



# LAW LIBRARY NEWS

a publication of the Fort Bend County Law Library

Edited by: Andrew Bennett, Law Librarian

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## Law Library's Soft Opening

The Law Library Opened it's new space on Monday, August 13th. The soft opening featured coffee, snacks, and tours for those who came in. Patrons were impressed by the new space not only for its size but the opportunities for expansion and programming. The Grand Opening will be in November once the Library has purchased all additional computers and furniture for the new space. Feel free to come by anytime for a tour of the new space.

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## New & Updated Resources

### ***O'Connor's Texas Family Sampson, Tindall, and England's Texas Family Code Plus***

- 2018 Edition

### ***Code Annotated***

- 2018 Edition

### ***O'Connor's Texas Property Code Plus***

- 2018-19 Edition

### ***Texas Practice Guide***

- *DWI Law and Practice*
- 2018 Edition

### ***Texas Practice Series***

- *Employment Practice*
- 2018 Edition

### ***West Texas Forms***

- *Vols. 3—4A*
- *Vols. 11—11D*
- 2018 Update

### ***Elder Law Portfolio***

- 2018 Update

### ***Internal Revenue Acts***

- 2017 Volume

### ***Texas Evidence***

- 2018 Update

### ***Collier on Bankruptcy***

- 2018 Update

## FBC Bar News

The **August luncheon and meeting** of the Fort Bend County Bar Association will be held at **12:00 pm** on Thursday, **August 30th** at the [Pecan Grove Plantation Country Club](#) located at 3000 Plantation Drive, Richmond, Texas. The program topic is **The Hidden Gems of The Fort Bend County Law Library**. The Speaker will be Andrew Bennett, Law Librarian. 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, **August 28th** by using the form on the [Next CLE Luncheon](#) page.

### **Member Resources**

[Click here for Member Resources](#)

## Featured Resource: *Finding Print Resources at the Law Library*

***By Jonathan Briggs***

The new Law Library is now open in Room 20716 on the 2<sup>nd</sup> Floor of the Justice Center, to the left as you come up the escalator. Please use the temporary entrance marked by signs. Library hours have returned to 8:00 a.m. to 5:00 p.m., Monday through Friday. We wanted to update our patrons on the organization and layout of the new law library. Near the front door is a table with six computers, with computers 1 – 4 having the Westlaw research database and computers 4 - 6 having Lexis Advance. Computer 7 is in the back corner, where we will be adding three more computers in the Fall. All patron computers have Microsoft Office, Adobe Pro, and Internet access. Also, the computers also offer other legal research resources such as State Bar Materials, Hein Online, Erisman's, and James Publishing. Ad-



Adjacent to the main computer table are the black and white and color printers. To the right as you come in the front door are the book shelves. Self-help and Texas materials such as Vernon's Texas Codes, specific practice area publications, form books, practice guides, and encyclopedias are contained on the first three shelves. This is followed by the General Law and Bankruptcy section. Then there are the Federal materials including the U.S. Code, specific federal practice area materials and forms, and the U.S. Supreme Court Reports. The remaining shelves including those against the wall have the Texas cases, Texas Digest, lawyering skills and CLE materials, and our book sale area. To the left of the front door are two small meeting rooms, an AV room, and a large conference room. In the back left corner are the copiers and shredder. Two study tables and a seating area are under the windows. Our periodicals section are in the back right corner across from the computers. The fax machine is behind the reference desk. We are very pleased to be in our new space and to be able to return to offering our patrons the full range of our services. Please contact us regarding use of our meeting rooms or with any questions you may have.

## 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:** *How to Access the Digital Resources in the Law Library*



The Law Library has moved some of its digital resources around and we want to make sure you can access them. The six computers over by the stacks are going to be designated as "Research Computers." This means that priority will be given to those needing to do Legal Research. This does not mean you cannot use them for other means, just please be aware

that if we know you are not doing legal research, we may ask you to move to another computer. These computers will have our portals to Lexis Advance and Westlaw. O'Connor's will be moving to Westlaw in October. Our other computers, currently only one but will expand to four in October, which are in the back corner by the periodicals, are designated as general use computers and can be used for an hour guaranteed no matter the use. Also, we do have WiFi in the Law Library for your tablets and laptops. Our tables have plugins for power. For more information on our digital resources, contact the Law Library.

## Special Article: Renovating and Expanding the Law Library

*By Andrew Bennett*

The story of getting the Law Library expanded started way back in 2011. Not long after library staff moved into the new space in the Justice Center, we realized that the 1,500 square foot space was just not going to be enough. There was not enough study space, book space, or conference room space. One conference room had to be taken by the Law Librarian due to the addition of staff and the other conference room was across the hall. Neither situation was ideal, but staff made due with what we had. Discussions were made during Law Library Committee meetings and it was decided that the Law Library would ask for more space. In 2014, former Law Librarian Joseph Lawson, now Deputy



Director at Harris County Law Library, was able to get an approval from the Council of Judges to expand the Law Library on the 3rd floor into what is now the 458th District Court. This remained in limbo until the bond passed for the expansion of the Justice Center. However, the Judges determined that that space would be better used for a courtroom sometime later. So that left the Law Library potentially without a new space. However, through help from the Bar Association and the support of the Council of Judges Library Director Clara Russell, and Law Librarian Andrew Bennett were able to find 3,100 square feet of space on the 2nd floor from Facilities for the new Law Library. This space provided everything we asked for. We were able to provide conference rooms for our patrons, additional book space for our expanding collection, additional computers and study tables for research. Planning for construction began quickly in January 2018 and by March, we were closing the Library and moving into a temporary space. Courtroom 3G, County Court at Law #6, was still without a Judge and so we were able to still provide limited services while our new space was constructed. Even though the opening was delayed somewhat, we were still able to open the Library on August 13th, 2018

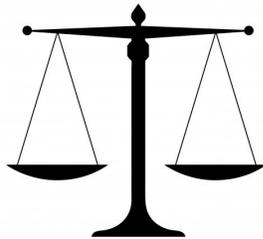


and we really hope you will like the space we have made for you! Please come by and visit us!



### Community News

- **Fort Bend Lawyers Care** is holding a **Low Income Legal Aid Clinic** from **10 am to 1 pm** on Saturday, **August 18th** from **10 am to 1 pm** at the Calvary Episcopal Church. They are also hosting 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, contact by email at [Tasha@fortbendlawyerscare.org](mailto:Tasha@fortbendlawyerscare.org).
- The **Katy Bar Association** is holding its **August meeting and CLE** on Tuesday, **August 28th** from **11:30 am to 1 pm** at Landry's Restaurant in Katy. For more information, visit the Katy Bar website at [www.katybar.org](http://www.katybar.org).
- The **Fort Bend County Law Library** is hosting a **FREE Lexis Advance Training and CLE** on Tuesday, **August 21st** at **1:30 pm** at the new Law Library on the 2nd Floor. Seating is limited. To RSVP, contact the Law Library.



### 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 Adobe Acrobat Pro or Microsoft Office? We are here to help! **Sign up now for Adobe Acrobat Pro, Microsoft Word, or Excel EXPRESS CLASSES!** Classes are **1 hour**, on **Thursday** mornings from **10 – 11 am**. **We teach you the basics of each program.** There are 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

- [Eleazar Maldonado v. Silvia Maldonado](#), No. 01-16-00747-CV (July 24, 2018): Reversed & Remanded. (387th)
- [In Re Patricio Estrada](#), No. 01-18-00620-CR (July 31, 2018): Pet. Writ Mandamus Dism'd. (268th)
- [Sportscrapers Const., et al. v. Evelyn Mitchell, et al.](#), No. 01-17-00432-CV (August 2, 2018): Aff'd. TC judgment. (400th)
- [In Re Jesse A. Lopez](#), Nos. 01-18-00515-CR (June 28, 2018): Pet. Writ Mandamus Dism'd. (268th)
- [Texas Voices for Reason & Justice v. Meadows Place](#), No. 14-17-00473-CV (July 19, 2018): Appeal Dism'd. (400th)
- [Brenda Morgan v. Meadowcrest Comm. HOA](#), No. 14-17-00501-CV (July 24, 2018): Appeal Dism'd. (400th)
- [Carlos Aleman v. State of Texas](#), No. 14-18-00558-CR (July 24, 2018): Appeal Dism'd. (240th)
- [Joy Chinenye Love v. Jamal Bullock](#), No. 14-18-00452-CV (July 26, 2018): Appeal Dism'd. (240th)
- [In Re Interest of A.A., et al, Children](#), No. 14-18-00511-CV (July 31, 2018): Appeal Dism'd. (328th)
- [In Re Guardianship of Sterling Maser](#), No. 14-17-00300-CV (August 2, 2018): Vacated and Remanded. (CCL#2)
- [Oluwayemisi Adeoye, et al., v. Eaglewood HOA](#), No. 14-18-00435-CV (August 2, 2018): Appeal Dism'd. (458th)
- [City of Stafford v. Joe Svedlenak](#), No. 14-18-00089-CV (August 7, 2018): Reversed and Rendered. (268th)
- [Lorenza Andre Sam v. State of Texas](#), No. 14-17-00470-CR (August 7, 2018): Appeal Dism'd. (434th)
- [Andrea W. Davidson v. State of Texas](#), No. 14-17-00167-CR (August 9, 2018): Aff'd. TC judgment. (400th)
- [Damon K. Dove v. State of Texas](#), No. 14-17-00722-CR (August 9, 2018): Aff'd. TC judgment. (268th)
- [Tim Thibodeau as Legal Guardian of Minor v. Dr. Mary Lyles, et al.](#), No. 14-17-00028-CV (August 14, 2018): Rev'd. and Remanded. (268th)

### Criminal Law

- *Monreal v. State of Texas*, 546 S.W.3d 718 (Tex.App.-San Antonio 2018, pet. rePd.): Defendant was convicted of murder and sentenced to 40 years. Motion for new trial was denied. Among his many complaints on appeal was that his trial counsel was ineffective for failing to call certain witnesses during the guilt/innocence phase to testify that Defendant was not the shooter, one being his nephew and the other being the claimed actual shooter. Seven other witnesses (though some being in inmate clothing) had already given similar testimony at trial. Court of Appeals concluded that trial counsel was not shown to be ineffective. One of the proposed witnesses was not available to testify at the time of trial and the lack of the nephew's testimony was not shown to be prejudicial. This and all other points of appeal were overruled and the judgment of the trial court was affirmed.

### Labor & Employment

- *Jefferson County v. Jefferson County Constables Association*, 546 S.W.3d 661 (Tex. 2018): Constables Association won at arbitration with finding that the county's layoffs of constables violated their Collection Bargaining Agreement's (CBA) seniority restriction in this regard. County sought to have the arbitration award vacated in the district court which granted it summary judgment reversing the arbitrator. Constables appealed and the County argued to the Corpus Christi-Edinburg Court of Appeals that the CBA was invalid under the Texas Local Government Code by claiming that deputy constables are not "police officers" as defined therein, thus they are not allowed to collectively bargain, therefore the CBA is void. The Court of Appeals found that deputy constables were "police officers" as defined under the Code and reversed and rendered in favor of the Association. County appealed to the Supreme Court of Texas which also held that the deputy constables are "police officers", the CBA is valid, and the arbitrator did not exceed his authority in finding in favor of the deputies. Affirmed.