



The Information Edge

Current Legal News from Collin County's
Curt B. Henderson Law Library

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WWW.COLLINCOUNTYTX.GOV

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Useful Internet Sites and Articles

86th Texas Legislature—A Partial Summary

The 86th Texas Legislature ran from January 8th to May 27th, 2019. Some of the changes in various areas of the law are highlighted here.

Family Law

Two changes were made to Texas adoption law. Family Code § 102.008 was changed to require that an adoption of a child petition includes a statement that the court has jurisdiction to hear the petition under Family Code § 103.001(b) which concerns venue provisions. The second change was to Family Code § 155.201 which now requires that a court with continuing, exclusive jurisdiction in a SAPCR case transfer the adoption when a motion to transfer is filed, showing that an adoption suit, involving the same child subject to the SAPCR, has been filed in another court located in the county where the child resides. The legislature also changed the law concerning publication. As of June 1, 2020, Family Code §§ 3.305 and 102.010 will require that citation by publication for a divorce and SAPCR must, in addition to the county newspaper, be published on the statewide public-information website as created under newly enacted Government Code § 72.034. Furthermore, counties without a newspaper will only need publish on the statewide site. Family Code § 2.208 (effective September 1, 2019) allows the County Clerk to email a marriage license to the applicant if requested. Family Code §§ 153.132 and 153.371 were changed to give a person who is appointed by the court as a child's sole managing conservator the right to apply for a passport for the child, renew the child's passport, and maintain possession of the child's passport. This change goes into effect September 1, 2019, and will only apply to petitions pending or filed on or after that date. Family Code § 7.006 was changed to expressly state that an agreement incident to a divorce or annulment that is incorporated into a final decree by reference is not required to be filed with the court or the court clerk. This change went into effect on May 24, 2019.

Civil Law and Procedure

Civil Practice and Remedies Code § 30.021 was amended. As of September 1, 2019, the awarding of costs and attorney's fees to the prevailing party on a motion to dismiss a civil proceeding is now discretionary, rather than mandatory.

Criminal Law

House Bill 2048 repeals the Driver Responsibility Program. Effective September 1, 2019, any unpaid surcharges outstanding on the 1st will no longer require payment and every driver with a suspension on the effective date will have the suspension lifted with no reinstatement fee. House Bill 1342 eliminates the blanket prohibition on professional licenses due to a past criminal conviction. As worded in *Voice for the Defense* (Volume 48, No.6): "[T]he bill removes as grounds for disqualification for a professional license a conviction within the past 5 years for an offense not directly related to the licensed occupation." House Bill 1631 prohibited the use of red light cameras, effective as of June 2, 2019. Senate Bill 21 raised the purchasing age for tobacco from 18 to 21 years old, excluding military personnel. House Bill 1760 lowered the age regarding the right to seal records to 17 years old or after one year has elapsed from final discharge in juvenile cases.

Collin County

Collin County will add two new district courts. The 468th District Court will hear mostly family law cases while the 471st will hear mostly civil cases. The last time Collin County received new courts was in 2015.



Copies of these articles are available in the library, or from the law librarian via email:
droberts@co.collin.tx.us

Spotlight on the Supremes

On May 23rd, 2019, the Texas Senate honored Chief Justice Nathan Hecht for serving on the Texas Supreme Court for 30 years, the longest of any justice in Texas history. The Texas Senate adopted a resolution regarding Chief Justice's Hecht's service which states the following: "[T]he esteemed justice is noted for pioneering new paths for court efficiency, modernizing rules and procedure, advocating affordable legal services for those whose access is restricted, and actively challenging unconscious bias in the courts to improve public trust." A full copy of the resolution may be viewed [here](#).

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Hours of Operation:
Monday–Friday
8:00 am–5:00 pm

Note: Computers will
automatically log off
at 4:50 p.m.

Did You Know?

The Power of Words—Best Practices in Communication for Lawyers, Courtesy of Winston Churchill

Texas Bar Journal—July 2019

Within the last year both the *New York Times* and *Wall Street Journal* reviews agreed that the best biography of Winston Churchill is by British historian Andrew Roberts entitled **Churchill: Walking with Destiny**. Mr. Roberts' book includes an unpublished article by Mr. Churchill called "*The Scaffolding of Rhetoric*." Mr. Churchill breaks down how to communicate effectively in five steps, summarized below. These tips may be a helpful reminder to attorneys whether speaking to judges, juries, or clients.

- 1) Choose words with precision. By having an "exact appreciation of words" Mr. Churchill believed that the speaker will "engage in the continued employment of the best possible word" and these words should mainly be "short words of common usage." This tip is to make sure that the speaker is communicating with the utmost clarity.
- 2) Craft rhythmic sentences. Mr. Churchill explains that though the words should be short, there is no reason sentences should be. Communicators should strive to produce sentences that are "long, rolling and sonorous."
- 3) Build arguments that gain momentum. In order to best convince the audience, speakers should try to focus on the "steady accumulation of argument, bringing forward a series of facts that all point in a common direction."
- 4) Use analogies to make a point. Mr. Churchill explains: "When a speaker succeeds in aligning two disparate subjects, it allows him or her to translate an established truth into simple language."
- 5) Extravagance can sometimes elevate. Occasionally, the speaker should not shy away from "wild extravagance of language" as this can represent the feelings of both speaker and audience alike.

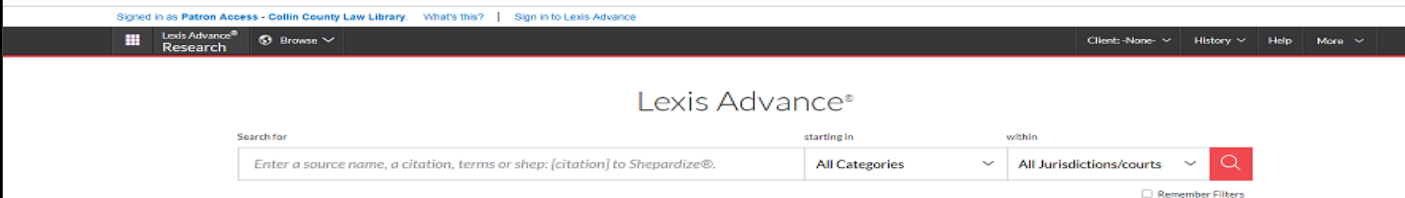
Important Announcement

IOUs have been discontinued. Cash payment is due at the time the service is rendered. If you do not have cash to pay for copies, prints or faxes the library is unable to release the documents until payment is received. Faxes are \$1.50 for the first page and \$1.00 for each subsequent page. An alternative to receiving faxes is to have the documents sent to an email address. Prints and copies are \$0.10 per page.

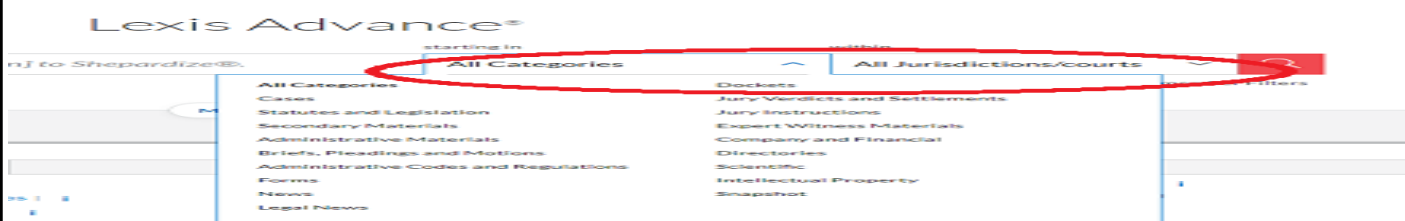


Lexis Advance

Lexis Advance recently made changes to its layout and services in an effort to make the site more streamlined and make searches more efficient and effective. The most noticeable change is the new layout on the homepage.

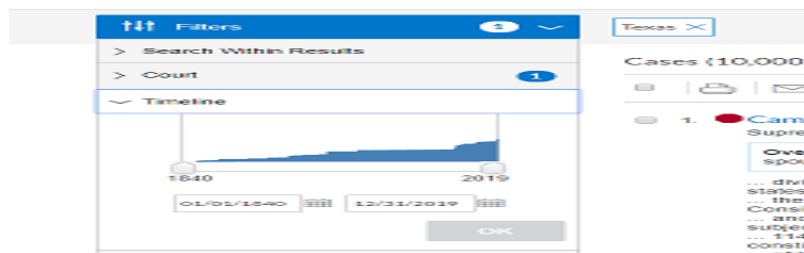


Users will notice the black bar function at the top of the home page. This black bar appears not only on the home page but also on every page searched with the goal of making it possible to search anything on the Lexis Advance site without returning to the home page for a new search. However, if the user wishes to return to the homepage, he or she can do so by clicking on the Lexis Advance icon on the black bar. All categories and jurisdictions are available in the search bar so with one click the researcher can retrieve exactly what he or she is looking for.



Also located on the black bar is the "Help" button which has quick tutorials for getting started and a list of frequently asked questions. The help button may be selected at any time during a search without disrupting the search results.

Another improved feature is the Timeline feature. Once the researcher has searched for the topic, a list of filters appears on the left side of the screen. Simply expand the Timeline button and the researcher can see a full timeline of all the cases or select specific dates to be searched.



Tech Tips: More Useful Apps and Law Blogs

- ♦ Ben's Guide—Ben's Guide to the Government is a free, interactive and educational website created by the Government Publishing Office. Its purpose is to teach students about the federal government. The website has resources for parents and educators as well. Access Ben's Guide here: <https://bensguide.gpo.gov/> or through the Collin County Law Library [website](#).





The Law Library
will be closed on
Monday,
September
2nd for Labor
Day.

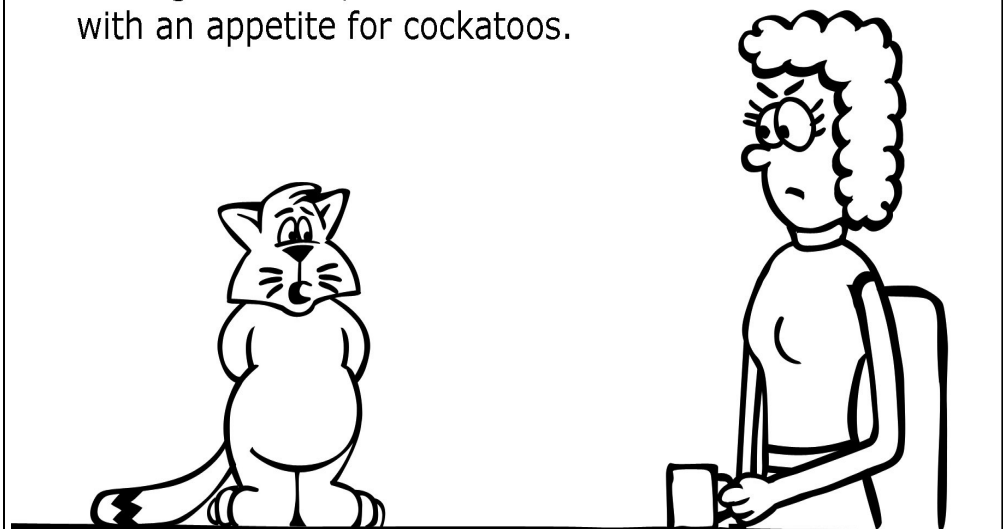


New on the Shelf

- Is It Admissible? - Revision 21
- Federal Criminal Code and Rules—2019 Revised Edition
- Federal Criminal Practice—Revision 10
- Navigating the Federal Trial—2019 Edition
- Federal Jury Practice and Instructions, Criminal Companion Handbook—2019
- Advanced Guardianship Law CLE—2019
- Federal Postconviction Remedies and Relief Handbook—2019 Edition
- O'Connor's Texas Civil Forms—2019
- O'Connor's Federal Civil Forms—2019
- O'Connor's Texas Civil Appeals—2019
- Texas Criminal Forms—Revision 13
- Texas Practice Series: Courtroom Handbook on Texas Evidence—2019

Legal Humor

But there's another orange tabby
in the neighborhood, and he's the one
with an appetite for cockatoos.



stus.com