

SUBJECT INDEX

A	PAGE	C	PAGE
ABORTION		CIVIL RIGHTS	
<i>Roe v. Wade and Doe v. Bolton</i> decisions	203-04	See: <i>Labor Law</i>	
Selective abortion	204-06	CLAYTON ACT	
Implications for the social order	213-16	Section 7	633-51
Medical feasibility	210-13	Construction	634-36, 638-41
Multiple fetuses	205-09	General Dynamics and Marine Bancorporation decisions	638-47
Potential regulation	222-24	Federal Trade Commission enforcement	650-51
Serial abortion	209-10	See: <i>Antitrust Law</i>	
State interest	216-21	<i>Bank Merger Act of 1966</i>	
ADMINISTRATIVE LAW		CONFLICT OF LAWS	
Finality of E.P.A. order under Federal Insecticide, Fungicide and Rodenticide Act ..	164-78	Public policy doctrine in the choice of law	
Freedom of Information Act, Investigatory files exemption	463-74	Congressional involvement	418
Injunctive relief for disappointed bidders on government contracts	475-84	Constitutional considerations	413-18
		Criticism of the doctrine ..	392-93
		Paulsen-Sovern theory	393-94
		Limitations of Paulsen-Sovern theory	400-13
		Tort choice-of-law cases	1-37
		History	2-4
		Identifying state's interests ..	16-27
		Plaintiff's change of domicile	28-32
		<i>Restatement (Second)</i> approach	5-6
		Missouri's application of <i>Restatement (Second)</i> ..	8-11
		Analysis of section 6 of <i>Restatement (Second)</i> ..	11-16
		CONSTITUTIONAL LAW	
		Cruel and unusual punishment	
		Disproportionate punishment for recidivism	147-52
		Due process requirements for deprivation of property	659-60
		See: <i>Abortion</i>	
		<i>Debtor-Creditor</i>	
		<i>Immigration and Naturalization</i>	
		<i>Mental Health</i>	
		<i>Statutes of Limitations</i>	
		CORPORATIONS	
		See: <i>Bankruptcy</i>	498-509
		CRIMINAL LAW	
		Cruel and unusual punishment, disproportionate punishment for recidivism	147-52
		Grand jury—disclosure of proceedings	153-63
B			
BANK MERGER ACT OF 1966			
Justification of mergers of banks	643		
See: <i>Antitrust Law</i>			
BANKRUPTCY			
Jurisdiction of bankruptcy court over independent subsidiaries	498-509		

	PAGE
Statement of reasons for denial of parole	752-62
See: <i>Juvenile Courts</i>	
<i>Labor Law</i>	

D

DEBTOR-CREDITOR

Provisional remedies and due process	653-740
Balancing of interests	657, 667, 682-725
Creditor's interests	698-716
Avoiding provisional remedies	699-700
Costs of notice and hearing	715-716
Debtor misconduct, risks of	703-712
Depreciation, impact of	700-03
<i>Fuentes and Mitchell</i> compared	703-05
Leverage, loss of	712-14
Debtor's interests	682-98
Deprivation of property, impact of	688-91
<i>Fuentes and Mitchell</i> compared	697-98
Legal process, impact of	692-97
State's interests	716-25
Courts, burden on	723-24
Debt collection and tort remedies	722-23
<i>Fuentes and Mitchell</i> compared	724-25
Restricted remedies, impact of	719-22
Welfare economics	718-19
Consumer defenses after <i>Mitchell</i>	731-34
Contractual defenses	727-31
Detinue	669
Due process considerations	650-57, 659-68
Garnishment of wages	663-64, 677
<i>Mitchell v. W.T. Grant Co.</i> , impact of	737-40
Procedural safeguards	667-82
Bonding	667-82
Grounds for seizure	669-73
Judicial control	673-77
Timing and form	668-69
Replevin	655-56, 665, 669, 671, 688
Repossession, self-help	683-84
Secured installment sales contract	682-83
See: <i>Constitutional Law</i>	
<i>Uniform Commercial Code</i>	

DIVORCE

Federal income tax consequences of divorce settlements	230-52
See: <i>Federal Income Tax</i>	

PAGE

E

ENVIRONMENTAL LAW

See: *Administrative Law*

ESTATE PLANNING

Rule against perpetuities, The measuring life concept	265-95
Defined	272-73
Future of the measuring life concept	293-95
History of the measuring life concept	266-72
Identifying the measuring life	281-85
Number of measuring lives used	276-81
Reform	285-93
Who may be a measuring life	273-76

EVIDENCE

Development of exclusionary rules	550-51
Limitations provisions, evidentiary purpose	627-28
Meaning of "injury" in workmen's compensation limitations provisions	602-04
Proof of "lack of prejudice" to employer in delayed filing of workmen's compensation claim	624-26
Purpose of statute of limitations	545-48

F

FEDERAL INCOME TAX

Alimony payments, tax treatment of	252-61
Distinction between alimony and property settlements	255-61
Requirements for alimony deduction	257-54
Support payments	254-62
Capital gains	
On gifts of stock in liquidating corporation	309-15
Deductions	
Farmers' prepaid feed deductions	485-97
Legal fees for tax advice in estate planning	332-43
Promotional campaign costs as "ordinary and necessary" expenses	326-31
Divorce settlements, transfers of appreciated property	230-52
Community property settlements	
Release of marital rights in exchange for property	230-34, 255-56
Uniform Divorce Act	229
Exemptions	
Political contributions by unions	139-46

	PAGE
Missouri "dissolution of marriage" law, tax effects	228-30, 241-42, 250, 252, 255, 258-59
FEDERAL RULES OF CIVIL PROCEDURE	
Rule 52(a) "clearly erroneous" rule in government antitrust appeals	636, 645, 650

I

IMMIGRATION & NATURALIZATION	
The promise to bear arms in the oath of allegiance	316-25
INTERNAL REVENUE CODE	
See: <i>Federal Income Tax</i>	
INTERSTATE LAND SALES	
Advertising regulations	134-35, 138
Interstate Land Sale Full Disclosure Act	124-29
Private actions	136-37
Regulations promulgated	130-34
Misleading practices	133-34
Office of Interstate Land Sales	
Registration	124-38

J

JUVENILE COURTS	
Sentencing under Federal Youth Correction Act	741-51

L

LABOR LAW	
Arbitrators	
Compromise in awards	104-05
Effect on civil rights grievances	97-102
Factors affecting decisions	92-95, 102-03
Selection	
Effect of selection process on civil rights grievances	89-90
Method	83-88
Reasons for non-selection	106-07
Civil rights and arbitration	
Arbitration, criticism	59-61, 80-81
Arbitration, congressional approval	65-66
Arbitration, judicial review	
Effect on arbitration	89-90
Steelworkers trilogy	63, 69-73
<i>Textile Workers v. Lincoln Mills</i>	63-64, 72-73
Empirical study	83-107
Questionnaire used in study	110-20
Delegation of decision making responsibility within the N.L.R.B.	778-86
Tax exemptions and union political contributions	139-46
Unauthorized expenditure of union funds	801-10

	PAGE
LANDLORD AND TENANT	
Landlord tort liability	510-16
LONGSHOREMEN'S AND HARBORWORKERS' COMPENSATION ACT	
See: <i>Statute of Limitations</i>	

M

MENTAL HEALTH	
Civil commitment, patients' right to treatment	787-800

P

PUBLIC UTILITIES	
See: <i>Torts</i>	

R

REAL ESTATE	
See: <i>Interstate Land Sales</i>	
RULE AGAINST PERPETUITIES	
See: <i>Estate Planning</i>	

S

SECURITIES REGULATION	
Blue Sky Laws	
Definition of security	815-51
California Corporations Commission	821-23
Commodity futures contracts	842-49
Condominiums	849-52
Country club memberships	856
Securities Act of 1933	
Definition of security—	
§ 2(1)	815-51
Coffey's approach	823-26
Investment contracts—	
the <i>Howey</i> test	815-21
Commodity futures contracts	842-49
Condominiums	849-52
Cooperative housing associations	849-55
Franchise agreements	835-42
Multilevel distributorships	826-35
Notes	855-58
Sales-management contracts	837-42
Extraterritorial application	859-71
Securities Exchange Act of 1934	
Definition of a security	815-41
Extraterritorial application	859-71
Domestic conduct	867-71
Domestic effect	860-67
Insider trading—§ 16(b)	872-910
Common law basis and development of § 16(b)	827-77
Recent developments	
Substantive elements of § 16(b)	877
Equity security	878-79

	PAGE
Profit	890-92
Purchases and sales	884-90
Six month time limitation	883-84
Statutory insiders	879-83
Rule 10b-5	941-72
Elements of cause of action	952
<i>Affiliated Ute</i> standard	853-61
Materiality	961-62
Reasonable investor standard	961
"Sliding scale" test	962
Reliance	962-71
Elimination as an element	962-64, 967-71
Presumption from materiality	964-67
Scienter	941-52
Common law fraud	941-43
Diligence standard	947-49
Ninth Circuit rule	949-52
Second Circuit rule	943-49
Tender offers	911-40
Advantages	911-12
Characteristics	912-13
Definition	925-28
Disclosure violations	933
Materiality standard	936-39
"Purpose of transaction" requirement	933-34
Standing to sue	928-33
Non-tendering shareholders	929-30
Tendering shareholders	930-33
Williams Act	914-22
Persons covered by	922-25
Securities fraud protections	
California—comprehensive franchise law	841
Commodities Exchange Act	847-49
Disclosure	941
Federal Trade Commission Act	834
See: <i>Uniform Securities Act</i>	
STATUTES OF LIMITATIONS	
In workmen's compensation provisions for	
accidental injury claims	541-631
Alternatives to compensable-injury and discovery rule	614-31
Date of accident as start of limitations period	558-73
Constitutional considerations	570-73
Equitable estoppel	569-70
Statutory construction	561-68
Date of injury as start of limitations period	574-618
Accident interpretation of injury date	576-78
Compensable-injury interpretation of injury date	579-95

	PAGE
Discovery-rule interpretation of injury date	542-44, 582, 596-619, 630-31
History	549-58
Liability insurance functionally equivalent	551
Notice	541, 553, 593-94
Occupational disease claims	542, 553-54
Purposes	545-48, 626-29
See: <i>Evidence</i>	

T

TORTS

Liability of public utility for temporary interruption of service	344-53
Meaning of "injury"—traditional negligence and workmen's compensation contrasted	581-82
No-fault compensation systems	541-631
Personal injury litigation, purpose of	551-52

U

UNIFORM COMMERCIAL CODE

Procedural safeguards against self-help repossession	656
See: <i>Debtor-Creditor</i>	

UNIFORM SECURITIES ACT

Interstate scope of the Uniform Securities Act	421-62
Recommended revision of § 414	460-62
Scope of application under § 414	426-47, 451-59
Situs of offer and acceptance	428-31

V

VETERANS' BENEFITS

Seniority benefits	296-302, 307-08
Severance pay	307-08

W

WELFARE

Prorating A.F.D.C. shelter allowances	763-77
---------------------------------------------	--------

WORKMEN'S COMPENSATION

British Workmen's Compensation Act of 1906	621
British Workmen's Compensation Act of 1897	553-55, 621
Enterprise liability theory	552
Uniform Workmen's Compensation Act	555-56

See: *Evidence*
Statutes of Limitations
Torts