

University of Richmond Law Review

Volume 31 | Issue 5

Article 10

1997

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, 31 U. Rich. L. Rev. 1573 (1997).
Available at: <http://scholarship.richmond.edu/lawreview/vol31/iss5/10>

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.

**UNIVERSITY OF RICHMOND
LAW REVIEW
INDEX**

**VOLUME XXXI
1997**

Copyright 1997
UNIVERSITY OF RICHMOND LAW REVIEW ASSOCIATION
UNIVERSITY OF RICHMOND, VIRGINIA

AUTHOR INDEX

al-Hibri, Azizah Y.	
The American Corporation in the Twenty-First Century: Future Forms of Structure and Governance	1399
Barnes, Jeffrey A.	
The Supreme Court's "Exceedingly [Un]persuasive" Application of Intermediate Scrutiny in <i>United States v. Virginia</i>	523
Begland, Michael	
Liberty From Officials by Grace: The Fourth Amendment's Application to Automobile Passengers in <i>Maryland v. Wilson</i>	549
Bell, Craig D.	
Taxation Law: Annual Survey of Virginia Law	1221
Benjamin, Steven D. and Betty Layne DesPortes	
Criminal Law and Procedure: Annual Survey of Virginia Law.....	1015
Blum, Hunter C.	
ESOP's Fables: Leveraged ESOPs and Their Effect on Managerial Slack, Employee Risk and Motivation in the Public Corporation	1539
Casola, Francis H., James R. Creekmore, Michael F. Urbanski	
Antitrust and Trade Regulation Law: Annual Survey of Virginia Law	943
Conway, Martin C. and Susan M. Pesner	
Property Law: Annual Survey of Virginia Law	1145
Cook, Deanna D. and Player B. Michelsen	
Domestic Relations: Annual Survey of Virginia Law	1069
Cordes, Mark	
Property and the First Amendment	1
Creekmore, James R., Francis H. Casola, Michael F. Urbanski	
Antitrust and Trade Regulation Law: Annual Survey of Virginia Law	943
DesPortes, Betty Layne and Steven D. Benjamin	
Criminal Law and Procedure: Annual Survey of Virginia Law.....	1015
Deutch, Miguel	
The Property Concept of Trade Secrets in Anglo-American Law: An Ongoing Debate	313

Eglit, Howard C.	
The Age Discrimination in Employment Act at Thirty: Where It's Been, Where It Is Today, Where It's Going	579
Farley, Matthew M.	
Crashing the Party—The Supreme Court Subjects Political Parties to Preclearance Under Section 5 of the Voting Rights Act of 1965 in <i>Morse v. Republican Party of Virginia</i>	191
Flippen, Edward L. and Kodwo Gharkey-Tagoe	
Public Utility Law: Annual Survey of Virginia Law	1173
Frieden, Jonathan D.	
Medicaid Eligibility Planning for Aged Clients in Virginia: Annual Survey of Virginia Law	1303
Gelb, Harvey	
The Corporate Opportunity Doctrine—Recent Cases and the Elusive Goal of Clarity	371
Gharkey-Tagoe, Kodwo and Edward L. Flippen	
Public Utility Law: Annual Survey of Virginia Law	1173
Gilson, Ronald J.	
The Future of Corporate Governance in the United States	1459
Gordon, Jeffrey N.	
The Shaping Force of Corporate Law in the New Economic Order	1473
Harper, Michael C.	
ADEA Doctrinal Impediments to the Fulfillment of the Wirtz Report Agenda	757
Hopper, David D.	
Civil Practice and Procedure: Annual Survey of Virginia Law	991
Houtz, Peter David	
The Innocent Owner Defense to Civil Forfeiture Proceedings	257
Jensen, Nancy J.	
The Technically Skilled Worker and the Corporation: Dagwood, Dilbert and Beyond	1497
Johnson, J. Rodney	
Will, Trusts and Estates: Annual Survey of Virginia Law	1249

Koontz, Jr., The Honorable Lawrence L.	
Reassessment Should Not Lead to Wholesale Rejection	
of the Juvenile Justice System	179
Lynch, Daniel E.	
Workers' Compensation: Annual Survey of Virginia Law	1283
McCauley, James M. and Michael L. Rigsby	
Professional Responsibility: Annual Survey of Virginia Law.....	1115
McKenney, Patricia L.	
Administrative Procedure: Annual Survey of Virginia Law	907
McMorrow, Judith A.	
Retirement Incentives in the Twenty First Century:	
The Move Toward Employer Control of The ADEA	795
Meek, Barry T.	
<i>Robinson v. Shell Oil Co.</i> : Policy—Not Ambiguity—Drives the	
Supreme Court's Decision to Broaden Title VII's Retaliation Coverage	473
Michelsen, Player B. and Deanna D. Cook	
Domestic Relations: Annual Survey of Virginia Law	1069
Noonan, Edward P.	
The ADEA in the Wake of Seminole	879
North, Susan Childers	
Does Pretext Plus Age Equal the Sum of the Judgment?	847
O'Connor, Marleen A.	
Organized Labor as Shareholder Activist: Building Coalitions	
to Promote Worker Capitalism.....	1345
Parker, Johnny C.	
Does Lack of an Insurable Interest Preclude an Insurance Agent	
from Taking an Absolute Assignment of his Client's Life Policy?	71
Pesner, Susan M. and Martin C. Conway	
Property Law: Annual Survey of Virginia Law	1145
Player, Mack A.	
<i>Wards Cove Packing or Not Wards Cove Packing?</i> That is Not the	
Question: Some Thoughts on Impact Analysis under the Age	
Discrimination in Employment Act	819

Quigley, William P.	
Reluctant Charity: Poor Laws in the Original Thirteen States	111
Reed, KaCey	
The Supreme Court's Rejection of Government Indemnification to Agent Orange Manufacturers in <i>Hercules, Inc. v. United States:</i> Distinguishing the Forest from the Trees?.....	287
Rigsby, Michael L. and James M. McCauley	
Professional Responsibility: Annual Survey of Virginia Law.....	1115
Skelley II, Patrick J.	
Finding the Pearl in the Oyster: Strategies for a More Effective Implementation of Virginia's Chesapeake Bay Preservation Act	417
Triantis, George G.	
Debt Financing and Motivation	1323
Urbanski, Michael F., Francis H. Casola, James R. Creekmore	
Antitrust and Trade Regulation Law: Annual Survey of Virginia Law	943
Watson, James Frederick	
The Use of Facilitated Communication in Child Abuse Prosecutions	447

CASE INDEX

Abbott v. Willey	1280
Abcor Corp. v. AM International Inc.	969
Actuarial Benefits & Design Corp. v. Virginia Employment Commission	935
Adams Outdoor Advertising L.P. v. Long	1170
Adderley v. Florida	10, 14, 16
Albrecht v. Herald Co.	960, 961
Alexander v. Gardner-Denver Co.	810, 811
Allen v. State Board of Elections	219, 220, 221, 226, 227, 228, 250, 254
Allied Fibers v. Rhodes	1285
Allocca v. Allocca	1111
Alvarez v. Commonwealth	1029
Amalgamated Food Employees Union Local 590 v. Logan Valley Plaza	32, 33, 34, 35
Anderson v. Lake Arrowhead Civic Ass'n	1161
Anderson v. Commonwealth	1050, 1051
Anderson v. Baxter Healthcare Corp.	869, 870
Antonelli v. Antonelli	1097, 1098
Aspen Skiing Co. v. Aspen Highlands Skiing Corp.	966, 967
Atascadero State Hospital v. Scanlon	892
Auerbach v. County of Hanover	1156
Augustine Golf Development Corp. v. Stafford County Board of Supervisors	518
Austin v. United States	269, 270, 271, 274, 275, 279, 283, 284, 285
Bailey v. USX Corp.	518
Baker v. Commonwealth	1042
Barnabei v. Commonwealth	1031
Barnette v. Commonwealth	1021, 1022
Bartlett v. Bowen	885
Batson v. Kentucky	655, 1044
Battaglia v. General Motors Corp.	885
Bellinger v. Commonwealth	1066
Bennis v. Michigan	259, 271, 272, 278, 279, 280, 281, 282, 283, 284, 285
Bergan v. Standard Duplicating Machine Corp.	865
Bethea v. Commonwealth	1025
Binder v. Washington Gas-District of Columbia Division	952
Bishop v. District of Columbia	1227, 1228
Bodenheimer v. PPG Industries, Inc.	867

Boehringer Ingelheim Pharmaceuticals, Inc. v.	
Department of Taxation	1237
Bostick v. Bostick-Bennett	1100
Bowers v. Hardwick	55, 56
Boyle v. United Technologies Corp.	293, 308, 311
Brame v. Commonwealth	1034
Brewer v. Quaker State Oil Refining Corp.	866
Broadnax v. Commonwealth	1056
Brooks v. Commonwealth	1066
Brown v. Commonwealth	1055
Brown v. Pro Football, Inc.	973
Broz v. Cellular Information Systems, Inc.	383, 390, 392, 398, 399, 400, 403, 405, 409, 410, 413, 414
Bruton v. United States	1035, 1036
Bryson v. Fluor Corp.	601
Bulala v. Boyd	999
Butler v. Hayes	1159
Byers v. Commonwealth	1060
Bynum v. Commonwealth	1030
C.R.G. v. Bruntty	929, 932, 933
Calero-Toledo v. Pearson Yacht Leasing Co.	267, 269, 270, 271, 272, 273, 274, 279, 281, 282, 283, 285
California v. Hodari D.	1028
California v. Carney	569
Carey v. Brown	46, 47
Carroll v. United States	568, 569
Carter v. Thornhill	1096
Catterton v. Commonwealth	1061
Chapman v. City of Virginia Beach	997, 1154
Charles v. Commonwealth	1058
Charlton v. Paramus Board of Education	518
Cherokee Corp. v. Chicago Title Insurance Corp.	1169
Cherry v. D.S. Nash Construction Co.	1006
Chesapeake & Potomac Telephone Co. of Virginia v. Murphy	1296, 1297
Childers V. Northwest Airlines	1551
Christopher v. Stouder Memorial Hospital	497, 510, 511
Church v. Church	1107
City Council of Los Angeles v. Taxpayers for Vincent	3, 60, 62
City Capital Assoc., Ltd. Partnership v. Interco Inc.	1462
City of Ladue v. Gilleo	3, 5, 57, 59, 60, 62, 63, 65, 67
City of Renton v. Playtime Theatres	51, 52, 63, 67
Cohen v. Brown University	547
Cohens v. Virginia	887
Coleman v. Hogan	991

Commonwealth v. Thomas	1023, 1024, 1025
Commonwealth v. Davis	7, 8, 9
Commonwealth v. Talbert	1019
Commonwealth v. Brown	557, 559
Commonwealth v. Thornton	1016, 1017, 1037
Commonwealth v. Richter	1106
Convalescent Care, Inc. v. Commonwealth	926
Cooke v. Cooke	1099, 1100
Coolidge v. New Hampshire	572
Cooper v. Brodie	1278
Copperweld Corp. v. Independence Tube Corp.	950, 958, 959
Cornelius v. NCAAP Legal Defense and Education Fund	18, 19, 21
Corning Glass Works v. Brennan	839
County of Spotsylvania v. Walker	1292, 1293
County of Washington v. Gunther	833, 834, 835
Craig v. Boren	526, 541
Craver-Farrell v. Anderson	1276
Crawford v. Commonwealth	1043
Cregger v. Commonwealth	1051
CTS Corporation. v. Dynamics Corp. of America	1488
Cudjoe v. Commonwealth	1067
Daubert v. Merrell Dow Pharmaceuticals	452, 470, 471
Deer v. Commonwealth	1023, 1024
Dehoney v. South Carolina Department of Corrections	951, 975
Derrickott v. State	561
Dickerson v. Fatehi	997
Dickson v. Dickson	1090, 1091, 1093
Dodson v. Commonwealth	1056
Dollar General Store v. Cridlin	1286, 1287
Dotson v. Dotson	1093
Draper v. Pauley	1279
Dunlop v. Carriage Carpet Co.	495, 499
Eastern R.R. Presidents Conference v. Noerr Motor Freight	978
Edelman v. Jordan	889
Edgar v. Mite	1487, 1488
Edmonson v. Leesville Concrete Co.	991
EEOC v. Wyoming	893, 901, 902
EEOC v. Elrod	894
EEOC v. Francis W. Parker School	842, 844
EEOC v. McDonnell Douglas Corp.	601, 604
EEOC v. Ohio Edison Co.	497
Ellis v. United Airlines	844
Engineering Contractors Ass'n v. Metropolitan Dade County	548

Eppling v. Schultz Dining Programs/	
Commonwealth of Virginia	1296
Escobedo v. Illinois	186
Estate Construction Co. v. Miller & Smith Holding Co.	957
Ex rel. Jenny S. v. Mark S.	452, 454, 457
Ex parte Young.....	880, 881, 882, 883, 885, 886, 888, 889, 890, 891, 892, 904, 905
Fahey v. Fahey	1103
Fairfax Hospital System v. Nevitt.....	999
Featherstone v. Brooks	1100
Feres v. United States	291, 292, 304
Fibreboard Paper Products v. NLRB	1377
Fingles Co. v. Tatterson	1295
Fitzpatrick v. Bitzer	881, 898, 903
Flagg Bros. v. Brooks	248
Fletcher v. Fletcher	1277
Flinchum v. Commonwealth.....	1059
Folson v. Commonwealth	1066
Forest Ambulance Services, Inc. v. Mercy Ambulance of Richmond, Inc.	976
Fortune v. Kings County Democratic County Comm.	233
Foucha v. Louisiana	274
Frazer v. Millington	1277
Frazer v. Frazer	1084, 1085, 1086, 1087, 1096, 1097
Frey v. Jefferson Homebuilders, Inc.	1002, 1003
Frisby v. Schultz	3, 46, 48, 49, 63
Frye v. United States	448, 452, 453, 454, 457, 458, 460, 461, 464, 465
Fuentes v. Shevin.....	267
Fuka v. Thomson Consumer Electronics	870
Fullilove v. Klutznick	901
Galbraith v. Fleming	1006
Gallo v. Prudential Services	861
Garrett v. Majied	1277
Gay v. Norfolk & Western Railway Co.	1007
Geller v. Markham.....	697
Gilmer v. Interstate/Johnson Lane Corp.	699, 700, 811, 812, 814, 816, 817
Goldsmith v. United States	264, 266, 268, 273, 281, 283
Grayned v. City of Rockford	12, 13
Greer v. Spock	14, 21
Gregory v. Ashcroft	883, 893
Griggs v. Duke Power Co.	820, 821, 822, 823, 827, 828, 829, 831
Grovey v. Townsend.....	207, 209, 210

- Guth v. Loft, Inc. 376, 377, 378, 385, 386, 387,
388, 392, 394, 395, 398,
401, 403, 405, 406, 412
- Hagan v. Adams Property Associates, Inc. 1165
- Hague v. CIO. 8, 9, 17, 24
- Hans v. Louisiana. 881, 882
- Harmony v. United States. 261, 263, 264
- Harrison & Bates, Inc. v. Featherstone Ass'n. 1165
- Hatzlachh Supply Co. v. United States. 309
- Hawthorn v. City of Richmond. 1154, 1155
- Hawthorne v. Baker. 233
- Hazen Paper Co. v. Biggins. 693, 695, 696, 697, 758,
772, 776, 783, 784, 786, 787,
823, 824, 825, 839, 842, 843
- Head v. Head. 1090, 1099, 1100
- Henson v. Liggett Group, Inc. 863
- Hercules, Inc. v. United States. 287, 288, 294, 306, 307,
308, 309, 310, 311, 312
- Herrera v. Commonwealth. 1067
- Hill v. Brooks. 1160
- Hodgson v. Charles Martin Inspectors
of Petroleum, Inc. 495, 496, 497, 499
- Hoggard v. City of Richmond. 1154
- Hooverer v. Commonwealth. 1031, 1053
- Howard v. BP Oil. 872, 873
- Howerton v. Grace Hospital, Inc. 947, 964, 971
- Howlett v. Rose. 887
- Hoyle v. Virginia Employment Commission. 921
- Hudgens v. NLRB. 35, 36, 37
- Huger v. Huger. 1082
- Husske v. Commonwealth. 1030, 1031
- In re Sa'ad El-Amin. 1141
- In re David Jerome Allmond. 1142
- In re Rosenblum. 1169
- In re Gault. 185
- In re M.Z. 454, 456, 457
- International Society for Krishna
Consciousness, Inc. v. Lee. 3, 20, 23, 25, 26, 63
- International Brotherhood of Teamsters v.
Daniels. 1551, 1552
- Isenbergh v. Knight-Ridder Newspaper Sales, Inc. 871, 872, 873
- J.E.B. v. Alabama ex rel. T.B. 992, 1045
- J.E.B. v. Alabama ex rel. T.B. 533, 535
- J.L.W. v. Virginia Department of Social Services. 933
- Jefferson v. Commonwealth. 1041, 1042

Jeffries v. Virginia Board for Contractors	1162, 1163
Johnson v. Commonwealth	1039, 1040
Jones v. E. I. DuPont De Nemours & Co.	1285, 1286
Jones v. United States	571
Jones v. Commonwealth	1029
Jones v. Commonwealth	1025
Katz v. United States	571
Katzenbach v. Morgan	897
Kent v. United States	187
Khan v. State Oil Co.	960
King v. Forst	1227
Kirchberg v. Feenstra	526
Klehr v. Smith Corp.	946
Kovacs v. Cooper	43, 44, 45, 50
Kraft v. Burr	1154, 1160
Krenick v. County of Le Sueur	863
Kuper v. Iovenko	1557, 1558, 1559
Lake v. Northern Virginia Women's Medical Center, Inc.	993
Lanasa v. Willey	1280
Law v. Law	1275
Lawson v. Elkins	996
Lee v. Illinois	1035
Lee Gardens Ltd. Partnership v. Arlington County Board	1166, 1167
Lehman v. City of Shaker Heights	13
LesCallett v. Rozansky & Kay Construction Co.	1290
Levy v. Markal Sales Corp.	372, 411
Limonja v. Commonwealth	1023, 1024
Little v. Ward	1274
Lloyd Corp. v. Tanner	33, 34, 35, 36, 37, 63
Lockheed Corp. v. Spink	598
Long v. Commonwealth	1058
Lopez v. A.C. & S., Inc.	296, 297, 307, 310, 311
Loretto v. Teleprompter Manhattan CATV Corp.	39
Lorillard v. Pons	900
M&M Medical Supplies & Services Inc. v. Pleasant Valley Hospital, Inc.	969
MacGuire v. Amos	232, 233
MacPherson v. University of Montevallo	900, 901, 903
Mansfield v. Taylor	1097, 1098
Manzer v. Diamond Shamrock Chemical Co.	868, 869
Mapp v. Ohio	186
Marsh v. Alabama	31, 32, 33, 34, 35
Martin v. City of Struthers	42, 43, 44, 45, 65

Martinez v. Roig	978
Maryland v. Wilson.....	549, 550, 551, 559, 562,
563, 565, 567, 568, 571,	
572, 573, 574, 575, 577, 578	
Mathy v. Virginia Department of Taxation	1225
McBride v. Commonwealth.....	1060
McDonnell Douglas Corp. v. Green	767, 768, 769, 770, 773,
774, 775, 776, 790, 791,	
847, 850, 851, 855, 856,	
857, 859, 860, 869, 870, 877	
McKay v. Rockwell International Corp.	292
McKeiver v. Pennsylvania.....	187
McWane, Inc. v. Virginia Department of Taxation.....	1224
Mejia v. Commonwealth	1057
Merillat Industries, Inc. v. Parks	1284
Metz v. Transit Mix, Inc.	785
Michigan v. Long	556, 561
Michigan v. Summers	564, 565
Michigan Wisconsin Pipeline Co. v.	
Williams-McWilliams Co.....	307
Mid-West Paper Products Co. v.	
Continental Group, Inc.	945
Miller v. Commonwealth	1060
Mills v. Commonwealth	1043
Mills v. Commonwealth	1052
Miranda. v. Arizona	186
Mississippi University for Women v. Hogan	526, 530, 533, 534, 535, 538, 546
Missouri v. American Cyanamid Co.	983
Mitchell v. Commonwealth	1049
Moench v. Robertson	1556, 1557, 1559
Monsanto Co. v. Spray-Rite Service Corp.	957
Montgomery County Ass'n of Realtors, Inc. v.	
Realty Photo Master Corp.	949, 950
Moore v. Warren.....	1006
Moreno v. Moreno	1087, 1088, 1098, 1109
Morse v. Republican Party	192, 193, 214, 215, 231, 234,
237, 239, 240, 241, 243, 249,	
251, 252, 253, 254, 255	
Mosby v. Commonwealth	1054
Nationwide Mutual Insurance Co. v. Darden.....	483
Neal v. Continental Airlines, Inc.	865
Nelson v. Commonwealth	1026
New York v. United States	883
New York v. Belton	570, 1029
Nixon v. Herndon.....	203, 204

Nixon v. Condon	205, 206
North Carolina v. Alford	1053
Northeast Harbor Golf Club, Inc. v. Harris	374, 376, 383, 398, 399, 400, 404, 413
Odin, Inc. v. Price	1297, 1298
Oil Transport, Inc. v. Jordan	1290, 1291
Oksanen v. Page Memorial Hospital	957, 958
Omega World Travel, Inc. v. Trans World Airlines	962
Ordnance Research, Inc. v. United States	296, 297
Oregon v. Mitchell	897
Orlandi v. Orlandi	1100
Overhead Door Co. of Norfolk v. Lewis	1294
O'Connor v. Consolidated Coin Caterers Corp.	598, 851, 873, 874
O'Loughlin v. O'Loughlin	1112
Pantchenko v. C.B. Dolge Co., Inc.	492, 506
Paramount Communications, Inc. v. Time, Inc.	1488
Parker v. Brown	977, 978
Passer v. American Chemical Society	514
Patel v. Scotland Memorial Hospital	956, 972
Pease v. Commonwealth	1052
Peisch v. Ware	268
Pennhurst State School & Hospital v. Halderman (Pennhurst I)	902
Pennsylvania v. Union Gas Co.	880, 882
Pennsylvania v. Mimms	549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 653, 565, 567, 571, 572, 573
People v. Webb	456, 457
People ex rel O'Connell v. Turner	183, 184
Perez v. Commonwealth	1029
Perry Education Ass'n v. Perry Local Educators' Ass'n	15, 16, 17, 18, 19, 20, 22, 23, 25, 26
Personnel Administrator v. Feeney	526
Piedmont Manufacturing Co. v. East	1284
Polsby v. Chase	475, 507, 508
Polston v. Commonwealth	1030
Poorvu v. United States	295, 296, 307
Presley v. Etowah County Commission	227, 228, 250, 254
Price Waterhouse v. Hopkins	771, 773, 774, 776, 790, 824
Price v. Commonwealth	1030
Pruneyard Shopping Center v. Robins	37, 38, 39, 40
PYA/Monarch & Reliance Co. v. Harris	1287, 1288, 1289
R.K. Chevrolet v. Hayden	997

Raia v. Commonwealth	1035
Rakas v. Illinois	556, 561, 570, 571
Randolph v. Commonwealth	1036
Rapistan Corp. v. Michaels	394, 397, 398, 411, 412
Reed v. Shepard	474, 475, 506
Reed v. Reed	525
Reich v. NationsBank	1560
Reid v. Reid	1094
Rhodes v. Guiberson Oil Tools	867
Richardson v. Commonwealth	1060
Richmond Newspapers, Inc. v. Gill	1293
Robbs v. Commonwealth	1040
Robinson v. Ward	1279
Robinson v. Shell Oil. Co.	473, 474, 475, 476, 477, 479, 482, 483, 484, 485, 486, 490, 492, 502, 511, 512, 515, 516, 517, 520
Romine v. Romine	1104
Rosser v. Commonwealth	1052
Rothmeier v. Investment Advisers, Inc.	691
Rowan v. United States Post Office	44, 45
Rowe v. Rowe	1081, 1082, 1083, 1084, 1086
Roxas v. Presentation College	864
Ruane v. Virginia Real Estate Board	934
Rutherford v. American Bank of Commerce	489, 490, 495, 499, 504, 505, 519
Ryther v. Kare 11	864
Saleem v. Commonwealth	1037
Schneider v. New Jersey	9
Schwartz v. Brownlee	998
Scott v. Scott	1096
SEC v. Ralston Purina Co.	1552
SEC v. W.J. Howey Co.	1551, 1552
Seman v. Coplay Cement Co.	866
Seminole Tribe of Florida v. Florida	880, 881, 883, 884, 886, 887, 888, 889, 890, 891, 903, 904, 905
Seyfarth, Shaw, Fairweather & Geraldson v.	
Lake Fairfax Seven Ltd. Partnership	1005
Shaw v. Grumman Aerospace Corp.	292
Shears v. Commonwealth	1021
Shenk v. Commonwealth	1059
Sherman v. Burke Contracting, Inc.	504, 505, 507
Shiflett v. Commonwealth	1065
Simmons v. South Carolina	1064
Simmons v. Commonwealth	1034
Skipper v. Commonwealth	1044

Smith v. Allwright	209, 210, 215, 237
Smith v. Smith	993
Snyder v. Virginia Employment Commission.....	924
Sofer v. United States	970
South Carolina v. Katzenbach	226
Southwest Virginia Hospitals v. Lipps.....	921
Sparks v. Commonwealth.....	1050
Spence v. Washington	56, 57, 59, 60, 65
Spivey v. Commonwealth	1020, 1021
St. John v. American Mutual Life Insurance Co.....	84, 86
St. George v. Pariser	1001
St. Mary's Honor Center v. Hicks	691, 692, 768, 769, 776, 791, 848, 851, 856, 857, 858, 860, 861, 862, 863, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878
Stanley v. Georgia	54, 55, 56, 60, 65
State v. Smith	558, 561
State v. Landry	556, 557, 558, 559, 574, 575
State v. Williams.....	558
Stencel Aero Engineering Corp. v. United States	291, 308
Stenrich Group v. Jemmott	1283, 1284, 1285, 1298
Steur v. National Medical Enterprises, Inc.	948, 949
Straessle v. Air Line Pilots Ass'n	1004
Strauss v. Peninsula Regional Medical Center.....	963, 972
Supermarket of Marlinton v. Meadow Gold Diaries, Inc.	944
Sutton v. United States	289, 304, 309
Swann v. Marks	1003
Tarin v. Pellonari	413
Taylor v. Virginia	901
Taylor v. Mobil Corp.	999
Tazewell Oil Co. v. United Virginia Bank	1005
Terry v. Ohio	1023
Terry v. Commonwealth	1048
Terry v. Commonwealth	1015, 1016
Terry v. Adams	211, 212
Terry v. Ohio	576
Texas Department of Community Affairs v. Burdine	767, 768, 769, 770, 773, 775, 776, 790, 791, 858, 859, 860, 869, 850, 855, 856, 857
The Palmyra	261, 262, 263, 274, 283

Thomas v. Commonwealth	1053
Thomas v. Commonwealth	1028
Toliver v. Commonwealth	1027
Transportation Commissioner v. Matyiko	1158
Turner v. Commonwealth	1054
Udo v. Tomes	861
Union Recovery Ltd. Partnership v. Horton	1000
United Savings Ass'n v. Jim Carpenter Co.	1164
United States v. Kokinda	3, 20, 21, 26, 63
United States v. Grace	20, 21
United States v. Robinson	553
United States Postal Service Board of Govenors v. Aikens	856, 857, 859
United States v. Classic	209, 210
United States v. James Daniel Good Real Property	271, 272, 284
United Savings Ass'n v. Jim Carpenter Co.	1164
United States v. Di Re	576
United States v. Board of Commissioners (Sheffield)	229, 230, 231, 232, 246, 249
United States v. Lopez	883
United States v. Virginia	523, 524, 525, 526, 527, 535, 541, 545, 547, 548
United States v. Spearin	295, 296, 303, 305, 307
United Mine Workers v. Pennington	978
United States v. North American Transportation & Trading Co.	309
Uselton v. Commercial Lovelace Motor Freight	1552
Van Oster v. Kansas	266, 268, 273, 275, 276 281
Verez v. Commonwealth	1020
Virginia Panel Corp. v. Mac Panel Co.	967
Virginia Department of Taxation v. National Private Truck Council	1221
Virginia Retirement System v. Rizzo	922
Virginia Employment Commission v. Nunery	938
Virginia Vermiculite, Ltd. v. W.R. Grace & Co.-Conn.	953, 965
W.S. Carnes, Inc. v. Board of Supervisors	1163
Waldron v. SL Industries, Inc.	866
Walker v. NationsBank of Florida	872
Walter Reed Convalescent Center/ Virginia Health Services, Inc. v. Reese	1296
Walters v. Metropolitan Educational Enterprises, Inc.	485
Walton v. Commonwealth	1032
Walton v. Capital Land, Inc.	1156
Wamco, III, Ltd. v. First Piedmont Mortgage Corp.	1000
Ward v. Insurance Co. of North America	1002, 1003
Wards Cove Packing Co. v. Atonio	836, 837, 838, 839
Ware v. Crowell	1276
Weaver v. Commonwealth	1032

Weinberg v. Given	1007
Weisbrot v. Medical College of Wisconsin	870
White Electric Co. v. Bak	1293
White v. Commonwealth	1028
Whren v. United States	567, 577
Williams Industries, Inc. v. Wagoner	1289
Williams v. Democratic Party	236, 247
Williams v. 5300 Columbia Pike Corp.	958, 961
Wilson v. Commonwealth	1057
Wisconsin Department of Revenue v. Wrigley Co.	1224
WLR Foods, Inc. v. Tyson Foods, Inc.	1492, 1494
Wm. T. Thompson Co. v. United States	288
Wood v. Commonwealth	1016, 1017
Woodhouse v. Magnolia Hospital	867
Woodward v. Morgan	1161
Wright v. Commonwealth	1051
Yarborough v. Commonwealth	1059
Ybarra v. Illinois	576
Zelenak v. Commonwealth	1047

SUBJECT INDEX**ADMINISTRATIVE LAW**

Administrative Procedure: Annual Survey of Virginia Law 907

AGE DISCRIMINATION IN EMPLOYMENT ACT

ADEA Doctrinal Impediments to the Fulfillment of the Wirtz Report Agenda 757

The ADEA in the Wake of Seminole 879

The Age Discrimination in Employment Act at Thirty:
Where It's Been, Where It Is Today, Where It's Going 579

Does Pretext Plus Age Equal the Sum of the Judgment? 847

Retirement Incentives in the Twenty First Century:
The Move Toward Employer Control of the ADEA 795

Wards Cove Packing or Not Wards Cove Packing?
That Is Not the Question: Some Thoughts on Impact Analysis
Under the Age Discrimination in Employment Act 819

AGENCY

Does Lack of an Insurable Interest Preclude an Insurance Agent from Taking an Absolute Assignment of his Client's Life Policy? 71

ANTITRUST LAW

Antitrust and Trade Regulation Law: Annual Survey of Virginia Law 943

CHESAPEAKE BAY PRESERVATION ACT

Finding the Pearl in the Oyster: Strategies for a More Effective Implementation of Virginia's Chesapeake Bay Preservation Act 417

CIVIL FORFEITURE

The Innocent Owner Defense to Civil Forfeiture Proceedings 257

CIVIL PROCEDURE

Civil Practice and Procedure: Annual Survey of Virginia Law 991

CIVIL RIGHTS ACT OF 1964

Robinson v. Shell Oil Co.: Policy—Not Ambiguity—
Drives the Supreme Court's Decision to Broaden
Title VII's Retaliation Coverage 473

CIVIL RIGHTS ACT OF 1991

ADEA Doctrinal Impediments to the Fulfillment of the Wirtz
Report Agenda 757

Wards Cove Packing or Not *Wards Cove Packing*? That Is Not
the Question: Some Thoughts on Impact Analysis Under the Age
Discrimination in Employment Act 819

COMMERCE CLAUSE

The ADEA in the Wake of Seminole 879

CONFIDENTIAL RELATIONSHIP

Does Lack of an Insurable Interest Preclude an Insurance Agent
from Taking an Absolute Assignment of his Client's Life Policy? 71

CONSTITUTIONAL LAW

The Supreme Court's "Exceedingly [Un]persuasive" Application of
Intermediate Scrutiny in *United States v. Virginia* 523

CONTRACTS

Does Lack of an Insurable Interest Preclude an Insurance
Agent from Taking an Absolute Assignment of his Client's
Life Policy? 71

CORPORATE LAW

The American Corporation in the Twenty-First Century:
Future Forms of Structure and Governance 1399

The Corporate Opportunity Doctrine—Recent Cases and the
Elusive Goal of Clients 371

Debt Financing and Motivation 1323

ESOP's Fables: Leveraged ESOPs and Their Effect on Managerial
Slack, Employee Risk and Motivation in the Public Corporation 1539

The Future of Corporate Governance in the United States 1459

Organized Labor as Shareholder Activist: Building Coalitions to
Promote Worker Capitalism 1345

The Shaping Force of Corporate Law in the New Economic Order 1473

The Technically Skilled Worker and the Corporation:
Dagwood, Dilbert and Beyond 1497

CRIMINAL LAW

Criminal Law and Procedure: Annual Survey of Virginia Law 1015

Liberty From Officials by Grace: The Fourth Amendment's Application
to Automobile Passengers in *Maryland v. Wilson* 549

Reassessment Should Not Lead to Wholesale Rejection of the
Juvenile Justice System 179

The Use of Facilitated Communication in Child Abuse Prosecutions 447

DEFENSE PRODUCTION ACT

The Supreme Court's Rejection of Government Indemnification to
Agent Orange Manufacturers in *Hercules, Inc. v. United States*:
Distinguishing the Forest from the Trees? 287

DOMESTIC RELATIONS

Domestic Relations: Annual Survey of Virginia Law 1069

ECONOMICS

The Shaping Force of Corporate Law in the New Economic Order 1473

EIGHTH AMENDMENT

The Innocent Owner Defense to Civil Forfeiture Proceedings 257

ELECTION LAW

Crashing the Party—The Supreme Court Subjects Political Parties to Preclearance Under Section 5 of the Voting Rights Act of 1965 in <i>Morse v. Republican Party of Virginia</i>	191
---	-----

EMPLOYMENT LAW

ESOP's Fables: Leveraged ESOPs and Their Effect on Managerial Slack, Employee Risk and Motivation in the Public Corporation	1539
---	------

<i>Robinson v. Shell Oil Co.</i> : Policy—Not Ambiguity—Drives the Supreme Court's Decision to Broaden Title VII's Retaliation Coverage	473
---	-----

See also "Age Discrimination in Employment Act"

ENVIRONMENTAL LAW

Finding the Pearl in the Oyster: Strategies for a More Effective Implementation of Virginia's Chesapeake Bay Preservation Act.....	417
--	-----

EVIDENCE

The Use of Facilitated Communication in Child Abuse Prosecutions	447
--	-----

FEDERAL TORT CLAIMS ACT

The Supreme Court's Rejection of Government Indemnification to Agent Orange Manufacturers in <i>Hercules, Inc. v. United States</i> : Distinguishing the Forest from the Trees?.....	287
--	-----

FIDUCIARY DUTY

Does Lack of an Insurable Interest Preclude an Insurance Agent from Taking an Absolute Assignment of his Client's Life Policy?	71
--	----

FIRST AMENDMENT

Property and the First Amendment	1
--	---

FIFTH AMENDMENT

The Innocent Owner Defense to Civil Forfeiture Proceedings	257
--	-----

FOURTEENTH AMENDMENT

The ADEA in the Wake of Seminole	879
The Innocent Owner Defense to Civil Forfeiture Proceedings	257
The Supreme Court's "Exceedingly [Un]persuasive" Application of Intermediate Scrutiny in <i>United States v. Virginia</i>	523

FOURTH AMENDMENT

Liberty From Officials by Grace: The Fourth Amendment's Application to Automobile Passengers in <i>Maryland v. Wilson</i>	549
--	-----

GOVERNMENT CONTRACTS

The Supreme Court's Rejection of Government Indemnification to Agent Orange Manufacturers in <i>Hercules, Inc. v. United States</i> : Distinguishing the Forest from the Trees?	287
--	-----

INSURANCE

Does Lack of an Insurable Interest Preclude an Insurance Agent from Taking an Absolute Assignment of his Client's Life Policy?	71
--	----

INTELLECTUAL PROPERTY

The Property Concept of Trade Secrets in Anglo-American Law: An Ongoing Debate	313
---	-----

JUVENILE JUSTICE

Reassessment Should Not Lead to Wholesale Rejection of the Juvenile Justice System	179
The Use of Facilitated Communication in Child Abuse Prosecutions	447

LABOR

ESOP's Fables: Leveraged ESOPs and Their Effect on Managerial Slack, Employee Risk and Motivation in the Public Corporation	1539
---	------

Organized Labor as Shareholder Activist: Building
Coalitions to Promote Worker Capitalism 1345

The Technically Skilled Worker and the Corporation:
Dagwood, Dilbert and Beyond 1497

LAND USE PLANNING

Property and the First Amendment 1

MEDICAID

Medicaid Eligibility Planning for Aged Clients in Virginia 1303

OLDER WORKERS BENEFIT PROTECTION ACT

ADEA Doctrinal Impediments to the Fulfillment of the
Wirtz Report Agenda 757

Retirement Incentives in the Twenty First Century:
The Move Toward Employer Control of the ADEA 795

POOR LAWS

Reluctant Charity: Poor Laws in the Original Thirteen States 111

PROFESSIONAL RESPONSIBILITY

Professional Responsibility: Annual Survey of Virginia Law 1115

PROPERTY LAW

Property and the First Amendment 1

The Property Concept of Trade Secrets in Anglo-American
Law: An Ongoing Debate 313

Property Law: Annual Survey of Virginia Law 1145

PUBLIC FORUM DOCTRINE

Property and the First Amendment 1

PUBLIC UTILITY LAW

 Public Utility Law: Annual Survey of Virginia Law 1173

SETTLEMENT LAWS

 Reluctant Charity: Poor Laws in the Original Thirteen States 111 .

SLAVERY

 Reluctant Charity: Poor Laws in the Original Thirteen States 111

TAXATION

 Taxation: Annual Survey of Virginia Law 1221

TECHNOLOGY

 The American Corporation in the Twenty-First Century:
 Future Forms of Structure and Governance 1399

TRADE SECRETS

 The Property Concept of Trade Secrets in Anglo-American
 Law: An Ongoing Debate 313

TRESPASS

 Property and the First Amendment 1

TUCKER ACT

 The Supreme Court's Rejection of Government Indemnification
 to Agent Orange Manufacturers in *Hercules, Inc. v. United States*:
 Distinguishing the Forest from the Trees? 287

VOTING RIGHTS ACT OF 1965

 Crashing the Party—The Supreme Court Subjects Political
 Parties to Preclearance Under Section 5 of the Voting Rights
 Act of 1965 in *Morse v. Republican Party of Virginia* 191

WELFARE

 See "Poor Laws"

WILLS, TRUSTS AND ESTATES

Wills, Trusts and Estates: Annual Survey of Virginia Law 1249

WORKERS' COMPENSATION

Workers' Compensation: Annual Survey of Virginia Law 1283

TITLE INDEX

ADEA Doctrinal Impediments to the Fulfillment of the Wirtz Report Agenda.....	757
The ADEA in the Wake of Seminole	879
Administrative Procedure: Annual Survey of Virginia Law.....	907
The Age Discrimination in Employment Act at Thirty: Where It's Been, Where It Is Today, Where It's Going	579
The American Corporation in the Twenty-First Century: Future Forms of Structure and Governance	1399
Antitrust and Trade Regulation Law: Annual Survey of Virginia Law	943
Civil Practice and Procedure: Annual Survey of Virginia Law	991
The Corporate Opportunity Doctrine—Recent Cases and the Elusive Goal of Clarity	371
Crashing the Party—The Supreme Court Subjects Political Parties to Preclearance Under Section 5 of the Voting Rights Act of 1965 in <i>Morse v. Republican Party of Virginia</i>	191
Criminal Law and Procedure: Annual Survey of Virginia Law	1015
Debt Financing and Motivation	1323
Does Lack of an Insurable Interest Preclude an Insurance Agent from Taking an Absolute Assignment of his Client's Life Policy?	71
Does Pretext Plus Age Equal the Sum of the Judgment?	847
Domestic Relations: Annual Survey of Virginia Law	1069
ESOP's Fables: Leveraged ESOPs and Their Effect on Managerial Slack, Employee Risk and Motivation in the Public Corporation	1539
Finding the Pearl in the Oyster: Strategies for a More Effective Implementation of Virginia's Chesapeake Bay Preservation Act	417
The Future of Corporate Governance in the United States	1459

The Innocent Owner Defense to Civil Forfeiture Proceedings	257
Medicaid Eligibility Planning for Aged Clients in Virginia: Annual Survey of Virginia Law	1303
Organized Labor as Shareholder Activist: Building Coalitions to Promote Worker Capitalism.....	1345
Professional Responsibility: Annual Survey of Virginia Law.....	1115
Property and the First Amendment.....	1
The Property Concept of Trade Secrets in Anglo-American Law: An Ongoing Debate	313
Property Law: Annual Survey of Virginia Law	1145
Public Utility Law: Annual Survey of Virginia Law.....	1173
Reassessment Should Not Lead to Wholesale Rejection of the Juvenile Justice System	179
Reluctant Charity: Poor Laws in the Original Thirteen States	111
Retirement Incentives in the Twenty First Century: The Move Toward Employer Control of The ADEA	795
<i>Robinson v. Shell Oil Co.</i> : Policy—Not Ambiguity—Drives the Supreme Court's Decision to Broaden Title VII's Retaliation Coverage	473
The Shaping Force of Corporate Law in the New Economic Order	1473
The Supreme Court's "Exceedingly [Un]persuasive" Application of Intermediate Scrutiny in <i>United States v. Virginia</i>	523
The Supreme Court's Rejection of Government Indemnification to Agent Orange Manufacturers in <i>Hercules, Inc. v. United States</i> : Distinguishing the Forest from the Trees?.....	287
Taxation Law: Annual Survey of Virginia Law	1221
The Technically Skilled Worker and the Corporation: Dagwood, Dilbert and Beyond	1497

The Use of Facilitated Communication in Child Abuse Prosecutions	447
<i>Wards Cove Packing or Not Wards Cove Packing?</i> That is Not the Question: Some Thoughts on Impact Analysis Under the Age Discrimination in Employment Act	819
Wills, Trusts and Estates: Annual Survey of Virginia Law.....	1249
Workers' Compensation: Annual Survey of Virginia Law	1283

