



TRUTH, JUSTICE AND INFORMATION FOR ALL

THE OFFICIAL NEWSLETTER OF THE COLLIN COUNTY LAW LIBRARY

ISSUE 2015-01

WWW.COLLINCOUNTYTX.GOV

FEBRUARY 2015

Useful Internet Sites and Articles

Newly Enacted Expedited Actions Rule Results in High Number of Motions to Dismiss

“Tort Reform Bill Caused Flurry of Motions to Dismiss,”
Texas Lawyer, January 12, 2015

House Bill 274 was signed into law on May 30, 2011, and became part of the Texas Rules of Civil Procedure on March 1, 2013. House Bill 274 authorized changes to the civil rules, including the addition of a new expedited actions rule, Rule 169. Last month, *Texas Lawyer* interviewed attorneys and judges to see how the changes have since affected legal practice. One attorney points out that the data that has been collected so far shows that the expedited action provision is mostly being used in small collection cases as opposed to personal injury or business cases. The same attorney praises the expedited action rule and would like to see it used more often because it “gives new lawyers a chance to try cases and more experienced lawyers opportunities to keep their trial skills sharp.” Also included under House Bill 274 is Rule 91a (Dismissal of Baseless Causes of Action) and features a “loser-pays” provision. The article explains that this rule is frequently used, which surprised even those involved in drafting the bill. Dallas County Judge Martin Hoffman said that the majority of motions to dismiss baseless causes of action he hears are “filed in cases where the plaintiff pleads every possible cause of action available under the sun without regard for the merits of each individual cause of action.”

Changes to Federal Rules of Civil Procedure Expected

“Time for Litigators to Get Technology-Savvy,” *The National Law Journal*, January 12, 2015

The Judicial Conference Committee on Rules of Practice and Procedure has approved proposed amendments to the Federal Rules of Civil Procedure.

The proposed changes are pending approval by the Supreme Court and, if approved, they will take effect on December 1, 2015. Many of the changes concern electronic data discovery. According to the article, the “common theme of these changes is a threefold emphasis on knowing the client’s electronically stored information; knowing it early in the case; and understanding electronic-discovery technology options.” Some of the proposed changes are as follows: changing Rule 16 to cover preservation as well as discovery; adding a new proportionality standard in Rule 26; requiring specificity in Rule 34 objections and requiring the objecting party to disclose whether any responsive documents are being withheld based on that objection; and, rewriting Rule 37(e). The proposed change to Rule 37(e) would allow the imposition of sanctions “if information that should have been preserved is lost due to a failure to take reasonable preservation measures and the information cannot be restored or replaced.”

Tips for Free Legal Research Online

“A Beginner’s Guide to Free Legal Research on the Internet,” *Voice for the Defense*, December 2014

While the law library provides free Westlaw access to patrons, Voice for the Defense offers some tips for free online research to be done in the comfort of the home or office. The first is the TCDLA app available for smartphones. Information about the app is available here:

http://www.tcdla.com/TCDLA/About/iPhone_App.aspx. Another helpful site for researching the codes is the State of Texas resource available at:

<http://www.statutes.legis.state.tx.us/Index.aspx>. (for more information on using this website, see the “Did You Know” section in this newsletter). The article also mentions the State Bar of Texas website and Google Scholar.

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

droberts@co.collin.tx.us

What's New In The Library

The law library has added several new books to its collection. Here is a brief overview of some of those materials.

O'Connor's Texas Family Law Forms 2014

This book is a useful companion to the Texas Family Code and the Texas Family Law Handbook. It contains forms in the following areas: marital property agreements, discovery, suits for dissolution of marriage, conservatorship, child support and parentage, as well as several others topics.

First Amendment Law in a Nutshell

One of the West Nutshell Series, this book explores the First Amendment in four parts and includes a Table of Cases.

Constitutional Law: Individual Rights Examples & Explanations

The 6th Edition of this book combines both case law and comprehensive examples and explanations about the rights of individuals.

Administrative License Revocation Manual

This manual walks the user through the initial stop, the administrative hearing, and requesting an occupational driver's license.

Contact Information:

Diane L. Roberts
Law Librarian
Email: droberts@co.collin.tx.us

Bethany Fansler
Assistant
Law Librarian
Email: bfansler@co.collin.tx.us

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

Did You Know?

The 84th Texas Legislative Session started on January 13th. The Texas Legislature's website allows you to stay informed about the session and to create a list of bills to monitor and track throughout the session. The Texas Legislature's website is available through the following link:

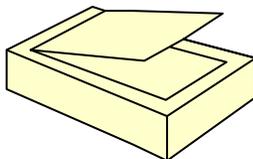
<http://www.capitol.state.tx.us/>. The website also has a helpful Frequently Asked Questions page that informs the public about how to use the website and information about the current sessions.

<http://www.capitol.state.tx.us/resources/FAQ.aspx>

Library Reminders

E-Filing Computer— The law library has added a fifth computer that is to be used for e-filing only. Scanning personal or professional documents of any kind for any other purpose is not permitted from that computer. There is a scanner available in the attorney lounge on the first floor of the courthouse.

Attorney IOUs— The library still has an uncollected balance from attorney IOUs. This is a courtesy for those attorneys who do not have cash at the time copies or prints are made. If this balance remains uncollected, IOUs will be discontinued. Please ensure that any outstanding balances are paid immediately.



WestlawNext Tips

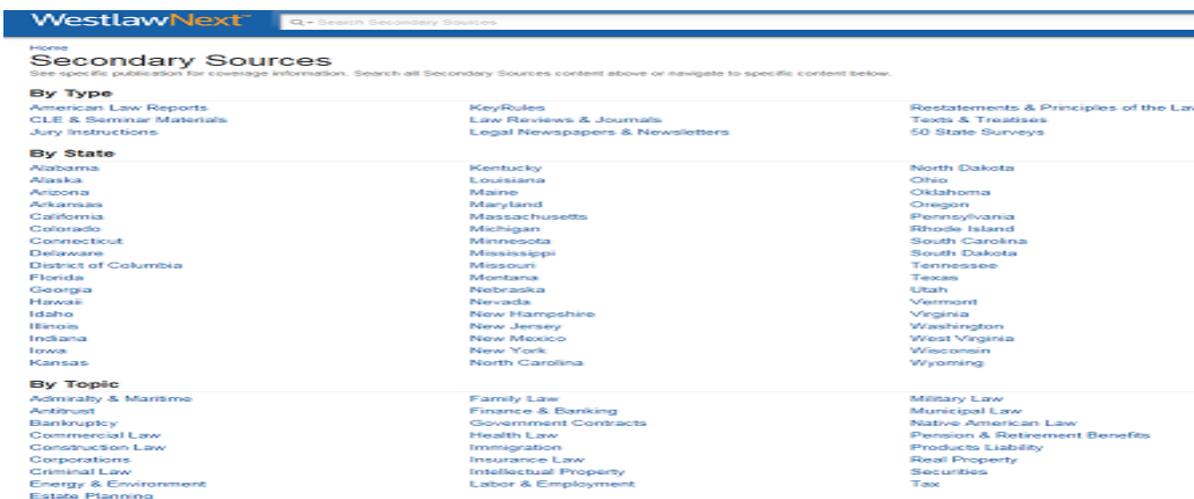
How to Efficiently Search Secondary Sources on WestlawNext

Secondary sources include legal encyclopedias, treatises, legal periodicals and law reviews and are helpful in providing statements of the law and can be a useful place to start when researching an unfamiliar area of law.

To access Secondary Sources, enter the terms to be searched and then select Secondary Sources under the All Content Tab:



The user can then further filter the search by type, by state or by topic:



Once the type, state or topic is selected, the user can select from the following secondary sources: texts and treatises, law reviews and journals, forms, jury instructions and key rules.

Tech Tips: More Useful Apps and Law Blogs

- [ArticleSearch](#)— a research app that allows the user to access scientific journals, articles from various sources including magazines and blogs, and academic publications. Available for both Android and iPhone.
- [ScannerPro](#)— an app that turns smartphones into a scanner, allowing the user to scan and share documents as PDFs. Available on both Android and iPhone.
- [Depose](#)— an app available on Android that assists attorneys in drafting and taking depositions. The app allows the user to edit and rearrange questions, attach exhibits, take notes, and design and save template questions.
- [Lawyers Case Diary](#)—A legal app beneficial for both attorneys and paralegals. It allows the user to manage clients and access the case information from a phone or tablet. The app also permits the user to set appointments, reminders and import contacts. Available only on Android devices.



The Law Library

will be closed

on Friday, April 3

for Good Friday.

New on the Shelf:

- O'Connor's Texas Employment Codes Plus, 2014-2015
- O'Connor's Texas Family Law Handbook, 2015
- Police Misconduct Law and Litigation, 3rd Edition
- Handbook on Texas Discovery Practice, 2014-2015
- Depositions: Procedure, Strategy & Technique, 2014-2015
- Texas Rules of Evidence Handbook, 2015
- Texas Handbook of Family Law, 2014-2015
- Bankruptcy Code, Rules & Official Forms, 2014-2015
- Texas Law Enforcement Handbook, 2015 Edition
- Texas Construction Law Manual, 2014-2015
- Federal Jury Practice and Instructions, Civil Companion Handbook, 2014-2015
- Winning in the Beginning by Winning the Beginning, 2014 Edition

A Little Legal Humor

Stu's Views

© stus.com All Rights Reserved



My New Year's resolution is to win at least one of my frivolous lawsuits.