disability Law covers the many legal topics surrounding civil mental disability law. Beginning with the history of this topic and a general overview, the manual examines several special topics such as: community-based mental health care and treatment, disability discrimination, social entitlements, civil commitment, and expert testimony. American Bar Association, 2010. 770 pages.  
KF 3828 P37 2010

## *Evidence*

### **8. Model witness examinations**

By Paul Sandler

The new third edition of this volume containing patterned questions for witnesses includes new model examinations and general updates to reflect changes in the law. The authors state that “posing the right question or series of questions is one of the hardest skills to master.” They also believe in passing on learned wisdom to attorneys who are just beginning their practice. This book is a product of those beliefs and will serve the lawyer who is looking to develop their witness examination skills well. American Bar Association, 2010. 297 pages.  
KF 8900 S26 2010

*Family Law***9. Handling your first (or next) divorce case**

By Texas Young Lawyers Association

This continuing legal education (CLE) course took place in January 2013 in Austin. It is aimed at new lawyers as well as those who would like to learn more about how to handle a divorce case. This course covers a broad range of issues that attorneys come up against during a divorce case. Some of the topics include client intake, discovery “on a shoestring,” voir dire, temporary orders, trial presentation skills, how best to draft a divorce decree, and post-trial/appellate deadlines. State Bar of Texas, 2013. 1 volume. KFT 535 H36 2013

*Immigration***10. Immigration law: a guide to laws and regulations**

By Marc Generazio

*Immigration Law* by Marc Generazio is part of the ABA Fundamentals series. The titles in this series are created to provide a thorough but concise overview of an area of law for the practicing lawyer. Emphasis is given to assisting the practice of law rather than discussing legal theory. This volume is a handy quick reference guide, but also provides numerous references to primary and additional secondary sources for further research. The accompanying CD-ROM contains the INS forms and can be requested at the reference desk. American Bar Association, 2011. 209 pages. KF 4819 G46 2011

**11. Kurzban’s immigration law sourcebook: a comprehensive outline and reference tool**

By Ira Kurzban

This sourcebook is designed to serve as a quick reference guide to relevant federal and administrative cases, regulations and statutes, and agency rulings for all major areas of immigration law. It can be used to pinpoint the significant cases and references on a particular topic, or as a basis for further research on a particular issue. The thirteenth edition includes new information on prosecutorial discretion, memoranda on terminating employees for I-9 violations, revocation of visas developments, and terrorism charges defenses in addition to over 2,000 new regulations, cases, and memos. American Immigration Lawyers Association, 2012. 2045 pages. KF 4819.3 K87 2012

*Insurance***12. Advisor’s guide to life insurance**

By Harold Skipper

This title provides comprehensive information on life insurance to assist in providing client recommendations. The title is divided into six parts: the life insurance purchase, assessing life insurance company financial strength, life insurance policy fundamentals, determining the appropriate policy for each application, life insurance illustrations and the sustainability of policy values, and the issues involved in ongoing policy management. Appendices provide a sample agent questionnaire, descriptions of rating categories, attributes of different policies, and tabular detail for different sample policies. American Bar Association, 2011. 516 pages. KF 1171 S53 2011

## *Intellectual Property*

### **13. Patent multidistrict litigation in the wake of the America Invents Act, 2012**

By State Bar of Texas

This one-day continuing legal education (CLE) course was held in November 2012 in Dallas. It provided a thorough introduction to patent multidistrict litigation (MDL) as it was affected by the America Invents Act 2012. Two presentations were given: an introduction to patent MDL and how to choose lead counsel for MDL litigation. State Bar of Texas, 2012. 1 volume. KFT 3155 P387 2012

### **14. Strategic decisions under the AIA: now that we know the rules, 2013**

By State Bar of Texas

This new course from the State Bar of Texas discusses the implications of the Leahy-Smith America Invents Act, which became effective in March 2013. This law alters the landscape of patent law by favoring the first inventor to file patent, rather than the first to conceive of the idea. Special topics include changes for prosecutors, pre-filing investigations, and post-grant proceedings. State Bar of Texas, 2013. 1 volume. KFT 3114 S77 2013

## *Judges and Judicial Conduct*

### **15. Annotated model code of judicial conduct**

By Arthur Garwin

The second edition of this volume reflects the major overhaul to the Model Code of Judicial Conduct that was adopted in 2007. For each rule in the 2011 revision of the Code, the authors provide commentary, a comparison to the 1990 rule, and references to cases decided based on the rule. Due to the newness of the revisions, there is little authority citing to the new rules; the authors provide a comparison to the former standards and the case law that resulted. Also available is a CD-ROM. American Bar Association, 2011. 640 pages. KF 8779 A55 2011

## *Juries and Jury Instructions*

### **16. Texas criminal pattern jury charges: Property crimes**

By State Bar of Texas

The fourth title in the *Texas Criminal Pattern Jury Charges* series contains jury charges on a wide range of property crimes. Chapters focus specifically on arson, burglary and criminal trespass, theft, and misapplication of fiduciary property. These chapters contain references to relevant statutes, general comments about the specific crime, and instructions for specific offenses. The instructions are broken down into the accusation, relevant statutes, burden of proof, definitions, how to apply the law to the facts, and comments. State Bar of Texas, 2012. 311 pages. KFT 8984 S7 C76 2012

## *Law Practice Management*

### **17. Build your practice the logical way: maximize your client relationships**

By Carol Greenwald

This book helps practitioners develop strategies to retain clients and increase business. Information is provided on how to create a "client-centric" firm, improving communication skills by focusing on listening, how to examine your practice as it currently is, and how to relate to your core clients. In the appendices, you will find the "Model rules of professional responsibility," a basic guide to online research, and a "guide to client-centric initiatives." Also available is a CD-ROM which can be requested at the reference desk. American Bar Association, 2012. 260 pages. KF 311 G74 2012

**18. Building your practice with pro bono for lawyers**

By Nelson Miller

This title focuses on ways practitioners can improve their career through pro bono work. Ten different pro bono opportunities are discussed including pro bono work for prisoners, ex-offenders, the homeless, debtors, veterans, immigrants, individuals with disabilities, children, individuals facing foreclosure, and families. Also discussed are opportunities for attorneys to work with charitable organizations. American Bar Association, 2012. 288 pages.  
KF 336 M55 2012

**19. Locked down: information security for lawyers**

By Sharon Nelson

When dealing with confidential client records, it is important to ensure that the data is secure. This title, written in “plain English,” provides information on how to avoid data breaches. First, physical security concerns are discussed. Then the title examines security issues that might arise with desktops and laptops, e-mails, mobile devices, voicemail, USB drives, networks, remote access programs, cloud computing, specific documents, and records disposal. It also includes appendices with the FTC disposal rule, information security program checklist, and the FTC safeguards rule, to name a few. American Bar Association, 2012. 319 pages.  
KF 320 A9 N45 2012

**20. The lawyer’s guide to building your practice with referrals**

By Steven Shaer

Referrals can be a powerful tool to build a practice; however, this type of business developing is not commonly taught in law school. This title offers a range of strategies to assist in acquiring and maintaining referrals. Specific chapters discuss obtaining clients, the referral process, how to network, and how to market your practice. A bibliography provides a useful list of additional reading resources. American Bar Association, 2012. 97 pages.  
KF 316.5 S53 2012

*Legal Research and Writing***21. Exceptional legal writing, 2013**

By State Bar of Texas

This continuing legal education (CLE) course took place in Austin in April 2013. Each chapter tackles an individual aspect of legal writing and aims to improve attorneys’ writing skills. Topics include identifying and understanding the objective for each legal document, how to be clear in your writing, the use of style manuals, common grammatical errors, how to make your legal writing engaging, effective self-editing, typography, and the role of persuasion in legal writing. State Bar of Texas, 2013. 1 volume.  
KFT 250 E93 2013

## *Probate*

### **22. Texas practice guide: Probate**

By Thomas Featherston, Jr.

This three-volume set provides comprehensive coverage of Texas probate law. Specific chapters cover a range of topics including marital property, independent administration, creditor claims, temporary administration, qualification and removal of guardians, and temporary guardianships. This set also contains various probate forms. All of the Texas practice guide titles are also accessible through the library's Westlaw subscription. Thomson West, 2011. 3 volumes.

KFT 209 T5 PROB.

## *Real Property*

### **23. Foreclosures: mortgage servicing, mortgage modifications, and foreclosure defense**

By John Rao

This title contains information on mortgage servicing and home foreclosures in single family dwellings, manufactured homes, and condominiums. It examines loan modifications, abuses by mortgage servicers, the use of bankruptcy to prevent foreclosure, predatory lending, and legal issues that arise after a foreclosure sale is completed. It also contains extensive appendices which cover selected statutes and regulations regarding mortgages, summaries of related laws, sample forms, and a glossary. The fourth edition includes new chapters on the authority to foreclosure, and condominium and homeowner association liens and foreclosures. Also included is a new appendix on state tax lien foreclosure laws in addition to updated case law information. Access to the companion website (which contains forms, pleadings, and other documents) is available from library computers. National Consumer Law Center, 2012. 1032 pages.

KF 697 R3 2012

### **24. Texas practice guide: Real estate litigation**

By W. Mike Baggett

This three-volume set provides in-depth coverage on Texas real estate litigation and includes forms. Specific chapters cover statutory limitations, purchasing real estate, selling real estate, titles and title insurance, secured transactions, adverse possession, issues with adjacent property owners, eminent domain, land use regulation, property tax, and the landlord-tenant relationship. All of the Texas practice guide titles are accessible through the library's Westlaw subscription. Thomson West, 2011. 3 volumes.

KFT 209 T5 REAL EST.

## *Trial Practice*

### **25. Bench book**

By Texas Municipal Courts Education Center

This title was put together by the Texas Municipal Courts Education Center to serve as a reference guide for the municipal judges across Texas. Because it lays out and describes various court procedures, it is also a great resource for anyone who has a pending legal issue in a municipal court and decides to represent himself or for attorneys whose clients have pending cases in a municipal court. This most recent edition includes the changes in law passed by the 82<sup>nd</sup> Legislature in 2011. It discusses issues related to bonds and bail, search warrants, self-represented/pro se litigants, pleas, pretrial and trial proceedings, sentencing, new trials and appeals, and juvenile proceedings. Texas Municipal Courts Education Center, 2011. 1 volume. Online at: <http://www.tmcec.com/public/files/File/Resources/Final%20Website%20Bench%20Book/2011%20Bench%20Book.pdf>

KFT 8775 B46 2011

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June/July 2013

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