Periodical Index

Michigan Law Review

Follow this and additional works at: https://repository.law.umich.edu/mlr

Recommended Citation
Available at: https://repository.law.umich.edu/mlr/vol83/iss2/7

This Index is brought to you for free and open access by the Michigan Law Review at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Michigan Law Review by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.
PERIODICAL INDEX

This index includes articles, comments, and some of the longer notes and recent developments that have appeared in leading reviews since the publication of the last issue of this Review.

ACCOUNTANTS AND ACCOUNTING
Rosenblum, Inc. v. Adler: CPAs liable at common law to certain reasonably foreseeable third parties who detrimentally rely on negligently audited financial statements. 70 Cornell L. Rev. 335-60 (Jan.).

ADMINISTRATION OF CRIMINAL JUSTICE
See also Constitutional Law.
The Dillon dilemma: finding proportionate felony-murder punishments. 72 Calif. L. Rev. 1299-327 (Dec.).
The presumption of life: a starting point for a due process analysis of capital sentencing. 94 Yale L.J. 351-73 (Dec.).

ADMINISTRATIVE AGENCIES
Small hydro in the forest: interagency conflict over environmental regulation. 18 U.C.D. L. Rev. 321-57 (Fall).

ADMINISTRATIVE LAW
Due process and the administrative state. Edward L. Rubin. 72 Calif. L. Rev. 1044-179 (Dec.).
Judicial review of rule rescissions. Marianne Koral Smythe. 84 Colum. L. Rev. 1928-67 (Dec.).

ALTERNATIVE DISPUTE RESOLUTION

ANTITRUST LAW
A functional rule-of-reason analysis for the law of resale price maintenance and its application to Spray-Rite v. Monsanto. 1984 Wis. L. Rev. 1205-72 (No. 4).
Horizontal agreements, the rule of reason, and the General Motors-Toyota joint venture. David A. Clanton. 30 Wayne L. Rev. 1239-66 (Summer).

ARBITRATION AND AWARD
On behalf of mandatory arbitration. 57 S. Cal. L. Rev. 1039-63 (Sept.).
Protecting confidentiality in mediation. 98 Harv. L. Rev. 441-59 (Dec.).

ATTORNEYS
Value creation by business lawyers: legal skills and asset pricing. Ronald J. Gilson. 94 Yale L.J. 239-313 (Dec.).

BANKRUPTCY
The Bledso case and the congressional response. James J. White. 30 Wayne L. Rev. 1169-204 (Summer).
Tort creditor priority in the secured credit system: asbestos times, the worst of times. 36 Stan. L. Rev. 1045-85 (Apr.).

BANKRUPTCY: DISCHARGE

BANKS AND BANKING
Regional banking statutes and the equal protection clause. 84 Colum. L. Rev. 2025-44 (Dec.).

CAPITAL PUNISHMENT
See Criminal Procedure.

CIVIL PROCEDURE
Implied causes of action under federal laws: calling the Court back to Barak. Robert H.A. Ashford. 79 NW. U. L. Rev. 227-341 (Apr.).
Tiers. Judith Resnik. 57 S. Cal. L. Rev. 837-1035. (Sept.).

CIVIL RIGHTS
See Discrimination.

COLLECTIVE BARGAINING
Automation and the work preservation doctrine: accommodating productivity and job security interests. 32 UCLA L. Rev. 135-76 (Oct.).

COMMERCIAL LAW
Glitch: section 9-402(7) and the U.C.C. revision process. Jay Lawrence Westbrook. 52 Geo. Wash. L. Rev. 408-18 (Mar.).
COMPARATIVE LAW

CONSTITUTIONAL LAW
See also Equal Protection, Individual Rights.
Constitutional law — civil rights — a question of free speech for public employees. 30 Wayne L. Rev. 1309-27 (Summer).
Constitutional law — prison sentences grossly disproportionate to the crime committed as cruel and unusual punishment. 30 Wayne L. Rev. 1353-65 (Summer).
Inequality “from the top”: applying an ancient prohibition to an emerging problem of distributive justice. Richard Delgado. 32 UCLA L. Rev. 100-34 (Oct.).

CONTRACTS
A theory of hypothetical contract. 94 Yale L.J. 415-34 (Dec.).

COPYRIGHT

CORPORATIONS
Metapolitics and corporate law reform. Roberta Romano. 36 Stan. L. Rev. 923-1016 (Apr.).

COURTS
Playing with numbers: determining the majority of judges required to grant en banc sittings in the United States courts of appeals. 70 Va. L. Rev. 1505-42 (Oct.).

CRIMINAL INVESTIGATION
Corroborating confessions: an empirical analysis of legal safeguards against false confessions. 1984 Wis. L. Rev. 1121-204 (No. 4).

CRIMINAL LAW
See also Search and Seizure.
The perplexing borders of justification and excuse. Kent Greenawalt. 84 Colum. L. Rev. 1897-927 (Dec.).

CRIMINAL PROCEDURE
The right of self-representation in the capital case. 85 Colum. L. Rev. 130-54 (Jan.).

CRIMINOLOGY
See also Administration of Criminal Justice.
New thoughts about the concept of justification in the criminal law: a critique of Fletcher's thinking and rethinking. Joshua Dressler. 32 UCLA L. Rev. 61-99 (Oct.).
Soldiers, martyrs, and criminals: utilitarian theory and the problem of crime control. Louis Michael Seidman. 94 Yale L.J. 315-49 (Dec.).

DAMAGES
Punitive damages in California under the malice standard: defining conscious disregard. 57 S. Cal. L. Rev. 1065-92 (Sept.).

DISCRIMINATION
Geometry and geography: racial gerrymandering and the Voting Rights Act. 94 Yale L.J. 189-208 (Nov.).
Getting results under section 5 of the Voting Rights Act. 94 Yale L.J. 139-62 (Nov.).

DISCRIMINATION: AGE
Title VII limits on discrimination against television anchorwomen on the basis of age-related appearance. 85 Colum. L. Rev. 190-215 (Jan.).

DISCRIMINATION: SEX
See Discrimination: Age, Pensions.

DUE PROCESS OF LAW
See Administrative Law.

EDUCATION
Educating misguided student athletes: an application of contract theory. 85 Colum. L. Rev. 96-129 (Jan.).

ELECTIONS
See also Freedom of Association.
The constitutional imperative of proportional representation. 94 Yale L.J. 163-88 (Nov.).

ELECTRONIC SURVEILLANCE
Electronic monitoring in the workplace: the need for standards. 52 Geo. Wash. L. Rev. 438-58 (Mar.).

EMPLOYER AND EMPLOYEE
The role of federal courts in changing state law: the employment at will doctrine in Pennsylvania. Mark R. Kramer. 133 U. Pa. L. Rev. 227-64 (Dec.).

ENFORCEMENT OF JUDGMENTS
Enforcing judgments against participants in the Witness Protection Program. 36 Stan. L. Rev. 1017-44 (Apr.).

ENVIRONMENTAL LAW
See Administrative Agencies, Water & Watercourses.

EQUAL PROTECTION
Judicial review of congressional section five action: the fallacy of reverse incorporation. 84 Colum. L. Rev. 1969-91 (Dec.).
EUROPEAN ECONOMIC COMMUNITY
Future interpretations of article 17 of the Convention on Jurisdiction and the Enforcement of Judgments in the European Communities. 70 Cornell L. Rev. 289-315 (Jan.).

EVIDENCE
Limiting judicial discretion to exclude prejudicial evidence. Victor J. Gold. 18 U.C.D. L. Rev. 59-96 (Fall).

EXPERT WITNESSES
See Mental Health.

FEDERAL JURISDICTION
Congressional power to curtail federal court jurisdiction: an opinionated guide to the ongoing debate. Gerald Gunther. 36 Stan. L. Rev. 895-922 (Apr.)

FEDERALISM
A rational basis for tenth amendment federalism. 30 Wayne L. Rev. 1269-308 (Summer).

FOREIGN LAW

FREEDOM OF ASSOCIATION
Primary elections and the collective right of freedom of association. 94 Yale L.J. 117-37 (Nov.)

FREEDOM OF SPEECH
See also Constitutional Law, Obscenity.
The scope of first amendment protection for political boycotts: means and ends in first amendment analysis: NAACP v. Claiborne Hardware Co. 1984 Wis. L. Rev. 1273-313 (No. 4).

HABEAS CORPUS
State waiver of the exhaustion requirement in habeas corpus cases. 52 Geo. Wash. L. Rev. 419-37 (Mar.).

INDIANS
Rethinking the trust doctrine in federal Indian law. 98 Harv. L. Rev. 422-40 (Dec.).

INDIVIDUAL RIGHTS
Consequences of Supreme Court decisions upholding individual rights. Jesse H. Choper. 83 Mich. L. Rev. 1 (Oct.).

INTERNATIONAL CRIMINAL LAW
Of arsenic and old laws: looking anew at criminal justice in late imperial China. William P. Alford. 72 Calif. L. Rev. 1180-256 (Dec.).

INTERNATIONAL LABOR LAW
The proposed Vredeling Directive: a modest proposal or the exportation of industrial democracy? 70 Va. L. Rev. 1469-503 (Oct.).

INTERNATIONAL LAW
The executive claims settlement power: constitutional authority and foreign affairs applications. 85 Colum. L. Rev. 155-89 (Jan.). Jurisdiction over foreign states for acts of their instrumentality: a model for attributing liability. 94 Yale L.J. 394-414 (Dec.).

JUDICIAL REVIEW
Justice Douglas and the Rosenberg case: setting the record straight. William Cohen. 70 Cornell L. Rev. 211-52 (Jan.).

JURISDICTION
See International Law.

JURISPRUDENCE
See also Alternative Dispute Resolution.

LEGAL HISTORY
The role of history in constitutional inter-
pretation: a case study. Gary J. Simson. 70 Cornell L. Rev. 253-70 (Jan.).


MENTAL HEALTH
Dangerousness and expertise. Christopher Slobogin. 133 U. Pa. L. Rev. 97-174 (Dec.).

NEGLIGENCE
Rhetoric and rationality in the law of negligence. Steven D. Smith. 69 Minn. L. Rev. 277-323 (Dec.).

OBSCENITY
Anti-pornography laws and first amendment values. 98 Harv. L. Rev. 460-81 (Dec.).

PATENTS
The use of derived information as prior art under section 103 of the Patent Act. 79 Nw. U. L. Rev. 423-59 (Apr.).

PENALTY
See Constitutional Law.

PENSIONS

PRODUCTS LIABILITY
Oksenholt v. Lederle Laboratories: the physician as consumer. 79 Nw. U. L. Rev. 460-83 (Apr.).

PRODUCT LIABILITY
Product honesty is the best policy: a comparison of doctors' and manufacturers' duty to disclose drug risks and the importance of consumer expectations in determining product defect. James E. Britain. 79 Nw. U. L. Rev. 342-422 (Apr.).

Strict products liability and the risk-utility test for design defect: an economic analysis. 84 Colum. L. Rev. 2045-67 (Dec.).

RADIO AND TELEVISION
The FCC and AM stereo: a deregulatory breach of duty. 133 U. Pa. L. Rev. 265-86 (Dec.).

RIGHT OF PRIVACY
See Electronic Surveillance.

SEARCH AND SEIZURE
Abandonment of the two-pronged Aguilar-Spinelli test: Illinois v. Gates. 70 Cornell L. Rev. 316-34 (Jan.).

SECURED TRANSACTIONS
See Commercial Law.

SEPARATION OF POWERS
Abstention, separation of powers, and the limits of the judicial function. Martin H. Redish. 94 Yale L.J. 71-115 (Nov.).

SEXUAL ABUSE

TAXATION
An asset-based approach to the tax benefit rule. 72 Calif. L. Rev. 1257-98 (Dec.).

Computer software and tax policy. 84 Colum. L. Rev. 1992-2024 (Dec.).

Federal income taxation and human capital. Paul B. Stephan. 70 Va. L. Rev. 1357-427 (Oct.).

The tax treatment of going-concern value. Richard L. Doernberg & Thomas D. Hall. 52 Geo. Wash. L. Rev. 353-94 (Mar.).

TORT CLAIMANTS
See Bankruptcy.

UNIONS
See Labor Law.

WAR AND EMERGENCY POWERS
Striking the balance: Congress and the President under the War Powers Resolution. Cyrus R. Vance. 133 U. Pa. L. Rev. 79-95 (Dec.).

WATER AND WATERCOURSES
Developments in water and environmental law. Articles by Amy K. Kelley, Daniel P. Selmi, Gregory A. Thomas, Catherine Leacox & Charles Farman. 18 U.C.D. L. Rev. 287-320 (Fall).