



# LAW LIBRARY NEWS

a publication of the Fort Bend County Law Library

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## Law Library Closure

The **Fort Bend County Law Library** will be **CLOSED** starting Monday, **March 26th** for Expansion. The main location in the Justice Center will be **CLOSED** for **3 months**. However, the library will be **OPEN** at the **George Memorial Library** in Richmond at Highway 762 and Golfview Dr. and a temporary location in the **Justice Center** during this time. At this time, we do not know where our temporary location will be in the Justice Center. Please contact us at 281-341-3718 with questions.

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## New & Updated Resources

### **Texas Pharmacy Laws and Regulations**

- 2018 Edition



### **Nutshell Titles**

- *Civil Procedure 8th Ed.*
- *First Trial 3rd Ed.*

### **Texas Personal Injury Handbook**

- 2018 Edition

### **Hornbook Titles**

- *Criminal Law 6th Ed.*
- *Wills, Trusts, and Estates 5th Ed.*

### **Texas Practice Series**

- *Methods of Practice*
- 2018 Edition

### **O'Connor's Federal Series**

- *Federal Rules \* Civil Trial*
- 2018-19 Edition

### **Texas Administrative Code**

- 2018 Edition
- All Titles Updated

### **Lawyering Skills Titles**

- *Legal Malpractice Insurance*
- *Law Firm Cybersecurity*
- *Visually Microsoft Office '13 & '16*



### **O'Connor's Texas Series**

- *Causes of Action*
- *Oil and Gas Statutes & Regulations*
- 2018 Edition

### **State Bar CLE**

- *Advanced Civil Trial '17*
- *Advanced Guardianship '17*
- *Advanced Immigration '17*

## FBC Bar News

The **March luncheon and meeting** of the Fort Bend County Bar Association will be held at **12:00 pm** on Thursday, **March 29th** at the [Pecan Grove Plantation Country Club](#) located at 3000 Plantation Drive, Richmond, Texas. The program topic is **Immigration Policy Changes and Updates**. The Speaker will be Rehan Alimohammad. The program is approved for 1 hour MCLE 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, **March 27th** by using the form on the [Next CLE Luncheon](#) page.

### **Member Resources**

[Click here for Member Resources](#)

**Featured Resource: *The Family Lawyer's Essential Tool Kit* By Jonathan Briggs**

There are some legal resources that we here at the Law Library consider outstanding—something so useful and filled with information on a topic of importance to many of the patrons who come through our doors. This notion is what causes us to revisit *The Family Lawyer's Essential Tool Kit*, published by the Family Law Section of the State Bar of Texas. It is a spiral-bound quick-reference guide with the first half dedicated to key issues in family law litigation providing charts and lists on such things as child support, rights and duties of parents, and custody and possession. The latter portion of the publication are lists and quick-reference guides to the basic tools of litigation for civil and criminal pretrial and trial practice, including: evidentiary objections and hearsay guide; deposition protocol and rules; predicates for admission of evidence at trial; expert and fact witness examination; and, seeking attorney's fees. Experienced attorneys will appreciate having the convenience and depth of information presented in an easy-to-reference form while less-experienced trial attorneys will also be able to use it as a guide to help them prepare their cases and improve their skills. *The Family Lawyer's Essential Tool Kit* is provided to all paying members of the Family Law Section of the State Bar of Texas and it is also offered for sale by the Bar for \$95. However, you can save yourself the expense - we have it available for use in the Law Library and copies may be made for \$.10 per page. We currently have the 2017 version and expect the 2018 edition to get here soon. For more information, please contact the Law Library.

**Technology Corner***By Andrew Bennett***This Month's Featured Technology:** *Resources Available during Expansion*

During the time the Libraries' main location is closed, we will have some resources still available to you. Some will be available at our temporary location inside the Justice Center. Others will be at George Memorial. The resources at the Justice Center will be all of our databases and the digital copies of our James Publishing and State Bar of Texas Practice Manuals and Jury Charges. There will be two computers available for this. However, you will need to speak with a Library Staff member before using the computers as they are for Legal Research and quick reference ONLY and we will have a time limit of 15 minutes on these computers due to limited availability. If you need to spend more time to make a lot copies or to do continued work on your filings, you will need to use the Public Computers or the computers that have been set aside for Law Library use at the George Memorial Library. At this location, we will have access to Westlaw and O'Connor's. We will also have some print material available including the O'Connor's guides, James Publishing Texas Guides, Vernon's Statutes and Codes, General Form Books, and Texas Pattern Jury Charges. If you have any questions, please contact the Law Library at 281-341-3718.



### Community News

- **Fort Bend Lawyers Care** is holding a **Legal Line** every Friday from **10 am to 12 pm**. **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 **Family Bar of Fort Bend** is hosting a **“How To Practice in Fort Bend County”** with the Associate Judges in the Fort Bend County District Courts on Friday **March 23rd**. This is for **MEMBERS ONLY**. This has been approved for 2 hours CLE credit and 1 hour of Ethics credit. To register by email, please contact the Family Bar at [FBFB@familybarfortbend.org](mailto:FBFB@familybarfortbend.org). To become a member, go to their website at [www.familybarfortbend.org](http://www.familybarfortbend.org).
- The **Katy Bar Association** is having their monthly meeting and CLE on Tuesday **March 27th**. This CLE is approved for 1 hour CLE credit. For more information, visit the Katy Bar Association website at [www.katybar.org](http://www.katybar.org).



### 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

Need to brush up on your database skills? We are here to help! **Sign up now for an EXPRESS CLASS!** Classes are **15-minutes each**, on **Thursday** mornings from **10 am – 12 pm** at the **George Memorial Library**. **We teach you the basics of each program**. You can choose from classes such as Westlaw, Hein Online, Adobe Pro, Lexis Advance, Microsoft Office programs 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

- [Kyle /Estate of Kyle v. Hillery, et al.](#), No. 01-16-01000-CV (Feb. 22, 2018): Aff'd. TC judgment. (240th)
- [In the Matter of J.J.K., a child.](#) No. 01-17-00188-CV (Feb. 22, 2018): Appeal Dism'd. (CCL#4)
- [Tyrone Tanner v. Karhleen Black](#), No. 01-17-00883-CV (Feb. 22, 2018): Appeal Dism'd. (434th)
- [Estrella v. State of Texas](#), No. 01-16-00924-CR/01-16-00938-CR/-1-17-00162-CR (Feb. 27, 2018): Aff'd. TC judgment. (240th)
- [Armenta v. Jones/Estate of Jones](#), No. 01-17-00439-CV (Mar. 1, 2018): Aff'd. TC judgment. (240th)
- [City of Rosenberg v. State of Texas](#), No. 14-17-00371-CV (Mar. 1, 2018): Appeal Dism'd. (CCL#2)
- [Castillo v. Wauson & Probus](#), No. 14-17-00952-CV (Feb. 13, 2018): Appeal Dism'd. (CCL#5)
- [Fort Bend Co. v. Norsworthy](#), No. 14-17-00633-CV (Feb. 15, 2018): Appeal Dism'd. (268th)
- [In Re Jennifer Braden](#), No. 14-17-010014CV (Feb. 22, 2018): Pet. Writ Mand. Denied. (328th)
- [Strausser v. Noble Drilling](#), No. 14-17-00442-CV (Mar. 6, 2018): Appeal Dism'd. (434th)
- [In Re Raymond Gonzales](#), No. 14-18-00153-CR (Mar. 6, 2018): Pet. Writ Mand. Denied. (268th)

### Criminal Law

- *French v. State of Texas*, 534 S.W.3d 693 (Tex.App.-Eastland 2017): Defendant appealed conviction of aggravated sexual assault of his 5-year-old daughter. No evidence of physical assault and prior false allegation of mother. Defendant was denied a jury instruction that all jurors must agree on exact manner of assault and he complained this was a violation of constitutional right to a unanimous verdict. App. Ct. found that defendant preserved error, that the error harmed him, and it reversed the conviction and remanded to the trial court.
- *Ex Parte Garcia*, 534 S.W. 3d 607 (Tex.App.-Corpus Christi-Edinburg 2017): State appealed granting of post-conviction writ of habeas corpus related to ineffective counsel claim. Conviction was set aside and vacated. Defendant had been convicted of cocaine possession following plea. Was given a 10 year suspended sentence. He was then deported based on conviction. Re-entered U.S. illegally and State sought to revoke community supervision. Ineffective counsel claim based on def. atty's failure to tell client of immigration consequences of conviction by guilty plea. App. Ct. said was ineffective assistance of counsel. Laches argument was denied also. Affirmed.

### Probate

- *Yost v. Fails*, 534 S.W.3d 517 (Tex.App.-Houston[1st. Dist.] 2017): Will contest case. Primary beneficiary of most recent will opposed by primary beneficiary of preceding will on grounds that later will invalid due to undue influence. Jury found that later will was signed under undue influence and that beneficiary of that will had tortiously interfered with inheritance of beneficiary of preceding will. Trial court granted JNOV and set aside verdict. On appeal it was contended that verdict was supported by sufficient evidence. Court of Appeals agreed that TC was wrong to set aside verdict as to undue influence but that evidence did not support the monetary award. Order admitting later will to probate vacated, reversed and remanded to conduct further will proceedings on earlier will, and for new trial on issue of tortious interference with inheritance rights.

### Contract

- *Shipley v. Vasquez*, 534 S.W.3d 482 (Tex.App.-San Antonio 2017): Mr. Shipley of donut fame was found at trial to have breached an oral promise to his ex-girlfriend/ex-employee/mother of his child to take care of her financially so as to provide for their daughter in manner befitting a "Shipley." Shipley's JNOV motion denied. On appeal the court agreed that agreement cannot be made on such indefinite terms and reversed and rendered a take nothing judgment in favor of Shipley

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