

# Michigan Law Review

---

Volume 71 | Issue 5

---

1973

## Periodical Index

Michigan Law Review

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

---

### Recommended Citation

Michigan Law Review, *Periodical Index*, 71 MICH. L. REV. 1093 (1973).

Available at: <https://repository.law.umich.edu/mlr/vol71/iss5/7>

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](mailto:mlaw.repository@umich.edu).

## PERIODICAL INDEX

This index includes *articles*, *comments* and some of the longer *notes* and *recent developments* which have appeared in leading law reviews since the publication of the last issue of this *Review*. (a) indicates a leading article.

### ADMINISTRATION OF JUSTICE

Therapeutic justice. (a) David B. Wexler. 57 *Minn. L. Rev.* 289-338 (Dec.).

### ADMINISTRATIVE LAW

The District of Columbia Administrative Procedure Act: its history, provisions, and interpretation. (a) Joseph P. Griffin. 61 *Geo. L.J.* 575-619 (Feb.).

The FTC's claim of substantive rule-making power: a study in opposition. 41 *Geo. Wash. L. Rev.* 330-47 (Dec.).

Full costing, competition and regulatory practice. (a) William J. Baumol & Alfred G. Walton. 82 *Yale L.J.* 639-55 (March).

Obtaining monetary redress for consumers through action by the Federal Trade Commission. (a) John A. Sebert, Jr. 57 *Minn. L. Rev.* 225-87 (Dec.).

Procedures for adverse actions against federal employees. (a) Richard A. Merrill. 59 *Va. L. Rev.* 196-278 (Feb.).

Summary action by administrative agencies. (a) James O. Freedman. 40 *U. Chi. L. Rev.* 1-65 (Fall).

### ADVERTISING

Unfairness in advertising: Pfizer, Inc. 59 *Va. L. Rev.* 324-54 (Feb.).

### AIRPORTS

A proposal to prevent the stranding of airline passengers. 6 *U. Mich. J. L. Ref.* 399-422 (Winter).

### ANTITRUST LAW

Antitrust penalties and attitudes toward risk: an economic analysis. (a) William Breit & Kenneth G. Elzinga. 86 *Harv. L. Rev.* 693-713 (Feb.).

Attacking barriers to entry: an alternative to divestiture in antitrust enforcement. 20 *UCLA L. Rev.* 311-47 (Dec.).

Limiting the antitrust immunity for concerted attempts to influence courts and adjudicatory agencies: analogies to malicious prosecution and abuse of process. 86 *Harv. L. Rev.* 715-35 (Feb.).

Toehold acquisitions and the potential competition doctrine. 40 *U. Chi. L. Rev.* 156-84 (Fall).

### ANTITRUST LAW: MERGERS

British merger policy from an American perspective. (a) Bruce Wasserstein. 82 *Yale L.J.* 656-90 (March).

### ARCHITECTS AND ENGINEERS

The roles of architect and contractor in construction management. 6 *U. Mich. J. L. Ref.* 447-64 (Winter).

### CIVIL PROCEDURE

Distant forum abuse in consumer transactions: a proposed solution. (a) John J. Sampson. 51 *Texas L. Rev.* 269-86 (Jan.).

Standing in the Supreme Court—a functional analysis. (a) Kenneth E. Scott. 86 *Harv. L. Rev.* 645-92 (Feb.).

### CIVIL RIGHTS

Lyndon B. Johnson and civil rights. (a) Earl Warren. 51 *Texas L. Rev.* 197-206 (Jan.).

### CONFLICT OF LAWS

Choice of law to determine the validity and effect of contracts: a comparison of English and American approaches to the conflict of laws. (a) John Prebble. 58 *Cornell L. Rev.* 433-536 (March).

### CONSTITUTIONAL LAW

The constitutionality of state residency requirements for admission to the bar. 71 *Mich. L. Rev.* 833-53 (March).

Constitutional law—martial law—preserving order in the state: a traditional reappraisal. 75 *W. Va. L. Rev.* 143-65 (Dec.).

Constitutional right to sentence credit for pre-trial incarceration. (a) Donald R. Stacy. 41 *U. Cin. L. Rev.* 823-40 (No. 4).

The judicial role in intra-church disputes under constitutional guarantees relating to religion. (a) Royal Clarence Gilkey. 75 *W. Va. L. Rev.* 105-20 (Dec.).

Multiple petty contempts and the guarantee of trial by jury. (a) James R. Thompson & Gary L. Starkman. 61 *Geo. L.J.* 621-54 (Feb.).

Speedy trial: a constitutional right in search of definition. 61 *Geo. L.J.* 657-702 (Feb.).

### CORPORATE REORGANIZATION

Corporate reorganization doctrine as recently applied by the Securities and Exchange Commission. (a) Walter J. Blum. 40 U. Chi. L. Rev. 96-110 (Fall).

### CORPORATIONS

An overview of the laws of corporations. (a) Alfred F. Conard. 71 Mich. L. Rev. 621-90 (March).

The privileged few: the attorney-client privilege as applied to corporations. 20 UCLA L. Rev. 288-310 (Dec.).

The structure of the private multinational enterprise. (a) Yitzhak Hadari. 71 Mich. L. Rev. 729-806 (March).

### COURTS

Judicial intervention in the presidential candidate selection process: one step backwards. 47 N.Y.U. L. Rev. 1184-228 (Dec.).

### CRIMINAL LAW

Merger and the California felony-murder rule. 20 UCLA L. Rev. 250-87 (Dec.).

Prisoners as wards of the court—a non-constitutional path to assure correctional reform by the courts. (a) Richard G. Singer. 41 U. Cin. L. Rev. 769-806 (No. 4).

A proposal for the abolition of the incompetency plea. (a) Robert A. Burt & Norval Morris. 40 U. Chi. L. Rev. 66-95 (Fall).

The scope of federal criminal jurisdiction under the commerce clause. 1972 U. Ill. L. F. 805-23 (No. 4).

Voiceprint identification. 61 Geo. L.J. 703-45 (Feb.).

### CRIMINAL PROCEDURE

Brady v. Maryland and the prosecutor's duty to disclose. 40 U. Chi. L. Rev. 112-40 (Fall).

The confrontation clause and the scope of the unavailability requirement. (a) Jerry J. Phillips. 6 U. Mich. J. L. Ref. 327-49 (Winter).

Evidentiary barriers to conviction and two models of criminal procedure: a comparative study. (a) Mirjan Damaska. 121 U. Pa. L. Rev. 560-89 (Jan.).

Present limitations on appellate review of sentencing—McGee v. United States. 58 Iowa L. Rev. 469-85 (Dec.).

### DEBTOR AND CREDITOR

Power of sale foreclosure after Fuentes. 40 U. Chi. L. Rev. 206-28 (Fall).

Timing of truth-in-lending disclosures:

a dilemma for mortgage lenders. 58 Iowa L. Rev. 389-403 (Dec.).

### ELECTIONS

O'Brien v. Brown: the politics of avoidance. 58 Iowa L. Rev. 432-46 (Dec.).

### ENVIRONMENTAL LAW

Preparing an environmental lawsuit, part I: defining a claim for relief under the National Environmental Policy Act of 1969. (a) George Cameron Coggins. 58 Iowa L. Rev. 277-319 (Dec.).

Selected procedural issues in environmental litigation. (a) Howard I. Kalodner. 47 N.Y.U. L. Rev. 1093-105 (Dec.).

Snowmobiles and the environment. 82 Yale L.J. 772-86 (March).

Substance and procedure in the construction of the National Environmental Policy Act. 6 U. Mich. J. L. Ref. 491-510 (Winter)

### EQUAL PROTECTION

Constitutional law—equal protection—minimum age requirements for candidates for Detroit common council violates equal protection clause of fourteenth amendment. 71 Mich. L. Rev. 854-65 (March).

### ESTATE PLANNING

Estate planning with Iowa's statutory disclaimer. 58 Iowa L. Rev. 391-88 (Dec.).

### FAMILY LAW

Privacy: the family and the state. (a) Donald W. Brodie. 1972 U. Ill. L. F. 743-69 (No. 4).

### FOREIGN RELATIONS

China and intervention: theory and practice. (a) Jerome Alan Cohen. 121 U. Pa. L. Rev. 471-505 (Jan.).

### FREEDOM OF SPEECH

Free communication of ideas and the quest for truth: toward a teleological approach to first amendment adjudication. (a) Benjamin S. DuVal, Jr. 41 Geo. Wash. L. Rev. 161-259 (Dec.).

### GOVERNMENT

Ombudsman: "the Dayton model." (a) Theodore C. Bingham. 41 U. Cin. L. Rev. 807-22 (No. 4).

### GOVERNMENT CONTRACTS

Pandemonium in the administrative resolution of government contract disputes. (a) Leslie L. Megyeri. 75 W. Va. L. Rev. 121-40 (Dec.).

*INDIANS*

Toward a new system for the resolution of Indian resource claims. 47 N.Y.U. L. Rev. 1107-149 (Dec.).

*INTEREST*

Legal aspects of the use of "ordinary simple interest." 40 U. Chi. L. Rev. 141-55 (Fall).

*INVESTMENTS*

Proposed regulation of limited partnership investment programs. 6 U. Mich. J. L. Ref. 465-90 (Winter).

*INVESTMENT TRUSTS*

The real estate investment trust: state tax, tort, and contract liabilities of the trust, trustee, and shareholder. 71 Mich. L. Rev. 808-37 (March).

*JOINT TORTFEASORS*

Torts—contribution among joint tortfeasors—effect of partial release on pro rata allocation of liability. 58 Cornell L. Rev. 602-13 (March).

*JUDGES*

Disqualification of judges and justices in the federal courts. 86 Harv. L. Rev. 736-64 (Feb.).

*JUVENILE COURTS*

Parens patriae and statutory vagueness in the juvenile court. 82 Yale L.J. 745-71 (March).

*LABOR LAW*

French labor relations: a functional analysis. 82 Yale L.J. 806-28 (March).

Judicial caution and the Supreme Court's labor decisions, October term 1971. (a) Theodore J. St. Antoine. 6 U. Mich. J. L. Ref. 269-89 (Winter).

The role of supervisors in employee unions. 40 U. Chi. L. Rev. 185-205 (Fall).

*LEGAL ETHICS*

The Code of Professional Responsibility in the corporate world: an abdication of professional self-regulation. (a) Carl A. Pierce. 6 U. Mich. J. L. Ref. 350-74 (Winter).

*LEGAL HISTORY*

Age, youth, and infirmity in the law of Ch'ing China. (a) Derk Bodde. 121 U. Pa. L. Rev. 437-70 (Jan.).

Enforcement of money judgments in early American history. (a) Stefan A. Riesenfeld. 71 Mich. L. Rev. 691-728 (March).

*LEGAL SERVICES*

Prepaid legal services and their feasibility in Ohio. 41 U. Cin. L. Rev. 841-96 (No. 4).

*MEDICAL JURISPRUDENCE*

Compensation for medical accidents. (a) Robert E. Keeton. 121 U. Pa. L. Rev. 590-617 (Jan.).

Unnecessary surgery: doctor and hospital liability. 61 Geo. L.J. 807-32 (Feb.).

*MINES AND MINERALS*

Exploitation of seabed mineral resources—chaos or legal order? 58 Cornell L. Rev. 575-601 (March).

*NARCOTICS*

Cocaine: the history and regulation of a dangerous drug. (a) Gerald T. McLaughlin. 58 Cornell L. Rev. 537-73 (March).

The irrationality of federal drug regulation. 47 N.Y.U. L. Rev. 1150-83 (Dec.).

*PATENTS*

Waiver and exclusive licensing of government-financed patents: the due process requirement. 41 Geo. Wash. L. Rev. 348-73 (Dec.).

*POLICE*

Police use of firearms in West Virginia—an empirical study. 75 W. Va. L. Rev. 166-83 (Dec.).

*PROBATE LAW AND PRACTICE*

The impact of the Uniform Probate Code on court structure. (a) Ralph P. Dupont. 6 U. Mich. J. L. Ref. 375-97 (Winter).

*PRODUCTS LIABILITY*

Compensation for prescription drug injuries. (a) Richard A. Merrill. 59 Va. L. Rev. 1-120 (Jan.).

*PROPERTY TAXES*

The right of non-property owners to participate in a special assessment majority protest. (a) Steven A. Gaines. 20 UCLA L. Rev. 201-49 (Dec.).

*PUBLIC INTEREST LAW*

Public interest litigation in the United States Court of Appeals for the District of Columbia Circuit: a current perspective. (a) Stephen B. Presser. 41 Geo. Wash. L. Rev. 260-303 (Dec.).

**PUBLIC LANDS**

Interstate land sales regulation: the case for an expanded federal role. 6 U. Mich. J. L. Ref. 511-28 (Winter).

Managing federal lands: replacing the multiple use system. 82 Yale L.J. 787-805 (March).

**RIGHT TO COUNSEL**

Kirby v. Illinois: a new approach to the right to counsel. 58 Iowa L. Rev. 404-20 (Dec.).

The pro se defendant's right to counsel. 41 U. Cin. L. Rev. 927-42 (No. 4).

**SEARCH AND SEIZURE**

Constitutional law—fourth amendment—the “search all persons” power—does presence really equal probable cause? 58 Cornell L. Rev. 614-24 (March).

**SECURITIES**

Comprehensive securities depository systems and the beneficial owner. 20 UCLA L. Rev. 348-86 (Dec.).

Elements of liability and actual damages in rule 10b-5 actions. (a) Craig J. Cobine. 1972 U. Ill. L. F. 651-92 (No. 4).

Real estate syndications in Texas: an examination of securities problems. (a) W. Amon Burton, Jr. 51 Texas L. Rev. 239-68 (Jan.).

SEC no-action letters: conflicts with existing statutes, cases, and commission releases. (a) Lewis D. Lowenfels. 59 Va. L. Rev. 303-22 (Feb.).

SEC-shareholder proposal rule 14a-8: impact of the 1972 amendments. 61 Geo. L.J. 781-805 (Feb.).

**SEGREGATION**

Segregation in the metropolitan context: the “white noose” tightens. 58 Iowa L. Rev. 322-53 (Dec.).

**SEPARATION OF POWERS**

The Gravel and Brewster cases: an assault on congressional independence. (a) Sam J. Ervin, Jr. 59 Va. L. Rev. 175-95 (Feb.).

**SEX DISCRIMINATION**

Sex and property: the common law tradition, the law school curriculum, and developments toward equality. (a) John D. Johnston, Jr. 47 N.Y.U. L. Rev. 1033-92 (Dec.).

Sex discrimination in high school athletics. 57 Minn. L. Rev. 339-71 (Dec.).

**SOCIOLOGY**

The evolution of reasoned elaboration: jurisprudential criticism and social change. (a) G. Edward White. 59 Va. L. Rev. 279-302 (Feb.).

**STATUTES**

The Occupational Safety and Health Act of 1970: some unresolved issues and potential problems. 41 Geo. Wash. L. Rev. 304-29 (Dec.).

**TAXATION**

The apportionment doctrine—a proposed Ohio estate tax apportionment statute. 41 U. Cin. L. Rev. 897-925 (No. 4).

Tax aspects of the disposition of control in a closely held corporation. (a) Anthony M. Vernava & Ronald T. Martin. 58 Iowa L. Rev. 221-75 (Dec.).

Death and taxes: an analysis of 1014, 743, 236, and the limited partnership. 59 Va. L. Rev. 122-68 (Jan.).

Effect of events subsequent to the decedent's death on the valuation of claims against his estate under section 2053 of the federal estate tax. 1972 U. Ill. L. F. 770-84 (No. 4).

Inflation and the federal income tax. 82 Yale L.J. 716-44 (March).

Powers, duties, and dividends—a critical look at *United States v. Byrum*. 58 Iowa L. Rev. 354-71 (Dec.).

Taxpayer standing to litigate. 61 Geo. L.J. 747-80 (Feb.).

Tax treatment of bad debt reserves upon disposition of accounts receivable. (a) Christopher A. Colvert. 51 Texas L. Rev. 318-34 (Jan.).

**TORTS**

The duty to warn and the urban riot: the Jahnke case. 58 Iowa L. Rev. 447-68 (Dec.).

Elimination of assumption of risk in Iowa: *Rosenau v. City of Estherville*. 58 Iowa L. Rev. 421-31 (Dec.).

A little-noticed theory in the law of tort: Boris Starck's theory of guaranty. (a) Andre Tunc. 121 U. Pa. L. Rev. 618-25 (Jan.).

Negligence law, no-fault, and jury trial—III. (a) Leon Green & Allen E. Smith. 51 Texas L. Rev. 207-38 (Jan.).

Professional negligence. 121 U. Pa. L. Rev. 627-90 (Jan.).

Toward the disappearance of tort law—New Zealand's new compensation plan. (a) Geoffrey W.R. Palmer & Edward J. Lemons. 1972 U. Ill. L. F. 693-742 (No. 4).

**TRUSTS AND ESTATES**

An examination of the rule which forbids a trustee to offset his investment losses against his investment gains. 1972 U. Ill. L. F. 784-804 (No. 4).

**UNAUTHORIZED PRACTICE  
OF LAW**

Lay divorce firms and the unauthorized practice of law. 6 U. Mich. J. L. Ref. 423-46 (Winter).

**UNFAIR COMPETITION**

Is annual style change in the automobile industry an unfair method of competition? a rebuttal. (a) Stephen E. Selander. With

a reply by Bradford C. Snell. 82 Yale L.J. 691-714 (March).

**WATER AND  
WATERCOURSES**

Ground water management: a proposal for Texas. (a) 51 Texas L. Rev. 289-317 (Jan.).

**ZONING**

The interrelationship between exclusionary zoning and exclusionary subdivision control—a second look. (a) Roger A. Cunningham. 6 U. Mich. J. L. Ref. 290-326 (Winter).

