



Truth, Justice, and Information for All

The Official Newsletter of the Collin County Law Library

ISSUE 2004-01

www.co.collin.tx.us

Jan Feb Mar 2004



Courthouse News



New Judge for County Court at Law #5

Collin County attorney Greg Brewer was appointed as judge of County Court at Law #5 in December. The bench became vacant last fall when Governor Perry appointed Judge Chris Oldner to the newly-created 416th District Court. A formal investiture for Judge Brewer was held in January at the Collin County Courthouse.

Law Library 25th Anniversary Celebration a Success

The Collin County Law Library held its 25th Anniversary Celebration at the Collin County Courthouse on the evening of January 13, 2004. Those in attendance included many of the county's district and county court at law judges, several local public officials, various county personnel, as well as members of the public. In addition, members of the Frisco Bar Association, Plano Bar Association, and Collin County Bar Association were among those who made the evening special.

Representatives from the library community joined the celebration as well. Law librarians from the Dallas Association of Law Librarians made the journey from downtown Dallas, as well as librarians from the various Plano libraries and Richardson Public Library.

Attendees enjoyed an evening of conversation with friends and reflection upon the evolution of the Law Library and its contributions to the legal community of Collin County. Refreshments were served and a presentation was made by Judge Nathan White, of the 366th District Court, to Judge Jerry Lewis, of County Court at Law #2, for his dedication to founding a formal Law Library for Collin County. Judge Lewis received a framed copy of the original Commissioners Court Order authorizing the purchase of materials for the Law Library 25 years ago, signed by then County Judge Nathan White and the other members of the Commissioners Court of the day.

Law Library Director Judy McCullough and Assistant Law Librarian Katy Gill would like to extend their appreciation for the support of the judiciary, members of the bar, county officials and personnel, members of the public, and their friends and family for their support of the Collin County Law Library and for making this celebration a memorable event.

To see photographs of this event, turn to page 2!

?

Research Question of the Day:

Where can I find the
legislative intent
of a law?

To find the answer,
turn to Page 6!

?

Frisco Bar Association: Thank You!

The Collin County Law Library thanks the members of the Frisco Bar Association for the generous donation presented at the recent Law Library 25th Anniversary Celebration. This contribution will allow for the purchase of additional lighting for the Law Library. We appreciate your support!



New on the Shelves...

**The following titles have been added to the
Collin County Law Library collection:**



- Texas Drunk Driving Law, 4th ed. - from Lexis Nexis Matthew Bender, includes the Texas Breath Alcohol Testing Program Operator Manual
- Principles and Techniques of Training in Standardized Field Sobriety Testing Participant Manual, 2002 ed. - from the U.S. Department of Transportation
- Police Misconduct Law and Litigation 3d, 2003 ed. - from Thomson West
- Texas Criminal Law and Motor Vehicle Handbook, 2004 ed. - from Gould Publications
- Pretrial Motions in Criminal Prosecutions, 3d ed. - by James A. Adams & Daniel D. Blinka
- Who Will Speak for the Victim? A Practical Treatise on Plaintiff's Jury Argument - by Jim M. Perdue
- Qualifying & Attacking Expert Witnesses - by Robert C. Clifford, now with a CD-ROM
- Legal Research for the Texas Practitioner - by Brandon D. Quarles & Matthew C. Cordon

The following 2004 editions of Baker's handbooks have also arrived:

- Baker's Texas Criminal Evidence Handbook
- Baker's Texas Penal Code Handbook
- Baker's Texas Criminal Procedure Handbook
- Baker's Texas Drugs & DWI Handbook
- Baker's Texas Family Code Handbook



**For assistance in finding these new titles
or for information about upcoming titles,
just ask a law librarian!**

Call 972-424-1460 ext. 4255 or email: jmccullough@co.collin.tx.us



Scenes from the Collin County Law Library 25th Anniversary Celebration January 13, 2004

Clockwise from left:

*Judge Nathan White reads the
Commissioners Court Order au-
thorizing the purchase of books
for the Law Library.*

*Library Director Judy
McCullough presents the framed
Court Order to Judge Jerry
Lewis.*

*Assistant Law Librarian Katy Gill
and Library Director Judy
McCullough celebrate the event.*



Internet Spotlight

New on Texas Judge!
www.texasjudge.com

The newly **revised indigent defense plans and forms** are available in the Download Center of the Texas Judge web site. These forms are also available in the Law Library; the compensation forms are not available online, but can be obtained from the Law Library as well.

New Look for State Bar of Texas
www.texasbar.com

If you've visited the website for the State Bar of Texas lately, you may have noticed some **major changes!** According to the latest issue of Texas Bar Journal, "From TexasBar.com, lawyers will have the ability to pay their dues, conduct legal free legal research, participate in online elections and surveys, and link to the premier TexasBarCLE array of programming as well as TYLA.org." Check it out!

Excerpted from Texas Bar Journal, v. 67, no. 2 (February 2004).



Daily Headlines from Legal Websites
www.dailywhirl.com

Keep up with the day's **current news in the legal world** by checking in at Daily Whirl! This site delivers a customized listing of daily headlines from major legal news and information websites. All you have to do is go to www.dailywhirl.com and check off the

sources you want displayed for you. Once you've set your preferences, the site will display the day's top headlines from your selected legal resources. To view an article that sparks your interest, simply click on the headline!

Fact-Checking the Candidates
<http://campaigndesk.org>

Been following the 2004 political campaigns? Maintained by the Columbia Journalism Review, of Columbia University's Graduate School of Journalism, this site conducts **fact-checking** of the rhetoric and analysis used by the media and the candidates themselves.

The opinions expressed on these web sites are not representative of those of Collin County or the Collin County Law Library.

Important Notice:

The Collin County Law Library has always been happy to permit attorneys to leave an **IOU** with the librarian for the purchase of photocopies, printouts, and faxes made in the Law Library. Attorneys are then invoiced at the end of each month for their IOUs. Lately, several of these IOU invoices have gone **unpaid**. The IOU system is a courtesy that the Law Library extends to attorneys, but if invoices continue to go unpaid, the Library will no longer be able to provide this service. **If you think you have an unpaid IOU invoice** from the Library, please drop by the Reference Desk or contact the librarian at: 972-424-1460 ext. 4260. Thank you for your cooperation in this matter.

Need Some Help?

Here's how to contact a law librarian at the Collin County Law Library:

Judy McCullough
 972-424-1460 ext. 4255
jmccullough@co.collin.tx.us

Katy Gill
 972-424-1460 ext. 4260
kgill@co.collin.tx.us



Articles of Interest



“New ABA Standards of Practice: Representing Children in Custody Cases”
Timothy B. Walker, The Matrimonial Strategist v. 21, no. 11 (December 2003), p. 1-2, 4.

This past August, the American Bar Association has adopted new standards of practice to assist attorneys in understanding their role when representing children in custody cases. This article offers an outline of these standards and the various roles that the attorney can perform in such cases.

“Internet Research for Bookworms”
Linda Friedman, Trial v. 40, no. 1 (January 2004), p. 26-29.

This article provides a good overview of several major legal resources available via the World Wide Web . . . and beyond. The author, an attorney and former law librarian, guides the legal researcher through the maze of online resources, pointing out those which provide access to both primary and secondary law sources. The researcher is also encouraged to consult other more traditional forms of research guidance, including fellow colleagues and, of course, the law librarian.



Copies of these articles are available at the Law Library. Just ask a law librarian!
Call: 972-424-1460 ext. 4255 or email: jmccullough@co.collin.tx.us



Library News

Information for Court Appointments Available at Law Library

In order to comply with the mandates of the Texas Fair Defense Act, the Collin county judiciary has revised the plans for indigent defense for the District, County Court at Law, and Juvenile courts of Collin County. The Law Library has copies of these new indigent defense plans, as well as the **paperwork required to receive court appointments and compensation**. This information is available in the Law Library on the standing kiosk located behind the large work tables.

Copy Prices Drop to 10¢ Per Page

Last November, the Collin county Commissioners Court ordered that the price of photocopies be reduced to 10¢ per page. In compliance with Court

Order No. 2003-898-11-11, the Law Library has reduced the charge for copies made in the Law Library **from 25¢ per page to 10¢ per page**. The charge for computer printouts remains at 10¢ per printed page and the charge for faxes remains \$1.00 per page.

New PC at the Attorney Workstation

The Attorney Workstation got a facelift this month when a new PC was installed replacing the old one. Equipped with a Pentium 4 processor, a 17” flat screen monitor, and Windows XP, the new computer allows attorneys to conduct research in style. So, whether you’re checking out the latest information on the Texas Judge website, typing up a last-minute order, or researching in Lexis, you’ll be sure to notice the **speed** and **ease of use** this updated Workstation provides.



New Changes in Legislation



Nondisclosure of Records

Texas Government Code §411.081(d)

The Texas Government Code was amended to permit certain offenders to petition the court for an order prohibiting criminal justice agencies from disclosing criminal record information related to offenses for which the defendant was given deferred adjudication. This procedure differs in several ways from the expunction procedure described under Article 45.051 of the Texas Code of Criminal Procedure. Certain offenses for which offenders receive deferred adjudication are not eligible for nondisclosure, or are only eligible after a certain period of time has elapsed since the offense was discharged or dismissed.

The November 2003 issue of Voice for the Defense has a very helpful article discussing this process in detail. This article also offers **sample forms** to assist the attorney in drafting a Petition and Order for Nondisclosure. In addition, the Harris County District Attorney has also provided some helpful information about nondisclosure on its website at: <http://dao-web.dao.hctx.net/ie/DADJ/FAQs.pdf>

“Sealing Deferred Adjudications with Orders of Nondisclosure”

Christian T. Souza, Voice for the Defense v. 32, no. 9 (November 2003), p. 14-20.

Texas Business Organizations Law

HB 1165, HB 1637, HB 1156

Assistant Law Librarian Katy Gill recently attended a meeting of the Dallas Association of Law Librarians at which Brad L. Whitlock, an attorney from the Dallas office of Jackson Walker LLP gave a presentation on the recent changes in the Texas Business Organizations Law. This presentation was a condensed version of one made at last summer's State Bar of Texas Legislative Update Part I seminar by Whitlock and fellow attorney Daryl B. Robertson of Jenkins & Gilchrist, PC. The following is an excerpt from the course handout from the seminar:

“The most significant bills relating to business entities are, in the judgment of the authors, House Bills 1165, 1637 and 1156. House Bill 1165 amends existing Texas statutes governing business corporations. House Bill 1637 amends existing Texas statutes governing general and limited partnerships and limited liability companies. House Bill 1156 adopts a new Texas Business organizations Code which totally reorganizes, simplifies and modernizes existing Texas statutes governing private-sector, for-profit and nonprofit entities.”

The full text of these bills is available on Texas Legislature Online, the official website of the Texas Legislature, at: www.capitol.state.tx.us

Brad L. Whitlock & Daryl B. Robertson, Legislative Update Part I: Recent Changes in Texas Business Organizations Law (2003).

Changes in the Role of the Ad Litem

Texas Family Code, Chapter 107

Chapter 107 of the Texas Family Code was dramatically changed to more clearly define the role of the attorney in representing children in suits affecting the parent-child relationship. Under the previous statute, it was unclear what the attorney's role was in such cases: Is it the attorney's duty to represent what the child wants, or is the attorney only to represent what is in the child's best interest? The new statutes hope to clarify this and offer a more detailed definition of the attorney's duties. The law also requires attorneys to become familiar with the ABA Standards of Practice for Attorneys Representing Children in Abuse and Neglect Cases.

?

Where can I find the legislative intent of a bill?

Answer:

It is sometimes necessary to examine the intent of the lawmakers when interpreting a statute. To do this, all you need to know is the bill number and the legislative session in which the bill was passed.

Now go to the Texas Legislature Online web-site at:

www.capitol.state.tx.us

In the "Bill Status" box, enter the bill number and choose the appropriate legislative session. You will be taken to a screen which lists different options providing a variety of information about the bill. Choose the "Text" option. A chart will display each of the different versions of the bill as it moved through the legislative process. Also displayed are any **fiscal notes, analysis, witness lists, and summaries of committee action** taken throughout the bill's progress to the Governor's office. You can view these notes and analysis by clicking on the icons provided on this chart.

Note: These notes are **only** available on the Texas Legislature website if the bill was passed during the 74th Regular Session (1995) or in any session thereafter. The notes and analysis of bills from **previous** legislatures are only available through the Legislative Reference Library of Texas in Austin in audio tape form. Because more than one bill is discussed on any given day during a legislative session, listening to the tapes can be very time-consuming. If you need to listen to the tapes, the Collin County Law Library can arrange to order them for you. Contact a law librarian for more information.

?

A Little Legal Humor...

Reprinted with permission.

Stu's Views

© 2004 Stu All Rights Reserved www.STUS.com

Personnel Office



Law Library Goes International

That's right! This week, the Collin County Law Library received a research request all the way from Germany!



Receive This Newsletter Via E-mail!

You can now receive your copy of *Truth, Justice, and Information for All*, the official newsletter of the Collin County Law Library, as a PDF email attachment! If you would like to receive this newsletter via e-mail rather than from U.S. postal mail, please call the Library at: 972-424-1460 ext. 4260 or email us at: kgill@co.collin.tx.us

*Note: To view the newsletter, you must have the Adobe Acrobat Reader software installed.

This software is available for free on the Web at: www.adobe.com