

Michigan Law Review

Volume 84 | Issue 3

1985

Periodical Index

Michigan Law Review

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

Recommended Citation

Michigan Law Review, *Periodical Index*, 84 MICH. L. REV. 544 (1985).
Available at: <https://repository.law.umich.edu/mlr/vol84/iss3/12>

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*.

ABORTION

The creation of fetal rights: conflicts with women's constitutional rights to liberty, privacy, and equal protection. 95 *Yale L.J.* 599-625 (Jan.).

Trimesters and technology: revamping *Roe v. Wade*. Nancy K. Rhoden. 95 *Yale L.J.* 639-97 (Mar.).

ADMINISTRATIVE LAW

Employee injury cases: should courts or boards decide whether workers' compensation laws apply? 53 *U. Chi. L. Rev.* 258-78 (Winter).

OMB interference with agency rulemaking: the wrong way to write a regulation. Alan B. Morrison. 99 *Harv. L. Rev.* 1059-74 (Mar.).

Regulatory estoppel: when agencies break their own "laws." Peter Raven-Hansen. 64 *Texas L. Rev.* 1-77 (Aug.).

Retroactive regulatory interpretations: an analysis of judicial responses. Russell L. Weaver. 61 *Notre Dame L. Rev.* 167-219 (No. 2).

White House review of agency rulemaking. Christopher C. DeMuth & Douglas H. Ginsburg. 99 *Harv. L. Rev.* 1075-88 (Mar.).

ALIENS

The constitutionality of the INS sham marriage investigation policy. 99 *Harv. L. Rev.* 1238-54 (Apr.).

INS factory raids as nondetentive seizures. 95 *Yale L.J.* 767-87 (Mar.).

Rediscovering the burdens of proof for asylum and the withholding of deportation. 54 *U. Cin. L. Rev.* 943-68 (No. 3).

Sanctuary: the resurgence of an age-old right or a dangerous misinterpretation of an abandoned ancient privilege? Jorge L. Carro. 54 *U. Cin. L. Rev.* 747-78 (No. 3).

ANTITRUST LAW

Antitrust implications of domestic mergers: a proposal for the treatment of imports and its application to *LTV-Republic*. 60 *N.Y.U. L. Rev.* 667-701 (Oct.).

Antitrust policy after Chicago. Herbert Hovenkamp. 84 *Mich. L. Rev.* 213-84 (Nov.).

The claim preclusive effect of state court judgments on federal antitrust claims: *Marsese v. American Academy of Orthopaedic Surgeons*. 71 *Iowa L. Rev.* 609-30 (Jan.).

Horizontal mergers, competitors, and antitrust standing under section 16 of the Clayton Act: fruitless searches for antitrust injury. 70 *Minn. L. Rev.* 931-54 (Apr.).

The *Laker* antitrust litigation: the jurisdictional "rule of reason" applied to transnational injunctive relief. 71 *Cornell L. Rev.* 645-67 (Mar.).

The National Basketball Association salary cap: an antitrust violation? 59 *S. Cal. L. Rev.* 157-81 (Nov.).

A standard for tailoring *Noerr-Pennington* immunity more closely to the first amendment mandate. 95 *Yale L.J.* 832-56 (Mar.).

Tying arrangements and the computer industry: *Digidyne Corp. v. Data General Corp.* 1985 *Duke L.J.* 1027-56 (Nov.).

ANTITRUST LAW: FOREIGN

Moderating antitrust subject matter jurisdiction: the Foreign Trade Antitrust Improvements Act and the Restatement of Foreign Relations Law (Revised). Daniel T. Murphy. 54 *U. Cin. L. Rev.* 779-827 (No. 3).

APPELLATE PROCEDURE

See *Civil Procedure*.

ARBITRATION

See *Federalism*.

ATTORNEYS

See *Taxation*.

CHINA

The social sciences and the modernization of China. Mei Yi. 70 *Minn. L. Rev.* 753-62 (Feb.).

CIVIL PROCEDURE

Collateral attacks on employment discrimination consent decrees. 53 *U. Chi. L. Rev.* 147-82 (Winter).

Must every appeal run the gamut? — the civil appeals management plan. Irving R. Kaufman. 95 *Yale L.J.* 755-65 (Mar.).

The revival of fact pleading under the Federal Rules of Civil Procedure. Richard L. Marcus. 86 *Colum. L. Rev.* 433-94 (Apr.).

The unhappy history of federal question removal. Michael G. Collins. 71 *Iowa L. Rev.* 717-73 (Mar.).

CIVIL RIGHTS

See also *Civil Procedure*.

Affirmative action: fair shakers and social engineers. Morris B. Abram. 99 Harv. L. Rev. 1312-26 (Apr.).

Attorney's fees for attorney litigants in civil rights actions. 54 U. Cin. L. Rev. 987-1001 (No. 3).

Choosing a standard for constructive discharge in title VII litigation. 71 Cornell L. Rev. 587-617 (Mar.).

Enforcement of the Fair Housing Act: what role should the federal government play? Alex Waldrop. 74 Ky. L.J. 201-30 (No. 1).

Persuasion and distrust: a comment on the affirmative action debate. Randall Kennedy. 99 Harv. L. Rev. 1327-46 (Apr.).

Section 2 of the Voting Rights Act: an approach to the results test. 39 Vand. L. Rev. 139-77 (Jan.).

CLASS ACTIONS

Abuse in plaintiff class action settlements: the need for a guardian during pretrial settlement negotiations. 84 Mich. L. Rev. 308-32 (Nov.).

COMMERCIAL LAW

See also *Contracts*.

Seaman's Direct Buying Service, Inc. v. Standard Oil Co.: tortious breach of the covenant of good faith and fair dealing in a noninsurance commercial contract case, 71 Iowa L. Rev. 893-911 (Mar.).

Tort remedies for breach of contract: the expansion of tortious breach of the implied covenant of good faith and fair dealing into the commercial realm. 86 Colum. L. Rev. 377-406 (Mar.).

COMMITMENT

See *Mental Health*.

COMPARATIVE LAW

Contract in China: law, practice, and dispute resolution. Roderick W. Macneil. 38 Stan. L. Rev. 303-97 (Jan.).

Scientific socialism and Soviet private law. Bernard Rudden. 61 Notre Dame L. Rev. 151-66 (No. 2).

CONSTITUTIONAL LAW

The case against brilliance. Daniel A. Farber. 70 Minn. L. Rev. 917-30 (Apr.).

A comment on the constitutionality of punitive damages. John Calvin Jeffries, Jr. 72 Va. L. Rev. 139-58 (Feb.).

Constitutional law — *G. & A. Books, Inc. v. Stern*: relevance of improper motive to first amendment incidental infringement claims. 61 Notre Dame L. Rev. 272-88 (No. 2).

Constitutional law — *In re Grand Jury*

Matter, Gronowicz: qualified newsperson's privilege does not extend to authors. 61 Notre Dame L. Rev. 245-57 (No. 2).

The constitutional rights of AIDS carriers. 99 Harv. L. Rev. 1274-92 (Apr.).

Defining the scope of the article four privileges and immunities clause. 54 U. Cin. L. Rev. 883-905 (No. 3).

Exploring the constitutional limits of suspicionless seizures: the use of roadblocks to apprehend drunken drivers. 71 Iowa L. Rev. 577-607 (Jan.).

The formulaic constitution. Robert F. Nagel. 84 Mich. L. Rev. 165-212 (Nov.).

The prohibition of successive prosecutions for the same offense: in search of a definition. George C. Thomas, III. 71 Iowa L. Rev. 323-99 (Jan.).

Symposium: the emergence of state constitutional law. Articles by Lawrence Gene Sager, Stewart G. Pollock, Earl M. Maltz, Robert F. Utter, David R. Keyser, Stanley Mosk, Ronald K.L. Collins, Shirley S. Abrahamson, Robert F. Williams, James A. Thomson & Jennifer Friesen. 63 Texas L. Rev. 959-1318 (Mar.-Apr.).

Unenumerated rights clauses in state constitutions. 63 Texas L. Rev. 1321-38 (Mar.-Apr.).

"We know it when we see it": the Supreme Court and establishment. William P. Marshall. 59 S. Cal. L. Rev. 495-550 (Mar.).

CONTRACTS

See also *Commercial Law*.

A consent theory of contract. Randy E. Barnett. 86 Colum. L. Rev. 269-321 (Mar.).

Cure after breach of contract under the *Restatement (Second) of Contracts*: an analytical comparison with the Uniform Commercial Code. William H. Lawrence. 70 Minn. L. Rev. 713-52 (Feb.).

COPYRIGHT

Defining the scope of copyright protection for computer software. 38 Stan. L. Rev. 497-534 (Jan.).

Facing *The Nation*: the standards for copyright, infringement, and fair use of factual works. Gary L. Francione. 134 U. Pa. L. Rev. 519-98 (Mar.).

CORPORATIONS

Antitakeover amendments, managerial entrenchment, and the contractual theory of the corporation. Barry D. Baysinger & Henry N. Butler. 71 Va. L. Rev. 1257-303 (Nov.).

Corporate social responsibility: what it might mean, if it were really to matter. Christopher D. Stone. 71 Iowa L. Rev. 557-75 (Jan.).

Liability of parent corporations for hazard-

ous waste cleanup and damages. 99 Harv. L. Rev. 986-1003 (Mar.).

Management buyouts, shareholder welfare, and the limits of fiduciary duty. Richard A. Booth. 60 N.Y.U. L. Rev. 630-65 (Oct.).

CORPORATIONS: CLOSE

Close corporations and agency costs. Frank H. Easterbrook & Daniel R. Fischel. 38 Stan. L. Rev. 271-301 (Jan.).

COURTS

See also *Freedom of the Press*.

A report on seven experiments conducted by district court judges in the Second Circuit. Leonard B. Sand & Steven Alan Reiss. 60 N.Y.U. L. Rev. 423-97 (June).

Temporary appointments to the federal judiciary: article II judges? 60 N.Y.U. L. Rev. 702-24 (Dec.).

CRIMINAL LAW

Criminal liability for assisting suicide. 86 Colum. L. Rev. 348-76 (Mar.).

The cultural defense in the criminal law. 99 Harv. L. Rev. 1293-311 (Apr.).

The improper use of presumptions in recent criminal law adjudication. 38 Stan. L. Rev. 423-62 (Jan.).

The right to independent testing: boon for defendant — burden for prosecution? 74 Ky. L.J. 231-48 (No. 1).

The slayer rule: not solely a matter of equity. Mary Louise Fellows. 71 Iowa L. Rev. 489-555 (Jan.).

CRIMINAL PROCEDURE

See also *Constitutional Law*.

The admissibility of evidence obtained by eavesdropping on cordless telephone conversations. 86 Colum. L. Rev. 323-47 (Mar.).

Criminal law — *United States v. Bell*: rejecting guilt by association in search and seizure cases. 61 Notre Dame L. Rev. 258-71 (No. 2).

Defending *Miranda*: a reply to Professor Caplan. Welsh S. White. 39 Vand. L. Rev. 1-22 (Jan.).

Federal habeas review of ineffective assistance claims: a conflict between *Strickland* and *Stone*? 53 U. Chi. L. Rev. 183-208 (Winter).

The fourth amendment in the age of aerial surveillance: curtains for the curtilage? 60 N.Y.U. L. Rev. 725-60 (Dec.).

Nonarrest investigatory detentions in search and seizure law. George E. Dix. 1985 Duke L.J. 849-959 (Nov.).

The prosecutor's duty to disclose to defendants pleading guilty. 99 Harv. L. Rev. 1004-19 (Mar.).

Regulating the police in investigatory stops:

a practical alternative to bright line rules. 59 S. Cal. L. Rev. 183-204 (Nov.).

DAMAGES

See *Constitutional Law*.

DEFAMATION

Structuring defamation law to eliminate the fact-opinion determination: a critique of *Ollman v. Evans*. 71 Iowa L. Rev. 913-34 (Mar.).

DOUBLE JEOPARDY

See *Constitutional Law*.

DUE PROCESS OF LAW

Adjudicatory independence and the values of procedural due process. Martin H. Redish & Lawrence C. Marshall. 95 Yale L.J. 455-505 (Jan.).

Federal pre-termination rights for state employees: *Cleveland Board of Education v. Loudermill*. 54 U. Cin. L. Rev. 1069-85 (No. 3).

EASEMENTS

See *Property*.

ECONOMICS

See *Constitutional Law*.

EDUCATION

State regulation of private education: Ohio law in the shadow of the United States Supreme Court decisions. 54 U. Cin. L. Rev. 1003-33 (No. 3).

ENVIRONMENTAL LAW

See also *Corporations*.

Changing conceptions of property and sovereignty in natural resources: questioning the public trust doctrine. Richard J. Lazarus. 71 Iowa L. Rev. 631-716 (Mar.).

The EPA and biotechnology regulation: coping with scientific uncertainty. 95 Yale L.J. 553-76 (Jan.).

Legal incentives for reduction, reuse, and recycling: a new approach to hazardous waste management. 95 Yale L.J. 810-31 (Mar.).

A right of contribution under CERCLA: the case for federal common law. 71 Cornell L. Rev. 668-93 (Mar.).

EQUAL PROTECTION

See also *Women*.

Affirmative action: the employer's enigma. 54 U. Cin. L. Rev. 969-86 (No. 3).

EVIDENCE

See also *Women*.

Confidence in probability: burdens of persuasion in a world of imperfect knowledge.

Neil B. Cohen. 60 N.Y.U. L. Rev. 385-422 (June).

Confrontation and hearsay: exemptions from the constitutional unavailability requirement. Laird C. Kirkpatrick. 70 Minn. L. Rev. 665-711 (Feb.).

The required records doctrine: its lessons for the privilege against self-incrimination. Stephen A. Saltzburg. 53 U. Chi. L. Rev. 6-44 (Winter).

FEDERAL PREEMPTION

See also *Labor Law, Pension Plans*.

ERISA and preemption of state fair employment laws. 59 S. Cal. L. Rev. 583-601 (Mar.).

ERISA preemption of state mandated-provider laws. 1985 Duke L.J. 1194-216 (Dec.).

FEDERALISM

See also *Constitutional Law, Political Science*.

The law/fact distinction and unsettled state law in the federal courts. 64 Texas L. Rev. 157-92 (Aug.).

The second arbitration trilogy: the federalization of arbitration law. Linda R. Hirshman. 71 Va. L. Rev. 1305-78 (Nov.).

State court forfeitures of federal rights. Daniel J. Maltzer. 99 Harv. L. Rev. 1128-236 (Apr.).

FREEDOM OF RELIGION

See *Constitutional Law, Indians*.

FREEDOM OF SPEECH

See also *Constitutional Law*.

Tinker revisited: *Fraser v. Bethel School District* and regulation of speech in the public schools. 1985 Duke L.J. 1164-93 (Dec.).

FREEDOM OF THE PRESS

See also *Constitutional Law, Defamation*.

Confusion in the courthouse: the legacy of the *Gannett* and *Richmond Newspapers* public right of access cases. 59 S. Cal. L. Rev. 603-39 (Mar.).

HABEAS CORPUS

See also *Criminal Procedure*.

Procedural defaults at the appellate stage and federal habeas corpus review. 38 Stan. L. Rev. 463-95 (Jan.).

HEALTH

See *Constitutional Law*.

HEARSAY

See *Evidence*.

HIGH SEAS

See *International Law*.

INDIANS

The first amendment and the American Indian Religious Freedom Act: an approach to protecting native American religion. 71 Iowa L. Rev. 869-91 (Mar.).

INDUSTRIAL DISEASES

Getting beyond discrimination: a regulatory solution to the problem of fetal hazards in the workplace. 95 Yale L.J. 577-98 (Jan.).

INSURANCE

Giving motorists a choice between fault and no-fault insurance. Jeffrey O'Connell & Robert H. Joost. 72 Va. L. Rev. 61-89 (Feb.).

INTERNATIONAL LAW

Exclusion of ships from nonterritorial weapons testing zones. 99 Harv. L. Rev. 1040-58 (Mar.).

In defense of international rules on the use of force. Oscar Schachter. 53 U. Chi. L. Rev. 113-46 (Winter).

JURISDICTION

The act of state doctrine: resolving debt situs confusion. 86 Colum. L. Rev. 594-617 (Apr.).

Jurisdiction and discretion. David L. Shapiro. 60 N.Y.U. L. Rev. 543-89 (Oct.).

"More than an intuition, less than a theory": toward a coherent doctrine of standing. 86 Colum. L. Rev. 564-93 (Apr.).

JURISDICTION (INTERNATIONAL LAW)

The noncorporate plaintiff: hostage to the gordian knot of the Foreign Sovereign Immunities Act of 1976. 54 U. Cin. L. Rev. 907-41 (No. 3).

JURISPRUDENCE

See also *Legal History*.

Law — the last of the universal disciplines. Soia Mentschikoff & Irwin P. Stotzky. 54 U. Cin. L. Rev. 695-745 (No. 3).

The myth of conservatism as a constitutional philosophy. Donald Elfenbein. 71 Iowa L. Rev. 401-88 (Jan.).

Promoting public-regarding legislation through statutory interpretation: an interest group model. Jonathan R. Macey. 86 Colum. L. Rev. 223-68 (Mar.).

Social authority: obtaining, evaluating, and establishing social science in law. John Monahan & Laurens Walker. 134 U. Pa. L. Rev. 477-517 (Mar.).

Some reflections on legislation, adjudication, and implied private actions in the state and federal courts. H. Miles Foy, III. 71 Cornell L. Rev. 501-85 (Mar.).

Sources of law: the scope of federal com-

mon law. Martha A. Field. 99 Harv. L. Rev. 881-984 (Mar.).

Symposium: legal implications of human error. Articles and comments by Ward Edwards, Detlof von Winterfeldt, David M. Grether, Alan Schwartz, Louis L. Wilde, Melvin Aron Eisenberg, Roberta Romano, Robert E. Scott, Lea Brilmayer, Victor J. Gold, Richard Lempert & Robert S. Thompson. 59 S. Cal. L. Rev. 225-449 (Jan.).

JUVENILE DELINQUENCY

An examination of whether incarcerated juveniles are entitled by the Constitution to rehabilitative treatment. 84 Mich. L. Rev. 286-307 (Nov.).

LABOR LAW

Extending *Weingarten* rights to nonunion employees. 86 Colum. L. Rev. 618-30 (Apr.).

Integrity and circumspection: the labor law vision of Barnard D. Meltzer. Theodore J. St. Antione. 53 U. Chi. L. Rev. 78-112 (Winter).

Judicial review of Labor Board decisions and the *Midwest Piping* doctrine. 60 N.Y.U. L. Rev. 499-541 (June).

NLRA preemption of state and local plant relocation laws. 86 Colum. L. Rev. 407-26 (Mar.).

New directions for the regulation of public employee strikes. Donald A. Dripps. 60 N.Y.U. L. Rev. 590-629 (Oct.).

New limits on superseniority: ignoring the importance of efficient union operations. 86 Colum. L. Rev. 631-52 (Apr.).

Of meetings and mailboxes: the first amendment and exclusive representation in public sector labor relations. Deborah A. Schmedemann. 72 Va. L. Rev. 91-138 (Feb.).

One step forward, two steps back: the Court and the scope of Board discretion in *Sure-Tan, Inc. v. NLRB*. 134 U. Pa. L. Rev. 703-40 (Mar.).

Ruminations on union organizing in the private sector. Julius G. Getman. 53 U. Chi. L. Rev. 45-77 (Winter).

LANDLORD AND TENANT

Community, home, and the residential tenant. 134 U. Pa. L. Rev. 627-56 (Mar.).

The crippled reform: retention of possession by rent-withholding tenants in Ohio under section 1923.061(B). 54 U. Cin. L. Rev. 1035-54 (No. 3).

LANGUAGE

A defense of legal writing. Richard Hyland. 134 U. Pa. L. Rev. 599-626 (Mar.).

LEGAL EDUCATION

The development of professional judgment in law school litigation courses: the concepts

of trial theory and theme. Edward J. Imwinkelried. 39 Vand. L. Rev. 59-81 (Jan.).

LEGAL ETHICS

See also *Taxation*.

Taking and pursuing a case: some observations regarding "legal ethics" and attorney accountability. Richard H. Underwood. 74 Ky. L.J. 173-99 (No. 1).

LEGAL HISTORY

The Constitution in the Supreme Court: 1910-1921. David P. Currie. 1985 Duke L.J. 1111-62 (Dec.).

Hood v. Dumond: a study of the Supreme Court and the ideology of capitalism. 134 U. Pa. L. Rev. 657-701 (Mar.).

Oliver Wendell Holmes as a eugenic reformer: rhetoric in the writing of constitutional law. Mary L. Dudziak. 71 Iowa L. Rev. 833-67 (Mar.).

Talk about realism. William Twining. 60 N.Y.U. L. Rev. 329-84 (June).

MALPRACTICE

Genetic malpractice: avoiding liability. 54 U. Cin. L. Rev. 857-81 (No. 3).

MENTAL HEALTH

Barriers to providing effective treatment: a critique of revisions in procedural, substantive, and dispositional criteria in involuntary civil commitment. Donald H.J. Hermann. 39 Vand. L. Rev. 83-106 (Jan.).

MINES AND MINERALS

See also *Property*.

Accretion and severed mineral estates. 53 U. Chi. L. Rev. 232-57 (Winter).

NUISANCE

Compensated injunctions and the evolution of nuisance law. Jeff L. Lewin. 71 Iowa L. Rev. 775-832 (Mar.).

PENSION PLANS

See also *Federal Preemption*.

Thoughts on a faded *Peacock*: the effect of ERISA's preemption provision on state third party prescription drug program statutes. Richard M. Rindler & Evan Miller. 39 Vand. L. Rev. 23-56 (Jan.).

PHILOSOPHY

Rights against risks. Christopher H. Schroeder. 86 Colum. L. Rev. 495-562 (Apr.).

Should Trees Have Standing? revisited: how far will law and morals reach? A pluralist perspective. 59 S. Cal. L. Rev. 1-154 (Nov.).

POLITICAL SCIENCE

See also *Jurisprudence*.

Constitutional conventions and the deficit.

E. Donald Elliott. 1985 Duke L.J. 1077-110 (Dec.).

Gramm-Rudman: can Congress and the President pass this buck? Jack Brooks. 64 Texas L. Rev. 131-55 (Aug.).

Judicially ordered social reform: neofederalism and neonationalism and the debate over political structure. David Rudenstine. 59 S. Cal. L. Rev. 449-94 (Mar.).

PRISONS AND PRISONERS

Prisoners' rights, institutional needs, and the Burger Court. 72 Va. L. Rev. 161-93 (Feb.).

PRIVILEGES

The case for a federal psychotherapist-patient privilege that protects patient identity. 1985 Duke L.J. 1217-44 (Dec.).

United States v. Arthur Young & Co.: judicial death knell for auditor's privilege and suggested congressional resurrection. 71 Cornell L. Rev. 694-725 (Mar.).

PRODUCTS LIABILITY

Retribution and deterrence: the role of punitive damages in products liability litigation. Richard C. Ausness. 74 Ky. L.J. 1-125 (No. 1).

A time-dependent model of products liability. 53 U. Chi. L. Rev. 209-31 (Winter).

PROPERTY

The easement in gross revisited: transferability and divisibility since 1945. 39 Vand. L. Rev. 109-37 (Jan.).

Interpretation of "other minerals" in a grant or reservation of a mineral interest. 71 Cornell L. Rev. 618-44 (Mar.).

RADIO AND TELEVISION

Public access channels in cable television: the economic scarcity rationale of *Berkshire v. Burke*. 74 Ky. L.J. 249-67 (No. 1).

REHABILITATION OF CRIMINALS

See *Juvenile Delinquency*.

REMEDIES

The modification of consent decrees in institutional reform litigation. 99 Harv. L. Rev. 1020-39 (Mar.).

RES JUDICATA

See *Antitrust Law*.

RIGHT TO COUNSEL

See *Criminal Procedure*.

SCIENCE

Stopping a "gruesome parade of horrors": criminal sanctions to deter corporate misuse of

recombinant DNA technology. 59 S. Cal. L. Rev. 641-65 (Mar.).

SEAMEN

A new approach to determining seaman status. David W. Robertson. 64 Texas L. Rev. 79-130 (Aug.).

SEARCH AND SEIZURE

See *Aliens, Criminal Procedure*.

SECURITIES

Auctioning new issues of corporate securities. 71 Va. L. Rev. 1381-410 (Nov.).

Curbing preemption of securities act coverage in the absence of clear congressional direction. 72 Va. L. Rev. 195-213 (Feb.).

Defensive stock repurchase programs: tender offers in need of regulation. 38 Stan. L. Rev. 535-94 (Jan.).

Mismatching convertible debentures and common stock under section 16(b). 1985 Duke L.J. 1057-76 (Nov.).

The plight of small issuers (and others) under regulation D: those nagging problems that need attention. Rutherford B. Campbell, Jr. 74 Ky. L.J. 127-71 (No. 1).

The SEC's waiver by conduct proposal: a critical appraisal. 71 Va. L. Rev. 1411-45 (Nov.).

SECURITIES: INSIDER TRADING

Penalizing insider trading: a critical assessment of the Insider Trading Sanctions Act of 1984. Carole B. Silver. 1985 Duke L.J. 960-1025 (Nov.).

SELF-INCRIMINATION

See *Evidence*.

SPORTS

See *Antitrust Law*.

SURVEYS OF STATE LAW

The Kentucky law survey. 74 Ky. L.J. 281-519 (No. 2).

TAXATION

Abusive tax shelters, legal malpractice, and Revised Formal Ethics Opinion 346: does revised 346 enable third party investors to recover from tax attorneys who violate its standards? Joseph J. Portuondo. 61 Notre Dame L. Rev. 220-44 (No. 2).

An income tax by any other name — a reply to Professor Strnad. Louis Kaplow & Alvin C. Warren, Jr. 38 Stan. L. Rev. 399-421 (Jan.).

Interest in disguise: taxing the "time value of money". Daniel I. Halperin. 95 Yale L.J. 506-52 (Jan.).

TECHNOLOGY

See *Science*.

TORTS

Corporate strategic reaction to mass tort. Mark J. Roe. 72 Va. L. Rev. 1-59 (Feb.).

The politics of torts. Fred C. Zacharias. 95 Yale L.J. 698-753 (Mar.).

Private causes of action under the reporting rules of the Consumer Product Safety Act. 70 Minn. L. Rev. 955-78 (Apr.).

TRIALS

Summary jury trials. S. Arthur Spiegel. 54 U. Cin. L. Rev. 829-37 (No. 3).

UNITED STATES: SUPREME COURT

Issue manipulation by the Burger Court: saving the community from itself. Suzanna Sherry. 70 Minn. L. Rev. 611-63 (Feb.).

The Supreme Court appointment process: in search of constitutional roles and responsibilities. Donald E. Lively. 59 S. Cal. L. Rev. 551-79 (Mar.).

VENUE

Foreign plaintiffs and forum non con-

veniens: going beyond *Reyno*. 64 Texas L. Rev. 193-223 (Aug.).

WOMEN

Battered women and the equal protection clause: will the Constitution help them when the police won't? 95 Yale L.J. 788-809 (Mar.).

Shielding rape victims in the state and federal courts: a proposal for the second decade. Harriett R. Galvin. 70 Minn. L. Rev. 763-916 (Apr.).

To have and to hold: the marital rape exemption and the fourteenth amendment. 99 Harv. L. Rev. 1255-73 (Apr.).

WORKERS' COMPENSATION

See also *Administrative Law*.

Dual capacity in California: a premature end to an equitable doctrine? 59 S. Cal. L. Rev. 205-24 (Nov.).