# **Michigan Law Review**

Volume 68 | Issue 6

1970

# **Periodical Index**

**Michigan Law Review** 

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

# **Recommended Citation**

Michigan Law Review, *Periodical Index*, 68 MICH. L. REV. 1320 (1970). Available at: https://repository.law.umich.edu/mlr/vol68/iss6/13

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 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

## ATTACHMENT AND GARNISHMENT

The circuit councils: rusty hinges of federal judicial administration. (a) Peter Graham Fish. 37 U. Chi. L. Rev. 203-41 (Winter).

## Administrative Agencies

Constitutional rights and administrative investigations: suggested limitations on the inquisitorial powers of the federal agencies. 58 Geo. L.J. 345-68 (Nov.).

#### Administrative Procedure

See also Radio & Television.

The making of administrative policy: another look at rulemaking and adjudication and administrative procedure reform. (a) Glen O. Robinson. 118 U. Pa. L. Rev. 485-539 (Feb.).

The NLRB's adjudication-rule making dilemma under the Administrative Procedure Act. (a) Merton C. Bernstein. 79 Yale L.J. 571-622 (March).

Public participation in federal rulemaking relating to public property, loans, grants, benefits, or contracts. (a) Arthur Earl Bonfield. 118 U. Pa. L. Rev. 540-611 (Feb.).

## ANTITRUST LAW

Antitrust problems of trade association product safety standardization. 55 Iowa L. Rev. 439-49 (Dec.).

Divestiture in light of the El Paso experience. 48 Texas L. Rev. 792-809 (March).

#### ANTITRUST LAW: MERGERS

Potential reciprocity and section 7 of the Clayton act: conglomerate mergers under antitrust attack. 48 Texas L. Rev. 810-26 (March).

#### ARBITRATION AND AWARD

The federal arbitration act in state courts: converse Erie problems. 55 Cornell L. Rev. 623-31 (April).

#### ARTIFICIAL INSEMINATION

Artificial insemination: the dangers of a poorly kept secret. (a) Walter Wadlington. 64 Nw. U. L. Rev. 777-807 (Jan.-Feb.).

Attachment and garnishment—constitutional law—due process of law—garnishment of wages prior to judgment is a denial of due process: the Sniadach case and its implications for related areas of the law. 68 Mich. L. Rev. 986-1016 (April).

#### BAIL

Beyond the bail system: a proposal for pretrial release in California. 57 Calif. L. Rev. 1112-41 (Nov.).

The Connecticut bail commission. 79 Yale L.J. 513-30 (Jan.).

#### BANKRUPTCY: PREFERENCES

Bankruptcy law reform: preferences, secret liens and floating liens. (a) C. Robert Morris, Jr. 54 Minn. L. Rev. 737-74 (March).

## BOYCOTTS AND STRIKES

See also Public Employee Unionism. Transportation strikes and the public interest: the recommendations of the ABA's special committee. (a) William J. Curtin. 58 Geo. L.J. 243-72 (Nov.).

#### CIVIL PROCEDURE

## See Civil Rights.

#### CIVIL RIGHTS

See also Discrimination, Government Immmunity & Liability, Juries, Segregation, Unions.

Fairness and formalism in the trials of blacks in the state supreme courts of the Old South. (a) A. E. Keir Nash. 56 Va. L. Rev. 64-100 (Feb.).

Group action in the pursuit of justice. (a) Thurgood Marshall. 44 N.Y.U. L. Rev. 661-72 (Oct.).

## COLLEGES AND UNIVERSITIES

See Segregation.

## COMMERCIAL LAW

Article two of the Uniform Commercial Code and franchise distribution agreements. 1969 Duke L.J. 959-1009 (Oct.).

[ 1320 ]

## COMMUNICATIONS

Access—the only choice for the media? Jerome A. Barron. 48 Texas L. Rev. 766-82 (March).

Communications: I. A symposium. Articles by Clark C. Havighurst, Roscoe L. Barrow and Daniel J. Manelli, Paul Baran, Herbert E. Alexander, Lee Loevinger, Harry M. Trebing, Boyd L. Nelson, Richard Gabel, Manley R. Irwin, Donald A. Dunn, Asher H. Ende, and George E. Ashley. 34 Law & Contemp. Prob. 203-428 (Spring).

Right of access to mass media—government obligation to enforce first amendment? Clifton Daniel. 48 Texas L. Rev. 783-90 (March).

## COMPUTERS

Mathematics, computers, and In re Prater: the medium and the message. 58 Geo. L.J. 391-410 (Nov.).

## CONSTITUTIONAL AMENDMENTS

Constitutional revision: a symposium. Articles by Carl M. Frasure, A. E. Howard, and Richard Shelton. 72 W. Va. L. Rev. 33-66 (Dec.-Feb.)

## CONSTITUTIONAL LAW

See also Administrative Agencies, Criminal Procedure.

Police dossiers and emerging principles of first amendment adjudication. (a) Frank Askin. 22 Stan. L. Rev. 196-220 (Jan.).

## CONSUMER CREDIT

Consumer financing, negotiable instruments, and the uniform commercial code: a solution to the judicial dilemma. 55 Cornell L. Rev. 611-22 (April).

#### CONSUMER PROTECTION

Can the Kentucky consumer ever forget caveat emptor and find true happiness? 58 Ky. L.J. 325-79 (Winter).

Consumer protection by the Post Office: a report on P.L. 90-590. 39 Geo. Wash. L. Rev. 486-500 (March).

Consumer protection in Michigan: current methods and some proposals for reform. 68 Mich. L. Rev. 926-85 (April).

Exemplary damages in private consumer actions. (a) David A. Rice. 55 Iowa L. Rev. 307-43 (Dec.).

Extrajudicial consumer pressure: an effective impediment to unethical business practices. 1969 Duke L.J. 1011-57 (Oct.).

Representing the low income consumer in repossessions, resales and deficiency judgment cases. (a) James J. White. 64 Nw. U. L. Rev. 808-37 (Jan.-Feb.).

## CORPORATIONS: FOREIGN

Foreign corporation laws: source and support for reform. (a) William Laurens Walker. 1969 Duke L.J. 1145-69 (Dec.). The global corporation: an American challenge to the nation-state? (a) Daniel Jay Baum. 55 Iowa L. Rev. 410-37 (Dec.).

## CORPORATIONS: TAXATION

Sleepers that travel with section 351 transfers. (a) Thomas R. White, III. 56 Va. L. Rev. 37-63 (Feb.).

## CRIMINAL LAW

See also Kidnapping.

Criminal law revision in Kentucky: part I—homicide and assault. Robert G. Lawson. 58 Ky. L.J. 242-74 (Winter).

Governmental compensation for victims of violence: a symposium. Articles by Arthur J. Goldberg, Marvin E. Wolfgang, LeRoy L. Lamborn, Stephen Schafer, Duncan Chappell, Willard A. Shank, Ralph W. Yarborough, and Kent M. Weeks. 43 S. Cal. L. Rev. 1-121, 157-254 (no. 1).

The unconstitutionality of statutory criminal presumptions. 22 Stan. L. Rev. 341-55 (Jan.).

## CRIMINAL PROCEDURE

See also Right to Counsel.

The governor's private eyes. (a) Tamar Frankel. 49 B.U. L. Rev. 627-57 (Fall).

Ideology in criminal procedure or a third "model" of the criminal process. (a) John Griffiths. 79 Yale L.J. 359-417 (Jan.).

The indigent's right to an adequate defense: expert and investigational assistance in criminal proceedings. 55 Cornell L. Rev. 632-45 (April).

Preventive detention and the crime of being dangerous. (a) J. Patrick Hickey. 58 Geo. L.J. 287-316 (Nov.).

The unconstitutionality of plea bargaining. 83 Harv. L. Rev. 1387-411 (April).

# DAMAGES

See Consumer Protection.

## DISCRIMINATION

See also Unions.

Civil Rights Act of 1964: an exception

to prohibitions on employment discrimination. 55 Iowa L. Rev. 509-19 (Dec.).

## DIVORCE AND SEPARATION

A case of insanity and divorce. (a) Walter Wadlington. 56 Va. L. Rev. 12-36 (Feb.).

Divorce and taxes—Texas style. (a) Edward W. Turley, Jr. 48 Texas L. Rev. 721-65 (March).

#### DOMICILE AND RESIDENCE

See Voting.

#### EAVESDROPPING

Electronic surveillance in California: a study in state legislative control. 57 Calif. L. Rev. 1182-256 (Nov.).

#### ELECTIONS

The general-election ballot: more nominees or more representative nominees? (a) John H. Barton. 22 Stan. L. Rev. 165-95 (Jan.).

#### EOUAL PROTECTION

Extraordinary majority voting requirements. 58 Geo. L.J. 411-26 (Nov.).

#### ESTATE PLANNING

The "estate planning" counselor and values destroyed by death. (a) Thomas L. Shaffer. 55 Iowa L. Rev. 376-409 (Dec.).

#### EVIDENCE

See also Hearsay.

False or suppressed evidence: why a need for the prosecutorial tie? (a) Ronald L. Carlson. 1969 Duke L.J. 1171-89 (Dec.).

Hearsay in nonjury cases. Kenneth Culp Davis. 83 Harv. L. Rev. 1362-68 (April).

A reply to the defense of the use of the hypothetical case to resolve the causation issue. E. Wayne Thode. 47 Texas L. Rev. 1344-58 (Nov.).

Symposium on the proposed federal rules of evidence: II. 16 Wayne L. Rev. 134-238 (Winter).

## FEDERAL JURISDICTION

Discretionary factors in the exercise of pendent jurisdiction: a setback in the second circuit. 64 Nw. U. L. Rev. 557-69 (Sept.-Oct.).

Hybrid state law in the federal courts. (a) Ronald J. Greene. 83 Harv. L. Rev. 289-326 (Dec.).

Section 1983 jurisdiction: a reply. Paul Chevigny. 83 Harv. L. Rev. 1352-61 (April).

## FREEDOM OF ASSEMBLY

Negligence and the first amendment: a note on the destructive assembly. 37 U. Chi. L. Rev. 391-406 (Winter).

## FREEDOM OF RELIGION

Constitutional law—church and state freedom of religion—the constitutionality under the religion clauses of the first amendment of compulsory sex education in public schools. 68 Mich. L. Rev. 1050-61 (April).

## FREEDOM OF SPEECH

The first amendment right to a public forum. (a) R. Allan Horning. 1969 Duke L.J. 931-57 (Oct.).

### FREEDOM OF THE PRESS

The student press: some first impressions. (a) C. Michael Abbott. 16 Wayne L. Rev. 1-36 (Winter).

## GOVERNMENT CONTRACTS

The Comptroller General and government contracts. (a) John Cibinic, Jr., and Jesse E. Lasken. 38 Geo. Wash. L. Rev. 349-95 (March).

Government contracts: disclaimers of the warranty of suitability contained in the government-furnished property clause. 56 Va. L. Rev. 102-21 (Feb.).

A new concept of mitigation in government contracts. 38 Geo. Wash. L. Rev. 463-85 (March).

## GOVERNMENT IMMUNITY AND LIABILITY

Sovereign immunity and nonstatutory review of federal administrative action: some conclusions from the public-lands cases. (a) Antonin Scalia. 68 Mich. L. Rev. 867-924 (April).

Toward state and municipal liability in damages for denial of racial equal protection. 57 Calif. L. Rev. 1142-81 (Nov.).

## HABEAS CORPUS

Federal habeas corpus. 83 Harv. L. Rev. 1038-280 (March).

#### Hearsay

Evidence: the unavailability requirement of declaration against interest hearsay. 55 Iowa L. Rev. 477-85 (Dec.).

## HOLIDAYS

"A wanton gospeller" cries out for repeal of the Sunday closing law. 58 Ky. L.J. 275-99 (Winter).

# HOUSING

Periodical Index

Public housing and urban policy: Gautreaux v. Chicago Housing Authority. 79 Yale L.J. 712-29 (March).

## INCOME TAX: FOREIGN INCOME

Section 911 tax reform. 54 Minn. L. Rev. 823-45 (March).

## INCOME TAX: PARTNERSHIPS

See Partnerships.

## INFANTS

New York's child abuse laws: inadequacies in the present statutory structure. 55 Cornell L. Rev. 298-805 (Jan.).

INHERITANCE, ESTATE AND GIFT TAXATION

Federal estate taxation: multiple deductions allowed under section 2055 for one charitable contribution. 1969 Duke L.J. 1059-74 (Oct.).

Revitalizing the federal estate and gift taxes. (a) David Westfall. 83 Harv. L. Rev. 986-1013 (March).

#### INJUNCTIONS

Federal injunctive relief against state court proceedings: the significance of Dombrowski. (a) Frank L. Maraist. 48 Texas L. Rev. 535-607 (Feb.).

#### INSURANCE

Insurance law rights at variance with policy provisions. (a) Robert E. Keeton. 83 Harv. L. Rev. 961-85; 1281-322 (March; April).

Insurance ratemaking problems: administrative discretion, investment income, and prepaid expenses. 16 Wayne L. Rev. 95-133 (Winter).

#### INTERNATIONAL CLAIMS

Claims against foreign states—a proposal for reform of United States law. (a) Andreas F. Lowenfeld. 44 N.Y.U. L. Rev. 901-38 (Nov.).

## JUDGMENTS: PRECEDENT

1966 and all that loosing the chains of precedent. (a) Julius Stone. 69 Colum. L. Rev. 1162-202 (Nov.).

## JUDICIAL REVIEW

Illinois supreme court review: a symposium. 64 Nw. U. L. Rev. 839-914 (Jan.-Feb.). The case for black juries. 79 Yale L.J. 531-50 (Jan.).

## KIDNAPPING

Aspects of merger in the law of kidnapping. (a) Frank J. Parker. 55 Cornell L. Rev. 527-45 (April).

#### LABOR LAW

See also Administrative Procedure, Railroads.

The Labor Board and the private nonprofit employer: a critical examination of the Board's worthy cause exemption. (a) Fredrick E. Sherman and Dennis B. Black. 83 Harv. L. Rev. 1323-51 (April).

Labor law: mass resignations by public school teachers. 55 Iowa L. Rev. 497-508 (Dec.).

## LABOR MANAGEMENT RELATIONS

See also Public Employee Unionism. Lockout law: the Supreme Court and the NLRB. (a) James Baird. 38 Geo. Wash. L. Rev. 396-430 (March).

## LAW REFORM

See also Holidays, Social Welfare. Winner takes all: a re-examination of the indemnity system. (a) Philip J. Mause. 55 Iowa L. Rev. 26-55 (Oct.).

## LAW SCHOOLS

Some notes on law schools in the present day. (a) Charles L. Black, Jr. 79 Yale L.J. 505-11 (Jan.).

## LEGAL AID

See also Social Welfare. "Thou shalt not ration justice": the law and the poor man in the sixties. (a) Marshall S. Shapo. 55 Cornell L. Rev. 44-57 (Nov.).

## LEGAL EDUCATION

Toward a new politics of legal education. (a) Paul N. Savoy. 79 Yale L.J. 444-504 (Jan.).

## LEGISLATIVE BODIES

Conflicts of interest of state and local legislators. 55 Iowa L. Rev. 450-64 (Dec.).

# Limitation of Actions

See Medical Jurisprudence.

## MARITIME LAW

Shipping regulation and the federal maritime commission: II. (a) James S.

## JURIES

Gordon. 37 U. Chi. L. Rev. 256-94 (Win-ter).

## MEDICAL JURISPRUDENCE

Medical malpractice statutes of limitation: uniform extension of the discovery rule. 55 Iowa L. Rev. 486-96 (Dec.).

## MENTAL HEALTH

Contemporary studies project: detection, treatment, and control of the potentially violent person. 55 Iowa L. Rev. 118-226 (Oct.).

#### MILITARY LAW

Denial of military jurisdiction over servicemen's crimes having no military significance and cognizable in civilian courts. 64 Nw. U. L. Rev. 930-42 (Jan.-Feb.).

Military law—military jurisdiction over crimes committed by military personnel outside the United States: the effect of O'Callahan v. Parker. 68 Mich. L. Rev. 1016-49 (April).

O'Callahan v. Parker-milestone or military justice? (a) Robinson O. Everett. 1969 Duke L.J. 853-96 (Oct.).

#### NARCOTICS

LSD and the law: a framework for policy making. (a) Stephen D. Ford. 54 Minn. L. Rev. 775-804 (March).

#### NEGLIGENCE

See Freedom of Assembly.

#### NOTICE

Publication of legal notices in New York: guidelines for a revision. 55 Cornell L. Rev. 129-44 (Nov.).

#### OBSCENITY

Stanley v. Georgia: new directions in obscenity regulation? 48 Texas L. Rev. 646-60 (Feb.).

## ORGAN TRANSPLANTS

Organ transplantation with an incompetent donor: Kentucky resolves the dilemma of Strunk v. Strunk. (a) Joe C. Savage. 58 Ky. L.J. 129-60 (Winter).

Supplying organs for transplantation. (a) Jesse Dukeminier, Jr. 68 Mich. L. Rev. 811-66 (April).

#### PARENT AND CHILD

See Infants.

## PAROLE Observations on the administration of parole. 79 Yale L.J. 698-711 (March).

## PARTNERSHIPS

The uncertain tax definition of partnerships: problems and opportunities for treatment of terminal losses. 54 Minn. L. Rev. 805-22 (March).

#### PATENTS

See Unfair Competition.

#### PERSONAL INJURIES

The collateral source rule and personal injury damages: the irrelevant principle and the functional approach: II. (a) Robert Allen Sedler. 58 Ky. L.J. 161-241 (Winter).

#### Philosophy

Metaphysics and law. (a) Roy L. Stone-de Montpensier. 1969 Duke L.J. 897-929 (Oct.).

#### PHILOSOPHY OF LAW

The legal continuum. (a) Thompson G. Marsh. 64 Nw. U. L. Rev. 459-86 (Sept.-Oct.).

## POLITICS

Constitutional reform of state delegate selection to national political party conventions. 64 Nw. U. L. Rev. (Jan.-Feb.).

#### POLLUTION

The law must respond to the environment. Leon Green. 47 Texas L. Rev. 1327-43 (Nov.).

#### PRODUCTS LIABILITY

Probing the law and beyond: a quest for public protection from hazardous product catastrophes. (a) James M. Brown. 38 Geo. Wash. L. Rev. 431-62 (March).

#### PUBLIC EMPLOYEE UNIONISM

Impact of the agency shop on labor relations in the public sector. 55 Cornell L. Rev. 547-93 (April).

More on strikes by public employees. (a) Harry H. Wellington and Ralph K. Winter, Jr. 79 Yale L.J. 441-43 (Jan.).

Public employee bargaining rights—a proposal for Texas. 48 Texas L. Rev. 625-45 (Feb.).

The role and consequences of strikes by public employees. (a) John F. Burton, Jr. and Charles Krider. 79 Yale L.J. 418-40 (Jan.).

# Periodical Index

## RADIO AND TELEVISION

Cable television and media concentration, part I: control of cable systems by local broadcasters. (a) Stephen R. Barnett. 22 Stan. L. Rev. 221-329 (Jan.).

"Spare the golden goose"—the aftermath of WHDH in FCC license renewal policy. Hyman H. Goldin. 83 Harv. L. Rev. 1014-36 (March).

### RAILROADS

The ABA report: comments of the National Railway Labor Conference. 58 Geo. L.J. 280-86 (Nov.).

#### RIGHT TO COUNSEL

Criminal codefendants and the sixth amendment: the case for separate counsel. 58 Geo. L.J. 369-90 (Nov.).

## SCHOOLS AND SCHOOL DISTRICTS

Demise of the neighborhood school plan. 55 Cornell L. Rev. 594-610 (April). Reflections on developing trends in the

law of student rights. (a) Stephen R. Goldstein. 118 U. Pa. L. Rev. 612-20 (Feb.).

#### SECURITIES

Conversion-option debentures. (a) Leonard Chazen and Leonard Ross. 79 Yale L.J. 647-56 (March).

The expanding liability of securities underwriters: from Barchris to Globus. 1969 Duke L.J. 1191-246 (Dec.).

Indemnification of directors for section 11 liability. 48 Texas L. Rev. 661-79 (Feb.).

Punitive damages in implied private actions for fraud under the securities laws. 55 Cornell L. Rev. 646-59 (April).

#### SEGREGATION

The affirmative duty to integrate in higher education. 79 Yale L.J. 666-97 (March).

The constitutionality of sex separation in school desegregation plans. 37 U. Chi. L. Rev. 296-327 (Winter).

#### SELECTIVE SERVICE

Prosecutions for selective service offenses: a field study. 22 Stan. L. Rev. 356-420 (Jan.).

#### SOCIAL WELFARE

AFDC income attribution: the manin-the-house and welfare grant reductions. 83 Harv. L. Rev. 1370-86 (April). Law reforming in the anti-poverty effort. (a) Geoffrey C. Hazard, Jr. 37 U. Chi. L. Rev. 242-55 (Winter).

Rehabilitation, investigation and the welfare home visit. 79 Yale L.J. 746-61 (March).

## TAXATION

See Corporations: Taxation, Divorce & Separation, Zoning.

#### Torts

Changing frontiers in torts: vistas for the 70's. (a) Marshall S. Shapo. 22 Stan. L. Rev. 330-40 (Jan.).

#### **TRANSPORTATION**

The ABA report: a sword of Damocles overhanging the transportation industry. (a) Gerard D. Reilly. 58 Geo. L.J. 273-79 (Nov.).

## UNFAIR COMPETITION

Inventors and the law of trade secrets after Lear v. Adkins. (a) Martin J. Adelman and Robert J. Jaress. 16 Wayne L. Rev. 77-93 (Winter).

#### UNIFORM LAWS

The uniform certification of questions of law act. 55 Iowa L. Rev. 465-76 (Dec.).

#### UNIONS

Black workers versus white unions: alternate strategies in the construction industry. (a) Elwood B. Hain, Jr. 16 Wayne L. Rev. 37-76 (Winter).

Fair representation and union discipline. 79 Yale L.J. 730-45 (March). Title VII of the civil rights act of

Title VII of the civil rights act of 1964 and minority group entry into the building trade unions. 37 U. Chi. L. Rev. 328-58 (Winter).

## UNITED STATES CONGRESS

Congressional power under the civil war amendments. 1969 Duke L.J. 1247-84 (Dec.).

UNITED STATES COURTS OF APPEAL

Judicial relations on the second circuit, 1941-1951. (a) Marvin Schick. 44 N.Y.U. L. Rev. 939-70 (Nov.).

## UNITED STATES COURT OF CLAIMS

The 1969 rules revision for the United States Court of Claims. (a) Thomas J. Lydon. 58 Geo. L.J. 317-43 (Nov.).

## UNITED STATES SUPREME COURT

A note on senatorial consideration of Supreme Court nominees. (a) Charles L. Black, Jr. 79 Yale L.J. 657-64 (March). A requiem for the Warren Court. Vince Blasi. 48 Texas L. Rev. 508-23 (Feb.).

What has the Supreme Court taught? (a) James Audley McLaughlin. 72 W. Va. L. Rev. 1-32 (Dec.-Feb.).

## VOTING

Residence requirements for voting in presidential elections. 37 U. Chi. L. Rev. 359-90 (Winter).

State residency requirements and the right to vote in presidential elections. 58 Ky. L.J. 300-24 (Winter).

## WAR CRIMES

War crimes and Vietnam: the "Nuremberg defense" and the military service resister. (a) Anthony A. D'Amato. Harvey

## L. Gould, and Larry D. Woods. 57 Calif. L. Rev. 1055-110 (Nov.).

## WARRANTY

See Government Contracts.

## WORKMEN'S COMPENSATION

Workmen's compensation insurer as suable third party. (a) Arthur Larson. 1969 Duke L.J. 1117-43 (Dec.).

#### ZONING

Mobile homes: zoning and taxation. (a) Richard W. Bartke and Hilda R. Gage. 55 Cornell L. Rev. 491-26 (April).

The primitive law of standing in land use disputes: some notes from a dark continent. (a) John D. Ayer. 55 Iowa L. Rev. 344-75 (Dec.).