

# SUBJECT INDEX

A	PAGE	PAGE
<b>ADMINISTRATIVE LAW</b>		
Scope of Federal Maritime Commission Jurisdiction	182-90	
See: <i>Environmental Law</i>		
<b>ANTITRUST LAW</b>		
Commentary on present posture	180	
Industrial Reorganization Act	170-73	
Preseason football tickets and tie-ins	495-506	
Relationship of antitrust policy and technological progress	409-20	
Concentration, effect on rate of product innovation	410-14	
A priori theories	410-11	
Empirical theories	512-14	
Market structure, effect of technological development on	414-20	
Adequacy of present policy	420	
Barriers to trade, product changes as	419-20	
Barriers to entry, new products as	415-19	
Statutory provisions		
Clayton Act, § 7	166-68, 177-78	
Sherman Act, § 1	496-98	
Sherman Act, § 2	166-73, 176	
See: <i>Legal Ethics</i>		
<b>B</b>		
<b>BANKRUPTCY</b>		
Status of rescinding security holders in bankruptcy	1233-55	
Alternative for determination of status	1242-55	
Alternative approach	1249-55	
Proposed Bankruptcy Act of 1973	1246-48	
SEC approach	1248-49	
Slain-Kripke proposal	1142-46	
Legal basis for claims	1234-37	
Common law	1236	
Federal law	1234-35	
State law	1236	
Present status of claims	1237-42	
Absolute creditor priority	1236-38	
Claims disallowed	1241-42	
Claims subordinated	1240-41	
Secured creditor status	1239-40	
<b>C</b>		
<b>CLASS ACTIONS</b>		
See: <i>Federal Rules of Civil Procedure</i>		
<b>CLAYTON ACT</b>		
See: <i>Antitrust Law</i>		
<b>CONFESSIONS</b>		
American confession law, evolution of	279-300	
Development of voluntariness requirement	288-94	
Objective standards	294-300	
Voluntariness requirement in English and American law	279-85	
Redefinition of the problem	325-58	
Accommodation	346-58	
Ignorance or mistake of law	347-51	
Reliance upon expectation of benefit	352-56	
Requirement of custody and interrogation	357-58	
Considerations	343-44	
Administrative practicality	345	
Assuring accurate trial outcome	344	
Avoidance of excessive costs	345-46	
Avoidance of use of improperly obtained statements	343-44	
Discouraging undesirable police conduct	344-45	
Efficient law enforcement	344	
Maximization of chance to make informed choice	343	
Provision of guidelines for police activity	345	
Interrelationship of doctrines	326-28	
Means	338-43	
Objectives	328-38	
Relevance to voluntariness of ignorance, mistake and reliance on expectation	300-24	
<i>Miranda</i> and following	310-24	
Pre- <i>Miranda</i> voluntariness	300-10	
<b>CONSTITUTIONAL LAW</b>		
Construction of a will as state action	1111-27	
Commitment of sex offenders, proof beyond reasonable doubt	1092-1110	
Felony charge after appeal of misdemeanor conviction	477-84	
Prompt hearings for incarcerated parolees	800-14	
Right to counsel	423-46	
Corporeal identification proceedings, right to counsel at	428-41	

	PAGE
Federal standards .....	428-33
<i>Kirby v. Illinois</i> .....	433-36
<i>Wade and Kirby</i> , state response to .....	436-41
<i>Kirby</i> , possible state alternatives to .....	441-45
Right to counsel, theoretical basis of .....	424-27
Right to travel and municipal employee residence requirements .....	250-61
Right to travel and municipal land-use planning .....	234-49
See: <i>Equal Rights Amendment</i>	
<b>CORPORATIONS</b>	
Disregarding corporate and entity theory in implied easements .....	201-11
See: <i>Real Estate</i>	
<b>CRIMINAL PROCEDURE</b>	
Right to appeal without reprisal .....	477-84
Right to counsel at identification hearings .....	423-46
See: <i>Constitutional Law</i>	
<b>D</b>	
<b>DEATH</b>	
Philosophical perspective on legal definitions of death .....	979-1008
Critique of definitions and proposal .....	991-1004
Definition in general .....	982-87
Requirements for adequate definition of death .....	987-91
Avoidance of vagueness .....	989
Avoidance of vicious multivocacy .....	989
Designation of publicly verifiable state .....	987-89
Designation of state whose onset is instantaneous .....	989-91
Statistical data .....	1006-08
<b>DEBTOR-CREDITOR</b>	
Constitutional limitations on enforcement of judgments .....	880-931
Constitutional limitations .....	884-98
Due process after judgment .....	886-98
Executions and garnishment .....	886-92
Motions .....	894-96
Other post-judgment situations .....	982-93
<i>Sniadach, Fuentes and Mitchell</i> — prejudgment cases .....	884-86
Due Process and exemptions .....	898-923
Existence of property interest .....	898-906
Notice and hearing .....	906-23
<i>Fuentes</i> .....	908-10

	PAGE
<i>Mathews v. Eldridge</i> .....	917-23
<i>Mitchell</i> .....	910-17
<b>Procedures</b>	
Execution of judgments .....	880
Exemption from execution .....	881-84
Proposed procedure .....	923-30

## E

### ECONOMIC CONCENTRATION

See: *Antitrust Law*

### ENVIRONMENTAL LAW

What is "major" in major federal action .....

485-94

### EQUAL RIGHTS AMENDMENT

Woman's right to recover for loss of consortium .....

507-13

### EVIDENCE

Exclusionary rule and alternative: enforcing the fourth amendment .....

621-722

Arguments against rule .....

656-84

Not constitutionally compelled .....

657-65

Obstacles to effective deterrence .....

665-71

Social costs .....

671-84

Development of rule .....

625-40

Justification of rule .....

640-56

Constitutionally compelled .....

640-49

Deterrence of unreasonable search and seizures .....

649-52

Social benefits .....

651-56

Proposals for enforcing .....

684-721

fourth amendment .....

684-721

Alternatives to rule .....

689-729

Positions on rule .....

684-88

Expert testimony and voice .....

775-85

spectrogram analysis .....

775-85

See: *Confessions*

## F

### FAIR LABOR STANDARDS ACT

Coverage of building maintenance personnel under 1974 amendments .....

844-57

### FEDERAL INCOME TAX

Net operating loss deductions and alternative tax on capital gains .....

834-43

Taxpayer-initiated change in accounting methods .....

1083-91

Treatment of section 16(b) .....

824-33

repayments .....

### FEDERAL RULES OF CIVIL PROCEDURE

Appealability of denials of motions to disqualify counsel .....

212-33

Freeze on federal jurisdiction .....

447-76

	PAGE
Ancillary jurisdiction, effect of <i>Zahn v. International Paper Co.</i> on _____	457-66
Aggregation under other federal rules of civil procedure _____	457-60
Class actions under Rule 23 _____	447-50
General federal question jurisdiction _____	454-57
Removal jurisdiction _____	471-75
<i>Zahn v. International Paper Co.</i> , impact of _____	450-53

## G

### GREEK LEGAL HISTORY

See: *Legal History*

## I

### INDIANS

Tribal sovereignty \_\_\_\_\_ 815-23

### INJUNCTIONS

Applicability of *Boys Markets* injunctions to sympathy strikes \_\_\_\_\_ 786-99

## J

### JURIES

Deductive modeling to determine optimum jury size \_\_\_\_\_ 933-78  
 Basic data and assumptions \_\_\_\_\_ 940-44  
 Basic model, variations on \_\_\_\_\_ 969-75  
 Changes in assumptions on data, effects of \_\_\_\_\_ 962-69  
 Jury size, basic problem of \_\_\_\_\_ 933-40  
 Operations of model \_\_\_\_\_ 950-62  
 Optimizing jury size \_\_\_\_\_ 944-50  
 Results of model \_\_\_\_\_ 975-78

## L

### LABOR LAW

*Boys Markets* injunctions and sympathy strikes \_\_\_\_\_ 786-99  
 Labor policy and the airlines' mutual aid pact \_\_\_\_\_ 191-200  
 See: *Fair Labor Standards Act*

### LEGAL ETHICS

Organized bar and prepaid legal services \_\_\_\_\_ 1107-70  
 Antitrust analysis \_\_\_\_\_ 1025-67  
 Bar association immunity from antitrust law \_\_\_\_\_ 1050-67  
 Eleventh amendment \_\_\_\_\_ 1064-65  
*Noerr - Pennington* doctrine \_\_\_\_\_ 1052-63  
 State action exemption \_\_\_\_\_ 1052-62  
 State/private action dilemma \_\_\_\_\_ 1066-67

## PAGE

Jurisdiction of antitrust laws over restrictions on prepaid legal services _____	1043-50
Clayton Act, § 7 _____	1047-49
Federal Trade Commission Act, § 5 _____	1049
Jurisdiction of antitrust law, summary of _____	1049-50
Sherman Act _____	1043-47
Prepaid legal services, bar association controls over _____	1014-25
Attorney participation, ethical restrictions on _____	1014-24
Promotion of open panel prepaid services _____	1024-25
Theories of liability _____	1026-67
Clayton Act, § 7 _____	1040-41
Federal Trade Commission Act, § 5 _____	1041-42
Sherman Act, § 1 _____	1026-38
Sherman Act, § 2 _____	1038-40
See: <i>Death</i> <i>Mental Health</i>	

### LEGAL HISTORY

Greek legal history \_\_\_\_\_ 395-408  
 Development \_\_\_\_\_ 398-401  
 Effects of family organization \_\_\_\_\_ 404-05  
 Jurisprudential value \_\_\_\_\_ 401-07  
 Medieval Italian city-states, violence, social control and community planning in \_\_\_\_\_ 723-43

### LEGAL PROFESSION

Attorneys fees: compensation for private attorneys general \_\_\_\_\_ 1071-81  
 Evaluative framework of legal aid models \_\_\_\_\_ 5-43  
 Description of legal aid models \_\_\_\_\_ 17-40  
 Assigned counsel \_\_\_\_\_ 22-24  
 Broker models \_\_\_\_\_ 33-34  
 Defender systems \_\_\_\_\_ 24-25  
 Judicare-American model \_\_\_\_\_ 37-39  
 Judicare-English model \_\_\_\_\_ 39-40  
 Legal aid society \_\_\_\_\_ 18-21  
 Legal service corporation \_\_\_\_\_ 29-31  
 Neighborhood law office \_\_\_\_\_ 25-29  
 Prepaid legal services \_\_\_\_\_ 36-37  
 Pro bono programs \_\_\_\_\_ 31-32  
 Public interest law firms \_\_\_\_\_ 34-35  
 Law, lawyers and legal services, developmental context of \_\_\_\_\_ 5-16  
 Lawyers, response \_\_\_\_\_ 11-16  
 Legal incompetence of poor \_\_\_\_\_ 8-11  
 Role of legal profession \_\_\_\_\_ 6-8  
 Theory of political development \_\_\_\_\_ 5-6  
 Observations about choice of models \_\_\_\_\_ 41-43  
 Law, urban development and poor in developing countries \_\_\_\_\_ 45-111

Effective legal services to poor, political conditions of .....	100-11
Problems of urban development .....	45-57
Role of law and legal services to poor in urban development .....	57-100
Indonesia .....	58-60
Philippines .....	74-100
Singapore .....	60-66
South Korea .....	66-74
Legal aid service in Malawi .....	113-45
Evaluation of program .....	142-45
Legal aid program .....	121-39
Extent .....	132-39
History .....	121-23
Legal Aid Act of 1967 .....	123-32
Legal system and profession .....	116-21
Operation of program .....	140-48
People served .....	113-16
Legal service and poverty—relevance to design of legal service program in developing countries .....	147-63
Effect of legal system in developing countries .....	151-53
Relevant considerations .....	151-61
Poverty .....	153-55
Clients .....	156-58
Agency providing service .....	158-61

## M

## MENTAL HEALTH

HEW policy on experimentation and protection of human rights .....	745-74
Case law .....	761-64
Ethical standards .....	756-61
Experimentation, nature of .....	747-56
Concept of risk .....	748-50
Definition and classification .....	750-53
Informed consent to .....	753-56
HEW regulations .....	764-74
Problem, nature of .....	745-47
Psychological disability precipitated by psychological trauma, compensation for .....	1128-40

## P

## PAROLE

Due process and parole revocation .....	800-14
---	--------

## POVERTY LAW

See: *Legal Profession*

## R

## REAL ESTATE

Implied easements and unitary ownership .....	201-11
---	--------

## S

## SECURITIES REGULATION

Contribution under federal securities laws .....	1256-1314
Amount recoverable .....	1303-1314
Development of implied federal right .....	1279-83
Historical background .....	1258-70
Federal provisions .....	1261-70
Post-1933 laws .....	1267-70
Pre-1933 law .....	1261-67
Common law .....	1261-63
English developments .....	1264-67
Indemnification .....	1270-79
Court approach .....	
Federal policy interests .....	1276-79
<i>Globus I</i> .....	1272-76
Indemnity agreements .....	1270-72
Procedure for asserting claim .....	1283-1303
Settlements and contribution .....	1303-14
Investment Company Act of 1940—mutual fund distribution .....	1153-1201
Distribution system .....	1155-60
Distribution system, changes in .....	
Legislative proposal .....	1199-1200
SEC program .....	1166-99
Advertising of mutual funds .....	1172-78
Broker's fees .....	1196-99
Combination sales of mutual funds .....	1189-90
Group purchases of mutual funds .....	1178-83
Regulation of sales load levels .....	1183-87
Secondary trading in mutual funds .....	1190-96
Unsolicited purchases of mutual funds .....	1187-89
Section 22(d) — legislative history .....	1160-65
Securities Act of 1934 .....	1202-32
Private right of action under <i>Ash</i> and credit regulation .....	1227-32
<i>Ash</i> and <i>Stewart</i> , utility of .....	
Credit regulation .....	1214-24
Background .....	1215-17
Pre-Regulation X law .....	1217-21
Pre-Regulation X cases, consequences of .....	1221-24
New rationales .....	1207-14
Civil court cases .....	1207-11
<i>Ash v. Cort</i> .....	1207-09
<i>Stewart v. Travelers Corp</i> .....	1209-11
Supreme Court cases .....	1211-14
<i>Ash</i> .....	1211
Regulation X .....	1225-27
Traditional rationales .....	1204-07
<i>J. I. Case Co. v. Borak</i> .....	1206

	PAGE
Section 29(b) _____	1204-05
Violation as tort _____	1205-06
See: <i>Bankruptcy</i>	

## SEGREGATION

Metropolitan desegregation in the wake of <i>Milliken</i> _____	535-620
Contemporary <i>Milliken</i> cases _____	601-19
Louisville-Jefferson County, desegregation in _____	584-601
Litigation, results of _____	600-01
Louisville-Jefferson County, situation in _____	584-90
Post- <i>Milliken</i> litigation _____	593-600
Pre- <i>Milliken</i> litigation _____	590-93
Metropolitan desegregation, character of problem _____	538-43
Metropolitan desegregation, future of _____	619-20
Metropolitan desegregation, introduction to _____	535-38
Metropolitan desegregation, legal posture and societal setting of _____	543-54
Legal posture _____	543-48
Societal setting _____	548-54
Metropolitan desegregation, strategy for _____	576-84
General strategy _____	576-79
Grounds _____	579-84
<i>Milliken v. Bradley</i> , impact of _____	555-76
Legal build-up _____	555-62
<i>Milliken</i> , decision in _____	562-71
<i>Milliken</i> , meaning of _____	571-76

## SHERMAN ACT

See: *Antitrust Law*

## STATE AND LOCAL GOVERNMENT

Municipal employee residence requirements _____	250-61
Municipal land-use planning and residential development _____	234-49

## SUPREME COURT

Justice Sherman Minton _____	361-94
Court packing plan _____	366-67
New Deal legislation _____	363-72
Political life and appointment _____	372-82
Vinson court _____	363-82
Voting record _____	382-89

## T

## TRADE REGULATION

See: *Antitrust Law*

## TORTS

Compensation for loss of consortium _____	507-13
---	--------

## W

## WILLS

Construction of a will as state action _____	1111-27
--	---------

## WORKMEN'S COMPENSATION

Compensability of psychological disability _____	1128-40
--	---------

PAGE