



# LAW LIBRARY NEWS

a publication of the Fort Bend County Law Library

Edited by: Andrew Bennett, Law Librarian

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## Lexis Advance Training and CLE

The Law Library is hosting a **FREE Lexis Advance Training and CLE** on Monday, **June 19th** at **1 pm** in **County Court At Law #1**. A representative from Lexis Nexis will be on hand to show you the basics of Lexis Advance and answer any questions you might have. Those in attendance will receive 1 hour of CLE credit. Registration is required and will open at the end of May. For more information, contact the Law Library at 281-341-3718.

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## New & Updated Resources

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|---|---|
| <i>O'Connor's Texas Family Law Forms</i>        | • 2017 Edition  |
| • 2017 Edition                                  |   |
| <i>O'Connor's Texas Causes of Action</i>        | <i>Model Witness Examinations</i>                           |
| • 2017 Edition                                  | • 4th Edition   |
| <i>Physician's Desk Reference</i>               | <i>The Student Loan Handbook for Students and Attorneys</i> |
| • 71st Edition                                  | • New Edition   |
| <i>Texas Practice Series</i>                    | <i>State Bar of Texas Course Guides</i>                     |
| • <i>Handbook of Lawyer and Judicial Ethics</i> | • <i>Adv. Elder, Guardianship, Evidence, Immigration</i>    |
| • 2017 Edition                                  | • <i>E-Discovery in your Case</i>                           |

## FBC Bar News

The **May luncheon and meeting** of the Fort Bend County Bar Association will be held at **12:00 pm** on Thursday, **May 25th** at the [Pecan Grove Plantation Country Club](#) located at 3000 Plantation Drive, Richmond, Texas. The program topic is **Understanding and Responding to those with Mental Health Conditions**. The Speaker will be Pat Sumner. The program is approved for 1 hour CLE credit and .25 hours ethics credit. The luncheon cost is \$25 for members and \$30 for nonmembers. [Membership information](#) and the [RSVP Policy for Luncheons](#) are also on the website.

**Please RSVP** no later than 12:00 p.m. on Thursday, **April 18th** by using the form on the [Next CLE Luncheon](#) page.

## Editor's Note

Please welcome Lisa Tafoya, our new Assistant Law Librarian. She will be helping me out on a lot of things including writing articles for this Newsletter. She is going to be a great asset to you going forward.

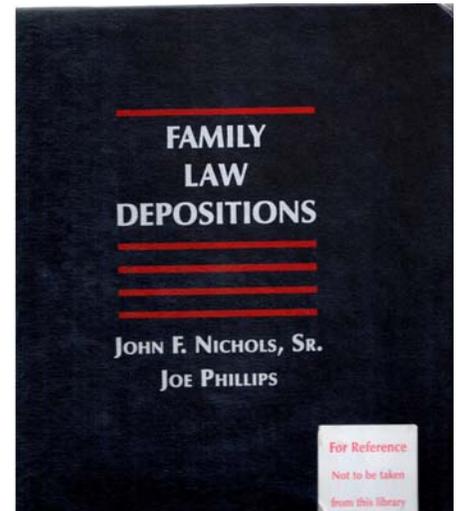
## **Member Resources**

[Click here for Member Resources](#)

## Featured Resource: Family Law Depositions

Are you about to take a deposition in a family law case? Come to the Law Library and check out *Family Law Depositions* from Juris Publishing. This easy to use guide offers helpful preparation, planning, and strategy tips for taking depositions in family law. Topics included are: divorce, child custody, visitation, property proceedings, torts, and damages. While the guide is general in-scope, many sections focus specifically on Texas Family Law. Each section includes helpful tips and strategies as well as annotations of relevant statutes, case law, and secondary material.

The referenced secondary material includes checklists, worksheets, sample interrogatories, and practice guides. The sample interrogatories or forms cover many different areas including: divorce depositions in background information, adulterous relationships, abandonment, in-supportability, cruelty, and annulment. The sample forms are in a question and answer format with helpful notes throughout. The guide is written by John Nichols and Heather King, both specialists in Family Law. For more information contact the Law Library.

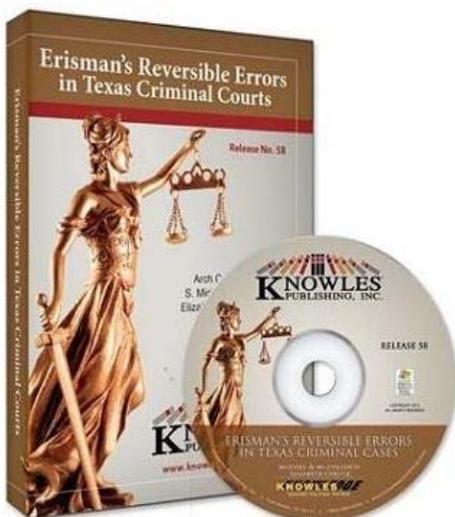


## Technology Corner

*By Andrew Bennett*

In this column, we examine technology in the Law Library that you can use in your practice.

**This Month's Featured Technology:** *Erismans Reversible Errors in Texas Criminal Courts*



This title from Knowles Publishing, now on CD, examines criminal law where reverses have occurred. It is available on all six computers in the Law Library. Focusing on Texas Criminal Courts, the chapters focus on topic areas such as arrest, search and seizure, photographs, hearsay, and judgment and sentence. The chapters state the point of error and include relevant codes and cases. The new edition includes information on plea bargaining, accomplice testimony, and frivolous appeals. This CD is searchable and hyperlinked for easy browsing. Documents can be downloaded in PDF or printed for convenience. Visit the Law Library for a hands on demonstration and take an Express Class.

### Community News

- **Fort Bend Lawyers Care** is holding a **Legal Line** every Friday from **10 am to 12 pm**. They are also hosting a **Low-Income Legal Aid Clinic** on **June 24th**. **Volunteer attorneys are needed!** If you would like to help low-income residents and veterans of Fort Bend County, information about volunteering is available by email at [Tasha@fortbendlawyerscare.org](mailto:Tasha@fortbendlawyerscare.org).
- The **Fort Bend County Criminal Defense Attorney's Association** will host a one-hour CLE at **noon** on Thursday, **May 18th** at **County Court at Law # 4** in the Justice Center. It is approved for 1 hour CLE credit. For more information, visit the [FBCCDAA Events webpage](#).
- The **Fort Bend Bar Association** is hosting its **Spring Bench Bar Social** at the Swinging Door on Thursday, **May 18th** at **5:30 pm**. For registration and sponsorship information, visit the Fort Bend Bar Association's [website](#).
- The **Fort Bend County Law Library** is hosting a **FREE Westlaw Training and CLE** on Monday, **August 7th** at **County Court at Law #1**. Time is TBD. Those in attendance will receive 1 hour CLE credit.
- The **Fort Bend County Law Library** is also hosting its first **Book Club** on Friday, **September 22nd** at **2 pm**. Suggestions on a book title or would like to join? Contact Andrew Bennett, Law Librarian, at [abennett@fortbend.lib.tx.us](mailto:abennett@fortbend.lib.tx.us).

### Texas Lawyers

#### Assistance Program

The State Bar of Texas offers confidential assistance to attorneys, judges, and law students who are facing substance abuse and mental health issues through its [Lawyers Assistance Program](#). Professional staff members are available 24/7 by phone to help with crisis counseling and referrals to local professionals and support groups. For assistance, call 1-800-343-8527.

#### To Include Items in the Newsletter

If you have any information on upcoming CLEs, conferences, etc. that you think would be useful to include in the newsletter, please send an email to [abennett@fortbend.lib.tx.us](mailto:abennett@fortbend.lib.tx.us) with "Newsletter" as the subject.

### Express Class

Do you need a brush up on the Microsoft Office Programs? We are here to help! **Sign up now for Microsoft Word, Excel or PowerPoint EXPRESS CLASSES!** Classes are **15-minutes each**, on **Thursday mornings from 10 am – 12 pm**. **We teach you the basics of each program.** You can choose from additional classes such as Hein Online, Westlaw, Lexis Advance, and O'Connor's Online. Registration is required. Call **281-341-3718** to register.

#### To Unsubscribe from the Newsletter

If you do not want to receive the Law Library newsletter, please send an email to [abennett@fortbend.lib.tx.us](mailto:abennett@fortbend.lib.tx.us) with "Unsubscribe" as the subject and include the email address to be removed.

## Texas Case Law Update

### Local Cases

- Sam, Lorenza Andre, No. PD-1319-16, (April 26, 2017): discretionary review refused. (240th Dist.)
- McGregor, Edward George, WR-85,833-01, (April 26, 2017): habeas corpus remanded to TC. (434th Dist.)
- Nehls vs. Hartman Newspapers, No. 01-16-00121-CV, (April 27, 2017): rev'd TC judgment and render judgment. (240th Dist.)
- In the Matter of Marriage of Lobe, No. 14-17-00092-CV, (April 27, 2017) dismissed. (505th Dist.)
- Paloba v. CACH, LLC., No. 14-16-00984-CV, (May 4, 2017): dismissed. (CCL # 5)
- Onwuchuruba v. Onwuchuruba, No. 01-16-00471-CV, (May 9, 2017): appeal dismissed. (387th Dist.)
- Memorial Hermann v. Turner, No. 14-17-00232-CV, (May 9, 2017): dismissed. (240th Dist.)
- Ex Parte Moy, No. 14-16-00420-CR, (May 9, 2017): aff'd. (268th Dist.)

### Family Law

- R.M. v. Swearingen, 510 S.W.3d 630 (Tex. App.—El Paso 2016): it was determined that the person who filed the protective order on family violence or sexual assault is the only person who could rescind order before expiration.
- Curley v. Curley, 511 S.W.3d 131 (Tex. App.—El Paso 2014): since the husband did not fully perform a search to find wife before filing a service by publication the trial court did not have personal jurisdiction over wife.

### Criminal Law

- Timmons v. State, 510 S.W.3d 713 (Tex. App.—El Paso 2016): after being determined to be incompetent to stand trial and receiving treatment, defendant did not have the right to a hearing to redetermine whether she was competent to stand trial while charges were pending.
- Byram v. State, 510 S.W.3d 918 (Tex. Crim. App. 2017): it was held that police officer was performing community-caretaking responsibility when he pulled over a car whose passenger was not moving.
- State v. \$90,235,000, 511 S.W.3d 136 (Tex. App.—El Paso 2014): defendant whose forfeiture of cash found in car during investigatory stop was determined to not be unreasonable.

### Real Property—Mineral Rights and Interests

- Bank of America v. Prize Energy Resources, 510 S.W.3d 497 (Tex. App.—San Antonio): though it was found that there was alleged fraud, the decision to continue with oil and gas lease was not a waiver of fraud.

For more information on recent cases, visit the Law Library.