



TRUTH, JUSTICE AND INFORMATION FOR ALL

THE OFFICIAL NEWSLETTER OF THE COLLIN COUNTY LAW LIBRARY

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APRIL/MAY/JUNE

Recent Articles of Interest

Marsh, Diane T. "Parental Mental Illness: Issues on Custody Determinations." *American Journal of Family Law*. 23.1 (2009): 28-36.

Marsh describes a "best-practices" approach to working with families that include a parent with mental illness.

She argues that a person with mental illness, through rehabilitation, can attain the appropriate skills and resources necessary to function in the community but still have an illness-related impairment.

Marsh encourages legal and psychological practitioners to challenge *a priori* assumptions of parental incompetence and advocates for evidenced-based treat-

ment and rehabilitation for the parents.

Children of parents with mental illness are at significantly greater risk for multiple psychosocial and mental health problems.

Assessments of both parents and children can identify their individual strengths, limitations, and needs.

Marsh suggests that custody decisions should be based on these assessment results and not merely the presence of a mental disorder.

Coffey, Mimi "Unjust Courtroom Practices: Always Seating the Prosecution Closest to the Jury." *Voice for the Defense*. 38.3 (2009)22-28.

Coffey argues that not only is this accepted practice unconstitutional, it places the defendant at a severe disadvantage with the jury.

Using social psychological data, Coffey shows the importance of close proximity during communication and how people generally think more favorably of those nearer to them.

Coffey calls for an end to the automatic title claimed by the prosecution and advocates for new laws which address the positional disadvantage with which the defendant is unduly burdened.

Copies of these articles may be obtained from the Law Library.

New on the Shelves

Bender's Federal Practice Forms: federal rules of criminal procedure, 2008.

Child Custody and Visitation Law and Practice, Sandra Morgan Little, 2009

Courtroom Handbook on Texas Evidence, 2009.

O'Connor's Federal Employment Codes Plus, 2009.

USCA: RIA's Complete Analysis of the Tax and

Benefits Provision of the American Recovery and Reinvestment Act of 2009, Thomson West.

All print materials are available for attorney checkout.

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Staff is available for a presentation to your organization.

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How do I . . .

??

*Need assistance and not sure
where to go? 2-1-1 Texas
can help.*

*"In collaborative
law . . . it's about
looking forward"*

Searching for Another State's Statutes on Westlaw

If you are having difficulty finding a foreign statute on a particular subject, searching case law may prove useful.

For instance, if you are searching for the Florida statute addressing habitual offender status with regard to DWI, you might try the following:

1) Select the "All Federal and State Cases" database. Use the search: "florida

statute" AND DUI OR DWI AND "habitual offender."

This search produces 43 results. The first case, *State v. Anders*, links to Fla.Stat. Ann. §755.084 which specifically lists which felonies trigger the habitual offender statute.

This trick of going through the "back door" can be helpful if you are having trouble searching foreign statutes directly.

LAW LIBRARY HOLIDAY CLOSURES

The Collin County Courthouse (and the Law Library) will be closed on the following upcoming holidays:

Friday, July 3, in observance of Independence Day.

Labor Day, Monday, September 7.

A full listing of county holidays can be found on the county website at:

<http://www.co.collin.tx.us/holidays.jsp>

2-1-1 Texas

2-1-1 Texas is a free, confidential information and referral line available 24 hours a day, seven days a week.

Information is available on local and community services such as food stamps, Medicaid, temporary assistance for

needy families, counseling, child care, after school programs, and disaster relief.

Callers may also register for evacuation transportation in the event of a hurricane.

Information is available in almost any language, including Spanish.

For more information visit their website at
www.211texas.org.

Local Attorney quoted in Collin County Business Press

Lisa Marquis, a partner in Easley and Marquis, PLLC in Plano, is secretary of the Collaborative Law Alliance of Collin County.

An article in the April 22, 2009 Collin County Business Press entitled "Collaborative divorce alternative slow to catch on" discusses this alternative to traditional divorce litigation.

Marquis discusses the differences between litigated divorce and collaborative law, particularly collaborative law's "focus on the future."

Couples work out how they will continue to function as a family unit with regard to their children and how to make their financial arrangements work best for all concerned.

Marquis says that although collaborative law may not be less expensive dollar-wise than litigated divorce, it certainly will be "much less expensive from an emotional standpoint."

A copy of this article can be obtained from the Law Library.