

# Truth, Justice, and Information for All

The Official Newsletter of the Collin County Law Library

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## Courthouse News

### Cynthia Wheless Appointed to 417th District Court

Cynthia Wheless has been appointed by Governor Perry to the newly-created 417th District Court. The new court will handle juvenile cases and is housed in the Annex B building of the main courthouse facility on McDonald Street in McKinney. Judge Wheless took the bench in September; a formal investiture was held at the Collin County Courthouse on Friday, November 5th.

### County Commissioners Appoint New Director of Community Supervision and Corrections Department

Collin County Commissioners recently appointed Melissa Cahill as Director of the county's Community Supervision and Corrections Department. A certified community supervision officer and a licensed psychologist, Cahill had previously served as the chief psychologist in Dallas County's CSCD.

### Judge Ray Wheless Helps to Create DWI/Drug Court for Collin County

*Excerpted from "Program Aims to Steer Offenders to Right Path" by Stephen Willis, McKinney Courier-Gazette v. 107, no. 214 (Sept. 17, 2004) p. 1-2.*

"...County Court at Law 4 Judge Ray Wheless has launched plans for a pilot program that may help offenders with addictions from returning to the courtroom.

"County commissioners recently passed a resolution supporting the creation of a DWI/drug court, a voluntary program that offers court-supervised treatment as an alternative to the traditional punishments handed down by judges. Using a non-adversarial approach to sanction, supervise and treat offenders, Wheless hopes to help people address underlying drug and alcohol problems before they escalate.

"...DWI and drug courts are created in partnership with the U.S. Department of Justice and the local drug treatment community, centered upon the authority and personal involvement of a single judge.

"...Wheless expects the DWI and drug court to be running by next summer."



### Research Question of the Day:

How do I print and email documents from Westlaw at the Attorney Workstation?

To find the answer, turn to Page 6!



### Receive This Newsletter Via E-mail!

If you would like to receive this newsletter via e-mail rather than from U.S. postal mail, please call the Library at: 972-548-4260 or email us at: kgill@co.collin.tx.us



## New on the Shelves...



The following titles have been added to the  
Collin County Law Library collection:

- Bennett's Guide to Jury Selection and Trial Dynamics in Civil and Criminal Litigation - by Cathy E. Bennett and Robert B Hirschhorn
- Handbook on Texas Discovery Practice, 2004 ed. - Texas Practice Series
- Texas Corporation Law - by Lawrence G. Newman - with an accompanying CD-ROM
- Dallas County Bench Book 2004 - includes Collin County!
- The United States Government Manual, 2004-2005
- O'Connor's Criminal Codes Plus, 2004-2005 ed.
- Kinkeade & McColloch's Texas Penal Code Annotated, 2004-2005 ed.
- Texas Criminal Law and Motor Vehicle Handbook, 2004A ed. - from Gould Publications
- Confessions - by Collin County's own John Stride, with John Rolater - from the Texas District & County Attorneys Association
- Investigation & Prosecution of Child Sexual Abuse - by Terese M. Buess and Michael E. Trent - from the Texas District & County Attorneys Association
- Extraneous Offenses & Uncharged Conduct: Rule 404(b), Texas and Federal, Criminal and Civil - by Cliff Roberson - with an accompanying CD-ROM
- The Methods of Attacking Scientific Evidence, 4th ed. - by Edward J. Imwinkelried
- Gilbert Law Summaries:
  - Contracts, by Melvin A. Eisenberg
  - Evidence, by Jon R. Waltz & Roger C. Park
  - Civil Procedure, by Richard L. Marcus & Thomas D. Rowe, Jr.
  - Property, by Jesse Dukeminier
  - Torts, by Marc A. Franklin

### **The 2004 State Bar of Texas CLE Coursebooks are here!**

- Advanced Estate Planning and Probate Course 2004
- Advanced Drafting: Estate Planning and Probate Course 2004
- Elder Law Course 2004
- Prosecuting or Defending a Trucking or Auto Accident Case 2004
- Marriage Dissolution Institute 2004
- Advanced Evidence & Discovery Law Course 2004
- Collections and Creditors' Rights Course 2004
- Advanced Criminal Law Course 2004
- Advanced Civil Trial Course 2004
- Immigration Law 2004
- Advanced Family Law Course 2004
- Email Workshop (2004)
- Representing Non-Profit Organizations (2004)



For assistance in finding these new titles in the library  
or for information about upcoming titles,  
just ask a law librarian!

Call 972-548-4255 or email: [jmccullough@co.collin.tx.us](mailto:jmccullough@co.collin.tx.us)



## Internet Spotlight

### National Criminal Justice Reference Service [www.ncjrs.org](http://www.ncjrs.org)

This federally-funded organization offers reference and referral services to answer questions about **crime and justice-related research**, policy, and practice. Requests for information and assistance may be made **via phone or email**; their reference staff can then offer statistics and referrals, discuss publications, compile information packages, search for additional resources, and provide other technical assistance. The site itself offers an extensive **searchable library** of criminal justice-related publications, many available for download for free. You may also register for free email news and publication updates tailored to your particular criminal justice information interests.



### Expert Pages [www.expertpages.com](http://www.expertpages.com)

If you're looking for an expert witness, this site offers a free directory of experts in a wide variety of fields. You can **search for expert witnesses** by field of expertise or submit an email request to be matched with an expert.

### American Arbitration Association [www.adr.org](http://www.adr.org)

The American Arbitration Association offers a variety of helpful resources on their web site, both for free and for a fee. For free, you can access rules and procedures for arbitration and dispute resolution, practice guides to mediation and arbitration of special kinds of cases, standards of conduct for mediators and arbitrators, and more. There are even some arbitration forms that can be downloaded for free. The site also offers an Information Package subscription for a fee. Subscribers can access the AAA's extensive library of publications as well as receive research assistance from the library's reference support services via phone or email.

### Wikipedia <http://en.wikipedia.org>

If you haven't discovered Wikipedia, you're missing a fun online encyclopedia that can often answer those questions from out in left-field. There is just one caveat: *Wikipedia articles are created and edited by readers and should not be treated as authority.*

*The opinions expressed on these web sites are not representative of those of Collin County or the Collin County Law Library.*

## Check it Out: Law Library Circulation Policies

The Collin County Law Library is happy to permit attorneys and their legal assistants to borrow print, video, and DVD materials from the library. Computer diskettes and CD-ROMs are the only items not available for check out; these items are licensed for use at the Law Library's Attorney Workstation only.

To check out an item, simply complete a check out card located at the Reference Desk in the library and leave the completed card with the librarian.

Most items may be borrowed for up to 72 hours. Some of the more heavily used reference items must be returned within 24 hours. Some items that carry the 24-hour limit include *Vernon's*, *The Texas Litigation Guide*, *O'Connor's* pamphlets, and any items that contain forms.

We ask that attorneys be considerate of other users of the Law Library by returning materials promptly when they are due. **Remember:** The longer a book is checked out, the longer it is not available for other library users to use until you return it to the library. The ability of the Law Library to continue to offer this service depends upon attorneys returning materials in a timely manner.



## Articles of Interest



### **“Going to Prison in Texas in 2004: Part 1”**

**William T. Habern, Voice for the Defense v. 33, no. 7 (September 2004), p. 22-31.**

### **“Going to Prison in Texas in 2004: Part 2”**

**William T. Habern, Voice for the Defense v. 33, no. 8 (October 2004), p. 14-22.**

These two articles offer a primer for both inmates and their families to help prepare them for what prison will be like for the inmate in Texas. Part One discusses things that the inmate can do to prepare beforehand for his/her incarceration. It then goes on to describe the process of what will happen to the new inmate once he/she enters the TDCJ system and how the inmate progresses through that system. Part Two explains some special issues concerning female inmates and then delves into prison living arrangements. Advice is offered in both articles for how to behave, whom an inmate should and should not associate with, and how to deal with officers and other prison staff. Attorneys may find it helpful to show these articles to their clients and their clients' families prior to incarceration to help prepare them for the road ahead.

### **“Sobering Up *Daubert*: Recent Issues Arising in Alcohol-Related Expert Testimony”**

**Kimberly S. Keller, South Texas Law Review v. 46, no. 1 (Fall 2004), p. 111-135.**

This article examines the per se definition of intoxication, BAC tests, and the use of retrograde extrapolation methods by experts in DWI cases. It includes a discussion of these issues in light of recent Texas appellate decisions. The cases mentioned in this article are also available at the Law Library.

### **“Throwing Away the Key: The Constitutionality of the Indefinite Detention of Inadmissible Aliens”**

**Susan Marx, Texas Tech Law Review v. 35, no. 4 (Summer 2004), p. 1259-1298.**

This article discusses the author's premise that: “The indefinite detention of any alien, including those who are inadmissible, is both unconstitutional and contrary to the statutory laws of the United States” (p. 1260). Two key court cases, *Zadvydav v. Davis*, 533 U.S. 678, and *Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206, are also examined thoroughly.

### **“Unusual Clauses—Drafting Modules”**


**Mike Gregory, 30th Annual Advanced Family Law Course (2004), Chapter 49.3.**

The State Bar of Texas Advanced Family Law Course 2004 presented a “Drafting Workshop” that offered many helpful suggestions for drafting family law documents. Of particular interest is Mike Gregory's presentation on drafting unusual clauses. The coursebook paper for this workshop provides sample language for drafting such oddities as merger clauses for retirement benefits, division of stock options, possession provisions for parents with irregular work schedules, and more.

### **“Guardian Ad Litem, Jury Instruction Rules Changed”**

**Mary Alice Robbins, Texas Lawyer v. 20, no. 33 (October 18, 2004), p. 1, 4.**


This article discusses the Texas Supreme Court's recent revision of Texas Rule of Civil Procedure 173 and its clarification of the role of the guardian ad litem as advisor to the court in certain types of cases.



Copies of these articles are available at the Law Library.

Just ask a law librarian!

Call: 972-548-4260 or email: [kgill@co.collin.tx.us](mailto:kgill@co.collin.tx.us)





# COURTHOUSE HOLIDAY CLOSURES

The Collin County Courthouse (and the Law Library) will be closed on the following days this holiday season:

**Thanksgiving Holiday:**  
Thursday, November 25th and Friday, November 26th

**Christmas Holiday:**  
Thursday, December 23rd and Friday, December 24th

**New Year's Day Holiday:**  
Friday, December 31st

## Calling All Attorneys! CPS Resources Needed

Attorneys occasionally ask the librarians at the Collin County Law Library how to get started representing clients in CPS cases. The Law Library has a very limited number of resources available to help attorneys become familiar with how CPS cases are handled and processed. Frequently, we recommend that they consult with other attorneys who practice in this area.

We would like to add some materials to the Law Library collection which address this need. If you practice or have practiced in this area, perhaps you have attended a seminar or have come across a book or journal article addressing this topic. If so, the Law Library is very interested in any recommendations attorneys may have concerning potential resources.

**Thank you!**

## CLE Opportunities

**A Practical Guide to the Court-Appointed Representation of Children in Family Law Cases**

**When:** Friday, January 21, 2005  
**Where:** Belo Mansion, Downtown Dallas  
**Credit:** 7.00 hours, 4.00 ethics  
**Cost:** \$39.00 + tax (\$42.22 total)  
For more information, contact Kelly McClure at 214-692-8200 or kmclure@mde-lawfirm.com

### Advanced Criminal Law Course 2004 Now Available!

**Who:** A minimum of two attorneys must participate each time the course is administered.  
**When:** The course must be completed within a single calendar month.  
**Credit:** 26 hours participatory, 2.25 hours ethics  
**Cost:** \$329.00 per person  
This DVD course is administered by the Collin County Law Library. For this price, you will view the DVDs and receive a copy of the coursebooks to keep. For more information, contact Katy Gill at the Law Library at 972-548-4260.



**THE COLLIN COUNTY LAW LIBRARY  
WISHES YOU JOY THIS HOLIDAY SEASON!**



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### How do I print and email documents from Westlaw at the Attorney Workstation?

**Answer:**

1. Once you have retrieved a document, click on the "Print Doc" button located at the bottom of the screen. This will open a new window of printing options.
2. Click the "Send Request" button located in the lower left-hand corner.
3. A File Download box will pop up at this point. Click on the "Open" button. Your document will now be displayed.

**To Print:**

Click on the "File" menu at the top and choose "Print." Then click "OK" to print.

**To Email:**

To do this, you will need your own web email account accessible via the World Wide Web (e.g. Yahoo or Hotmail web email).

Click on the "File" menu at the top and choose "Save As." Name your document and save it to the computer's Desktop. Now open Internet Explorer and access your web email account. Attach the document to the email and send it to yourself.

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## A Little Legal Humor...

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"Honey, our lawyer wishes us, but in no way guarantees, a Merry Christmas."

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