



TRUTH, JUSTICE AND INFORMATION FOR ALL

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Useful Internet Sites and Articles

The 2015 Texas Legislature reviewed over 6,200 items, more than 1,300 of which were enacted. Below are some of the legislative updates in various areas of the law. An in-depth review of the legislative changes is available to read in the law library in the September 2015 edition of the *Texas Bar Journal* and in the new versions of each O'Connor's code books available at the reference desk of the library.

Family Law

Several House and Senate Bills changed multiple areas of family law. Senate Bill (SB) 815 amends Section 6.501(a) and expands the types of behavior to be prohibited in a temporary restraining order. The behaviors added include communication and threats via electronic means such as email and social media. SB 817 expands the definition of dating violence to include an act committed against an applicant for a protective order. House Bill (HB) 3121 added Subsection E to Chapter 157 of the Family Code which states that a motion for enforcement may be filed to enforce by contempt any provision of a temporary or final order. Subsection E defines a temporary order as including a temporary restraining order, standing order, injunction, and any other temporary order rendered by a court. HB 1449 amends Chapter 107 and changed the term "social study" to "child custody evaluation." An order for the child custody evaluation must include: 1) the name of each person who will conduct the evaluation; 2) the purpose of the evaluation; and, 3) the specific issues or questions to be addressed in the evaluation. Each of these changes became effective September 1, 2015.

Criminal Law

HB 910 permits open carry of firearms by licensed individuals in Texas. Under the same house bill, effective January 1, 2016, the holder of a concealed carry license will be able to carry handguns openly. Further, SB 11 permits holders of concealed handgun

licenses to carry on college campuses but allows the colleges to establish their own policies and regulations regarding both the storage of and carrying of concealed handguns. HB 2398 changes truancy from a criminal offense to a civil offense. The same bill creates truancy prevention programs and establishes civil truancy courts. SB 158 provides \$10 million in grants with the purpose of encouraging local police departments to invest in body cameras. Should the departments accept the grants, there are specific regulations and procedures that the department must follow.

Estate, Guardianship, and Trust Law

SB 995 makes a number of changes to decedents' estates. This bill adds Subchapter J to Chapter 255 of the Estates Code which allows judicial modification or reformation of wills. Upon the petition of a personal representative, the court may order that the terms of the will be modified if: 1) modification of administrative, nondispositive terms of the will is necessary or appropriate to prevent waste or impairment of the estate's administration; 2) the order is necessary or appropriate to achieve the testator's tax objectives or to qualify a distributee for government benefits and is not contrary to the testator's intent; or, 3) the order is necessary to correct a scrivener's error in the terms of the will, even if unambiguous, to conform with the testator's intent. Also among the changes to this area of law, some new legislation requires form changes. The Directive to Physicians and Family or Surrogates changes "artificial nutrition and fluids" to "artificially administered nutrition and hydration." The small estate affidavit also changed the language required regarding the list of all known estate assets and liabilities. Section 205.002(b) was added to the Estates Code which requires that the list now include which assets the applicant claims are exempt.

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

droberts@co.collin.tx.us

Spotlight on the Supremes

Changes to Ex Parte Communications Rules Considered by the High Court Committee Texas Lawyer, October 26, 2015.

Recent cases heard before the Supreme Court of Texas spurred a large number of emails to flood the Justices' inboxes which prompted Chief Justice Hecht to ask the high court's advisory committee how judges should respond when an email or social media campaign targets them with the intention of influencing a case? A subcommittee of the Texas Supreme Court Advisory Committee took on the question and considered whether or not the Texas Code of Judicial Ethics should be amended. The committee came across a number of issues when considering changes. First, the definition of ex parte communication does not include email or social media posts. Second, the committee feared that judges could face "dire consequences" of judicial discipline if such a rule about social media or emails was included in the Code of Judicial Conduct. Chairman Chip Babcock suggested that a rule governing such communications should be included in some other set of procedural rules. Given the various opinions on the matter, the committee decided against amending the rules and are currently deciding whether or not to have additional discussions on the matter.

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Hours of Operation:
Monday–Friday
8:00 am–5:00 pm

Did You Know?

Minds+Machines is the owner of the new domain ".law" and "formally launched the endeavor that allows lawyers and law firms to have a website URL that ends in the .law suffix." Attorneys and law firms will pay a fee to register their .law domain name which could cost anywhere from \$20 to much more, depending on the desired name. A .law name must be purchased through an authorized registrar, a list of which is found on this website: <http://nic.law/registrars/>. More information about .law can be found in the October 19th, 2015, edition of the *National Law Journal*.

The State Bar of Texas Law Related Education Department launched a new project designed to teach students citizenship, geography, and government by navigating a fictional metropolis called Justiceville, U.S.A. There are both tutorials and games to assist in the education. Explore Justiceville at the following link: http://texasregames.org/Justiceville_USA/

Library Reminders

The law library added another computer and scanner dedicated to e-filing. Both e-filing stations now have the ability to print. Please note that the scanners are to be used only for e-filing. There is a computer and a scanner in the attorney lounge on the first floor of the courthouse if a scanner is needed for a purpose other than e-filing.



Accessing Statutes By Date

The Texas Constitution and Statutes are available online through the Texas Legislature's website at <http://www.statutes.legis.state.tx.us/>. To access the most current version after each legislative session you can click on the Statutes by Date tab at the top of the main page which will allow you to search a specific code and section during a specific date range.



Texas Constitution and Statutes
Statutes By Date

Home Search Download **Statutes By Date**

To display a statute as it exists on a particular date:*

1. Select a date using the Calendar selector on the left.
2. Select a Code, an Article/Chapter, and an Art./Sec. for the selected Code.
3. To start over, click the Reset button.

* Statutes are available from 2004 through the 83rd Legislature. Please note that some statutes will not become effective until a future date.

< November 2015 >		Selected Date: 11/12/2015					
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Code:
1	2	3	4	5	6	7	Select Code
8	9	10	11	12	13	14	Article/Chapter:
15	16	17	18	19	20	21	Art./Sec.:
22	23	24	25	26	27	28	Reset
29	30	1	2	3	4	5	
6	7	8	9	10	11	12	

Today: 11/12/2015

If the statute was amended during the last legislative session, this will be indicated along with a link to the house bill or senate bill that contained the amendment.

< November 2015 >		Selected Date: 11/12/2015					
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Code:
1	2	3	4	5	6	7	Family Code
8	9	10	11	12	13	14	Article/Chapter: CHAPTER 2. THE MARRIAGE RELATIONSHIP
15	16	17	18	19	20	21	Art./Sec.: Sec. 2.005. PROOF OF IDENTITY AND AGE
22	23	24	25	26	27	28	Reset
29	30	1	2	3	4	5	
6	7	8	9	10	11	12	

Today: 11/12/2015

Family Code 2.005 on 11/12/2015

This section was amended by the 84th Legislature. Pending publication of the current statutes, see H.B. [910](#), 84th Legislature, Regular Session, for amendments affecting this section.

Sec. 2.005. PROOF OF IDENTITY AND AGE. (a) The county clerk shall require proof of the identity and age of each applicant.

When you click on the H.B. link, it will provide the amended text with strikethroughs and underlines to indicate what changes were made to the statute.



**The Law Library
will be closed
November 26-27 for
Thanksgiving.**



**The Law Library
will be closed
December 24-25 for
Christmas.**



**The Law Library
will be closed
January 1 for New
Year's Day.**



Martin Luther King, Jr. Day

**The Law Library
will be closed
January 18 for Mar-
tin Luther King Day.**

New on the Shelf:

- Texas Criminal Pattern Jury Charges, 2013
- Texas Penal Code, 2016 Edition
- Personal Injury Forms: Discovery & Settlement
- Ineffective Assistance of Counsel, 2015 Edition
- Kinkeade & McColloch's Texas Penal Code Annotated, 2015-2016 Edition
- O'Connor's Texas Crimes & Consequences, 2015-2016
- Texas Estates Codes *plus*, 2015-2016
- Federal Civil Judicial Procedure and Rules, 2015 Revised Edition
- O'Connor's Texas CPRC, 2015-2016
- O'Connor's Texas Criminal Codes *plus*, 2015-2016
- Texas Elder Law, 2015-2016
- Texas Criminal and Traffic Law Manual, 2015-2016
- Texas Estate Planning, Revision 9
- TDCAA 2014-2016 Predicates Manual

A Little Legal Humor



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Our lawyer wishes us,
but in no way guarantees,
a Happy New Year.

Best wishes for a happy holiday season!

Diane

Lima

Bethany