



LAW LIBRARY NEWS

a publication of the Fort Bend County Law Library

Edited by: Andrew Bennett, Law Librarian

December 2017 ♦ Volume 26, Issue 12



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New & Updated Resources

Texas Probate Forms and Procedures

- Rev. #4
- 2017 Update

Texas Practice Guide

- *Alternative Dispute Resolution*
- *Creditor's Rights*
- *Business & Commercial Litigation*

O'Connor's Texas Series

- *Texas Forms: Real Estate*
- *Employment Law*

Texas Practice Series

- *Handbook of Texas Family Law*
- *Elements of an Action*
- *Discovery Practice*
- *Summary Judgment*

Texas Elder Law

- 2018 Edition



Handbook of Federal Evidence

- 2017 Update

The Fundamentals of Guardianship

- 2017 Pub Date
- State Bar of Texas



Texas DWI Manual

- Rev. #4
- 2017 Update

Texas Litigation Guide

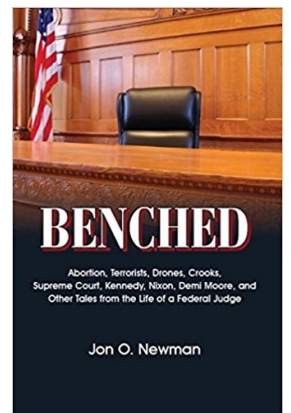
- Rel. # 127
- 2017 Update

Texas Probate, Estate & Trust Administration

- Rel. 24
- 2017 Update

Book Discussion

The Fort Bend County Law Library will be having its second **Book Discussion** on Friday, **January 26th** at **1 pm** in the Law Library. The book for this discussion is ***Benched*** by the Honorable **Judge Jon O. Newman**.



In his book, he discusses many of his experiences in politics and the legal field as a prosecutor and 45 years as a federal judge.

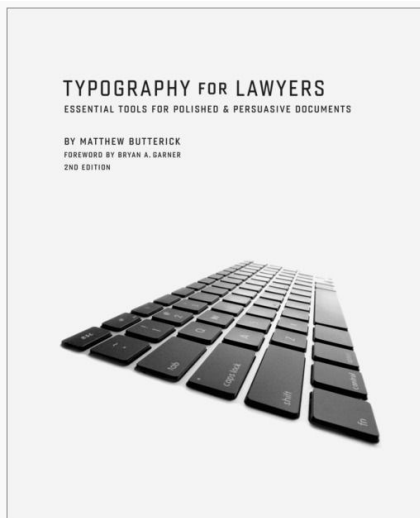
He opens up about some of his key opinions on terrorism, drones, convicted members of congress, abortion, civil rights, authors, and movie stars.

We will be providing snacks and coffee during the program.

For more information, contact the Law Library at 281-341-3718.

Featured Resource: *Typography for Lawyers* by Andrew Bennett

Need some expert guidance in typing up briefs, emails, motions, or any other documents? Look



no further than *Typography for Lawyers* by Matthew Butterick. The author details the best tips, tools, and styles for creating polished and persuasive documents. Butterick, who has a degree in design and typography from Harvard University and a Law degree from UCLA School of Law, details the essential skills needed for lawyers including type composition, formatting of documents, recommended font choices, and laying a page out perfectly on the computer including adding tables, bates numbers, and line breaks. In addition, he also includes sample documents such as motions, briefs, letterheads, business cards, court opinions, and resumes. Also included in the appendix, are helpful hints on choosing the right paper and printer, and creating PDF documents. This book is an essential tool for all lawyers. There is additional information on the

authors website, www.typographyforlawyers.com. Copies of the book can be made for \$0.10 a page. For more information, contact the Law Library.

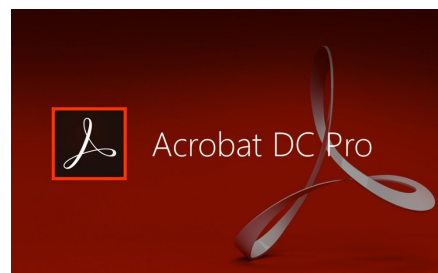
Technology Corner

By Jonathan Briggs

In this column, we examine technology in the Law Library that you can use in your practice.

This Month's Featured Technology: *Bates* numbering with Adobe Acrobat DC Pro.

Keeping track of documents used in litigation and other legal matters can be essential for organizing and producing them to opposing counsel and for use in Court. Bates labeling is the standard for sequentially numbering documents for such organization and production and it is available on the patron computers at the Law Library via Adobe Acrobat DC Pro. Numbers and other identifying information can be affixed as headers or footers to each page along with date stamps. Documents can be converted to PDF for use in Bates numbering. Documents/files are then added to the program for numbering. Your documents can also be uploaded from a thumb drive and loose papers can be scanned to you from our copiers. Use of the program is free to patrons and to print any document it is \$.10 per page, \$1.00 per page for color. For more information, contact the Law Library.



Community News

- There is no December Luncheon or CLE for the Fort Bend County Bar Association.
- Fort Bend Lawyers Care is holding a Legal Line every Friday from 10 am to 12 pm. Volunteer attorneys are needed! If you would like to help low-income residents and veterans of Fort Bend County, information about volunteering is available by email at Tasha@fortbendlawyerscare.org.
- The Fort Bend County Criminal Defense Attorney's Association will host a one-hour CLE at noon on Thursday, December 21st at County Court at Law # 4 in the Justice Center. It is approved for 1 hour CLE credit. For more information, visit the [FBCCDAA Events webpage](#).
- The Fort Bend County Law Library is hosting its annual Open House on Thursday, February 16th, 2017 from 10 am to noon. This year, in conjunction with the Open House, the Library is also hosting a FREE Westlaw Training and CLE in County Court at Law #1 at 1:30 pm. This training will focus on Criminal Law and using Westlaw for research. Specific questions on any topic can also be asked at the training. Registration is required as space is limited. Registration will open in January. For more information, contact the Law Library at 281-341-3718.
- Frequent Visitors and Attorneys can have a badge to enter the Justice Center. The Attorney Badge application can be found [here](#). . Last day for 2017 Badges is January 10th.

Texas Lawyers

Assistance Program

The State Bar of Texas offers confidential assistance to attorneys, judges, and law students who are facing substance abuse and mental health issues through its [Lawyers Assistance Program](#). Professional staff members are available 24/7 by phone to help with crisis counseling and referrals to local professionals and support groups. For assistance, call 1-800-343-8527.

To Include Items in the Newsletter

If you have any information on upcoming CLEs, conferences, etc. that you think would be useful to include in the newsletter, please send an email to abennett@fortbend.lib.tx.us with "Newsletter" as the subject.

Express Class

Do you need a brush up on Westlaw? We are here to help! Sign up now for Westlaw EXPRESS CLASS! Classes are 15-minutes each, on Thursday mornings from 10 am – 12 pm. We teach you the basics of each program. You can choose from additional classes such as Hein Online, Adobe Pro, Lexis Advance, and O'Connor's Online. Registration is required. Call 281-341-3718 to register.

To Unsubscribe from the Newsletter

If you do not want to receive the Law Library newsletter, please send an email to abennett@fortbend.lib.tx.us with "Unsubscribe" as the subject and include the email address to be removed.

Texas Case Law Update

Local Cases

- [Safety National Cas. Co. v. Watson](#), No. 01-17-00741-CV (Dec. 12, 2017): App. Dism'd. (434th Dist.)
- [Sanchez v. State of Texas](#), No. 01-17-00011/00012-CR (Dec. 7, 2017): Aff'd. TC judgment. (268th)
- [Williams v. Jirech Prop. Mgt.](#), No. 01-17-00674-CV (Nov. 21, 2017): Appeal Dism'd. FWOP. (CCL3#)
- [In Re J.J.H.](#), No. 01-17-00188-CV (Nov. 16, 2017): App. Abated & Remanded to TC. (CCL#4)
- [State of Texas v. Chiron Francis](#), No. 14-17-00958-CR (Dec. 11, 2017): Not. of Appeal Filed. (268th)
- [State of Texas v. Atkinson](#), No. 14-17-00184-CR (Dec. 7, 2017): Rev'd. and Remanded. (CCL#4)
- [Rosale Duffy V. Curry Duffy](#), No. 14-16-00144-CV (Dec. 7, 2017): Affirmed. (328th)
- [State of Texas v. Perez](#), No. 14-16-00690-CR (Nov. 16, 2017): Aff'd. in part, Rev'd. & Rem. in. part. (400th)

Criminal Law

- ***Eugene v. State of Texas*, 528 S.W.3d 245 (Tex.App.-Houston[14th Dist.] 2017)**: Cold case conviction of appellant involved in a vehicle dispute that escalated into shooting led to murder conviction and life sentence. Conviction was affirmed where held that failure to file motion to quash indictment did not rise to ineffective assistance of counsel and the charging of appellant fee for summoning witness even though indigent was not unconstitutional as a violation of his right to compulsory process and to confront witnesses.
- ***Collier v. State of Texas*, 528 S.W. 3d 544 (Tex.App.-Eastland 2017)**: Defendant convicted of possession of 4-199 grams of cocaine with intent to deliver and given 18 years appealed asserting ineffective assistance of counsel. Appellant contended that attorney failed to pursue an available defense which court rejected as permissible trial strategy. Appellant also contended that counsel was ineffective due to cumulative errors such as failures to object. This was also rejected because of no reasonable probability that outcome would have been different without these alleged errors. Affirmed.

Family Law

- ***Smith v. Burt*, 528 S.W.3d 144 (Tex.App.-El Paso 2017)**: In a divorce case concerning division of marital property, husband's \$783 monthly military pension was deemed 80% community property, wife thus awarded \$391 of this monthly benefit.. Wife sought clarification of division of COLA increase of pension amount. Court determined she was entitled to 50% of the accumulated cost-of-living-allowances from her ex's pension. Remanded to TC to determine exact amount owed to Ms. Smith.
- ***Zewde v. Abadi*, 529 S.W.3d 144 (Tex.App.-Houston[14th Dist.] 2017)**: Husband filed petition to declare marriage void based on wife's prior existing marriage. Wife filed counter-petition for divorce. TC denied husband's petition, granted divorce., and named wife as sole managing conservator. Court of Appeals affirmed. Key issue was recognition of dissolution of wife's former marriage in the country of Eritrea as a divorce.

Litigation/ADR

- ***In Re Dish Network*, 528 S.W.3d 177 (Tex.App.-El Paso 2017)**: In mandamus of employment law case., trial court's refusal to rule on employer's motion to compel arbitration was abuse of discretion. Arbitration agreement had been signed by employee.

Defamation

- ***Healey v. Healey*, 529 S.W.3d 124 (Tex.App.-Tyler 2017)**: Defamation not found where emails by one brother against another because statements were of opinion, not fact. E-mails, though disparaging, not actionable.