

# 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.

## **Texas State Law Library**

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## *Animal Rights*

### **1. ESA: Endangered Species Act**

By Sam Kalen

The second edition of *ESA: Endangered Species Act* is part of the Basic Practice Series and is designed to provide a useful introduction to the Endangered Species Act. Specific chapters discuss critical habitat designation, Section 7 and recovery planning, Sections 9 and 11 prohibited acts, incidental take permits, the exemption process outlined in Section 7, citizens' suits, experimental populations, and interactions between federal and state governments. Also included is a helpful appendix with frequently asked questions about the ESA. American Bar Association, 2012. 233 pages. KF 5640 S85 2012

## *Banking and Finance*

### **2. The keys to banking law: a handbook for lawyers**

By Karol Sparks

This primer on banking law is intended to familiarize practitioners with the history, regulatory structure, and recent changes in banking law. It discusses the historical foundation of the current complex system, but also examines the altered landscape of banking law after the 2007 financial crisis and 2010 Dodd-Frank reforms. Includes an appendix of common acronyms and jargon. American Bar Association, 2012. 288 pages. KF 974 S66 2012

## *Constitutional Law*

### **3. Sexual orientation, gender identity, and the Constitution**

By Peter Nicolas

Professor Nicolas designed this text to "teach students all of the procedural and substantive aspects of constitutional litigation regarding the rights of sexual minorities." The author found

constitutional law texts did not include in-depth discussion of the rights of sexual minorities and gender law titles did not cover the constitutional and procedural law aspects fully. We are seeing an increase in the practice aids being written for the attorney assisting GLBT clients in specific areas of law. This publication provides an interesting overview of the constitutional protections for these individuals. Carolina Academic Press, 2013. 611 pages. KF 4754.5 N53 2013

## *Construction Law*

### **4. Texas residential construction law manual**

By J. Paulo Flores

This annually published volume discusses a variety of issues that arise in this fast-developing and specialized area of the law. Topics covered include the relationship between an owner and a general contractor, the relationship between a general contractor, and a subcontractor, common causes of action for Texas residential construction, Texas Property Code chapter 27: The Texas Residential Construction Liability Act, liens, residential construction cases, and information on the now defunct Texas Residential Construction Commission. Appendixes contain relevant statutes and case law. Thomson West, 2013. 1 volume. KFT 5701 F45 2013

## *Criminal Procedure*

### **5. The power of habeas corpus in America: from the King's Prerogative to the War on Terror**

By Anthony Gregory

This is a very interesting and readable history of habeas corpus. The author presents the various theories on the origin of what we now know as habeas corpus. Rather than being a vehicle to liberate a prisoner, originally it was more of a way for the state to gain and hold

power over a person. The narrative traces the development in England and continues to discuss the “Americanization” of the concept. The narrative advances through our country’s history and examines changes to habeas corpus: when it was applied and when it was suspended. Gregory ends with his musing on the future of the Writ. Appendix material includes analyses of several of the defining cases on the issue, including *Rumsfeld v. Padilla*, a selected bibliography, and definitions of related terms presented in an historical chart. Cambridge University Press, 2013. 420 pages.  
KF 9011 G74 2013

## *Discovery*

### **6. Electronic discovery for small cases: managing digital evidence and ESI**

By Bruce Olson

Since it can involve expensive software, the use of consulting firms, and outsourcing to specialists, electronic discovery can quickly grow in cost and take up a lot of time. This publication aims to help litigators better understand e-discovery as it relates to smaller cases where a large budget may not be available. To help put all readers at the same starting point, the first part of the book explains e-discovery in general and describes the difference between e-discovery in smaller cases versus big cases. The second part is more practical and describes specific software solutions, how much they cost, and in what types of cases they should be used. Along the way, it also helps you assess whether you should seek outside assistance. American Bar Association, 2012. 143 pages.  
KF 8902 E42 O44 2012

## *Entertainment Law*

### **7. The little book of music law**

By Amber Shavers

For local attorneys inspired by Austin’s music scene to look further into music law, Amber Shavers’ historical overview of landmark cases in the industry gives a solid historical background of major issues. Charmingly structured like a record album (with a “prelude” in place of an introduction and “tracks” rather than chapters), this is an interesting volume (pun intended) on the evolution of music law. American Bar Association, 2013. 349 pages.  
KF 4291 S52 2013

## *Evidence*

### **8. A practical guide to Texas evidence: objections, responses, rules, and practice commentary**

By Gerald Powell

This title presents evidence in a practical and brief manner. The chapters are arranged by broad subject areas. Each chapter begins with a summary of the evidentiary topic. That is followed by suggested phrasing to use in making an objection as well as responses to the objection. The relevant Texas rules are provided along with a brief commentary covering common issues that come up in trial. Where “evidentiary predicates” are needed, the suggested questions are provided. A detailed subject index hones the subject arrangement and an additional index allows you to see where specific rules are covered in the text. National Institute for Trial Advocacy, 2009. 424 pages.  
KFT 8935 P6 2009

*Intellectual Property***9. New practitioner's guide to intellectual property**

By David Gerk

This extensive, yet approachable work aims to introduce the practice of intellectual property law to new attorneys, but may also be useful to seasoned attorneys unfamiliar with this area of law. The book is organized by sub-specialty—patents, trademarks and trade secrets, and copyright. Within each section there are explanations of common terms, types of documents, brief histories, statutory and regulatory foundations, as well as steps in prosecution and litigation. American Bar Association, 2012. 380 pages.

KF 2979 G47 2012

*Labor and Employment***10. Employment law and domestic violence: a practitioner's guide**

By Julie Goldscheid

This brief guide from the ABA Commission on domestic violence provides an introduction to some of the legal issues that arise in the workplace because of domestic violence. Topics discussed include employer responses to domestic violence, anti-discrimination laws, “job-guaranteed” leave laws, workplace safety, employment law torts, worker’s compensation, and unemployment insurance benefits. Additional information is provided to assist practitioners in identifying and working with domestic violence victims. American Bar Association, 2009. 16 pages. Online at: [http://www.americanbar.org/content/dam/aba/migrated/domesticviolence/PublicDocuments/ABA\\_CDV\\_Employ\\_authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/domesticviolence/PublicDocuments/ABA_CDV_Employ_authcheckdam.pdf)

KF 3464 G64 2009

**11. Investigating the workplace harassment claim**

By Elizabeth Whittenbury

This volume provides a detailed overview of the procedure for workplace harassment investigations. To provide a legal framework for understanding harassment claims, Title VII and other harassment claim laws as well as case law are discussed. The situations where the duty to investigate arises are explored; these include obvious cases when there is a direct complaint as well as less obvious cases when there are indirect complaints. The stages of an investigation are discussed in detail including receiving the complaint, preliminary considerations, discovery, timing issues such as how long an investigation should take, interviewing parties, and potential investigation pitfalls. Appendixes include sample documents and forms such as complaint interview questions and a sample investigation report. American Bar Association, 2012. 172 pages.

KF 3455 W48 2012

*Law Practice Management***12. ABA model guidelines for the utilization of paralegal services**

By American Bar Association: Standing Committee on Paralegals.

Paralegals can be invaluable resources to a law practice. This publication from the American Bar Association provides model guidelines for the ethical utilization of services provided by paralegals. Ten guidelines with commentary outline the responsibilities and rights of attorneys who work with paralegals. This title is essential reading for the lawyer looking to employ paralegal assistance. American Bar Association, 2012. 24 pages. Online at: [http://www.americanbar.org/content/dam/aba/migrated/legalservices/paralegals/downloads/ls\\_paralegals\\_utilization\\_guidelines\\_2012\\_authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/legalservices/paralegals/downloads/ls_paralegals_utilization_guidelines_2012_authcheckdam.pdf)

KF 320 L4 A45 2012

**13. Blogging in one hour for lawyers**

By Ernie Svenson

Learn how to expand your reach with this title which shows the reader how to create, maintain, and improve a legal blog. Learn how to quickly create a blog, write posts that will draw new clients, optimize your posts so that they get high search engine ranking, and how to design your blog. You will also learn how to choose the right hosting options and to analyze your web traffic with available web tools. The book also discusses ethical considerations, offers tips for success, recommends current legal blogs, and provides a checklist for new bloggers. American Bar Association, 2012. 121 pages.  
KF 320 I57 S88 2012

**14. LinkedIn in one hour for lawyers**

By Dennis Kennedy

LinkedIn is one of the most powerful professional networking tools available to attorneys today. This guide consists of ten lessons which teach you how to create a customized profile, make connections with your colleagues, and interact with your network of connections in such a way that fosters professional growth. American Bar Association, 2012. 128 pages.  
KF 320 I57 K46 2012

**15. The 2013 solo and small firm legal technology guide: critical decisions made simple**

By Sharon Nelson

This annual guide is intended to help solo and small firm lawyers make economical and smart technological purchases. It provides unbiased recommendations on a range of products such as computers, networking equipment, servers, document and case management, printers, data security products, smartphones, tablets, and social media. It also includes information about how to make your office paperless and how to utilize cloud computing. American Bar Association, 2013. 367 pages.  
KF 320 A9 N45 2013

**16. The art of practicing law: talking to clients, colleagues and others**

By James Kramon

This title contains 70 essays which try to help the practitioner learn to build significant relationships with clients, staff, and others, in hopes of increasing professional happiness. Some of the anecdotes cover such topics as 'The "Gotcha" Client,' 'Husband with Two Marriages,' 'A Dishonest Witness,' and 'You Don't Need a Lawyer.' It also discusses specific ways to handle different client personality types. It also includes a brief chapter on lessons learned. American Bar Association, 2012. 173 pages.  
KF 300 K73 2012

**17. Twitter in one hour for lawyers**

By Jared Correia

In order to help lawyers master new technologies and integrate them into their practice, the Law Practice Management Section of the American Bar Association has put out a handful of easy-to-read titles that focus on specific applications. This title introduces you to Twitter in a very easy-to-follow manner and starts with the very basics. It explains why a lawyer should consider using it in their practice and provides instructions on how to create and customize a Twitter account. It also covers more advanced uses of Twitter and discusses some ethical and privacy/security considerations. Also included are a glossary of terms, a list of common abbreviations, and a list of suggested law-related Twitter accounts to follow. American Bar Association, 2012. 196 pages.  
KF 320 I57 C67 2012

**18. Understanding your business clients**

By Bert Spector

This text tries to help the practitioner with current or potential corporate clients by looking at them from a business perspective rather than a legal one. The book is organized around such business concepts as corporate finance, business strategy, human resources, intellectual property, governance, risk management, and more. Includes an appendix of common business and finance terms and real-life examples from the business world. American Bar Association, 2013. 165 pages.

KF 1414 S64 2013

*Legal Research and Writing***19. Impeccable research: a concise guide to mastering legal research skills**

By Mark Osbeck

Helpful for both experienced legal researchers as well as beginners, this book recommends approaching legal research with a methodical, problem-solving strategy. Osbeck presents a five-step strategy for research. Step one is to develop a research plan and make a list of search terms. Step two is to consult secondary sources. Step three is to search for primary material. Step four is to broaden and update case law by using key numbers and references. Finally, step five is to review and arrange your research. Also provided is a section on refining your legal research skills and information how primary and secondary sources of law. Thomson West, 2010. 147 pages.

KF 240 O82 2010

*Local Government***20. Revenue manual for Texas cities**

By Robert Bland

This publication from the Texas Municipal League is a great source for city officials who deal with city finances. It lists every source of revenue available to Texas municipalities and explains the statutes and administrative rules that authorize cities to collect those revenues. The information is presented in a question-and-answer format so that it serves as a great “how-to” manual for city officials. It also includes footnotes to state laws that may be useful to a city’s legal department. Texas Municipal League, 2012. 64 pages.

REF DESK KFT 5692 R38 2012

*Medical Malpractice***21. Clinical anatomy for lawyers**

By Samuel Hodge

The ABA Medical-Legal Guide provides an introduction to anatomy to assist lawyers working with personal injury clients. The introductory chapter provides an overview of the study of anatomy and is followed by a chapter that explains the various diagnostic tests that are available to study the body and provides a basic understanding of how to read the scans and images. A chapter is devoted to each of the major systems of the body, multisystem disorders, and pain. Each chapter includes section of “Research Tools.” This “Research Tools” section includes references to legal research texts such as American Jurisprudence, American Law Reports, and Causes of Action, relevant key numbers, and law review articles. Numerous illustrations assist the text. American Bar Association, 2012. 848 pages.

KF 3821 H63 2012

## *Nonprofits*

### **22. Starting and managing a nonprofit organization: a legal guide**

By Bruce Hopkins

This “plain English” guide to nonprofits was written to assist individuals who are interested in starting a nonprofit organization but not sure how to navigate complex federal and state tax-exempt laws. Chapters focus on a range of subjects including starting a nonprofit, the differences types of nonprofits, the idea of private benefit, tax-exempt status, nonprofit governance, annual reports, charitable giving rules, fundraising regulations, lobbying constraints, and how to avoid IRS audits. John Wiley & Sons, 2013. 363 pages.

KF 1388 H66 2013

## *Real Property*

### **23. Evictions and landlord/tenant rights**

By Texas Justice Court Training Center

This handbook from the Texas Justice Court Training Center provides practice advice for eviction and other common landlord/tenant issues that arise in justice courts. The authors combine information from the Texas Property Code and Texas Rules of Civil Procedure to give a detailed, step-by-step guide for actions such as evictions, writs of re-entry, and landlord’s liens. Commonly used forms in landlord/tenant issues are included. Texas Justice Court Training Center, 2010. 177 pages.

KFT 586 E95 2010

## *Torts*

### **24. A claimant’s guide to understanding and presenting injury damages: a damages expert’s perspective**

By Michael Shahnasarian

Written by an expert witness who has evaluated thousands of damage claims, this work is intended to introduce potential claimants who have been injured and are seeking compensation to the personal injury claims process. The author explores such topics as truth-finding, typical timetables, assessing damages, steps in the claims process and legal strategies that lawyers use.

American Bar Association, 2012. 89 pages.

KF 1325 P3 S52 2012

## *Trial Practice*

### **25. Acting skills for lawyers**

By Laura Mathis

Mathis, a professional actor with over a decade of stage experience, aims to introduce legal professionals to techniques used in the entertainment industry that can help hone one’s presentation skills. She argues that “litigators are story tellers” and that because “public speaking skills are acting skills,” attorneys should apply the techniques used by entertainment professionals. This title covers how to develop a stage presence, how to know your audience, how to best use and develop your voice, how to improvise, and how best to tell a story—all while focusing on how these skills apply in legal settings such as a court room or at a deposition.

American Bar Association, 2011. 145 pages.

KF 8915 M374 2011



## ORDER FORM

August/September 2013

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## Remote Access at the Texas State Law Library

The Texas State Law Library is pleased to announce that we now offer remote access to many of our databases! Please visit: <http://guides.sll.texas.gov/electronic-databases> for more information. All Texas residents can access these databases by registering for a Texas State Law Library card. Texas residents can register for a Texas State Law Library card in person at the library or online by visiting: <http://www.sll.texas.gov/about-us/get-a-library-card/>

This card will allow you to access the databases for three months. After three months, the card can be renewed an additional three months. To check out print materials or access our full set of library databases, you must come to the library in person and present a valid form of Texas identification.

### The following databases are available for remote access:

- **Aspen Treatise Libraries:** treatises on a variety of topics such as bankruptcy, construction law, elder law, employment law, trial practice, family law, estate planning, and more
- **National Consumer Law Center:** information for NCLC titles including *Collection Actions*, *Fair Debt Collection*, *Foreclosures*, *Repossessions*, *Student Loan Law*, and more
- **Legal Information Reference Center:** hundreds of “plain English” books from Nolo and thousands of legal forms on topics such as family law, immigration, and debt collection
- **Legal Source:** over 1,200 scholarly law journal articles on topics such as criminal justice, international law, federal law, environmental law, and ethics
- **Loislaw:** case law, statutes, administrative rules and regulations, and court rules for all state and federal jurisdictions also Texas AG Opinions and Texas Business and Nonprofit Entity Forms
- **Stevenson’s Legal Forms and Practice Guide:** Texas legal forms in more than 23 practice areas including adoption and termination, civil litigation, probate, personal injury, and more
- **TexShare Databases** from the Texas State Library and Archives Commission

The library is also pleased to announce three new databases for **in library use only**:

- **AILALink** from the American Immigration Lawyers Association
- **Bloomberg BNA** includes U.S. Law Week and Tax Management Portfolios
- **LexisNexis** including Matthew Bender Publications such as the *Texas Litigation Guide*

We also continue to offer access to the following databases for **in library use only**:

- **Gale Virtual Reference Library**
- **HeinOnline**
- **Shepards**
- **Westlaw**