



The Information Edge

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

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WWW.COLLINCOUNTYTX.GOV

MAY 2020

Useful Internet Sites and Articles

Service of Process Via Social Media Comes to Texas *Texas Bar Journal—May 2020*

Some judges in Texas have informally allowed serving a respondent through social media as an acceptable form of substituted service. However, in 2019 the Texas Legislature made it official through SB 891. SB 891 amends Chapter 17 of the *Texas Civil Practice and Remedies Code* by adding Section 17.033. The new section is titled "Substituted Service Through Social Media Presence" and reads as follows:

- (a) If substituted service of citation is authorized under the Texas Rules of Civil Procedure, the court, in accordance with the rules adopted by the supreme court under Subsection (b), may prescribe as a method of service an electronic communication sent to the defendant through a social media presence.
- (b) The supreme court shall adopt rules to provide for the substituted service of citation by an electronic communication sent to a defendant through a social media presence.

The text of Section 17.033 is effective June 1, 2020. The Texas Supreme Court must adopt the rules described in subsection (b) by December 31, 2020. Additionally, the new 17.033 applies only to actions that are commenced on or after the effective date of the rules adopted by the Texas Supreme Court. When discussing what types of rules the Texas Supreme Court may adopt, the author, John G. Browning, looks to HB 1989 from 2013. HB 1989 was a previous attempt at authorizing service through social media. HB 1989 listed four factors that a court should consider when deciding whether or not to allow this type of substituted service. The factors are as follows: 1) whether the party to be served has an active social media profile on the site selected for service; 2) whether the social media profile is actually the profile of the party; 3) whether the party uses the social media profile on a regular basis; and 4) whether the party could reasonably be expected to receive the notice if the electronic communication is sent to the party's social media account. Several other states have already approved service through social media which may also provide guidance for the Court when adopting these rules.



Revisting re:SearchTX

In November 2018 this newsletter contained an article about re:SearchTX when it became available to attorneys and registered users on November 7th, 2018. re:SearchTX is a statewide court records portal that allows judges, attorneys, and members of the public to retrieve documents that have been e-filed and to search for case information from all 254 counties in Texas. Since that time, re:SearchTX added a number of new capabilities. Most of these improved capabilities are available only in the premium version of re:SearchTX, usually a paid subscription but now being offered for free until at least May 31st. These expanded capabilities are listed and explained below.

Track cases and get real time alerts:

The user can add a case alert and receive an email when there's a new filing or hearing on the case. When adding case alerts on the user's own cases, the user will receive real time notifications of what's been filed or set for hearing before having to wait to be served.

Track existing and potential clients:

To track existing clients, users can set up a Name Alert and receive notifications when an existing client is mentioned in new litigation. To track potential clients, a user may create custom Search Alerts that will notify the user when cases in his or her practice area are filed.

Research and track opposing counsel:

This service provides information about whether or not opposing counsel has taken on a similar case with a statewide search and provides notifications to the user when opposing counsel either files a new motion into a case or takes on a new case.

Research and track expert witnesses:

Users can search the text of millions of documents to find out how an expert witness has previously testified and if that witness has ever contradicted themselves. Alerts can also be set up so the user will get instantly notified when an expert witness is mentioned in another court document.

re:SearchTX™

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

Texas Courts during COVID-19

The Texas Judiciary is doing its best to keep the public informed regarding how the courts are responding to the outbreak. The Office of Court Administration established a Coronavirus resource page that has links to the Texas Supreme Court, the Court of Criminal Appeals Emergency Orders, and Court Guidance which is updated on a weekly basis. There is also access to view court closures, resources on using Zoom and links to YouTube pages for various courts. These resources are available through the following website: <https://www.txcourts.gov/>.

△ COURT CORONAVIRUS INFORMATION

EMERGENCY ORDERS

COURT GUIDANCE

ELECTRONIC HEARINGS (ZOOM)

YOUTUBE CHANNEL DIRECTORY

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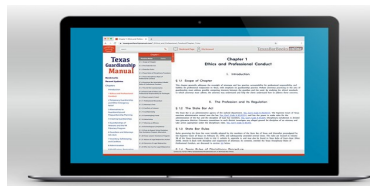
Temporary
Hours of Operation:
Monday–Friday
9:00 am–3:00 pm

Please note that
computer usage may
also be temporarily
limited.

Did You Know?

Free Access to Texas Guardianship Manual Online—*Texas Bar Journal*, May 2020

TexasBarBooks recognized that many attorneys have seen an increase in clients wishing to establish medical directives, powers of attorney, and other advanced planning documents. In order to help attorneys with this growing need, TexasBarBooks decided to provide attorneys with free access to the *Texas Guardianship Manual* online. This free access includes forms and instructions for creating guardianships, advance directives, powers of attorney and end-stage planning. Some forms include engagement letters, statutory durable power of attorney, medical power of attorney, authorization for release of protected health information, declaration of appointment of guardianship in the event of later incapacity or need of guardianship, directive to physician and family or surrogates, and statement of intent for end of life planning. To access the online manual, simply email books@texasbar.com and provide your name, your email and your Texas bar card number. Access to this manual ends on May 31st.



Important Announcement

Until further notice the following changes have been implemented in the Curt B. Henderson Law Library:

- 1) The current Law Library hours are **9am-3pm**, Monday-Friday.
- 2) No more than 2 people are allowed at the reference desk at one time. Upon entering please stand on the red line.
- 3) Maintain 6 feet of distance from anyone else.
- 4) Please limit computer usage to 30 minutes if others are waiting.



S O C I A L D I S T A N C I N G

Westlaw Patron Access through June 30

Many law libraries are either closed or operating with limited access and as a result, Westlaw is offering library patrons free online access to their most advanced platform, Westlaw Edge. Follow the steps below closely to obtain access. If for some reason a step is missed and access is denied, simply start over and begin following the steps again. The free access is limited to 20 hours of usage through June 30, 2020. Patrons are able to access Westlaw Edge, Secondary Sources and Litigation. Please note that if the email used to create the patron access password is already linked to a Thomson Reuters subscription in the past, access to Westlaw Edge will not be allowed. In other words, the email used to create an account must not already be associated with a Westlaw account.

Instructions to access Westlaw Edge:

Westlaw Edge Registration for Library Patrons

Instructions for access to Westlaw Edge for 20 hours through June 30

- 1 Access the Westlaw Edge trial page and enter your email address.
<https://legal.thomsonreuters.com/en/forms/try-westlaw>
- 2 Enter your contact information. In the Organization Type field, please select Government – State or Local.
- 3 Skip the "Add Colleagues" page
- 4 Click "I agree to Terms & Conditions" and click Create Profile

- 5 & 6 Create OnePass Profile and complete security fields

- 7 Confirm your OnePass profile

- 8 Click "Get Started" and start searching on Westlaw Edge!



The Law Library
will be closed on
Monday, May 25th
for Memorial Day
and Friday, July
3rd for
Independence
Day.



New on the Shelf

- ◆ Uncharged Misconduct Evidence—2020 Edition
- ◆ Federal Sentencing Law and Practice—2020 Edition
- ◆ O'Connor's Texas Rules—Civil Trials 2020
- ◆ Texas Workers' Compensation Manual—2020 Edition
- ◆ Basics of Immigration Law for Texas Criminal Defense Attorneys—2019
- ◆ The TCDLA Trial Notebook, 9th Edition—2019-2020
- ◆ Texas DWI Manual—Revision 6
- ◆ TCDAAs Punishment & Probation—2019-2021 Edition
- ◆ TCDAAs Warrantless Search & Seizure—2019 Edition
- ◆ TCDAAs Confessions—2019 Edition
- ◆ TCDAAs Writs—2016 Edition
- ◆ Search, Seizure & Surveillance: Pre-Trial Litigation & Suppression
- ◆ West's Federal Sentencing Guidelines Digest—2020 Edition
- ◆ Texas Criminal Pattern Jury Charges: Intoxication, Controlled Substance & Public Order Offenses—2019 Edition
- ◆ Texas Criminal Jury Charges, Volumes 1 and 2—Revision 20
- ◆ Federal Criminal Appeals, Volumes 1 and 2—2020 Edition
- ◆ Texas Criminal Procedure and the Offender with Mental Illness: An Analysis and Guide—6th Edition
- ◆ Federal Criminal Code and Rules—2020 Edition
- ◆ Federal Civil Judicial Procedure and Rules—2020 Edition
- ◆ Davis' Texas Estate Planning Forms—2020
- ◆ 5th Circuit Pattern Jury Instructions (Criminal)-2019
- ◆ Texas Pattern Jury Charges: Family & Probate—2020
- ◆ Rights of Juveniles 2d—2020 Edition
- ◆ Texas Rules of Court: Volume III—Local—2020

Legal Humor

Stu's Views

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STU

What's a nine
letter word for
"indispensable"?

Librarian.

