

# 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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## *Appellate Practice*

### **1. Supreme Court practice: for practice in the Supreme Court of the United States**

By Stephen Shapiro

*Supreme Court practice* was first published in 1950 and authored by Eugene Gressman and Robert Stern. The authors of the 10<sup>th</sup> edition stay true to the original mission of providing everything there is to know about handling a case before the U.S. Supreme Court in one volume. Despite its daunting size, this is an easy to use resource. The detailed table of contents is followed by concise checklists for “processing certiorari cases, appeals and cases accepted by the Court for plenary review.” There are numerous appendices that bring together laws, court rules, clerk’s guidelines, and forms. There are even floor plans for the court building included. Bureau of National Affairs, 2013. 1493 pages. REF KF 9057 S8 2013

### **2. Texas practitioner’s guide to civil appeals, 2014**

By Robert Dubose

The *Texas practitioner’s guide to civil appeals* was written by the attorneys from the appellate firm of Alexander Dubose Jefferson & Townsend LLP. This volume distinguishes itself from other appellate titles in its focus on strategy rather than procedural rules. For example, Chapter 10, entitled “Sections of an appellant’s brief,” provides guidance on proper form according to the rules and continues with additional tips on the “unwritten conventions” that should be followed to ensure the best first impression. Advice is also given on how to format briefs for readers using electronic copies instead of paper copies. The handbook concludes with tips on using technology and building an appellate practice. Texas Lawyer Press, 2014. 622 pages. KFT 9050 T45 2014

## *Banking and Finance*

### **3. U.S. regulation of hedge funds**

By Douglas Hammer

Hedge funds are defined as a professionally managed pool of assets used to invest and trade in a variety of financial instruments. U.S. regulation of this complex field has been compiled and summarized in this title. Discussions include: various securities, tax considerations, ERISA, and the commodities laws. Recommended for attorneys practicing in the financial sector. American Bar Association, 2013. 501 pages. KF 1078 U14 2013

## *Business and Commercial Law*

### **4. Corporate responsibility for human rights impacts: new expectations and paradigms**

By Lara Blecher

This book examines the global impact of corporations on human rights through the views of a range of experts. Topics covered include international law issues such as United Nations framework, labor rights, impact on business, and current trends. Each chapter is written by a different expert and includes a discussion of legal issues, case law, legislation, and legal and moral issues. It focuses on primarily international corporate responsibility. American Bar Association, 2014. 508 pages. KF 1422 C67 2014

## Constitutional Law

### 5. The Second Amendment: a biography

By Michael Waldman

Written by the president of the Brennan Center for Justice at NYU School of Law, this is an engaging title for anyone interested in the history of the “right to bear arms.” The author begins the narrative in 1775 and continues through the adoption of the Second Amendment in 1791. He then traces throughout American history how the public, the courts, and organizations like the NRA have interpreted the amendment. In the final part of the book, he discusses how the 2008 landmark Supreme Court case *D.C. v. Heller* changed the legal landscape and follows through to present day, including a discussion of the Sandy Hook tragedy. Simon and Schuster, 2014. 255 pages. KF 3941 W35 2014

## Construction Law

### 6. Construction ADR

By Adrian Bastianelli, III

In the introduction, Philip Bruner traces the history of nonjudicial dispute resolution methods in the construction industry. The first uniform contract promulgated in 1888 by the American Institute of Architects “mandated binding, nonjudicial resolutions of disputes.” In general, the construction industry prefers to use alternatives to litigation because ADR provides speedy results that ensure work can resume. This book, written and edited by working experts, explains the various forms of Construction arbitration and mediation and examines the methods from the perspectives of the various stakeholders. American Bar Association, 2014. 750 pages. KF 902 C665 2014

### 7. Construction subcontracting: a comprehensive practical and legal guide

By Aaron Silberman

In the introduction the editor notes that “this book examines the legal relationships between first-tier contractors or designers and their respective subcontractors, suppliers, and subconsultants.” The rights and obligations of the parties need to be clear so each party can perform their part and the project can be successful. This volume explains how to draft contracts and work through issues that arise from these contracts. American Bar Association, 2014. 581 pages. KF 902 C667 2014

## Criminal Law

### 8. Team defense in criminal cases

By Andrea Lyon

This title describes the classic defense team: the diligent attorney and the intrepid investigator à la Perry Mason and Paul Drake. The authors are such a team and they provide concrete tips on the business side of working together including tracking the progress of the case and working in tandem to build a comprehensive defense. They stress the importance of communication throughout the title. Taking the care and time to ensure effective communication with clients enables you to elicit all the facts of the case. This two-way communication forms the basis of trust in the attorney-client relationship. Communication is also important in obtaining the trust of witnesses to enable credible testimony. Appendices include worksheets and motions to consider. American Bar Association, 2014. 170 pages. KF 9619 L966 2014

## *Elder Law*

### **9. Litigating the nursing home case**

By James O'Reilly

This text provides a lengthy overview of the liability issues that may arise in the nursing home environment. It covers the roles of the various employees, both professional and administrative. Some of the liability issues discussed include facility safety, infections, falls, wandering, escapes, restraints, abuse, and drug use. It walks the attorney through drafting the complaint and evaluating plaintiffs and witnesses. Information is also provided on causes of action, trial procedures, verdicts, and settlements. It also includes a table of cases. American Bar Association, 2014. 446 pages.

KF 3826 N8 O74 2014

## *Entertainment Law*

### **10. Entertainment careers for lawyers**

By William Henslee

Part of the American Bar Association's "Career Series," this title serves as a thorough introduction to various career paths in entertainment law. The author first provides a breakdown of what areas of law make up entertainment law (intellectual property, labor and employment, contracts, tax and antitrust law, immigration, etc.) and explains who potential clients might be. He then goes over what an entertainment lawyer might face when working in music, theater, film, or television. In addition to advising law students thinking about entertainment law, he also provides advice for established attorneys hoping for a career change. American Bar Association, 2014. 185 pages.

KF 299 E57 H46 2014

## *Environmental Law*

### **11. Global climate change and U.S. law**

By Michael Gerrard

*Global Climate Change and U.S. Law* gives in-depth coverage of climate change law from the state level to the international level. Since the first edition was published in 2007, there have been major updates to the U.S. law on climate change. The second edition of this title is updated with a new section which focuses solely on energy regulations such as electric power and transportation issues. There are also new chapters on adaption, geoengineering, cap-and-trade, nonclimate international instruments, and possible future directions for U.S. climate change law. American Bar Association, 2014. 856 pages.

KF 3775 G56 2014

## *Family Law*

### **12. Divorce: protect yourself, your kids, and your future**

By Randall Kessler

This text provides information to the average reader about the divorce process. It takes the reader step-by-step through a divorce, from finding a lawyer to determining child support. Each chapter is arranged in an easy to read format as a series of questions and answers. It also provides information on how to create a parenting plan and links to sample forms online. This is a good resource to use to educate clients about the divorce process. American Bar Association, 2014. 134 pages.

KF 535 Z9 K47 2014

## *Guns*

### **13. The Texas gun owner's guide: who can bear arms? where are guns forbidden? when can you shoot?**

By Alan Korwin

The newest edition of this guide to Texas gun laws provides the statutory language along with a plain English explanation of each statute. Free updates are provided on the publisher's website. Also included is information on federal gun law as it relates to Texas gun owners. The newest edition of this title does not circulate and is for library use only. Please request it at the reference desk. Older editions are available for check out. Bloomfield Press, 2014. 279 pages.

REF DESK KFT 3941 K67 2014

## *Labor and Employment*

### **14. Exclusion: strategies for improving diversity in recruitment, retention and promotion**

By Natalie Holder-Winfield

This title explores the idea of "micro-inequities" and how to combat them. Micro-inequities are defined by the author as "tiny, damaging characteristics of an environment...these characteristics affect a person not indigenous to that environment. They are distinguished by the fact that for all practical purposes one cannot do anything about them; one cannot take them to court or file a grievance" (xxii). The title looks at ten common micro-inequities and how to address them. The micro-inequities discussed are informal mentoring, the ability to recover from a mistake, bullying, perceived underperformance, dealing with insensitivity, receiving quality work assignments, navigating dual identities, issues with assumptions and slights, first generation hurdles, and isolation. American Bar Association, 2014. 195 pages.

KF 3464 H63 2014

## *Law Practice Management*

### **15. Alternative fees for business lawyers and their clients**

By Mark Robertson

This title shows law firms of various sizes how to implement and evaluate alternative fee arrangements. Some of the objectives of this text are effectively pricing legal services, creating a billing method for transactional work, making use of technology for navigating fees and budgets, determining the best alternative fee model, and understanding the ethics of alternative fees. The appendices include checklists, forms, case studies and examples of alternative fee arrangements. American Bar Association, 2014. 178 pages.

KF 316 R63 2014

### **16. PowerPoint in one hour for lawyers**

By Paul Unger

This text offers practical advice for creating effective PowerPoint presentations in only one hour. Some of the things you will learn in that hour include how to create and edit slides, how to include graphics, how to add audio and video, and how to make timelines. Information is also included on how to best present your presentation from your iPad. It contains clear, step-by-step instructions in brief lessons with lots of graphics to help you understand the procedures. American Bar Association, 2014. 169 pages.

KF 322.5 M53 U54 2014

### **17. Worldox in one hour for lawyers**

By John Heckman

Worldox is a powerful document management solution used by law firms to help keep track of documents. This text will help your firm quickly begin to use Worldox and understand how it can help you organize your office. It teaches you how to modify features to best suit your firm, how to integrate document management into email, and how to access documents anywhere. American Bar Association, 2013. 139 pages.

KF 320 R42 H43 2013

## *Medical Malpractice*

### **18. Medical malpractice: avoiding, adjudicating & litigating in the challenging new climate**

By James O'Reilly

This in-depth title from the American Bar Association provides a new look at medical malpractice litigation. The authors discuss how the world of medical malpractice is changing—including a discussion of the Affordable Care Act. With fewer and fewer solo physicians, the title looks at who defendants tend to be now and discusses new approaches and standards when litigating. It also looks into issues related to telemedicine, risks for retailers who offer in-store and urgent-care clinics, and many other medical malpractice issues. A great resource for anyone involved in medical malpractice litigation. American Bar Association, 2014. 728 pages. KF 8925 M3 O74 2014

## *Miscellaneous Legal Topics*

### **19. The science and technology guidebook for lawyers**

By Joseph Carvalco

The fields of science and technology are evolving at an ever-growing pace. These changes affect every aspect of our lives and the impact on the law is no different. This guidebook explains the relationship of law to science and technology. While written in a technical tone, it provides clear examples through case studies. Topics range from patents and intellectual property to biotechnology and software. This is an essential text for attorneys practicing technology law. American Bar Association, 2014. 397 pages. KF 320 A9 C37 2014

## *Parliamentary Practice*

### **20. Robert's Rules in plain English**

By Doris Zimmerman

Parliamentary procedure can seem arcane and difficult to understand. This small, easy-to-use title can serve as a handbook that can guide you through *Robert's Rules of Order*. It is written in plain English and describes what officers should know as well as a breakdown of parliamentary motions and their purposes. Bylaws and electronic meetings are also covered. Please note that this title is part of the library's reference collection and is only available for in-library use. Collins, 2005. 171 pages. REF JF 515 Z7R 2005

## *Real Property*

### **21. Basye clearing land titles**

By Paul Basye

The third edition of this classic treatise discusses and analyzes land title appraisal and proof of title. Using title legislation, statutes, and guidelines it discusses statute of limitations, standard acts, and curative statutes commonly in force. Includes tables of laws, rules, and cases. This is the preeminent text on clearing land titles. Thomson West, 2009. 1 volume. KF 670 B3 2013-2014

## *Sexual Orientation*

### **22. Flagrant conduct: the story of Lawrence v. Texas**

By Dale Carpenter

This title was named by the New York Times Book Review as one of the 100 notable books of 2012. It provides an in-depth look at the events surrounding the 2003 Supreme Court case *Lawrence v. Texas*. Meticulously researched over nine years, the book tells the story in three parts: before the arrests, the arrests, and after the arrests. The title is a very interesting read for anyone interested in civil rights. W.W. Norton & Company, 2012. 345 pages.  
KF 224 L39 C37 2012

## *Social Media*

### **23. LinkedIn for lawyers**

By Andy Nathan

With over 100 million registered users, LinkedIn has become one of the most widely used social media websites. This quick, easy-to-read title helps to explain exactly what LinkedIn is, why so many professionals use it for networking, and how to use the site effectively. It walks you through setting up an account and optimizing your settings, completing a profile, making connections, and developing a “LinkedIn strategy.” James Publishing, 2013. 36 pages.  
KF 320 I57 N38 2013

## *Sports*

### **24. Sports and antitrust law**

By American Bar Association

This handbook examines the intersection of sports and antitrust law. It is intended to be a practical resource for attorneys navigating cases dealing with sports and antitrust law. Chapters cover relevant exemptions, Sherman Act cases and threshold issues, Sherman Act claims, common Sherman Act issues, private antitrust litigation, and Canadian cases. American Bar Association, 2014. 166 pages.  
KF 3989 S655 2014

## *Torts*

### **25. Owen & Davis on products liability**

By David Owen

This four volume set comprehensively examines products liability law and its practice. Discussion includes citations for cases, statutes, and applicable articles. Updates from the previous edition include greater treatment of design and warning defects and federal changes on the law of preemption of products liability claims. This title provides a practical and exhaustive guide to products liability law. Thomson West, 2014. 4 volumes.  
KF 1296 M3 2014



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August/September 2014

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This card allows access to the databases for three months. After three months, the card can be renewed for an additional three months. To check out print materials or access our in library use only 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:

- **AILALink** from the American Immigration Lawyers Association
- **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
- **Gale Virtual Reference Library:** eBooks in this collection include *American Law Yearbook*, *the Bill of Rights*, *Gale Encyclopedia of American Law*, *National Survey of State Laws*, and more
- **National Consumer Law Center:** information on 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

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

- **Bloomberg BNA** includes U.S. Law Week and Tax Management Portfolios
- **HeinOnline** contains legal journals, periodicals, government documents, and other legal titles
- **LexisNexis** includes Matthew Bender Publications such as the *Texas Litigation Guide*
- **Westlaw** contains State and Federal cases, Texas Jurisprudence, and Texas Practice titles