



# The Information Edge

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

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## Useful Internet Sites and Articles

### **New CLE Material in the Law Library**

The Law Library has a variety of CLEs available for secondary research and a new batch just arrived. The new material is summarized below. Please ask the library staff if any assistance is needed in locating the new material.

#### **Advanced Criminal Law 2019**

The 45th Annual Advanced Criminal Law Course is two volumes. This was a four day course that covered a plethora of relevant criminal law topics. Some of the topics covered in Volume One are *U.S. Supreme Court and Court of Criminal Appeals Update*; *Immigration*; *Opening Statements*; *Pre-Trial Investigations*; and *Experts and Daubert Challenges*. Volume One also contains *Understanding Expunction and Non-Disclosures* by former Collin County Assistant Criminal District Attorney Andrea Westerfeld. Volume Two focuses on the following main areas of criminal law: *DWI*, *Child Abuse and Sexual Assault*, *Technology*, *Appeals* and *Federal criminal law*.

#### **Advanced Estate Planning & Probate 2019**

The 43rd Annual Advanced Estate Planning & Probate Course is also presented in two volumes. Volume One contains both a case law update and legislative update. Additional topics include *The Latest in Guardianship Law*; *Bankruptcy for Estate Planners*; *Tax Law Update*; *Arbitration Clauses in Trusts and Wills*; and *Settlements in Probate and Trust Litigation*. Volume Two focuses more deeply on income tax issues and probate and trust litigation as well as specialized topics such as *Changing a Charitable Organization's Status* and *Developing and Implementing a Family Business Succession Plan*.

#### **Governance of Nonprofit Organizations 2019**

The 17th Annual Governance of Nonprofit Organizations Course is a one volume CLE. This volume features 15 helpful articles such as *Tax Exemption 101 for Public Charities*; *Issues and Bills Affecting the Nonprofit Sector in the 2019 Texas Legislative Session*; *Modifying & Terminating Charitable Trusts*; *Ethics for Nonprofit Lawyers*; and *Use of Copyrighted Material in the Social Media Era*.

### **Advanced Family Law 2019**

The 2019 Advanced Family Law Course comes in three volumes. Volume One contains interesting titles such as *Retirement Division and Orders*; *Declaratory Actions, MSJs and other Weird and Effective Family Law Tools*; *Causes of Action in Family Law: The Prudent, the Impermissible and the Sometimes Overlooked*; and, a course presented by Judge Emily Miskel of the 470th District Court entitled *Anti-Slapp Dismissals: The Monster That Could Eat Your Case*. Volume Two focuses on three main areas of family law: *SAPCR*, *Property*, and *Child Abuse and Neglect*. Some of the course articles include *Creative Possession Schedules*; *Role of Amicus, Ad Litem, PF, & PC: Which to Select and How to Use*; *Temporary Hearing on a Modification: Proving Significant Impairment*; *Valuation Issues in Divorce*; and, *Gray Divorce: Strategies for Those Over 65, Dementia and Durable POAs*; and *New Tax Changes Affecting Divorce*. Also included is a child welfare legislative update. Volume Three covers the areas of *Law Practice Management*, *Trial Skills*, and *ADR*. Some of the titles in this volume include *Building a Successful Family Law Firm: Entities to Formulas for Success*; *Closing the File and Beyond: It's Not Just the Closing Letter*; *Best Pleadings/Orders to Carry in Your Trial Notebook*; *What Every Family Lawyer Must Know About Post Trial Issues*; *All Things Arbitration: Rules, Procedures*; and, *Creative Uses and Mediation: Common Mistakes and Top Notch Methods for Preparation*.

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The Law Library also has the following CLE titles available from various years: *Advanced Civil Trial Course*, *Advanced Employment Law*, *Collections and Creditors Rights Course*, *Advanced Immigration*, *Advanced Evidence and Discovery*, *Advanced Personal Injury*, *Advanced Real Estate*, and *Advanced Medical Torts*.



TexasBarCLE

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

At the first of this year, counties with a population of less than 20,000 became the last counties required to electronically file criminal cases. As of January 1, 2020, attorneys filing in family, civil and criminal cases in the appellate, district and county courts are now required to do so electronically in all 254 counties.



On January 8, 2020, the Supreme Court Justices signed an Order Amending Texas Rule of Civil Procedure 277. The Task Force for Procedural Rules in Suits Affecting the Parent-Child Relationship filed by a Governmental Entity recommended requiring specific jury questions in both private and DFPS-filed parental termination cases and drafted a pattern jury charge. The Supreme Court accepted the recommendation and amended Rule 277. The amended rule goes into effect May 1, 2020. The amended rule will add the following language to the rule: "In a suit in which termination of the parent-child relationship is requested, the court shall submit separate questions for each parent and each child on (1) each individual statutory ground for termination of the parent-child relationship and (2) whether termination of the parent-child relationship is in the best interest of the child. The court shall predicate the best-interest question upon an affirmative finding of at least one termination ground." (See *Texas Bar Journal*, Vol. 83, No. 2, February 2020 for a copy of the order.)

### Contact Information:

Diane L. Roberts  
Law Librarian  
Email: droberts@co.collin.tx.us

Bethany Fansler  
Assistant  
Law Librarian  
Email: bfansler@co.collin.tx.us

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 Office of Court Administration published the 2019 Fiscal Year Annual Statistical Report. The nearly 200 page report contains information from every level of Texas Courts. As of 2019, Texas has 476 district courts, 248 statutory county courts, 254 constitutional county courts, 18 statutory probate courts, 802 justice courts and 944 municipal courts. Some of the most interesting statewide trends are summarized here. Seventy-five percent of more than 1,618,000 new civil cases were filed in municipal and justice courts. The number of new cases filed in district and county level courts increased in all categories with debt related suits being the highest increase. Almost one-third of family law cases were disposed of in 2019 by agreed judgment and new family law filings decreased by three percent in 2019. The complete contents of the report include Texas Court Structure, Judicial Administration, Funding the Judicial Branch, Statewide Trends, and Court-level Trends and may be electronically viewed [here](#).



## ANNUAL STATISTICAL REPORT

## 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 not able 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. Thank you for your attention to this matter.

## Lexis Advance—Finding Legislative History

If a researcher is trying to understand the legislative intent of a statute, when it was enacted, or what changes a statute has undergone throughout the years, the legislative history feature of LexisAdvance is extremely helpful. Here is a tutorial on how to search legislative history. Upon signing in, be sure to use the drop down search bar to select the appropriate state or jurisdiction:

Search for:  starting in:  within:

arrow by:

**U.S. Federal**

**By Court**

☐ United States Supreme Court

☐ Federal Courts of Appeals

☐ Federal District Courts

☐ Bankruptcy Courts

**By Circuit**

☐ 1st Circuit

☐ 2nd Circuit

☐ 3rd Circuit

☐ 4th Circuit

**States & Territories**

☐ Alabama

☐ Alaska

☐ Arizona

☐ Arkansas

☐ California

☐ Illinois

☐ Indiana

☐ Iowa

☐ Kansas

☐ Kentucky

☐ Nebraska

☐ Nevada

☐ New Hampshire

☐ New Jersey

☐ New Mexico

☐ Rhode Island

☐ South Carolina

☐ South Dakota

☐ Tennessee

☒ Texas

☐ Include related Federal content

Type the desired code in the search bar and click the magnifying glass for the results:

Search for:  starting in:  within:

Narrow by:

**U.S. Federal**

**By Court**

☐ United States Supreme Court

☐ Federal Courts of Appeals

☐ Federal District Courts

☐ Bankruptcy Courts

**By Circuit**

☐ 1st Circuit

☐ 2nd Circuit

☐ 3rd Circuit

☐ 4th Circuit

**States & Territories**

☐ Alabama

☐ Alaska

☐ Arizona

☐ Arkansas

☐ California

☐ Illinois

☐ Indiana

☐ Iowa

☐ Kansas

☐ Kentucky

☐ Nebraska

☐ Nevada

☐ New Hampshire

☐ New Jersey

☐ New Mexico

☐ Rhode Island

☐ South Carolina

☐ South Dakota

☐ Tennessee

☒ Texas

☐ Include related Federal content

The code will appear on the next screen. There are 2 places to look for the legislative history. The first place is at the bottom of the code, where a section called “History” appears:

**History**

Enacted by [Acts 2015, 84th Leg., ch. 1026 \(H.B. 2486\), § 1](#), effective September 1, 2015; am. [Acts 2017, 85th Leg., ch. 588 \(S.B. 920\), § 1](#), effective September 1, 2017.

**Annotations**

**Notes**

**Amendment Notes**

2017 amendment: rewrote the section heading, which formerly read: “Order Authorizing Entry and Property Retrieval; Peace Officer to Accompany”; substituted “a writ authorizing” for “an order authorizing” in (a); added the (b)(1)(A) designation; added (b)(1)(B); deleted “minor” preceding “dependent” in the introductory language of (b)(3); added (b)(3)(D); substituted “a writ” for “an order” in the introductory language of (c); substituted “writ” for “order” in (d); substituted “a writ” for “an order” in the introductory language of (e); and made related changes.

**Applicability**

Acts 2017, 85th Leg., ch. 588 (S.B. 920), § 5 provides: “Chapter 24A, Property Code, as amended by this Act, applies only to an application filed on or after the effective date of this Act. An application filed before the effective date of this Act is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.”

This section contains the previously enacted history. The second place a researcher must look is to the right side of the screen with a standalone box that says “Pending Legislation”, click on it to see the most recent changes:

Tex. Prop. Code § 24A.002

[Copy Citation](#)

This document is current through the 2019 Regular Session, 86th Legislature, and 2019 election results.

[Titles & Codes Annotated by LexisNexis®](#) > [Property Code](#) > [Title 4 Actions and Remedies \(Chs. 21—40\)](#) > [Chapter 24A Actions and Remedies \(Chs. 24A.001—24A.005\)](#)

**Pending Legislation**

[Shepardize® this document](#)

[Signals on Subsections](#) | [Tips](#)

Show signals ☐

**About This Document**

Source Information

Any pending legislation will appear and can be clicked on. This link will show the color-coded changes to the code, new language in green and strikethroughs in red.

### Text

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

(Next) SECTION 1. [Section 24A.002, Property Code, is amended](#) by adding Subsection (a-1) and amending Subsections (b) and (c) to read as follows:

(A-1)

A PERSON MAY NOT APPLY FOR A WRIT UNDER SUBSECTION (A) IF:

(1)

THE PERSON AND THE CURRENT OCCUPANT ARE PARTIES TO A PENDING SUIT UNDER TITLE 1, FAMILY CODE; OR

(2)

THE PERSON'S RIGHT TO POSSESSION OF THE ITENS DESCRIBED IN THE APPLICATION IS BASED ON AN ORDER OR AWARD IN A DECREE OF DIVORCE OR ANNULMENT TO WHICH THE PERSON AND THE CURRENT OCCUPANT ARE SUBJECT;

(b)

## Tech Tips: More Useful Apps and Law Blogs

The State Bar of Texas has a podcast section on its website, [texasbar.com/podcast](https://texasbar.com/podcast). The State Bar of Texas Podcast is a monthly show that features news and discussions pertinent to the legal profession, including podcasts on trends in the legal field, case law updates, practice tips and State Bar programs. The podcasts are available through the State Bar of Texas website, iTunes and Google Play.



**The Law Library  
will be closed on  
Friday,  
April 10th for  
Good Friday.**



## New on the Shelf

- West's Texas Corporation and Partnership Laws—2020 Edition
- West's Texas Local Government Code—2020 Edition
- Texas Forms-Real Estate 2020
- Police Misconduct: Law and Litigation 3rd Edition—2019-2020
- Texas Rules of Evidence Handbook—2020
- O'Connor's Texas Employment Codes *plus*—2019-2020
- Vehicle Search Law Deskbook—2019-2020 Edition
- West's Texas Property Code—2020 Edition
- West's Texas Insurance Code—2020 Edition
- Texas Drunk Driving Law—2019 Edition
- O'Connor's Federal Rules-Civil Trials 2020
- O'Connor's Texas Causes of Action 2020
- Federal Practice and Instructions Civil Companion Handbook, Volumes 1 & 2—2019-2020
- Texas Construction Law Manual—2019-2020 Edition
- Bankruptcy Code, Rules & Official Forms—2019-2020
- O'Connor's Texas Family Law Handbook 2020
- Handbook on Texas Discovery Practice—2019-2020
- Texas Law of Wills—2019-2020

## Legal Humor

