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Useful Internet Sites and Articles

What Your Will Should Say About Digital Assets

<http://ridethelightning.senseient.com/2012/04/what-your-will-should-say-about-your-digital-assets.html>

What happens to your Facebook page after you die? What about the password to your online bank account? E-mail accounts? The problem of what happens with our "online properties" when we die has been highlighted several times in the news in the last year. In her blog post "What Your Will Should Say About Digital Assets," Sharon Nelson shares the language that she and her attorney, Sam (Samantha) Musso, developed for Powers of Attorney over digital assets. This is definitely something that everyone needs to be thinking about.

"Defending Yourself Against Stalking" Texas Bar Journal Vol. 75 no. 2, p.164-165.

"A stalker tries to control his or her victim through behavior or threats intended to intimidate and terrify." This article, from the "Client Page" of the Texas Bar Journal offers some tips on how to protect yourself against stalkers. Two things are taken into consideration to prove stalking: intent and conduct of the stalker. The stalker has to have the intent that his or her action will cause fear of bodily injury or death to the victim or a member of the victim's family. Conduct has to occur more than once and has to be directed specifically towards the victim or their family. The law on stalking can be found in Section 42.072 of the Texas Penal Code (which you can find online). The Office of the Attorney General recommends that if you are being stalked, you should report all incidents to the police, and request that each incident be documented. Request copies of the police reports, and write down the names of any officers who are taking reports from you. They

also recommend that you keep a diary of incidents, record phone calls, take pictures of the stalker, and tell friends, family and co-workers to keep a record if they see the stalker. If you are a victim of stalking you can apply for a protective order. You can find an application for a protective order at www.texaslawhelp.org. The information in this article is also available at www.oag.state.tx.us (click on "Crime Victims" and "Publications.")

Six Tips to Protect Your Search Privacy

<http://www.eff.org/wp/six-tips-protect-your-search-privacy>

Worried about your online privacy? You're not the only one. The authors of *Six Tips to Protect Your Search Privacy* offer ways to protect your personal browsing history ranging from "straightforward steps that offer a little protection to more complicated measures that offer near-complete safety." The six things listed that most of us can do are:

1. Don't put personally identifying information in your search terms.
2. Don't use your ISP's search engine.
3. Don't log in to your search engine or related tools.
4. Block "cookies" from your search engine.
5. Vary your IP address .
6. Use web proxies and anonymizing software (you can find some free software at <http://www.torproject.org>)

"QDRO Dangers in a Harsh Economic Climate: Protecting Your Client and Yourself" Emily W. McBurney, *American Journal of Family Law*, Vol. 26 no.1

Copies of these articles are available in the library, or from the law librarian via email:

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p. 7-14.

Qualified Domestic Relations Orders (QDROs) are used to divide retirement assets in a divorce, and can be difficult to draft correctly, especially in the current financial climate, when markets are volatile and many companies are declaring bankruptcy. This excellent article lays out some particular problem areas and ways to avoid pitfalls. According to McBurney, practitioners should:

- ⇒ Complete QDRO orders quickly to avoid fluctuations in value.
- ⇒ Avoid flat dollar amounts.
- ⇒ Do not mix dollar amounts with percentages in the language dividing a 401(k) as it leads to ambiguities in interpretation.
- ⇒ Include language in the settlement agreements that prohibit the employee from taking any funds from the account until the other spouse receives the amount specified in the QDRO. Some account administrators will place a “hold” on the account.
- ⇒ Make allowances for possible corporate bankruptcy and buyouts.
- ⇒ Look for model orders—many plans make these available.
- ⇒ Be aware that for defined benefit plans, there are significant consequences if the contributing spouse retires and/or dies before the QDRO is completed.

“Best Practices in Drafting Family Law Agreements: A Systematic approach Using Checklists” Scott M. Mann, *American Journal of Family Law*, vol. 26 no. 1 p.38-62.

Developing a systematic approach to practicing family law by the using checklists can increase client satisfaction and reduce attorney stress. The author points out that using checklists for each stage of practice, from the initial client interview through the drafting of the final order, ensures that no important issues are overlooked. There are eight appendices with sample checklists that can act as templates for attorneys who would like develop their own.

Tom Daley: Pro Bono Hero of the month

We’d like to congratulate Tom Daley, of Power Daley, PLLC, who has been recognized by the Texas Legal Services Center (TLSC) as their Pro Bono Hero of the month. Mr. Daley became a member of the Lawyer Referral Service of TLSC in October of 2010, and has accepted 77 referrals since that time. TLSC reports that “Tom Daley truly goes above and beyond to assist all his clients, and always receives excellent reviews.” Mr. Daley is a regular at our library and we salute him!

WestlawNext Tips

Searching with Boolean Terms and Connectors

One of the magic things about WestlawNext is the fact that you can put regular words into the search box to do a general search OR you can put Boolean search terms to narrow your search and be more precise. Next will automatically figure out what kind of search you want.

When you put a proximity connector (+s, /p) or expanders (!, #, %, *) into the search box, Next will automatically run a Boolean search.

For example, if you put "divorce custody dog" into the search box, Next will search for those terms separately, but if you put in "divorce w/p custody dog" it will trigger a Boolean search and Next will search for the word divorce *within the same paragraph* as the words custody and dog. Boolean operators can provide powerful shortcuts that help limit irrelevant search results.

Don't know what Boolean Terms and Connectors are? Don't worry about it, you can use the advanced search option right next to the search button to help specify search terms.

A rectangular button with a blue gradient background and the word "SEARCH" in white, bold, uppercase letters.A rectangular button with a blue gradient background and the word "advanced" in white, lowercase letters.

Still don't know what WestlawNext is? It's the newest version of Westlaw. Next time you're in the library, ask for a quick tour—we'll be happy to show it to you.

Tech Tips: search engines

Search engines—duckduckgo.com

www.duckduckgo.com

Not happy with Google's new privacy policy that allows them to track your browsing? Try duckduckgo. This website is gaining in popularity—it was reported in Time Magazine's top 50 websites of 2011 and there has been a lot of chatter about it on the web. In addition to *not* tracking your searches, it does *not* have the distracting paid ads that show up at the top of Google searches. If you want a good clear explanation of why Google tracking is a problem go to the duckduckgo website <http://donttrack.us>.





The Law Library

will be closed

on Monday, May

28th, for Memorial

Day and on Mon-

day, July 4th, for

Independence Day.

New on the Shelf:

- Federal Criminal Appeals, 2012.
- Federal Civil Judicial Procedure and Rules: Includes Proposed Rules for: Federal Rules of Civil Procedure, Federal Rules of Evidence, Federal Rules of Appellate Procedure, 2012.
- Federal Sentencing Law and Practice. 2012.
- Federal Criminal Code and Rules, 2012.
- Handbook of Texas Lawyer and Judicial Ethics: Attorney Tort Standards; Attorney Ethics Standards, 2012.
- Handbook of Texas Lawyer and Judicial Ethics: Judicial Ethics Standards; Recusal and Disqualification of Judges, 2012.
- International Building Code, 2009.
- International Fire Code, 2009.
- O'Connor's Federal Rules: Civil Trials, 2012.
- Finding the Answers to Legal Questions : How to Do It Manual.

A Little Legal Humor

