



LAW LIBRARY NEWS

a publication of the Fort Bend County Law Library

Edited by: Andrew Bennett, Law Librarian

October 2017 ♦ Volume 26, Issue 10

Annual Holiday Party

The Law Library is hosting it's annual **Holiday Party** on Thursday, **November 9th** at **10 am**. This year the library will have a representative from Lexis Nexis on hand to show patrons the basics and new features of Lexis Advance. She will be here the whole two hour period and walk ins are encouraged. Staff will also be providing coffee and snacks. Tours of the library will be given as well. For more information, contact the Law Library at 281-341-3718.

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New & Updated Resources

Texas Criminal and Traffic Law Manual

- 2017-2018 Edition

O'Connor's Texas Guides

- CPRC
- Criminal Codes
- Estates Code
- 2017—2018 Editions

Texas Practice Guide

- Real Estate Transactions
- Financial Transactions
- 2017 Editions

Texas Criminal Lawyers Handbook

- Revision 18
- 2017 Edition

Kinkeade & McCullough Texas Penal Code Annotated

- 2017 Edition

Employment in Texas

- Release 21
- 2017 Update

Texas Transaction Guide

- Release 122
- 2017 Update

Texas Evidence

- Release 11
- 2017 Update

Drafting Wills and Trust Agreements

- 4th Edition



Texas Criminal Practice Guide

- Release 100
- 2017 Update

FBC Bar News

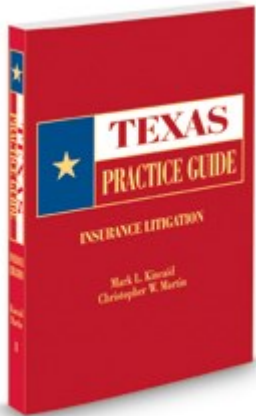
The **October luncheon and meeting** of the Fort Bend County Bar Association will be held at **12:00 pm** on Thursday, **October 26th** at the [Pecan Grove Plantation Country Club](#) located at 3000 Plantation Drive, Richmond, Texas. The program topic is *To Do and Not To Do From the Court of Appeals*. The Speaker will be Justice Kevin Jewell. The program is approved for 1 hour CLE credit and .25 hours ethics credit. The luncheon cost is \$25 for members and \$30 for non-members. [Membership information](#) and the [RSVP Policy for Luncheons](#) are also on the website.

Please RSVP no later than 12:00 p.m. on Thursday, **October 19th** by using the form on the [Next CLE Luncheon](#) page.

Member Resources

[Click here for Member Resources](#)

Featured Resource: Insurance Litigation by Jonathan Briggs



In the aftermath of **Hurricane Harvey**, we expect that many Fort Bend residents are dealing with insurance claims they sustained. The hope is always that the insurance claims process goes well, however, if that is not the situation there are remedies available. First, look to the policy itself for the respective duties and rights of the insurer and insured during the claims process and for information regarding payment and disputes. If the problem or dispute with your claim cannot be resolved, then litigation against your insurance company may become a necessity. When a policyholder sues their insurance company it is called a “first party” action. The Fort Bend County Law Library has an excellent resource for you and your attorney in this regard entitled *Insurance Litigation* by Mark L. Kincaid and Christopher W. Martin, part of the *Texas Practice Guide* by Thomson Reuters. It provides a comprehensive look at the litigation you may need to bring to enforce your rights against your insurer on important topics such as causes of action available (both those arising from the insurance policy contract and “extra-contractual” claims); the time limitations for bringing such actions (which may be governed by the policy terms as opposed to statute); the jurisdictional issues that may arise (for example, contractual claims brought on federally-administered flood insurance policies may have to be brought in federal court); and monetary damages potentially available to plaintiffs. Copies of pages of the book can be made for \$.10 a page.

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: Converting PDF to Word and Back Again

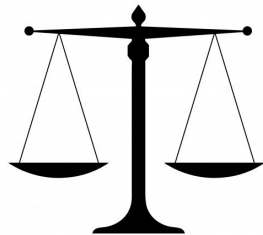
Have you made an error on your document, need to fix it, and then e-file it? Did you know you can convert PDF documents to Word and then back to PDF? You can at the Law Library using our Adobe Pro software. Scan the document to PDF using one of our photo copiers or the scanner. Then save the document in PDF. Once that is done, open the document using Adobe Pro. Select “open with” once you have right clicked on the document. Use the “Save As” feature and save the document as a Word document or .docx. You then can open the document in Word and make your changes. After finishing, you can save the document again using the “Save As” feature and select PDF. For questions or a demonstration, contact the Law Library.



Adobe™ Acrobat™

Community News

- **Fort Bend Lawyers Care** is holding a **Legal Line** every Friday from **10 am to 12 pm**. They are hosting a **Veterans Walk In Clinic** on **October 27th** and a **Family Law Workshop** on **November 8th**. **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.
- The **Fort Bend County Criminal Defense Attorney's Association** will host a one-hour CLE at **noon** on Thursday, **October 19th** 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 County Bar Association** is also hosting its **Annual Golf Tournament** on **October 12th**. For more information and registration information visit the Fort Bend County Bar Association [website](#).



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 with "Newsletter" as the subject.

Express Class

Do you need a brush up on Adobe Professional? We are here to help! **Sign up now for Adobe Pro 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 with "Unsubscribe" as the subject and include the email address to be removed.

Texas Case Law Update

Local Cases

- Blair v. McClinton, No. 01-16-00431-CV (Oct. 13, 2017): Mot. for Reh'g. Denied. (505th Dist.)
- In Re James Boone, No. 01-17-00672-CR (Sept. 28, 2017): Pet. for Writ Mand. Dism'd. (240th)
- In Re Expunction, No. 01-17-00021-CV (Sept. 26, 2017): Appeal Dism'd. (268th)
- Crotts v. State of Texas, No. 01-15-01108-CR (Sept. 12, 2017): Mot. for Reh'g. and Mot. for En Banc Consideration denied. (CCL#3)
- Grant v. Grant, No. 01-16-00581-CV (Sept. 7, 2017): Aff'd. TC judgment. (387th)
- Tex. Dept. Crim. Jus. v. Mendoza, No. 14-17-00117-CV (Sept. 26, 2017): Rev. and Rend against TDCJ. (240th)
- Milton v. Nguyen, No. 14-16-00883-CV (Sept. 12, 2017): Aff'd. dismissal by TC. (CCL#4)
- In the Interest of D.A., a Child, No. 14-16-00491-CV (Sept. 7, 2017): Aff'd. TC order. (505th)

Criminal Law

- Lovett v. State of Texas, 523 S.W.3d 342 (Tex.App.-Fort Worth 2017): Licensed gun owner's right to open carry in Texas intersected with police officers' reasonable concerns for safety; conduct of defendant did not rise to standard to support disorderly conduct conviction but court upheld conviction on interference with police duties.
- Baldit v. State of Texas, 522 S.W. 3d 753 (Tex.App.-Houston[1st Dist.] 2017): Defendant convicted of assault of family member by pushing against wall, holding by neck, dragging across floor. Court upheld conviction on grounds that reasonable jury could have inferred that def. was conduct was reasonably certain to cause bodily injury and upheld that 6-year old child of complaining witness was competent to testify.

Family Law

- In Re S.S., Relator, 522 S.W.3d 576 (Tex.App.-Houston[14th Dist.] 2017): Court of Appeals granted mandamus and ordered trial court to vacate its Emergency Jurisdiction Order that ordered child be returned to father in India in that no evidence was offered by father of actual or threatened abuse.
- In Re David E. Martin, Relator, 523 S.W.3d 165 (Tex.App.-Dallas 2017): Where maternal grandparents were part of agreed judgment concerning visitation with grandchildren (mother deceased, father as sole managing conservator), they had standing to modify conservatorship owing to status as parties affected by court order.

Attorney Discipline

- Thawer v. Commission for Lawyer Discipline, 523 S.W.3d 177 (Tex.App.-Dallas 2017): Discipline against already suspended attorney was upheld where said attorney failed to disclose her suspension status to client and was thus found to have engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. In violation of Texas Disciplinary Rules of Professional Conduct.

Property Law

- Garrett v. Sympson, 523 S.W.3d 862 (Tex.App.-Fort Worth 2017): Where neighborhood of single family homes had deed restrictions forbidding use of homes for commercial/business use, ambiguous language of restriction did not prohibit appellants/owners from renting out home for short-term/vacation rentals.

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