

1995

## University of Richmond Law Review Index

Follow this and additional works at: <http://scholarship.richmond.edu/lawreview>



Part of the [Law Commons](#)

---

### Recommended Citation

*University of Richmond Law Review Index*, 29 U. Rich. L. Rev. 1623 (1995).

Available at: <http://scholarship.richmond.edu/lawreview/vol29/iss5/9>

This Table of Contents is brought to you for free and open access by the Law School Journals at UR Scholarship Repository. It has been accepted for inclusion in University of Richmond Law Review by an authorized editor of UR Scholarship Repository. For more information, please contact [scholarshiprepository@richmond.edu](mailto:scholarshiprepository@richmond.edu).

UNIVERSITY OF RICHMOND  
**LAW REVIEW**  
INDEX

**VOLUME XXIX**  
**1995**

Copyright 1995  
UNIVERSITY OF RICHMOND LAW REVIEW ASSOCIATION  
UNIVERSITY OF RICHMOND, VIRGINIA

## CASE INDEX

- Adams v. Star Enterprise ..... 908, 1059, 1060, 1063
- Advanced Health-Care Services v. Radford Community Hospital ..... 797
- Aetna Casualty & Surety Co. v. Fireguard Corp. .... 904
- Aiglon Associates, Ltd. v. Allan ..... 1149
- Ake v. Oklahoma ..... 965, 1374
- Albright v. Burke & Herbert Bank & Trust Co. .... 936
- Allen v. Jenkins ..... 1037
- Allied-Bruce Terminix Co. v. Dobson ..... 1500, 1501, 1505, 1506, 1509, 1513, 1515, 1527, 1530, 1531, 1539, 1540, 1541, 1543, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553
- Allied Properties v. John A. Blume & Associates, Engineers ..... 1495
- Allstate Insurance Co. v. Eaton . . . 914, 1111
- Allstate Insurance Co. v. United Services Automobile Association . . . . 913, 1108
- American Booksellers Ass'n v. Hudnut . . . . 407, 408, 412
- American Paper Institute, Inc. v. EPA . . . . 737
- Amministrazione delle Finanze dello Stato v. Simmenthal ..... 108
- Angstadt v. Atlantic Mutual Insurance Co. .... 927
- Appalachian Energy Group v. Environmental Protection Agency ..... 1076
- Arizona v. Bible ..... 1450
- Asahi Metal Industry Co. v. Superior Court ..... 422, 431, 434, 436, 437, 438, 439, 440, 441, 442, 444, 446, 448, 449, 450, 451, 452, 453, 455, 458
- Associated General Contractors v. California State Council of Carpenters ..... 810
- Aster v. Gross ..... 1020
- Austin v. Clark Equipment Co. .... 926
- Bailey v. Commonwealth ..... 987
- Ballweg v. Crowder Contracting Co. . . 1225
- Barefoot v. Estelle ..... 1423, 1424, 1435
- Barone v. Rich Brothers Interstate Display Fireworks Co. .... 448
- Barr v. Matteo ..... 292
- Barrett v. Commonwealth . . . 955, 956, 957
- Bashaw v. Belz Hotel Management Co. .... 445, 446
- Battleman v. Rubin ..... 1001
- Batson v. Kentucky ..... 973
- Bayer v. Travelers Indemnity Co. .... 1094, 1095, 1096
- Beard v. Commonwealth ..... 979
- Bell v. Wolfish ..... 179, 180, 181
- Benesh v. Amphenol Corp. (*In re Wildewood Litigation*) ..... 1062
- Benitez-Allende v. Alcan Aluminio Do Brasil ..... 454, 455
- Bentley v. Felts ..... 899
- Berkeley v. Commonwealth ..... 981
- Bernhardt v. Polygraphic Co. of America . . . . 1511, 1514, 1515, 1521, 1536, 1542
- Bivins v. Commonwealth ..... 979
- Black v. Edwards ..... 1191, 1198
- Board of Education v. Del Bianco & Associates, Inc. .... 1478
- Board of Supervisors v. Appalachian Power Co. .... 389, 390, 392
- Board of Supervisors of Chesterfield County v. Trollingwood Partnership . . . 1159
- Boit v. Gar-Tec Products, Inc. .... 450
- Booth v. Booth ..... 1019
- Bottoms v. Bottoms ..... 1002, 1004
- Bowman v. State Bank of Keyville . . . . 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1041
- Brager & Co., Inc. v. Leumi Securities Corp. .... 807
- Brandon v. Robinson ..... 1240
- Branzburg v. Hayes ..... 248, 249, 251, 252, 259
- Bregel v. Busch Entertainment Corp. . . 899
- Bridas Sociedad Anonima Petrolera Industrial Y Commercial v. International Standard Electric Corp. .... 1512
- Bridges v. California ..... 298
- Bristol Steel & Iron Works v. Bethlehem Steel Corp. .... 807, 812
- Broadway National Bank v. Adams . . 1240
- Brooks v. Bankson ..... 941, 1154
- Brooks v. Rogers ..... 1016
- Brown v. Allen ..... 1381
- Brunner v. The European Union Treaty . . . . 110

Bryant v. Commonwealth . . . . .	979	City of Eveleth v. Ruble . . . . .	1493
Bryant v. State Farm Mutual Automobile Insurance Co. . . . .	1095	City of Mounds View v. Walijarvi . . . . .	1479, 1480, 1492
Buck v. Commonwealth . . . . .	973, 974	City of Virginia Beach v. Brown . . . . .	1074
Buettner v. R.W. Martin & Sons . . . . .	925	Claffin v. Claffin . . . . .	1235, 1237, 1238
Bullion v. Gadaletto . . . . .	931	Clever v. Hillberry . . . . .	462
Burger King v. Rudzewicz . . . . .	433, 443, 457	Cohen v. Beneficial Industrial Loan Corp. . . . .	811, 812
Burke County Public Schools Board of Edu- cation v. Shaver Partnership . . . . .	1507, 1509	Cole v. Keller Industries . . . . .	926
Burroughs v. Palumbo . . . . .	897	Collins v. Lockhart . . . . .	1360, 1361
Butler v. Regina . . . . .	412, 413, 414	Colorado v. Bertrine . . . . .	956, 957
Buzzo v. Woolridge Trucking, Inc. . . . .	1220, 1221	Commercial Business Systems v. Bellsouth Services, Inc. . . . .	906
C. Richard Bogese Builder, Inc. v. Robertson . . . . .	1218	Commonwealth v. DeHart . . . . .	972
Cady v. Dombrowski . . . . .	955, 956, 957	Commonwealth v. Woodward . . . . .	1215
Cafaro Construction Co. v. Strother . . . . .	1222, 1223	Commonwealth Transportation Commis- sioner v. Thompson . . . . .	942
Calvert v. Calvert . . . . .	1009	Complete Auto Transit, Inc v. Brady . . . . .	1593, 1598, 1599, 1600, 1602, 1603, 1605, 1608, 1609, 1610, 1612, 1613, 1615, 1618
Carbaugh v. Commonwealth . . . . .	987	Concerned Taxpayers of Brunswick County v. County of Brunswick . . . . .	935, 938, 1068
Carpenter v. Carpenter . . . . .	1000, 1001	Conley v. Celanese . . . . .	1208
Carstensen v. Chrisland Corp. . . . .	1134	Connick v. Myers . . . . .	1571
Carter v. Carter . . . . .	1011	Continental T.V., Inc. v. GTE Sylvania Inc. . . . . .	804
Carter v. Thornhill . . . . .	1010	Cook v. Cook . . . . .	1022
Central Greyhound Lines, Inc. v. Mealey . . . . .	1592, 1593, 1600, 1603, 1604, 1608, 1610, 1611, 1614, 1615, 1616, 1618, 1619	Coombs v. Beede . . . . .	1476, 1487
Chambers Medical Technologies of South Carolina v. Bryant . . . . .	1056	Cooper v. Horn . . . . .	943
Chaney Building Co. v. City of Tuscon . . . . .	1491, 1493	Cooper v. Kolberg . . . . .	1141
Chaplinsky v. New Hampshire . . . . .	262	Copperweld Corp. v. Independence Tube Corp. . . . .	797
Chappell v. Virginia Electric and Power Company . . . . .	1064	Cort v. Ash . . . . .	740, 741
Chesapeake Bay Foundation, Inc. v. Vir- ginia State Water Control Board . . . . .	739, 745	Cottrell v. General Systems Software Corp. . . . . .	904
Chesapeake & Potomac Telephone Co. v. Murphy . . . . .	1226, 1227, 1228	Cox v. Wade's Supermarket . . . . .	1208
Chesapeake & Potomac Telephone Co. of Va. v. Properties One, Inc. . . . .	1140	Craig v. Harney . . . . .	306
Chisom v. Roemer . . . . .	299	Crown Simpson Pulp Co. v. Costle . . . . .	734
Church of Scientology of California v. Adams . . . . .	453	Cuban American Bar Association v. Christopher . . . . .	156, 158, 159, 163, 166, 168
Cin��th��que SA v. F��d��ration nationale des cin��mas francais . . . . .	88, 89, 95, 97	D. H. Holmes Co. v. McNamara . . . . .	1617
Citizens Bank of Massachusetts v. Parham- Woodman Medical Associates . . . . .	839, 922	Dairyland Insurance Co. v. Douthat . . . . .	914, 1105
Citizens for Preservation of Floyd County v. Appalachian Power Co. . . . .	389, 391, 393	Dalmau Rodriguez v. Hughes Aircraft Co. . . . .	430
		Darcy v. Allen . . . . .	365
		Daubert v. Merrell Dow Pharmaceuticals, Inc. . . . .	460, 488, 686, 1393, 1404, 1405, 1406, 1407, 1409, 1410, 1422, 1423, 1424, 1441,

- 1447, 1449, 1450, 1451,  
 1454, 1455, 1456, 1459,  
 1460, 1462, 1466, 1467, 1469  
 Davenant v. Hurdis ..... 365  
 Davis v. Minnesota ..... 975  
 Davison v. Commonwealth ..... 1124  
 Decker v. Decker ..... 1012  
 Defrenne v. Sabena ..... 83  
 Dehmlow v. Austin Fireworks ..... 447  
 Diggs v. Welch ..... 1341  
 District of Columbia v. Schramm ..... 738  
 Doe v. Doe ..... 1004  
 Dolan v. City of Tigard ..... 1054  
 Donald v. Fairfax County Department of  
 Human Development ..... 1124  
 Donnell v. Donnell ..... 1019  
 Douglas v. Commonwealth ..... 1121  
 Dred Scott v. Sandford ..... 407  
 Drysdale v. Barco ..... 1146  
 Ellicott v. Pearl ..... 463  
 Ellinki Radiofonia Tileorassi Anonimi  
 Etairia v. Dimotiki Etairia Pliriforissis  
 ..... 88  
 Environmental Defense Fund v. Virginia  
 State Water Control Board ..... 731,  
 732, 733  
 Eppling v. Schultz Dining Programs . 1227  
 Erie Insurance Co. Exchange v. Jones .....  
 ..... 911, 1090  
 Erie Insurance Exchange v. Shapiro .....  
 ..... 1092, 1093  
 Erie Railroad Co. v. Tompkins .1504, 1505,  
 1515, 1516, 1517  
 E.S. Chappell & Son, Inc v. Brooks .. 1132  
 Estate of Ridenour v. C.I.R. .... 1197  
 Estate of Taylor v. Flair Property Associates  
 ..... 906  
 Ex parte Curtis ..... 1577, 1578  
 Ex parte Royall ..... 1332, 1378  
 Fairfax County Park Authority v. Atkisson  
 ..... 1137  
 Fairfax County Park Authority v. Virginia  
 Department of Transportation .. 1144  
 Fairfax Hospital System, Inc. v. Curtis ....  
 ..... 918, 921  
 Fairfax Hospital System, Inc. v. Nevitt ....  
 ..... 918  
 Fauquier County Department of Social Ser-  
 vices v. Robinson ..... 1128  
 Fay v. Noia ..... 1333  
 Federal Insurance Co. v. Lake Shore, Inc. .  
 ..... 438, 439  
 Firebaugh v. Hanback ..... 1150  
 Fisher v. Monsanto Co. .... 925  
 Fleming v. Asbill ..... 1128  
 Foley v. Harris ..... 1060  
 Foster v. Geller ..... 1163  
 Freeman v. Hewit ..... 1596, 1597  
 Frye v. United States ..... 460, 686, 1404,  
 1405, 1407, 1410, 1424,  
 1448, 1449, 1450  
 Furman v. Georgia ..... 1366  
 GAF Corp. v. Werner ..... 1512  
 Gannett Co. v. DePasquale . 253, 255, 256,  
 257, 259, 260, 261,  
 262, 265, 271, 277,  
 293, 306, 309, 310,  
 320, 324  
 Gardner v. Dixon ..... 1370  
 Garnot v. Johnson ..... 899  
 Garrity v. Lyle Stuart, Inc. .... 1548  
 Giben America, Inc. v. Schelling America,  
 Inc. .... 805  
 Gideon v. Wainwright ..... 145, 146,  
 150, 1338, 1344, 1351  
 Gilbert v. Allied Chemical Corp. .... 503  
 Glasco v. Ballard ..... 928  
 Glasser v. United States ..... 1338, 1341  
 Globe Newspaper Co. v. Superior Court ...  
 ..... 264, 279  
 Goldberg v. Sweet ..... 1602, 1603,  
 1605, 1609, 1612, 1613,  
 1614, 1617  
 Goodman v. Hamman ..... 1013  
 Goriczynski v. Poston ..... 1195  
 Gossett v. Jackson ..... 938  
 Gottlieb v. Gottlieb ..... 996  
 Granberry v. Greer ..... 1384  
 Gray v. American Radiator & Standard San-  
 itary Corp. .... 427, 428,  
 429, 431, 434  
 Greenwood Associates, Inc. v. Crestar Bank  
 ..... 901  
 Gregory v. Ashcroft ..... 300  
 Griffin v. Commonwealth ..... 973  
 Griswold v. Commonwealth ..... 963  
 Grosjean v. American Press Co. .... 262  
 Grove v. Allied Signal, Inc. .... 1207  
 Gwaltney of Smithfield, Ltd. v. Chesapeake  
 Bay Found ..... 705  
 Gwinn v. Collier ..... 1158  
 Hackett v. Arlington County ... 1102, 1103  
 Haddon v. Metropolitan Life Insurance Co.  
 ..... 933, 934,  
 1042, 1043, 1203  
 Haitian Centers Council v. McNary .....  
 ..... 144, 145,  
 148, 151, 152, 157,  
 162, 169, 172  
 Haitian Refugee Center v. Baker ..... 144

- Hall v. Zambelli . . . . . 437
- Hall, Inc. v. Empire Fire & Marine Insurance Co. . . . . 915, 1110
- Hamerstrom v. Commerce Bank of Kansas City . . . . . 1253, 1255, 1256, 1257
- Hamilton Development Co. v. Broad Rock Club, Inc. . . . . 907, 1157
- Hangar v. United States . . . . . 476
- Hanson v. Denckla . . . . . 424, 433, 443
- Harbin v. Jamestown Village . . . . . 1213
- Harris v. Commonwealth . . . . . 964
- Harris v. K & K Insurance Agency . . . . . 932
- Hendrix v. Daugherty . . . . . 917, 935
- Henshaw v. Commonwealth . . . . . 966, 967
- Herbert v. Lando . . . . . 250
- Herndon v. Chesapeake National Bank . . . . . 1246, 1255, 1257, 1260
- Heyward & Lee Construction Co. v. Sands, Anderson, Marks & Miller . . . . . 917
- Hill v. Woodford B. Davis General Contractor . . . . . 1223
- Hill City Trucking, Inc. v. Christian . . . . . 1212
- Hillson Partners Limited Partnership v. Adage, Inc. . . . . 841, 842
- Hines v. Commonwealth . . . . . 961
- Hodge v. Jones . . . . . 1125
- Holcombe v. NationsBanc Financial Services Corp. . . . . 922
- Hoover v. Smith . . . . . 1156
- Hopkins v. Commonwealth . . . . . 976
- Horton v. Morrison . . . . . 929
- Hottle v. Beach Aircraft Corp. . . . . 940
- Houchins v. KQED . . . . . 252, 253, 259, 277, 302, 309
- Houston Lawyer's Ass'n v. Attorney General . . . . . 299
- Hudak v. Commonwealth . . . . . 980
- Hudson v. Hudson . . . . . 944
- Hughes v. Gentry . . . . . 1004, 1105
- Humphries v. Thomas . . . . . 1216
- Husske v. Commonwealth . . . . . 960, 964
- Hutson v. Fehr Bros., Inc. . . . . 431
- Imperial Trash Service v. Dotson . . . . . 1204
- In re City of Virginia Beach . . . . . 1075
- In re Estate of Morton Diamond . . . . . 1247, 1258
- In re Hersch . . . . . 1251
- In re Jessica Margaret O'Neil . . . . . 1128
- In re Yamashita . . . . . 204, 224, 225
- International Shoe Co. v. Washington . . . . . 421, 423, 424, 425, 426, 427
- Internationale Handelsgesellschaft mbH v. Einfuhr-und Vorratsstelle Fur Getreide und Furrermittel . . . . . 79, 81, 82
- Jackson v. Marshall . . . . . 1124
- James v. Commonwealth . . . . . 974
- Jennings v. Commonwealth . . . . . 982
- Jha v. Commonwealth . . . . . 954
- Jim Arnott, Inc. v. L&E, Inc. . . . . 1494
- John Randolph Medical Center v. Bradley . . . . . 1207
- Johnson v. Commonwealth . . . . . 978
- Johnson v. Commonwealth . . . . . 959
- Johnson v. Jefferson National Bank . . . . . 1218
- Johnson v. Zerbst . . . . . 1336
- Jones v. Commonwealth . . . . . 952
- Jones v. Division of Child Support Enforcement . . . . . 1015
- Jones v. Jones . . . . . 997
- Jones v. Professional Hospitality Resources, Inc. . . . . 1035
- Kaiser Aetna v. United States . . . . . 1055
- Kelley v. Kelley . . . . . 999
- Kellogg v. Pizza Oven, Inc. . . . . 1493, 1494
- Kesler v. Allen . . . . . 1141
- Kettler & Scott, Inc. v. Earth Technology Cos. . . . . 939
- Kirby v. Commonwealth . . . . . 975, 976
- Knewstep v. Jackson . . . . . 1139
- Kole v. City of Chesapeake . . . . . 1162
- Konefal v. Konefal . . . . . 995
- Korematsu v. United States . . . . . 150
- Kraf Construction Services, Inc. v. Ingram . . . . . 1214
- L.C.S. v. S.A.S. . . . . 1007, 1018
- Labram v. Havel . . . . . 1124
- Landmark Communications, Inc. v. Sovran Bank, N.A. . . . . 1243
- Langman v. Alumni Association of the University of Virginia . . . . . 1135
- Lareau v. Manson . . . . . 178, 181
- Lenders Financial Corp. v. Talton . . . . . 903
- Lesnick v. Hollingsworth & Vose Co. . . . . 421, 422, 423, 437, 440, 444, 445, 446, 450, 452, 453, 457, 458
- Levey v. First Virginia Bank . . . . . 1251
- Levine v. McLeskey . . . . . 798, 804, 806, 810
- Liberty Mutual Insurance Co. v. Eades . . . . . 910, 1107
- Lichtman v. Knouf . . . . . 933, 1043, 1045, 1202, 1203
- Lipsey v. Case . . . . . 934, 1205
- Little Creek Investment Corp. v. Hubbard . . . . . 923

- Lo v. Burke ..... 930
- Lockhart v. Commonwealth Education  
Systems ..... 1028, 1029,  
1030, 1031, 1033, 1034,  
1035, 1036, 1037, 1038,  
1039, 1041, 1046, 1047,  
1051, 1052
- Lockhart v. Fretwell .....  
..... 1360, 1362, 1363, 1366
- Logan v. Commonwealth ..... 953
- Long v. Commonwealth ..... 983
- Long Signature Homes, Inc. v. Fairfield  
Woods, Inc. .... 902, 1153
- Lowenfield v. Phelps ..... 1361
- Ludwig v. T2 Medical ..... 1036
- Lujan v. Defenders of Wildlife (II) ... 705
- Lumbermen's Mutual Casualty Co. v. Keller  
..... 913
- Luskins, Inc. v. Neal ..... 1211
- Lyle, Siegel, Croshaw & Beale, P.C. v. Tide-  
water Capital Corp. .... 917
- Lynch v. Commonwealth Transportation  
Commissioner ..... 143
- Lynch v. Lee ..... 1219
- Machetti v. Linahan ..... 1366
- Mahoney v. Nationsbank of Virginia, N.A..  
..... 901
- Malone v. Microdyne Corp. .... 846
- Mann v. Hinton ..... 927, 939
- Mannell v. American Tobacco Co. ....  
..... 1030, 1031, 1032
- Marion Correctional Treatment Center v.  
Henderson ..... 1209
- Marketing Profiles, Inc. v. Hill ..... 1210
- Mastrobuono v. Shearson Lehman Hutton,  
Inc. .... 1547, 1548, 1549
- Matsushita Electrical Industrial Co. v.  
Zenith Radio Corp. .... 802
- Mayberry v. Alcoa Building Products ....  
..... 1230
- McBride v. Roanoke Redevelopment &  
Housing Authority ..... 1047
- McCarthy Electric Co. v. Foster ..... 1230
- McClanahan v. McClanahan ..... 1022
- McDavid v. McDavid ..... 1020
- McHenry v. Adams ..... 931
- McIntyre v. Ohio Elections Commission ...  
..... 887, 888
- McMurphy Coal Co. v. Miller ..... 1229
- MDK, Inc. v. Mike's Train House .... 811
- Mercada v. Ahmed ..... 1455
- Merillat Industries, Inc. v. Parks .....  
..... 1200, 1201, 1202
- Metro Industrial Painting Corp. v. Terminal  
Construction Co. .... 1506, 1508, 1509
- Mianus River Preservation Committee v.  
EPA ..... 734
- Middlekauff v. Allstate Insurance Co. ....  
..... 1029, 1041,  
1042, 1043, 1045, 1046,  
1047, 1051, 1052, 1202,  
1203
- Middlesex County Sewerage Authority v.  
National Sea Clammers Ass'n .... 741
- Miller v. Bennett ..... 930
- Miller v. California ..... 403, 407
- Miranda v. Arizona ..... 961, 962
- Mitchell v. Kemp ..... 1371
- Mitsubishi Motors Corp. v. Soler Chrysler-  
Plymouth, Inc. .... 1523, 1525, 1529
- Monsanto v. Spray-Rite Service Corp. . 802
- Moore v. State Farm Mutual Automobile  
Insurance Co. .... 910, 1112
- Moreno v. Commonwealth ..... 972
- Morris v. Morris ..... 1204
- Moseley v. Moseley ..... 995
- Moses H. Cone Memorial Hospital v. Mer-  
cury Constr. Co. .... 1518,  
1525, 1529, 1543
- Mulcahey v. Columbia Organic Chemicals  
Co. .... 1065
- Nasim v. Warden, Maryland House of  
Correction ..... 1063
- Nasser v. Parker ..... 898
- National Home Insurance Co. v.  
Commonwealth ..... 1113
- National Railroad Passenger Corp. v. Na-  
tional Ass'n of Railroad Passengers...  
..... 477
- NationsBank v. Grandy ..... 1196
- Nationwide Mutual Insurance Co. v. Finley  
..... 1106
- Nationwide Mutual Insurance Co. v. Hill ..  
..... 1093, 1094
- Nationwide Mutual Insurance Co. v. Jewel  
Tea Co. .... 1108
- Nebraska Press Association v. Stuart .....  
..... 254, 256
- New York v. Hendrickson Bros. .... 792
- New York Times v. Sullivan .....  
..... 262, 291, 292, 295
- Nichols v. United States ..... 962, 963
- Nixon v. Warner Communications, Inc. ....  
..... 320, 322
- Nold v. Commission ..... 80, 82, 84, 95
- Nollan v. California Coastal Commission ..  
..... 1055
- North v. Landmark Communications. 1229
- North American Philips Corp. v. American  
Vending Sales, Inc. .... 449

Novak v. Commonwealth . . . . .	1121	1517, 1518, 1520, 1522, 1542
N.V. Algemene Transport-en Expeditie Onderneming Van Gend & Loos v. Nederlandse Administratie der Belastingen . . . . .	107, 126	Professional Real Estate Investors v. Columbia Pictures Industries . . . . .
Obrien v. Commonwealth . . . . .	1339	799
Ogden Allied Aviation Services v. Shuck . . . . .	1208	Progress Printing Co. v. Nichols . . . . .
Ohio v. Department of the Interior . . . . .	753, 765, 766, 767, 770, 771, 772, 773, 781	1027, 1028
Oklahoma Tax Commission v. Jefferson Lines . . . . .	1593, 1594, 1600, 1604, 1605, 1607, 1615, 1616	Pruitt v. Allied Chemical Corp. . . . .
Oksanen v. Page Memorial Hospital . . . . .	797	503, 667, 687
Owen Electric Steel Co. v. Browner . . . . .	1077	Pullen v. Nickens . . . . .
Parish v. Spaulding . . . . .	1015	940
Patterson v. McLean Credit Union . . . . .	1540	Raab v. General Physics Corp. . . . .
Peguese v. Commonwealth . . . . .	954	846
Pell v. Procnier . . . . .	250, 251, 252	Raytheon Co. v. Automated Business Systems . . . . .
Pennsylvania Coal v. Mahon . . . . .	554	1512
People v. Pope . . . . .	1344	Red Cross Line v. Atlantic Fruit Co. . . . .
People's Drug Stores, Inc. v. Austin . . . . .	1209	1503
Perry v. Thomas . . . . .	1526, 1527, 1539, 1543	Regina v. Kirk . . . . .
Pharo v. Pharo . . . . .	1009	83, 96
Phipps v. Rann Industries . . . . .	1221	Reistroffer v. Person . . . . .
Picard v. Connor . . . . .	1379	1131
Pickering v. Board of Education . . . . .	1559, 1560, 1564, 1569, 1570, 1571, 1572, 1573, 1580, 1582, 1583, 1584, 1586, 1587, 1589	Remington Rand Corp. v. Business Systems Inc. . . . .
Pidgeon v. Wake . . . . .	932	104
Piedmont Manufacturing Co. v. East . . . . .	1200, 1201	Residents Involved in Saving the Environment, Inc. v. Commonwealth . . . . .
Pike v. Bruce Church, Inc. . . . .	1057	1070
Plumb Rite Plumbing Service v. Barbour . . . . .	1206	Rhodes v. Chapman . . . . .
Pocahontas Supreme Coal Co. v. Bethlehem Steel Corp. . . . .	793	180
Pope v. Commonwealth . . . . .	971	Richard E. Brown, Inc. v. Caporaletti . . . . .
Powell v. Alabama . . . . .	1336, 1337, 1338, 1339, 1340, 1341, 1344	1204
Powell Mountain Joint Venture v. Moore . . . . .	902	Richfood, Inc. v. Williams . . . . .
Powers v. Cherin . . . . .	936	1228
Press-Enterprise Co. v. Superior Court (I) . . . . .	264	Richmond Newspapers, Inc. v. Hazelwood . . . . .
Press-Enterprise Co. v. Superior Court (II) . . . . .	265	933, 1045
Price v. Commonwealth . . . . .	984, 1124	Richmond Newspapers, Inc. v. Virginia . . . . .
Prima Paint Corp. v. Flood & Conklin Manufacturing Co. . . . .	1511, 1516,	238, 239,
		240, 241, 244, 246,
		253, 261, 262, 263,
		264, 265, 266, 271,
		272, 273, 277, 278,
		279, 280, 281, 282,
		283, 291, 293, 294,
		295, 296, 300, 301,
		304, 305, 307, 308,
		309, 310, 311, 312,
		314, 315, 317, 318,
		319, 320, 322, 324
		Riddle v. Tultex Corporation . . . . .
		1033, 1034
		Rizzo v. Schiller . . . . .
		919
		Roanoke Belt, Inc. v. Mroczkowski . . . . .
		1224
		Roberts v. City of Alexandria . . . . .
		1217
		Robertson v. Metropolitan Washington Airport Authority . . . . .
		942
		Rodriguez v. Commonwealth . . . . .
		984, 985
		Rogers v. Yourshaw . . . . .
		1001
		Rose v. Lundy . . . . .
		1382, 1384, 1387
		Rountree v. Lane . . . . .
		1251
		Ruston Gas Turbines, Inc. v. Donaldson Co. . . . .
		447
		Safeway, Inc. v. Plaza Co. . . . .
		1148
		Saliba v. Exxon Corp. . . . .
		900, 1049
		Sanford v. Sanford . . . . .
		993
		Sanford v. Ware . . . . .
		932
		Sanjour v. EPA . . . . .
		1587, 1588
		Sard v. Berman . . . . .
		1493



- Sauer v. Franklin County Department of Social Services ..... 1125
- Saunders v. Vautier ..... 1237, 1255
- Save the Bay, Inc. v. EPA ..... 738
- Sawyer v. Whitley ..... 1362
- Saxbe v. Washington Post Co. .... 250, 251, 252, 310
- Schenck v. United States ..... 262, 290
- Schmucker v. Walker ..... 1242, 1243
- Schnupp v. Smith ..... 908
- Scott v. Illinois ..... 963
- Scruggs v. Commonwealth ..... 980
- Seabury Management v. Professional Golfers' Ass'n of America... 796, 804, 806
- Seattle Times Co. v. Rhinehart ..... 320
- Seiler v. Levitz ..... 1487
- Shelton v. Brown Products ..... 1222
- Shelton v. King ..... 1239, 1241
- Sheppard v. Maxwell ..... 254, 255, 258
- Sheridan v. Krause ..... 1250
- Simmons v. South Carolina ..... 967
- Simon & Schuster, Inc. v. New York State Crime Victims Bd. . . 1575, 1584, 1587
- Singer v. Dungan ..... 1048
- Sites Construction v. Harbeson ..... 1219
- Skretvedt v. Kouri ..... 922, 946
- Sloan v. Thornton ..... 905, 922, 937
- Slone v. General Motors Corp. .... 924
- Smith v. Kemp ..... 1366
- Smith v. Smith ..... 1006, 1018
- Smith v. Smith ..... 1000
- Snead v. Commonwealth ..... 941
- Snow v. Amherst City Board of Zoning Appeals ..... 1161
- Snyder v. Smith ..... 1509, 1512
- Snyder-Falkinham v. Stockburger .... 945
- South Dakota v. Opperman ..... 956, 957
- Southland Corp v. Gray ..... 1211, 1212
- Southland Corp. v. Keating .... 1505, 1511, 1521, 1523, 1525, 1526, 1527, 1529, 1534, 1538, 1539, 1540, 1541
- Southside Virginia Training Center v. Shell ..... 1208
- Spector Motor Service v. O'Connor ..... 1597, 1615
- Sprouse v. Commonwealth ..... 981
- SPUC v. Grogan ..... 85, 88, 95, 97
- Stabilisierungsfonds Fur Wein v. Kaiser Stuhl Wine Distrib. Party, Ltd. . . 454
- State v. Royer ..... 83
- State Farm Mutual Automobile Insurance Co. v. Cuffee ..... 912
- State Farm Mutual Automobile Insurance Co v. Gandy ..... 1113
- State Farm Mutual Automobile Insurance Co. v. Weisman ..... 1096
- State Farm Mutual Insurance Co. v. Powell ..... 1092
- Stauder v. Ulm ..... 78, 81
- Stohlman v. S & B Ltd. Partnership .. 905
- Stokes v. L. Geismar, S.A. .... 439
- Strickland v. Washington ..... 1334, 1338, 1346, 1347, 1348, 1350, 1351, 1352, 1353, 1354, 1355, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1370, 1385
- Stromberg v. California ..... 281
- Summit Realty Co. v. Sears Roebuck & Co. .... 1066
- Supermarket of Marlinton v. Meadow Gold Dairies ..... 790, 795, 813
- Swan Wooster Engineering ..... 1487, 1488
- Taylor v. Commonwealth ..... 543
- Taylor v. Mobil Corp. .... 920, 1205, 1206
- Telephones, Inc. v. LaPrade ..... 1241, 1242, 1243
- Tempkin v. Lewis-Gale Clinic ..... 802, 803, 805, 810
- Terry v. Ohio ..... 953, 958, 959
- Texas v. Allan Construction Co. .... 794
- Tharp v. City of Norfolk ..... 1224
- The King v. Parker ..... 462
- Thompson v. Oklahoma ..... 186, 187
- Thompson Everett v. National Cable Advertising ..... 797, 810
- Timbrook v. O'Sullivan Corp. .... 1226
- Tome v. United States ..... 460, 461, 468, 469, 471, 472, 473, 490, 492, 1123
- Toomey v. Toomey ..... 1014
- Town & Country Properties, Inc. v. Riggins ..... 915
- Town of Fries v. State Water Control Board ..... 732, 733
- Town of Mt. Crawford v. Virginia Electric & Power Co. .... 394, 395
- Townsend v. Sain ..... 1333
- Trotter v. Okawa ..... 929
- Trustees of Ashbury United Methodist Church v. Taylor & Parrish, Inc. . 934
- Tumlin v. Goodyear Tire & Rubber Co. . . 1227
- United Public Workers v. Mitchell ..... 1575, 1576, 1578, 1579, 1580
- United States v. Bailey ..... 177

United States v. Borowski . . . . .	627, 629, 630, 633	Waller v. Georgia . . . . .	265
United States v. Cianfrani . . . . .	259	Walls v. Commonwealth . . . . .	979
United States v. Clarke . . . . .	814, 815	Washington-Virginia Ry. v. Deahl . . . . .	941
United States v. Cronic . . . . .	1347, 1348, 1349, 1358, 1362	Waters v. Churchill . . . . .	1583, 1586
United States v. Halper . . . . .	968	Watson v. Commonwealth . . . . .	958, 959
United States v. National Treasury Employ- ees Union . . . . .	1559, 1560, 1561, 1564, 1566, 1567, 1571, 1572, 1573, 1574, 1581, 1582, 1584, 1585, 1586, 1587, 1588, 1589, 1590	Watson v. Daniel . . . . .	1101, 1102
United States v. Protex Industries, Inc. . . . .	629	Welch v. Board of Supervisors of Rappahan- nock County . . . . .	1072
United States v. Standard Oil . . . . .	501	Wells v. Edwards . . . . .	299
United States v. Starzypzel . . . . .	1459, 1462	West Virginia ex. rel McGraw v. Meadow Gold Dairies . . . . .	790, 813
United States v. Wurzbach . . . . .	1578	Western Live Stock v. Bureau of Revenue . . . . .	1594, 1595, 1596, 1612
United States Civil Service Commission v. National Ass'n of Letter Carriers . . . . .	1576, 1579, 1580	Western Sahara . . . . .	10
USAA Casualty Insurance Co. v. Alexander . . . . .	1098, 1100, 1101	Wetzel's Painting and Wallpapering v. Price . . . . .	1213
Van Deusen v. Snead . . . . .	1152	White v. Morano . . . . .	944
Vaughn v. Shank . . . . .	940, 1194	White v. National Union Fire Insurance Co. . . . .	1099
Vela v. Estelle . . . . .	1380	Whitten v. McClelland . . . . .	941
Virginia v. United States . . . . .	1073	Wild v. Commonwealth . . . . .	968, 969, 970
Virginia Bankshares, Inc. v. Sandberg . . . . .	847	Wilhelm v. Rockydale Quarries . . . . .	1204
Virginia Beach Beautification Commission v. Board of Zoning Appeals . . . . .	733, 747	William v. City of Newport News . . . . .	1103
Virginia Board of Medicine v. Virginia Physical Therapy Association . . . . .	1076	Williams v. Garraghty . . . . .	909, 1043, 1045
Virginia Electric & Power Co. v. Board of County Supervisors . . . . .	383	Willis v. Gamez . . . . .	1125
Virginia Electric & Power Co. v. Citizens for Safe Power . . . . .	382	Winchester Homes, Inc. v. Osmose Wood Preserving, Inc. . . . .	937
Virginia Farm Bureau v. Gibson . . . . .	1093	WLR Foods, Inc. v. Tyson Foods, Inc. ( <i>Ty- son I</i> ) . . . . .	825, 826, 827, 829, 834
Virginia Farm Bureau Mutual Insurance Co. v. Frazier . . . . .	1101	WLR Foods, Inc. v. Tyson Foods, Inc. ( <i>Ty- son II</i> ) . . . . .	825, 826
Virginia Municipal Liability Pool v. Kennon . . . . .	1103, 1105	WLR Foods, Inc. v. Tyson Foods, Inc. ( <i>Ty- son III</i> ) . . . . .	825, 826
Virginia Railway & Power Co. v. Godsey . . . . .	940	WLR Foods, Inc. v. Tyson Foods, Inc. ( <i>Ty- son IV</i> ) . . . . .	825, 826, 827
Virginia Society for Human Life, Inc. v. Caldwell . . . . .	887	Wolfe v. Wolfe . . . . .	1195
Virginia Wayside Furniture, Inc. v. Burnette . . . . .	1226	Woodard v. Commonwealth . . . . .	1123
Volt Information Sciences Inc. v. Board of Trustees of Leland Stanford Junior University . . . . .	1527, 1530	Wooden v. Commonwealth . . . . .	981
Wagner v. Wagner . . . . .	1022	World-Wide Volkswagen Corp. v. Woodson . . . . .	424, 428, 429, 431, 432, 435, 438, 441, 443, 454, 457, 458
Walker v. Commonwealth . . . . .	1123	Worrell Enterprises v. Real Estate III . . . . .	800, 805, 810
		Wright v. Donnelly . . . . .	1036
		Yarborough v. Commonwealth . . . . .	981, 982
		Zemel v. Rusk . . . . .	247, 249, 252
		Zurcher v. Stanford Daily News . . . . .	249
		Zysk v. Zysk . . . . .	930

## TITLE INDEX

Allied Chemical, The Kepone Incident, and the Settlements: Twenty Years Later .....	493
America's Offshore Refugee Camps .....	139
Antitrust and Trade Regulation: Annual Survey of Virginia Law .....	789
Business and Corporate Law: Annual Survey of Virginia Law .....	825
Campaign and Election Law: Annual Survey of Virginia Law .....	859
Changes in the Clean Water Act Since Kepone: Would They Have Made a Difference? .....	603
Civil Practice and Procedure: Annual Survey of Virginia Law .....	897
Clinging to History: The Supreme Court (Mis)Interprets Federal Rule of Evidence 801(d)(1)(B) as Containing a Temporal Requirement .....	459
Command Responsibility in the Former Yugoslavia: The Chances for Successful Prosecution .....	191
Criminal Law and Procedure: Annual Survey of Virginia Law .....	951
"Dancing in the Courthouse": The First Amendment Right of Access Opens a New Round .....	237
The Dead Hand Loses Its Grip in Virginia: A New Rule For Trust Amendment and Termination .....	1235
Deception, Self-Deception, and Myth: Evaluating Long-Term Environmental Settlements .....	567
Defender or Offender: America's Role in the Protection of International Human Rights? .....	175
Defending Pornography: Free Speech, Sex, and the Fight for Women's Rights ..	401
The Democratic Entitlement .....	1
Domestic Relations: Annual Survey of Virginia Law .....	993
Employment Law: Annual Survey of Virginia Law .....	1027
Environmental Law: Annual Survey of Virginia Law .....	1053
Expert Witness Testimony: Back to the Future .....	1389
Facing a Time of Counter-Revolution—The Kepone Incident and a Review of First Principles .....	657
Federal Minimums: Insufficient to Save the Bay .....	635
From Kepone to Exxon <i>Valdez</i> Oil and Beyond: An Overview of Natural Resource Damage Assessment .....	751
Human Rights and Peace-Keeping Operations .....	41
The Inconsistency of Virginia's Execution of the NPDES Permit Program: The Foreclosure of Citizen Attorneys General from State and Federal Courts ...	715

Insurance Law: Annual Survey of Virginia Law . . . . .	1089
Legal Issues Involving Children: Annual Survey of Virginia Law . . . . .	1117
Liberalism and the Possibility of Multicultural Constitutionalism: The Distinction Between Deliberative and Dedicated Cultures . . . . .	1263
<i>Lesnick v. Hollingsworth &amp; Vose Co.</i> —The Pure Stream of Commerce no Longer Flows Through the Fourth Circuit . . . . .	421
Participatory Government and Communal Property: Two Radical Concepts in the Virginia Charter of 1606 . . . . .	327
Policy in Wake of the Incident . . . . .	521
Procedural Labyrinths and the Injustice of Death: A Critique of Death Penalty Habeas Corpus (Part One) . . . . .	1327
Property Law: Annual Survey of Virginia Law . . . . .	1131
Quantifying Liability Under the Architect's Standard of Care . . . . .	1471
Risk and Regulation: How Much is Too Much? . . . . .	551
Siting Power Lines in Historic Areas of Virginia . . . . .	381
Subsidiarity and/or Human Rights . . . . .	67
The Supreme Court Retreats into its Formalistic Shell in <i>Oklahoma Tax Commission v. Jefferson Lines</i> . . . . .	1591
A Typology of Transjudicial Communication . . . . .	99
Using Experience to Improve Superfund Remedy Selection . . . . .	581
The United States Supreme Court's Expansive Approach to the Federal Arbitration Act: A Look at the Past, Present, and Future of Section 214 . . . . .	99
<i>United States v. National Treasury Union</i> and The Constitutionality of the Honoraria Ban: Protecting the First Amendment Rights of Public Employees . . . . .	1555
Wills, Trusts, and Estates: Annual Survey of Virginia Law . . . . .	1175
Workers' Compensation: Annual Survey of Virginia Law . . . . .	1199

## AUTHOR INDEX

Abrams, Robert H. Using Experience to Improve Superfund Remedy Selection .....	581
Beckner, Pamela B., L. Charles Long, Jr. and Gina M. Burgin Property Law: Annual Survey of Virginia Law .....	1131
Beers, Paul G. Employment Law: Annual Survey of Virginia Law .....	1027
Boelzner, David E. and Murray H. Wright Quantifying Liability Under the Architect's Standard of Care .....	1471
Boyle, Jr., Donald P. Civil Practice and Procedure: Annual Survey of Virginia Law .....	897
Buniva, Brian L., and James R. Kibler, Jr. Environmental Law: Annual Survey of Virginia Law .....	1053
Burgin, Gina M., Pamela B. Beckner and L. Charles Long, Jr. Property Law: Annual Survey of Virginia Law .....	1131
Casola, Francis H. and Michael F. Urbanski Antitrust and Trade Regulation: Annual Survey of Virginia Law .....	789
Cerruti, Eugene "Dancing in the Courthouse": The First Amendment Right of Access Opens a New Round .....	237
Clarke, Alan W. Procedural Labyrinths and the Injustice of Death: A Critique of Death Penalty Habeas Corpus (Part One) .....	1327
Cook, Deanna D. Domestic Relations: Annual Survey of Virginia Law .....	993
Crowe, Christopher N. Command Responsibility in the Former Yugoslavia: The Chances for Successful Prosecution .....	191
Cummings, William B., Robert H. Sand, Robert B. Smith, III, The Honorable Robert R. Merhige, Jr., Manning Gasch, Jr. Allied Chemical, The Kepone Incident, and the Settlements: Twenty Years Later .....	493
Franck, Thomas M. The Democratic Entitlement .....	1
García-Sayán, Diego Human Rights and Peace-Keeping Operations .....	41
Gasch, Manning, Jr., Cummings, William B., Robert H. Sand, Robert B. Smith, III, The Honorable Robert R. Merhige, Jr. Allied Chemical, The Kepone Incident, and the Settlements: Twenty Years Later .....	493

Goldfarb, William	
Changes in the Clean Water Act Since Kepone: Would They Have Made a Difference . . . . .	603
Haddock, II, David S. and Katherine Ennis Wychulis	
Business and Corporate Law: Annual Survey of Virginia Law . . . . .	825
Hoagland, Roy A. and Jean G. Watts	
Federal Minimums: Insufficient to Save the Bay . . . . .	635
Johnson, J. Rodney	
Wills, Trusts, and Estates: Annual Survey of Virginia Law . . . . .	1175
Jones, Christopher A.	
Clinging to History: The Supreme Court (Mis)Interprets Federal Rule of Evidence 801(d)(1)(B) as Containing a Temporal Requirement . . . . .	459
Jones, Lori Elizabeth	
<i>Lesnick v. Hollingsworth &amp; Vose Co.</i> -The Pure Stream of Commerce No Longer Flows Through the Fourth Circuit . . . . .	421
Keene, D. Brennen	
The Inconsistency of Virginia's Execution of the NPDES Permit Program: The Foreclosure of Citizen Attorneys General From State and Federal Courts . . . . .	715
Kibler, Jr., James R.	
Environmental Law: Annual Survey of Virginia Law . . . . .	1053
Kincer, Jr., E. Lewis	
Insurance Law: Annual Survey of Virginia Law . . . . .	1089
Koh, Harold Hongju	
America's Offshore Refugee Camps . . . . .	139
Kostmayer, Peter H.	
Risk and Regulation: How Much is too Much . . . . .	551
Lacey, Jessica L.	
The Dead Hand Loses Its Grip in Virginia: A New Rule For Trust Amendment and Termination . . . . .	1235
Lay, Wood W., and Bruin S. Richardson, III	
Workers' Compensation: Annual Survey of Virginia Law . . . . .	1199
Lin, Judy M.	
<i>United States v. National Treasury Union</i> and The Constitutionality of the Honoraria Ban: Protecting the First Amendment Rights of Public Employees . . . . .	1555
Lipkin, Robert Justin	
Liberalism and the Possibility of Multicultural Constitutionalism: The Distinction Between Deliberative and Dedicated Cultures . . . . .	1263
Livingston, Jason P.	
The Supreme Court Retreats into its Formalistic Shell in <i>Oklahoma Tax Commission v. Jefferson Lines</i> . . . . .	1591
Long, L. Charles, Jr., Gina M. Burgin and Pamela B. Beckner	
Property Law: Annual Survey of Virginia Law . . . . .	1131

McCarthy, Finbarr Participatory Government and Communal Property: Two Radical Concepts in the Virginia Charter of 1606 .....	327
McCarthy, Gerald, W. Tayloe Murphy and Gerald Winegrad Policy in Wake of the Incident .....	521
Merhige, Jr., Robert R., Manning Gasch Jr., William B. Cummings, Robert H. Sand, and Robert B. Smith III Allied Chemical, the Kepone Incident, and the Settlements: Twenty Years Later .....	493
Murphy, Daniel T. Subsidiarity and/or Human Rights .....	67
Murphy, W. Tayloe, Gerald Winegrad and Gerald McCarthy Policy in Wake of the Incident .....	521
Perrin, L. Timothy Expert Witness Testimony: Back to the Future .....	1389
Plater, Zygmunt J.B. Facing a Time of Counter-Revolution- The Kepone Incident and a Review of First Principles .....	657
Richardson, III, Bruin S. Workers' Compensation: Annual Survey of Virginia Law .....	1199
Rogers, Jr., William H. Deception, Self-Deception, and Myth: Evaluating Long-Term Environmental Settlements .....	567
Salomon, Claudia T. Campaign and Election Law: Annual Survey of Virginia Law .....	859
Sand, Robert H., Robert B. Smith, III, The Honorable Robert R. Merhige, Jr. Manning, Gasch, Jr., William B. Cummings Allied Chemical, The Kepone Incident, and the Settlements: Twenty Years Later .....	493
Satterwhite, Kimberly Defender or Offender: America's Role in the Protection of International Human Rights .....	175
Seltzer, Cullen D. Criminal Law and Procedure: Annual Survey of Virginia Law .....	951
Shepherd, Jr., Robert E. Legal Issues Involving Children: Annual Survey of Virginia Law .....	1117
Sheridan, Amy Leigh Siting Power Lines in Historic Areas of Virginia .....	381
Slaughter, Anne-Marie A Typology of Transjudicial Communication .....	99
Smith, Robert B., III, The Honorable Robert R. Merhige, Jr., Manning Gasch, Jr., Williams B. Cummings, Robert H. Sand Allied Chemical, The Kepone Incident, and the Settlements: Twenty Years Later .....	493

Stager, Danielle Marie From Kepone to Exxon <i>Valdez</i> Oil and Beyond: An Overview of Natural Resource Damage Assessment . . . . .	751
Urbanski, Michael F. and Francis H. Casola Antitrust and Trade Regulation: Annual Survey of Virginia Law . . . . .	789
Urofsky, Melvin I. Defending Pornography: Free Speech, Sex, and the Fight for Women's Rights . . . . .	401
Watts, Jean G. and Roy A. Hoagland Federal Minimums: Insufficient to Save the Bay . . . . .	635
Wigner, Preston Douglas The United States Supreme Court's Expansive Approach to the Federal Arbitration Act: A Look at the Past, Present, and Future of Section 2 . . . .	1499
Winegrad, The Honorable Gerald, Gerald McCarthy and The Honorable W. Tayloe Murphy Policy in Wake of the Incident . . . . .	521
Wright, Murray H. and David E. Boelzner Quantifying Liability Under the Architect's Standard of Care . . . . .	1471
Wychulis, Katherine Ennis and David S. Haddock, II Business and Corporate Law: Annual Survey of Virginia Law . . . . .	825



## SUBJECT INDEX

### ADMINISTRATIVE LAW

- The Inconsistency of Virginia's Execution of the NPDES Permit Program: The Foreclosure of Citizen Attorneys General from State and Federal Courts . . . 715
- Risk and Regulation: How Much is Too Much? . . . . . 551
- Using Experience to Improve Superfund Remedy Selection . . . . . 581

### ANTITRUST LAW

- Antitrust and Trade Regulation: Annual Survey of Virginia Law . . . . . 789

### ARBITRATION

- The United States Supreme Court's Expansive Approach to the Federal Arbitration Act: A Look at the Past, Present, and Future of Section 2 . . . . 1499

### BOOK REVIEW

- Defending Pornography: Free Speech, Sex, and the Fight for Women's Rights . . 401

### BUSINESS LAW

- Business and Corporate Law: Annual Survey of Virginia Law . . . . . 825

### CAMPAIGN AND ELECTION LAW

- Campaign and Election Law: Annual Survey of Virginia Law . . . . . 859

### CIVIL PRACTICE AND PROCEDURE

- Civil Practice and Procedure: Annual Survey of Virginia Law . . . . . 897

### CONSTITUTIONAL LAW

- America's Offshore Refugee Camps . . . . . 139
- "Dancing in the Courthouse": The First Amendment Right of Access Opens a New Round . . . . . 237
- Defending Pornography: Free Speech, Sex, and the Fight for Women's Rights . . 401
- Liberalism and the Possibility of Multicultural Constitutionalism: The Distinction Between Deliberative and Dedicated Cultures . . . . . 1263
- Procedural Labyrinths and the Injustice of Death: A Critique of Death Penalty Habeas Corpus (Part One) . . . . . 1327
- United States v. National Treasury Employees Union* and the Constitutionality of the Honoraria Ban: Protecting the First Amendment Rights of Public Employees . . . . . 1555

### CONSTRUCTION LAW

- Quantifying Liability Under the Architect's Standard of Care . . . . . 1471

**CORPORATE LAW**

Business and Corporate Law: Annual Survey of Virginia Law ..... 825

**CRIMINAL LAW AND PROCEDURE**

Criminal Law and Procedure: Annual Survey of Virginia Law ..... 951  
 Procedural Labyrinths and the Injustice of Death: A Critique of Death Penalty  
 Habeas Corpus (Part One) ..... 1327

**EMPLOYMENT LAW**

Employment Law: Annual Survey of Virginia Law . . . . . 1027

**ENVIRONMENTAL LAW**

Allied Chemical, the Kepone Incident, and the Settlements: Twenty Years  
 Later . . . . . 493  
 Changes in the Clean Water Act Since Kepone: Would They Have Made a  
 Difference? . . . . . 603  
 Deception, Self-deception, and Myth: Evaluating Long-term Environmental  
 Settlements . . . . . 567  
 Environmental Law: Annual Survey of Virginia Law . . . . . 1053  
 Facing a Time of Counter-revolution—The Kepone Incident and a Review of  
 First Principles . . . . . 657  
 Federal Minimums: Insufficient to Save the Bay . . . . . 635  
 The Inconsistency of Virginia’s Execution of the NPDES Permit Program: The  
 Foreclosure of Citizen Attorneys General from State and Federal Courts . . . . . 715  
 From Kepone to Exxon *Valdez* Oil and Beyond: An Overview of Natural  
 Resource Damage Assessment . . . . . 751  
 Policy in Wake of the Incident . . . . . 521  
 Risk and Regulation: How Much is Too Much? . . . . . 551  
 Siting Power Lines in Historic Areas of Virginia . . . . . 381  
 Using Experience to Improve Superfund Remedy Selection . . . . . 581

**EVIDENCE**

Clinging to History: The Supreme Court (Mis)Interprets Federal Rule of  
 Evidence 801(d)(1)(B) as Containing a Temporal Requirement . . . . . 459  
 Expert Witness Testimony: Back to the Future . . . . . 1389

**FAMILY LAW**

Domestic Relations: Annual Survey of Virginia Law . . . . . 993  
 Legal Issues Involving Children: Annual Survey of Virginia Law . . . . . 1117

**FREEDOM OF SPEECH**

- "Dancing in the Courthouse": The First Amendment Right of Access Opens a  
New Round ..... 237
- Defending Pornography: Free Speech, Sex, and the Fight for Women's Rights .. 401
- United States v. National Treasury Employees Union* and the  
Constitutionality of the Honoraria Ban: Protecting the First Amendment  
Rights of Public Employees ..... 1555

**HISTORIC PRESERVATION**

- Siting Power Lines in Historic Areas of Virginia ..... 381

**HUMAN RIGHTS**

- America's Offshore Refugee Camps ..... 139
- Command Responsibility in the Former Yugoslavia: The Chances for Successful  
Prosecution ..... 191
- Defender or Offender: America's Role in the Protection of International Human  
Rights? ..... 175
- The Democratic Entitlement ..... 1
- Human Rights and Peace-Keeping Operations ..... 41
- Subsidiarity and/or Human Rights ..... 65
- A Typology of Transjudicial Communication ..... 99

**INSURANCE LAW**

- Insurance Law: Annual Survey of Virginia Law ..... 1089

**INTERNATIONAL LAW**

- America's Offshore Refugee Camps ..... 139
- Command Responsibility in the Former Yugoslavia: The Chances for Successful  
Prosecution ..... 191
- Defender or Offender: America's Role in the Protection of International Human  
Rights? ..... 175
- The Democratic Entitlement ..... 1
- Subsidiarity and/or Human Rights ..... 65
- A Typology of Transjudicial Communication ..... 99

**PERSONAL JURISDICTION**

- Lesnick v. Hollingsworth & Vose Co.*—The Pure Stream of Commerce No  
Longer Flows Through the Fourth Circuit ..... 421

**PROFESSIONAL LIABILITY**

- Quantifying Liability Under the Architect's Standard of Care ..... 1471

**PROPERTY LAW**

Participatory Government and Communal Property: Two Radical Concepts in the Virginia Charter of 1606 .....	327
Property Law: Annual Survey of Virginia Law .....	1131

**TAX LAW**

Form v. Substance: The Supreme Court Retreats into its Formalistic Shell in <i>Oklahoma Tax Commission v. Jefferson Lines</i> .....	1591
--	------

**TRADE REGULATION LAW**

Antitrust and Trade Regulation: Annual Survey of Virginia Law .....	789
---	-----

**WILLS, TRUSTS, AND ESTATES**

The Dead Hand Loses Its Grip in Virginia: A New Rule for Trust Amendment and Termination? .....	1235
Wills, Trusts, and Estates: Annual Survey of Virginia Law .....	1145

**WORKER'S COMPENSATION**

Worker's Compensation: Annual Survey of Virginia Law .....	1199
--	------

