Cumulative Index (Volumes 1-20)
## INDEX BY VOLUME

**Volume 1**

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Crimes as Evidence in Present Criminal Trials</td>
<td>1:1</td>
</tr>
<tr>
<td>Charles W. Gamble</td>
<td></td>
</tr>
<tr>
<td>In Praise of Pension Reform</td>
<td>1:31</td>
</tr>
<tr>
<td>Ronald I. Kirschbaurn</td>
<td></td>
</tr>
<tr>
<td>A History of Liquor By-The-Drink Legislation in North Carolina</td>
<td>1:61</td>
</tr>
<tr>
<td>Michael Crowell</td>
<td></td>
</tr>
<tr>
<td>Statutory Standard of Care for North Carolina Health Care Providers</td>
<td>1:111</td>
</tr>
<tr>
<td>John Marsh Tyson</td>
<td></td>
</tr>
<tr>
<td>Separation Agreements: Effect of Resumed Marital Relations - Murphy v. Murphy</td>
<td>1:131</td>
</tr>
<tr>
<td>Donald R. Teeter</td>
<td></td>
</tr>
<tr>
<td>Farmers as Merchants in North Carolina - Currituck Grain, Inc. v.</td>
<td>1:141</td>
</tr>
<tr>
<td>Powell</td>
<td></td>
</tr>
<tr>
<td>Beverly Wheeler Massey</td>
<td></td>
</tr>
<tr>
<td>The Effect of Unanimous Approval on Corporate Bylaws - Blount v.</td>
<td>1:153</td>
</tr>
<tr>
<td>Taft</td>
<td></td>
</tr>
<tr>
<td>Margaret Person Currin</td>
<td></td>
</tr>
<tr>
<td>North Carolina and Declarations Against Penal Interest - State v.</td>
<td>1:161</td>
</tr>
<tr>
<td>Haywood</td>
<td></td>
</tr>
<tr>
<td>Samuel W. Meekins</td>
<td></td>
</tr>
<tr>
<td>Confronting Accused With Evidence Against Him as “Interrogation”</td>
<td>1:173</td>
</tr>
<tr>
<td>Within the Meaning of Miranda - State v. McLean</td>
<td></td>
</tr>
<tr>
<td>William M. Spivey</td>
<td></td>
</tr>
<tr>
<td>Public Documents in the Hands of Private Collectors - State v. West</td>
<td>1:179</td>
</tr>
<tr>
<td>Samuel R. Clawson</td>
<td></td>
</tr>
</tbody>
</table>

**Volume 2**

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advisory Rulings by Administrative Agencies: Their Benefits and Dangers</td>
<td>2:1</td>
</tr>
<tr>
<td>Davis L. Dickson</td>
<td></td>
</tr>
<tr>
<td>Trial Tactics in a Complex Case</td>
<td>2:93</td>
</tr>
<tr>
<td>Vincent Bugliosi</td>
<td></td>
</tr>
<tr>
<td>Waiver of Right to Counsel - State v. Butler</td>
<td>2:113</td>
</tr>
<tr>
<td>Patti Owen Harper</td>
<td></td>
</tr>
<tr>
<td>Press Has No Constitutional Right to Attend a Pretrial Suppression</td>
<td>2:125</td>
</tr>
<tr>
<td>Hearing - Gannett Co. v. DePasquale</td>
<td></td>
</tr>
<tr>
<td>Jay C. Welch</td>
<td></td>
</tr>
<tr>
<td>Admissibility of Expert Opinion - State v. Wade</td>
<td>2:137</td>
</tr>
<tr>
<td>James A. Haney</td>
<td></td>
</tr>
<tr>
<td>Submission to the Jury of Lesser Included Offenses - State v.</td>
<td>2:145</td>
</tr>
<tr>
<td>Thompson</td>
<td></td>
</tr>
<tr>
<td>Tony Carlton Dalton</td>
<td></td>
</tr>
</tbody>
</table>
State's Interest in Wild Animals - Hughes v. Oklahoma ....... 2:151
Susan Morrison Umstead

Health Care Professionals Seek to Advertise - Friedman v. Rogers ...... 2:173
Lex Allen Watson II

Volume 3

The Fourth Circuit and the Fourth Amendment: Removing the High From the Seas ................................................... 3:1
Herman E. Gaskins, Jr.

Installment Land Contracts in North Carolina ................................................... 3:29
James W. Narron

Commentary From the Bench: When Should a Trial Judge Intervene to Question a Witness? ............................ 3:69
Honorable Hamilton H. Hobgood

Defining Inadequate Performance Under the North Carolina Tenured Teacher Fair Dismissal Act ................................................... 3:77
William P. Harper, Jr., and Richard T. Gammon

A New Test for Political Firings - Branti v. Finkel ...................... 3:103
James L. Seay, Jr.

Rape Victim Shield Statute - State v. Fortney ......................... 3:113
Richard Boyd Harper

Privilege for Adverse Spousal Testimony Vested in Witness Spouse - Trammel v. United States ..................... 3:125
James Quimby Wallace, III

Dependency Deductions for Paramours - Ensminger v. Commissioner ... 3:133
Scott MacDonald Taylor

Volume 4

The Discipline and Removal of Judges in North Carolina .................. 4:1
Honorable Edward B. Clark

Statutory Waiver of Municipal Immunity Upon Purchase of Liability Insurance in North Carolina and the Municipal Liability Crisis ...... 4:41
Patti Owen Harper

Commentary From the Bench - Rights and Interests of Parent, Child, Family and State: A Critique of Development of the Law in Recent Supreme Court Cases and in the North Carolina Juvenile Code ..... 4:85
Honorable Walter H. Bennett, Jr.

You Take (45% of) My Breath Away - Morrison v. Burlington Industries. 4:107
Stanley Hammer and Kenneth L. Hardison

States Lose Power to Prescribe Highway Safety Regulations - Kassel v. Consolidated Freightways Corp. ......................... 4:127
Larry C. Harris

Control of Obscenity Through Enforcement of a Nuisance Statute - Chateau X, Inc. v. State ex rel Andrews ............................... 4:139
Robert H. Miller, II

An Indigent's Right to a Blood Test in a Paternity Suit - Little v. Streater ......................................................... 4:169
Barbara Hollingsworth
INDEX BY VOLUME

Expert Testimony on Bite Marks -State v. Temple ..................... 4:179
Ben H. Sirmons, Jr.

Warrant to Search Premises as Authorizing Search and Detention of
Patrick C. Cork

Modifying Arbitrator's Awards - A Nod to “Judges of the Parties' Own
Choosing” - Crutchley v. Crutchley ..................... 4:203
Gene B. Tarr

The Next-to-Last Step to Software Patentability? - Diamond v. Diehr ..... 4:219
Ron Karl Levy

Webster's Real Estate Law in North Carolina .......................... 4:239
Robert E. Lee

Freedom of Speech in North Carolina Prior to Gitlow v. New York, With
a Forward Glance Thereafter ..................................... 4:243
Honorable Harry C. Martin

The Omnibus Clause of U.C.C. Section 4-303(1)(d): A Holder's Sword or a
Payor's Shield? .................................................. 4:279
Charles C. Lewis

Commentary From the Bench: Objections - Howls of a Dog-Pound
Quarrel ......................................................... 4:339
Honorable E. Maurice Braswell

Uniform Child Custody Jurisdiction Act in North Carolina .............. 4:371
Sharon K. Allen

Civil Liability in the Use of Deadly Force in North Carolina ............ 4:391
Arvil Lee Collins

Merchant's Duty to Protect Invitees From Third-Party Criminal Acts -
Foster v. Winston-Salem Joint Venture ............................ 4:411
John W. Watson, Jr.

Perfecting the Imperfect Right of Self-Defense - State v. Norris ......... 4:427
Richard Charles Blanks

Volume 5

North Carolina's Tenancy By The Entirety Reform Legislation of 1982 .. 5:1
William A. Reppy, Jr.

Vicarious Antitrust Liability in the Health Care Field .................. 5:61
Dean M. Harris

The Trouble With Trebles: What Violates G.S. §75-1.1? .................. 5:119
Edward M. McClure, Jr.

A New Test for Trademark Dilution-Why North Carolina Should Adopt
Section 12 of the Model State Trademark Bill ........................ 5:163
Phillip Summa

Access to Private Property - Cape Cod Nursing Home Council v. Rambling Rose Rest Home ........................................ 5:193
Lawrence Mazer
Speedy Trial Clause Not Applicable to Time Between Dismissal of Military Charges and Subsequent Indictment on Civilian Charges - United States v. MacDonald .................................................. 5:213
Frank Prior

James A. Atkins

Title IX Applies to Employees - North Haven Board of Education v. Bell. 5:249
Barbara Hollingsworth

The Legal Relationship Between the Bank and Its Safe Deposit Customer ................................................. 5:263
Richard A. Lord

Commentary From the Bar: The Continuing Power of Attorney - An Essential Instrument ............................. 5:305

Sarah Patterson Brison

Freedom of Association and the Political Boycott - N.A.A.C.P. v. Clai- borne Hardware Co. ............................................. 5:359
Elaine Cohoon

Entrapment and Due Process of Law - The Efficacy of ABSCAM Type Operations - United States v. Jannotti ................................. 5:377
Dennis Franks

A New Means to Combat Child Abuse? - State v. Walden ............... 5:415
Janet Coleman

To Be Or Not To Be: The Wrongful Life Cause of Action - Turpin v. Sortini ................................................................. 5:435
Mary Beth Forsyth

Death Penalty: Jury Discretion Bridled - State v. Pinch ................ 5:451
J. Craig Young

Volume 6

Dedication: David L. Dickson.................................... 6:1
F. Leary Davis

Legal Implications of Human In Vitro Fertilization for the Practicing Physician in North Carolina ....................... 6:5
Roger B. Bernholz and G. Nicholas Herman

Economic Valuation for Wrongful Death ............................... 6:47
Joseph E. Johnson and George B. Flanigan

Unleashing the Greyhounds - The Bus Regulatory Reform Act of 1982... 6:75
William E. Thoms

The Professional Degree as Marital Property Under North Carolina’s Equitable Distribution Statute ................................. 6:101
Darnell A. Batton
A New Rule for Consent Judgments in Family Law - Walters v. Walters ................................................................. 6:125
H. William Palmer, Jr.

Legislative Chaplaincy Program Held Not to Violate the Establishment of Religion Clause - Marsh v. Chambers ..................... 6:143
M. Greg Crumpler

Evidentiary Standards in Employment Discrimination Suits - Department of Correction v. Gibson ........................................ 6:163
Beth Marshall

Vessels in Inland Waters are Subject to Suspicionless Boarding - United States v. Villamonte-Marquez .................................. 6:183
Wallace R. Young, Jr.

Polygraph Test Results No Longer Admissible in North Carolina - State v. Grier ............................................................... 6:205
William T. Sharpe

Jurisfiction - A Book Review ........................................... 6:219
John Rockwell Snowden

Volume 7

A Practical Interpretation of North Carolina's Comprehensive Plan Requirement ................................................................. 7:1
Kenneth G. Silliman

Restrictive Covenants - Enforceability of Assessments Against Property Owners in Residential Developments - Figure Eight Beach Homeowners' Association, Inc. v. Parker ........................................... 7:33
Ernest Rawls Carter, Jr. and Monty Beck

John Lloyd Coble

Motion for Change of Venue - In Search of a Guiding Light - State v. Jerett ................................................................. 7:73
Buxton Sawyer Copeland

Removing the Third Option From the Jury - State v. Strickland .... 7:89
Lisa Boutelle Hardin

A Departure From Precedent or Past Error Corrected? - Rutledge v. Tultex Corp./Kings Yarn ................................................. 7:99
Sharon L. Hartman

Paul E. Johnson, Michael G. Johnson, Raleigh K. Little

Commentary From the Bench - Coercive Governmental Intervention and the Family: A Comment on North Carolina's Proposed Standards ... 7:145
Honorable Clarence E. Horton, Jr.

The Growing Pains of Cable Television .................................. 7:175
Beth Bals

A New Bright Line Rule for General Construction Contractors - Brady v. Fulghum ............................................................... 7:199
Kimberly Ann Kelly
Interest-Free Demand Loans Now Subject to Gift Tax - Dickman v. Commissioner ................................................... 7:217
William T. Sharpe

Formulation of the Two Part Analysis for State Action Exemption - Hoofer v. Ronwin ................................................... 7:231
Donald E. Harrop

Oliver and the Open Fields Doctrine - Oliver v. United States .......... 7:253
T. Michael Godley

The Role of the Search Warrant in Fire Investigations - Michigan v. Clifford .......................................................... 7:269
Samuel A. Mann

Lewis and Lewis: The Life and Times of a Victorian Solicitor - A Book Review .......................................................... 7:283
Mark M. Dobson

Some Practical Implications of Civil RICO Cases ....................... 7:299
William Woodward Webb and Kevin P. Roddy

James B. McLaughlin, Jr. and Robert W. Nelms

Fixed Price Option v. Right of First Refusal: Construction of a Dual Option Lease - Texaco, Inc. v. Creel ........................................ 7:349
Mark Scruggs

Repudiation of the Intraenterprise Conspiracy Doctrine - Copperweld v. Independence Tube Corp ........................................ 7:369
Ellen M. Gregg

Beauty Conquers the First Amendment - Members of the City of Los Angeles v. Taxpayers for Vincent ........................................ 7:383
Elaine J. Strickland

The Admissibility of Evidence Obtained Through Hypnosis - State v. Peoples .......................................................... 7:409
Sharon L. Hartman

The Contingent Fee Contract in Domestic Relations Cases - Thompson v. Thompson ....................................................... 7:427
Timothy H. Graham

Volume 8

Symposium Address: The Death Penalty in North Carolina ............ 8:1
Honorable James G. Exum, Jr.

Symposium Address: Racial Justice in the 1980's ...................... 8:29
Julius L. Chambers

Betsey v. Turtle Creek Associates: All Adult Housing Policy May Violate the Fair Housing Act ........................................ 8:47
J. Michael McGuinness

Prosecutorial Abuse of Peremptory Challenges in Death Penalty Litigation: Some Constitutional and Ethical Considerations .......... 8:71
Stephen P. Lindsay
<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moment of Silence Statutes May Threaten the Wall of Separation</td>
<td>8:125</td>
</tr>
<tr>
<td>Between Church and State - Wallace v. Jaffree</td>
<td></td>
</tr>
<tr>
<td>Valerie B. Spalding</td>
<td></td>
</tr>
<tr>
<td>Breach of Confidence - The Need for a New Tort - Watts v. Cumberland</td>
<td>8:145</td>
</tr>
<tr>
<td>County Hospital System</td>
<td></td>
</tr>
<tr>
<td>Kathryn B. Remick</td>
<td></td>
</tr>
<tr>
<td>Dedication: F. Leary Davis</td>
<td>8:167</td>
</tr>
<tr>
<td>Norman A. Wiggins and Beverly Wheeler Massey</td>
<td></td>
</tr>
<tr>
<td>Estate Planning Considerations for the North Carolina Principal and</td>
<td>8:173</td>
</tr>
<tr>
<td>Income Act of 1973</td>
<td></td>
</tr>
<tr>
<td>James W. Narron</td>
<td></td>
</tr>
<tr>
<td>The American Medical Association v. The American Tort System</td>
<td>8:241</td>
</tr>
<tr>
<td>Jeff Essen and Lisa Aldred</td>
<td></td>
</tr>
<tr>
<td>Commentary From the Bench: &quot;Rummaging Through A Wilderness of</td>
<td>8:269</td>
</tr>
<tr>
<td>Verbage&quot; - The Charge Conference, Jury Argument and</td>
<td></td>
</tr>
<tr>
<td>Instructions</td>
<td></td>
</tr>
<tr>
<td>Honorable Thomas S. Watts</td>
<td></td>
</tr>
<tr>
<td>The North Carolina Farm Machinery Franchise Act: Its Provisions, Con-</td>
<td>8:289</td>
</tr>
<tr>
<td>text and Contribution to the Law of Franchising</td>
<td></td>
</tr>
<tr>
<td>Paul C. Ridgeway</td>
<td></td>
</tr>
<tr>
<td>Defendant's Due Process Right to a Psychiatric Expert - Ake v.</td>
<td>8:323</td>
</tr>
<tr>
<td>Oklahoma</td>
<td></td>
</tr>
<tr>
<td>William D. Auman</td>
<td></td>
</tr>
<tr>
<td>Cable TV's “Must Carry” Rules: The Most Restrictive Alternative</td>
<td>8:339</td>
</tr>
<tr>
<td>- Quincy Cable TV, Inc. v. FCC</td>
<td></td>
</tr>
<tr>
<td>Robert B. Hobbs, Jr.</td>
<td></td>
</tr>
<tr>
<td>The Dual Sovereignty Doctrine Extended to Successive State Prosecu-</td>
<td>8:361</td>
</tr>
<tr>
<td>tions - Heath v. Alabama</td>
<td></td>
</tr>
<tr>
<td>Clifton Walker Homesley</td>
<td></td>
</tr>
<tr>
<td>I. Boyce Covington</td>
<td></td>
</tr>
<tr>
<td>Obscenity: The Justices' (Not So) New Robes</td>
<td>8:387</td>
</tr>
<tr>
<td>Michael Kent Curtis</td>
<td></td>
</tr>
<tr>
<td>Unfair and Deceptive Legislation: The Case for Finding North Carolina</td>
<td>8:421</td>
</tr>
<tr>
<td>General Statutes Section 75-1.1 Unconstitutionally Vague as Applied</td>
<td></td>
</tr>
<tr>
<td>to an Alleged Breach of a Commercial Contract</td>
<td></td>
</tr>
<tr>
<td>Thomas A. Farr</td>
<td></td>
</tr>
<tr>
<td>The Concept of Religion in State Constitutions</td>
<td>8:437</td>
</tr>
<tr>
<td>Kent Greenawalt</td>
<td></td>
</tr>
<tr>
<td>The North Carolina Dissent Statutes: The Seeds of Inequities</td>
<td>8:449</td>
</tr>
<tr>
<td>Germinate</td>
<td></td>
</tr>
<tr>
<td>Anne Mayo Evans</td>
<td></td>
</tr>
<tr>
<td>Offer to Purchase and Contract: Buyer Beware</td>
<td>8:473</td>
</tr>
<tr>
<td>Lisa Ann Finger</td>
<td></td>
</tr>
<tr>
<td>Return to the Conservative View of Security Agreements in Commercial</td>
<td>8:505</td>
</tr>
<tr>
<td>Transactions</td>
<td></td>
</tr>
<tr>
<td>Gregory D. Hutchins</td>
<td></td>
</tr>
</tbody>
</table>
A New Twist to the Law of Defamation - Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc. ................................................ 8:527
Benita A. Lloyd
Waiver of Closing Date in Land Sales Contracts in North Carolina - Fletcher v. Jones ................................................ 8:547
Ricky L. Griffin

Volume 9
Dedication: Dr. John J. Broderick ........................................ 9:1
The Honorable Joseph Branch, F. Leary Davis and Paul C. Ridgeway
Kevin P. Roddy and William Woodward Webb
Section 337 Jurisdiction and the Forgotten Remedy .................... 9:45
Janet D. Saxon and Paul A. Newhouse
Damages and Problems of Proof with Planted Nonconforming Seeds ...... 9:63
Kemp Burpeau
Wrong Without a Remedy - North Carolina and the Wrongful Death of a Stillborn .................................................. 9:93
Susan D. Crooks
Using the Fair Sentencing Act to Protect the Criminal Defendant ....... 9:127
Valerie B. Spalding
Common Sense and Nonsense Stand Face-to-Face in the Fourth Circuit - Hassinger v. Tideland Electric Membership Corp. .......................... 9:175
Paul A. Newton
Law's Empire - A Book Review ............................................. 9:203
Jeremy M. Miller
Focus on Gerrymandering - Beyond Justiciability: Political Gerrymandering After Davis v. Bandemer ............................ 9:207
Michael A. Hess
Racial Gerrymandering and the Voting Rights Act in North Carolina ... 9:255
Robert N. Hunter, Jr.
Jackson Nichols
Grand Jury Subpoenas to Defense Attorneys Representing Targets: An Ethical/Legal Tug of War ............................................. 9:347
Paul Marshall Yoder
Entrustment Under U.C.C. Section 2-403 and Its Implications for Article 9 .............................................................. 9:407
John E. Cargill
North Carolina Allows Admission of the Unthinkable: Hearsay Exceptions and Statements Made by Sexually Abused Children - State v. Smith ................................................................. 9:437
Benita A. Lloyd
Conference Address: Myths and Realities in the Vietnam Debate ........ 9:473
Robert F. Turner
Warrantless Aerial Surveillance Endorsed - California v. Ciraolo ........ 9:497
Bobby L. Bollinger, Jr.

Volume 10
Scarlet Letter Lawsuits: Private Affairs and Public Judgments ........... 10:1
Lynn Buzzard

The Equitable Distribution of Professional Degrees Upon Divorce in
North Carolina .............................................................. 10:69
Carole S. Gailor and Meredith J. McGill

Beverly W. Massey

Conflicts of Law in Divorce Litigation: A Looking-Glass World?......... 10:145
Mary M. Wills

A Fresh Look at Contractual Tenant Remedies Under the North Carolina Residential Rental Agreements Act - Miller v. C.W. Myers Trading Post, Inc. .................................................. 10:167
Johnny Foster

Discovery of Medical Records in a Corporate Negligence Action - Shelton v. Morehead Memorial Hospital ................................................ 10:193
G. Bruce Park

The Doctrine of Wrongful Discharge in North Carolina: The Confusing Path From Sides to Guy and the Need for Reform .......................... 10:217
J. Michael McGuinness

The Unrelated Business Taxable Income of Social Clubs: An Analysis of Section 512(a)(3)(A), Cleveland Athletic Club, Inc. v. United States and Brook, Inc. v. C.I.R ......................................... 10:249
Anthony L. Scialabba

Is Time Running Out For the Government to Dispute Regulatory Takings? - First English Evangelical Lutheran Church v. City of Los Angeles ................................................................. 10:275
Sharon A. Woodard

Is Promissory Estoppel Forever Estopped in North Carolina - Home Electric Co. of Lenoir, Inc. v. Hall & Underdown Heating and Air Conditioning Co. .................................................. 10:293
Lu Ann Brown

The Admissibility of a Criminal Defendant's Hypnotically Refreshed Testimony - Rock v. Arkansas .................................................. 10:311
Audrey Cooper

The Supreme Court Takes A Stance With Plain View Searches and Seizures - Arizona v. Hicks ........................................................ 10:331
Tonya C. Cumalander

Constitutional Rights of Students, Their Families, and Teachers in the Public Schools ................................................................. 10:353
Norman B. Smith
Martinez, Oliphant and Federal Court Review of Tribal Activity Under the Indian Civil Rights Act ........................................ 10:411
Robert Laurence

The Battle at little Big Horn Has Moved to Raleigh - Is This Custer's Last Stand Against Tort Reform? .................................. 10:439
John P. Marshall

Lora B. Greene

Cindy C. Heenan

Volume 11

Mail-Order Ministries Under the Section 170 Charitable Contribution Deduction: The First Amendment Restrictions, the Minister's Burden of Proof, and the Effect of TRA '86 .................................................. 11:1
Anthony L. Scialabba, Melissa B. Kurtzman, Lance J. M. Steinhart

ERISA Spendthrift Rules - It Just Shouldn't Be This Hard .................. 11:29
Ronald I. Kirshbaum

North Carolina's New Approach to Recanted Testimony - State v. Britt ... 11:57
Walter L. Jones

Gerald H. Groon, Jr.

Bruce Batchelor

Dedication: Professor Richard L. Braun ........................................ 11:115
Norman A. Wiggins and David R. Guin

Guarding the Guardians: Expanding Auditor Negligence Liability to Third-Party Users of Financial Information .......................... 11:123
James W. Zisa

History and Executive Removal Power: Morrison v. Olson and Separation of Powers .................................................. 11:175
John L. Gedid

Thomas G. Walker

Jeffrey M. Cutler

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>The “No I Didn’t, And Yes I Did But...” Defense: Is the Entrapment</td>
<td>11:279</td>
<td></td>
</tr>
<tr>
<td>Defense Available to Criminal Defendants Who Deny Doing the Crime?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mathews v. United States</td>
<td></td>
<td></td>
</tr>
<tr>
<td>George Robert Hicks, III</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smoking in the Workplace: Who Has What Rights?</td>
<td>11:311</td>
<td></td>
</tr>
<tr>
<td>John C. Fox</td>
<td></td>
<td></td>
</tr>
<tr>
<td>When Two “Rights” Make a Wrong: The Protection of Nonsmokers’ Rights</td>
<td>11:339</td>
<td></td>
</tr>
<tr>
<td>in the Workplace</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Donna C. Stroud</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prisoners’ Rights - Recognition That Involuntary Exposure to</td>
<td>11:363</td>
<td></td>
</tr>
<tr>
<td>Environmental Tobacco Smoke May Constitute Cruel and Unusual</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Punishment - Avery v. Powell</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robin Terry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Presumed Guilty: The Use of Videotaped and Closed-Circuit</td>
<td>11:381</td>
<td></td>
</tr>
<tr>
<td>Televised Testimony in Child Sex Abuse Prosecutions and the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Defendant’s Right to Confrontation - Coy v. Iowa</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charles E. Wilson, Jr.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Volume 12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Webster v. Reproductive Health Services: Do Legislative Declarations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>that Life begins at Conception Violate the Establishment Clause?</td>
<td>12:1</td>
<td></td>
</tr>
<tr>
<td>Robert L. Maddox and Blaine Bortnick</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Pearl in the Oyster: The Public Trust Doctrine in North Carolina</td>
<td>12:23</td>
<td></td>
</tr>
<tr>
<td>Valerie B. Spalding</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Much Ado About Mighty Little - North Carolina and the Application</td>
<td>12:71</td>
<td></td>
</tr>
<tr>
<td>of the Relative Hardship Doctrine to Encroachments of Permanent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Structures on the Property of Another</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Olivia Leigh Weeks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A Gap in the North Carolina Motor Vehicle Liability Policy Statute:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joint Tortfeasors - When and How Does Underinsured Motorist</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coverage Apply</td>
<td>12:99</td>
<td></td>
</tr>
<tr>
<td>Elizabeth H. McCullough</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Death Knell of a Good Samaritan! - Culpepper v. Fairfield Sapphire</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kathleen G. Sumner</td>
<td>12:121</td>
<td></td>
</tr>
<tr>
<td>Civil RICO: The Judges’ Perspective, and Some Notes on Practice for</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Carolina Lawyers</td>
<td>12:145</td>
<td></td>
</tr>
<tr>
<td>The Honorable David B. Sentelle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Webster v. Reproductive Health Services: A Path to Constitutional</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equilibrium</td>
<td>12:181</td>
<td></td>
</tr>
<tr>
<td>Mark E. Chopko</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Carolina's Uniform Premarital Agreement Act: A Contract</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perspective</td>
<td>12:221</td>
<td></td>
</tr>
<tr>
<td>Richard A. Lord</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Broadened Dimensions and More Powerful Bite of the State Fair</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housing Act</td>
<td>12:267</td>
<td></td>
</tr>
<tr>
<td>B. Bailey Liipfert, III</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Lawyers Take Heed! A De Novo Review of Rule 11 in North Carolina - Turner v. Duke Univ. ................................. 12:293
T. June Hobby

Kimberly S. Smith

The Honorable Lacy H. Thornburg

Thomas C. Marks, Jr.

Charles H. Munn, Jr.

Thurman A. Gardner, Jr.

North Carolina's New AIDS Discrimination Protection: Who Do They Think They're Fooling? ........................................... 12:475
Angela Sue Bullard

David S. Bowers

Volume 13

Mental Health Care for Children: Before and During State Custody .... 13:1
Honorable K. Edward Greene

The Elderly Incompetent: The Right to Die With Dignity ............... 13:57
Cary C. Homes

Fetal Tissue Research and Abortion: Do They Have a Future Together . 13:81
Angela M. Skerrett

Closing one Door on the Parent-Child Immunity Doctrine: Legislature Rejects the Decision of Coffey v. Coffey ......................... 13:105
Elizabeth Ashley Baker

John M. Nunnally

The Duty to Defend - Brown v. Lumbermens Mutual Casualty Company ................................................................. 13:141
George H. Pender

Successful Shadowboxing: The Art of Impeaching Hearsay Declarants. 13:157
The Honorable Anthony M. Brannon

Gender Sterotypes and Discriminatory Behaviors Toward Female Attorneys: The North Carolina Case .................................. 13:183
Michael L. Vasu and Ellen Storey Vasu
W. Anthony Purcell

David L. Woodard

100 by 100 ........................................................................ 13:255
Nelson B. Crisp

Charles C. Lewis

Julie Zydrong Griggs

Premarital Agreements................................................................ 13:343
Suzanne Reynolds

Uniform Controlled Substances Act of 1990 ........................... 13:365
Richard L. Braun

The Video Deposition as a Civil Litigation Tool ....................... 13:375
Hugh B. Lewis

Volume 14

Copyright Law: Integrating Successive Filtering into the Bifurcated Substantial Similarity Inquiry in Software Copyright Infringement Cases: A Standard for Determining the Scope of Copyright Protection for Non-Literal Elements of Computer Programs ............... 14:1
Maury M. Tepper, III

Suicide, Liberty and our Imperfect Constitution: An Analysis of the Legitimacy of The Supreme Court's Entanglement in Decisions to Terminate Life-Sustaining Medical Treatment ..................... 14:69
Terrance A. Kline

Senate Bill 43: A Refinement of North Carolina's Involuntary Civil Commitment Procedures ............................................. 14:105
Bruce Vrana

Will the Public Policy Exception to the Employment-At-Will Doctrine Ever be Clear? - Amos v. Oakdale Knitting Co. .................... 14:123
Victoria W. Shelton

Municipal Annexation in North Carolina: A Look at the Past Decade ... 14:135
Steven W. Blevins

William B. L. Little

Its Days were Numbered: The Year and a Day Rule Falls in North Carolina - State v. Vance ........................................ 14:235
Melanie Lewis Vtipil

Published by Scholarly Repository @ Campbell University School of Law, 1998
Tort Law: The Negligent Infliction of Emotional Distress - Reopening
Pandora's Box - Johnson v. Ruark Obstetrics ........................................ 14:247
Donna L. Shumate

A New Exception to the Exclusivity Provision of the North Carolina
Workers' Compensation Act - Woodson v. Rowland .......................... 14:261
Debbie Collins

Drafting, Interpreting, and Enforcing Commercial and Shopping Center
Leases ................................................................. 14:275
John M. Tyson

Contract Warranties and Remedies: A Comprehensive Study of the Cre-
ation, Modification and Exclusion of Contract Warranties and Reme-
dies for Attorneys and Other Contracting Professionals .................. 14:323
Joseph J. Corey, Jr.

Constitutional Admissibility of Hearsay under the Confrontation Clause:
Reliability Requirement for Hearsay Admitted under a Non-"Firmly
Rooted" Exception - Idaho v. Wright ........................................ 14:347
A. Perry Wadsworth, Jr.

Another Step Towards Ending Discrimination in the Jury Selection Pro-
cess - Powers v. Ohio ................................................. 14:369
L. Phillip Hornthal, III

Volume 15

Intimate Injuries: Are There Constitutional Law Protections from Fam-
ily Violence ...................................................................... 15:1
J. Randall Patterson

An Analysis of the Retaliatory Employment Discrimination Act and Pro-
tected Activity under the Occupational Safety and Health Act of
North Carolina .............................................................. 15:29
Dr. Michael R. Smith

The Release Provision of the Uniform Contribution Among Tort-Feasors
Act Applies to Vicarious Liability in the Master-Servant Context -
Yates v. New South Pizza, Ltd. ............................................. 15:55
J. Elizabeth Spradlin

Judicial Activism Constructs Lenders' Nightmare - Embree Construction
Group, Inc. v. Rafcor, Inc. and United Carolina Bank
Phillip A. Mullins, IV

Examining DiDonato's Damage Limitations and Mandatory Joinder
Requirements - Greer v. Parsons ........................................ 15:97
John M. McCabe

Functions of Rule 12(b)(6) in the Federal Rules of Civil Procedure: A
Categorization Approach ...................................................... 15:119
Yoichiro Hamabe

The Recognition of Social Host Liability in North Carolina - Hart v.
Ivey ............................................................................ 15:207
Donna L. Shumate

The Learned Profession Exemption of the North Carolina Deceptive
Debra D. Burke

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
Prosecutorial Discretion and Substantial Assistance: The Power and 
Authority of Judicial Review - United States v. Wade ............... 15:263 
John S. Austin

When a Hotel is Your Home, Is There Protection? - Baker v. Rushing . . 15:295 
Amy M. Campbell

North Carolina Adopts the Inevitable Discovery Exception to the Exclu-
sionary Rule - State v. Garner ............................................. 15:305 
G. Chris Olson

Post-Separation Failure to Support a Dependent Spouse as a Sole 
Ground for Alimony Despite the Absence of Marital Misconduct 
Elizabeth N. Rich

A Slash-And-Burn Expedition through the Law of Environmental Stand-
ing - Lujan v. Defenders of Wildlife ...................................... 15:347 
Donald Strong Higley, II

Volume 16

Confrontation and Hearsay: New Wine in an Old Bottle ............... 16:1 
The Honorable Anthony M. Brannon

The Role of Actual Confusion Evidence in Federal Trademark Infringe-
ment Litigation .............................................................. 16:19 
Michael J. Allen

Law School: A Mortuary for Poets and Moral Reason .................... 16:61 
Davis R. Culp

The Evolution and Status of the Contributory Negligence Defense to 
Medical Malpractice Actions in North Carolina - McGill v. French . 16:103 
Lucinda L. Fraley

The Right to Appointment of Counsel for the Indigent Civil Contemnor 
Facing Incarceration for Failure to Pay Child Support - McBride v. 
McBride ................................................................. 16:127 
Kurt F. Hausler

Back to the Future: The Buyer's Market and the Need for Law Firm 
Leadership, Creativity and Innovation ..................................... 16:147 
F. Leary Davis

Expert Testimony Regarding the Speed of a Vehicle: The Status of 
North Carolina Law and the State of the Art ............................ 16:191 
Lawrence F. Mazer, Charles R. Manning, Richard T. Edwards, Michael A. 
Sutton

Self-Directed Death, Euthanasia, and the Termination of Life-Support: 
Reasonable Decisions to Die .............................................. 16:205 
G. Steven Neeley

The Admissibility of Prior Acquittal Evidence - Has North Carolina 
Adopted the “Minority View”? - The Effect of State v. Scott .......... 16:231 
Matthew S. Sullivan

The “Plain Feel” Exception in Minnesota v. Dickerson: A Further Ero-
sion of the Fourth Amendment .......................................... 16:257 
Nicole J. Lehmann

Published by Scholarly Repository @ Campbell University School of Law, 1998
CAMPBELL LAW REVIEW

The Demise of the Foreign-Natural Test in North Carolina - Goodman v. Wenco Foods .................................................. 16:275
Leigh A. Aughenbaugh

ERISA Qualified Pension Plan Benefits as Property of the Bankruptcy Estate: The Unanswered Questions after Patterson v. Shumate... 16:303
Jack E. Karns

Albert M. Benshoff

ERISA, Preemption and Comprehensive Federal Health Care: A Call For “Cooperative Federalism” to Preserve the States’ Role in Formulating Health Care Policy ........................................... 16:405
James E. Holloway

The Long and Winding Road: Redistricting in Light of Shaw v. Reno .. 16:457
Charles W. McKeller

What the Supreme Court Giveth, the Supreme Court Taketh Away - Gardner v. Gardner .................................................... 16:481
Alice McNeer

Volume 17

Tribute to Dr. I. Beverly Lake, Sr. ........................................ 17:1
Patrick K. Hetrick and Nornam A. Wiggins

Paul A. Caldarelli

Organizational Ethos and Corporate Criminal Liability .................. 17:47
Henry J. Amoroso

The Substantial Right Doctrine and Interlocutory Appeals ............ 17:71
J. Brad Donovan

HIV, AIDS & Job Discrimination: North Carolina Failure and Federal Redemption .................................................. 17:115
Jeremy McKinney

Underinsured Motorist Coverage: North Carolina’s Multiple Claimant Wrinkle - Ray v. Atlantic Casualty Insurance Co. ............ 17:147
Paul J. Osowski

Lives of Lawyers - A Book Review .................................... 17:165
Ed Gaskins

Person or Thing-In Search of the Legal Status of a Fetus: A Survey of North Carolina Law ........................................... 17:169
Tony Hartsoe

Conditioning A Woman’s Probation on Her Using Norplant: New Weapon Against Child Abuse Backfires .................... 17:301
Scott J. Jebson

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
How the Uniform Partnership Act Determines Ultimate Liability For a Claim Against a General Partnership and Provides for the Settling of Accounts Between Partners ................................... 17:333
Russell C. Smith

W. Greg Merritt

The Vicarious Liability of a Physician for the Negligence of Other Medical Professionals - North Carolina Charts A Middle Course - The Effect of Harris v. Miller ........................................ 17:375
J. Scott Coalter

Mediation of Industrial Commission Cases................................... 17:395
Lex K. Larson

The Substantial Certainty Exception To Workers' Compensation ...... 17:413
Michael Doran

Primary Issues In Compensation Litigation ............................. 17:443
Commissioner J. Randolph Ward

Inherently Dangerous or Inherently Difficult? Interpretations and Criticisms of Imposing Vicarious Liability on General Contractors for Injuries Suffered as a Result of Work Performed by Independent Contractors: Hooper v. Pizzagalli Construction Company ............. 17:483
Mary Margaret McEachern

The Fairness Requirement for a Workers' Compensation Agreement - The Effect of Vernon v. Steven L. Mabe Builders .................. 17:521
Isabel E. Loytty

Volume 18

Contributory Negligence, Comparative Negligence, and Stare Decisis in North Carolina .......................................................... 18:1
Steven Gardner

Ancient Legal Maxims and Modern Human Rights .......................... 18:75
Dr. J. Stanley McQuade

Creating The Legal Monster: The Expansion and Effect of Legal Malpractice Liability in North Carolina ..................................... 18:121
Gregory Huffman

As if We Had Enough to Worry About ... Attorneys and the Federal Fair Debt Collection Practices Act: Supreme Court Rules on Former Attorney Exemption .................................................. 18:165
David Hilton

A Spouse's Right to Control Assets During the Marriage: Is North Carolina Living in the Middle Ages? .............................. 18:203
The Honorable K. Edward Greene

The Federal Sentencing Guidelines Endorsement of Corporate-Level Restitution: Furtherance of Public Policy or Discrimination on the Basis of Entity Capitalization? ........................................... 18:225
Henry Amoroso
Frank Swindell

Good Faith Mediation: Improving Efficiency, Cost, and Satisfaction in North Carolina's Pre-Trial Process. 18:281
Tony Biller

“Student-Initiated” Prayer: Assessing the Newest Initiatives to Return Prayer to the Public Schools 18:303
Jessica Smith

Equal Protection for Non-Suspect Class Victims of Governmental Misconduct: Theory and Proof of Disparate Treatment and Arbitrariness Claims 18:333
J. Michael McGuinness

Judicial Boilerplate Language as Torts Decisional Litany: Four Problem Areas in North Carolina 18:359
Charles E. Daye

North Carolina and Pretrial Civil Revocation of an Impaired Driver’s License and the Double Jeopardy Clause 18:391
Marc Tyrey

State v. Pendleton: Impermissible Delegations to Religious Institutions: Is Campbell University an Armed Church? 18:409
Stephen See

Volume 19

Beyond the Crossroads: Shackled By Liberty, Tyrannized By Equality (Book Review: Slouching Towards Gomorrah) 19:1
Alan L. Button

Fighting Fire With Fire: “Reverse Bad Faith” In First-Party Litigation Involving Arson and Insurance Fraud 19:43
Cathryn M. Little

Jeffrey O’Connell, Stephen Carroll, Michael Horowitz, Allan Abrahamse, and Bradley Miliauskas

Automobile Insurance Policies Build “Write-Away” Around Frolic and Detour, A Persistent Problem on the Highway of Torts 19:85
William A. Wines

Navigating the Dark Morass: A First-Year Student’s Guide to the Library 19:115
Maureen Straub Kordesh

The Effect on the Child of a Custodial Parent’s Involvement in an Intimate Same-Sex Relationship-North Carolina Adopts the “Nexus Test” in Pulliam v. Smith 19:131
Vicki Parrott

Constitutionally Defending Marriage: The Defense of Marriage Act, Romer v. Evans and the Cultural Battle They Represent 19:159
Leonard G. Brown, III

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
<table>
<thead>
<tr>
<th>Title</th>
<th>Volume Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual Modification of Past Due and Future Child Support Payments</td>
<td>19:189</td>
</tr>
<tr>
<td>Lynette K. Neel</td>
<td></td>
</tr>
<tr>
<td>Richard T. Bowser</td>
<td></td>
</tr>
<tr>
<td>An Eagle Soaring: The Jurisprudence of Justice Antonin Scalia</td>
<td>19:223</td>
</tr>
<tr>
<td>Stephen R. McAllister, Autumn Fox</td>
<td></td>
</tr>
<tr>
<td>Was the First Woman Hanged in North Carolina a “Battered Spouse”?</td>
<td>19:311</td>
</tr>
<tr>
<td>Jeffrey P. Gray</td>
<td></td>
</tr>
<tr>
<td>Universities, Colleges and the Equal Pay Act: The Fourth Circuit Analyzes a Salary Dispute in Stag v. Board of Trustees</td>
<td>19:333</td>
</tr>
<tr>
<td>Laura Woodworth Keohane</td>
<td></td>
</tr>
<tr>
<td>Investment Advisory Regulatory Muddy Waters: Registration and Control Issues are Confused with Issues of Disclosure and Anti-Fraud</td>
<td>19:349</td>
</tr>
<tr>
<td>Susan Rogers Finneran</td>
<td></td>
</tr>
<tr>
<td>The Discretionary Function Exception to the Federal Tort Claims Act: How Much is Enough?</td>
<td>19:411</td>
</tr>
<tr>
<td>Amy M. Hackman</td>
<td></td>
</tr>
<tr>
<td>Liner v. Brown: Where Should We Go From Here - Two Different Approaches for North Carolina</td>
<td>19:447</td>
</tr>
<tr>
<td>A. John Hoomani, Kimberly Woodell Sieredzki</td>
<td></td>
</tr>
<tr>
<td>The Use of Race in the Admissions Programs of Higher Educational Institutions - A Violation of the Equal Protection Clause?</td>
<td>19:489</td>
</tr>
<tr>
<td>Kevin Joyner</td>
<td></td>
</tr>
<tr>
<td>Asset Forfeiture: Giving Up Your Constitutional Rights</td>
<td>19:527</td>
</tr>
<tr>
<td>Douglas Kim</td>
<td></td>
</tr>
<tr>
<td>Assault on the Common Law of Premises Liability: What Duty of Care Does an Owner or Occupier of Land Owe to a Police Officer Who Enters the Premises of Another By Authority of Law?</td>
<td>19:579</td>
</tr>
<tr>
<td>Newton v. New Hanover County Board of Education</td>
<td></td>
</tr>
<tr>
<td>Linda Sayed</td>
<td></td>
</tr>
<tr>
<td>FAA and Arbitration Clauses - How Far Can It Reach? The Effect of Allied-Bruce Terminix, Inc. v. Dobson</td>
<td>19:607</td>
</tr>
<tr>
<td>Edmond Seferi</td>
<td></td>
</tr>
<tr>
<td>Volume 20</td>
<td></td>
</tr>
<tr>
<td>Fraudulent, Negligent, and Innocent Misrepresentation in the Employment Context: The Deceitful, Careless, and Thoughtless Employer</td>
<td>20:1</td>
</tr>
<tr>
<td>Frank J. Cavico</td>
<td></td>
</tr>
<tr>
<td>The Franchising Dilemma Continues: Update on Franchisor Liability for Wrongful Acts by Local Franchisees</td>
<td>20:91</td>
</tr>
<tr>
<td>Randall K. Hanson</td>
<td></td>
</tr>
<tr>
<td>Medicine Goes Madison Avenue: An Evaluation of the Effect of Direct-To-Consumer Pharmaceutical Advertising on the Learned Intermediary Doctrine</td>
<td>20:113</td>
</tr>
<tr>
<td>Michael C. Allen</td>
<td></td>
</tr>
</tbody>
</table>
North Carolina Hospitals' Dilemma: The Inherent Conflict Between Carolina ACCESS and the Emergency Medical Treatment and Active Labor Act ...................................................... 20:135
Benjamin D. Overby

Too Late For The Truth? Retroactivity And Application of the Statute of Limitations for Filing 28 U.S.C. § 2255 Petitions
Brian E. Moore

Bennett v. Spear: A New Interpretation of the Citizen-Suit Provision .. 20:173
Lynwood P. Evans

A Call to Congress to Amend ERISA Preeemption of HMO Medical Malpractice Claims: The Dissatisfactory Distinction Between Quality and Quantity of Care. ............................................ 20:293
Angela M. Easley

The Amy Jackson Law - A Look at the Constitutionality of North Carolina's Answer to Megan's Law. ................................. 20:347
Nikki Gfellers and Kimberly Ann Lewis

The Reality of Work-Related Stress: An Analysis of How Mental Disability Claims Should be Handled Under the North Carolina Worker's Compensation Act ............................................... 20:321
Amy Berry

Time Passage and the Economics of Coming to the Nuisance: Reassessing the Coasean Perspective. ................................. 20:273
Roy E. Cordato

A Review of Copyright and the Internet ............................................. 20:193
Needham J. Boddie, II, Thomas C. McThenia, Jr., Fred B. Amos, II, and Douglas W. Kim
INDEX BY CATEGORY

ABORTION AND FETUSES

Examining DiDonato's Damage Limitations and Mandatory Joinder Requirements - Greer v. Parsons .................................................. 15:97
John M. McCabe

Fetal Tissue Research and Abortion: Do They Have a Future Together .................................. 13:81
Angela M. Skerrett

Person or Thing-In Search of the Legal Status of a Fetus: A Survey of North Carolina Law ............................................. 17:169
Tony Hartsoe

Bruce Batchelor

To Be Or Not To Be: The Wrongful Life Cause of Action - Turpin v. Sortini .......................................................... 5:435
Mary Beth Forsyth

Webster v. Reproductive Health Services: A Path to Constitutional Equilibrium .................................................. 12:181
Mark E. Chopko

Webster v. Reproductive Health Services: Do Legislative Declarations that Life begins at Conception Violate the Establishment Clause? ... 12:1
Robert L. Maddox and Blaine Bortnick

Wrong Without a Remedy - North Carolina and the Wrongful Death of a Stillborn .................................................. 9:93
Susan D. Crooks

ACCOUNTANTS

Guarding the Guardians: Expanding Auditor Negligence Liability to Third-Party Users of Financial Information ....................... 11:123
James W. Zisa

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

HIV, AIDS & Job Discrimination: North Carolina Failure and Federal Redemption .................................................. 17:115
Jeremy McKinney

North Carolina’s New AIDS Discrimination Protection: Who Do They Think They’re Fooling? ......................... 12:475
Angela Sue Bullard

ACTIONS AND DEFENCES

Jeffrey M. Cutler

517
Beauty Conquers the First Amendment - Members of the City of Los Angeles v. Taxpayers for Vincent ........................................ 7:383
Elaine J. Strickland

George Robert Hicks, III

The Evolution and Status of the Contributory Negligence Defense to Medical Malpractice Actions in North Carolina - McGill v. French. . . 16:103
Lucinda L. Fraley

ADMINISTRATIVE LAW AND PROCEDURE
Advisory Rulings by Administrative Agencies: Their Benefits and Dangers ................................................................. 2:1
Davis L. Dickson

Cable TV’s “Must Carry” Rules: The Most Restrictive Alternative - Quincy Cable TV, Inc. v. FCC ........................................ 8:339
Robert B. Hobbs, Jr.

Defining Inadequate Performance Under the North Carolina Tenured Teacher Fair Dismissal Act ........................................ 3:77
William P. Harper, Jr., and Richard T. Gammon

Jackson Nichols

Unleashing the Greyhounds - The Bus Regulatory Reform Act of 1982... 6:75
William E. Thoms

ADmiralty
Common Sense and Nonsense Stand Face-to-Face in the Fourth Circuit - Hassinger v. Tideland Electric Membership Corp. ...................... 9:175
Paul A. Newton

The Fourth Circuit and the Fourth Amendment: Removing the High From the Seas ..................................................... 3:1
Herman E. Gaskins, Jr.

Vessels in Inland Waters are Subject to Suspicionless Boarding - United States v. Villamonte-Marquez .................................. 6:183
Wallace R. Young, Jr.

ADVERTISING
Health Care Professionals Seek to Advertise - Friedman v. Rogers ...... 2:173
Lex Allen Watson II

Medicine Goes Madison Avenue: An Evaluation of the Effect of Direct-To-Consumer Pharmaceutical Advertising on the Learned Intermediary Doctrine ...................................................... 20:113
Michael C. Allen

ADVOCACY
Commentary From the Bench: Objections - Howls of a Dog-Pound Quarrel ................................................................. 4:339
Honorable E. Maurice Braswell
Discovery of Medical Records in a Corporate Negligence Action - Shelton v. Morehead Memorial Hospital ........................................ 10:193
G. Bruce Park

Paul E. Johnson, Michael G. Johnson, Raleigh K. Little

Lawyers Take Heed! A De Novo Review of Rule 11 in North Carolina - Turner v. Duke Univ. .......................... 12:293
T. June Hobby

Kevin P. Roddy and William Woodward Webb

Trial Tactics in a Complex Case ........................................ 2:93
Vincent Bugliosi

AGENCY

Automobile Insurance Policies Build "Write-Away" Around Frolic and Detour, A Persistent Problem on the Highway of Torts ............. 19:85
William A. Wines

Creating The Legal Monster: The Expansion and Effect of Legal Malpractice Liability in North Carolina .......................... 18:121
Gregory Huffman

Vicarious Antitrust Liability in the Health Care Field ................. 5:61
Dean M. Harris

AGRICULTURE

Damages and Problems of Proof with Planted Nonconforming Seeds ..... 9:63
Kemp Burpeau

Farmers as Merchants in North Carolina - Currituck Grain, Inc. v. Powell ................................................ 1:141
Beverly Wheeler Massey

Paul C. Ridgeway

ALCOHOLIC BEVERAGES

A History of Liquor By-The-Drink Legislation in North Carolina ........ 1:61
Michael Crowell

North Carolina and Pretrial Civil Revocation of an Impaired Driver's License and the Double Jeopardy Clause ........................... 18:391
Marc Tyrey

The Recognition of Social Host Liability in North Carolina - Hart v. Ivey ................................................ 15:207
Donna L. Shumate

ALIMONY AND MAINTENANCE

A New Rule for Consent Judgments in Family Law - Walters v. Walters ................................................ 6:125
H. William Palmer, Jr.
Conflicts of Law in Divorce Litigation: A Looking-Glass World? .......... 10:145
Mary M. Wills

Modifying Arbitrator's Awards - A Nod to “Judges of the Parties' Own Choosing” - Crutchley v. Crutchley ......................... 4:203
Gene B. Tarr

W. Greg Merritt

The Equitable Distribution of Professional Degrees Upon Divorce in North Carolina .................................................. 10:69
Carole S. Gailor and Meredith J. McGill

Uniform Child Custody Jurisdiction Act in North Carolina ............. 4:371
Sharon K. Allen

Beverly W. Massey

ANIMALS

A Slash-And-Burn Expedition through the Law of Environmental Standing - Lujan v. Defenders of Wildlife ................................. 15:347
Donald Strong Higley, II

Expert Testimony on Bite Marks - State v. Temple ..................... 4:179
Ben H. Sirmons, Jr.

Judicial Boilerplate Language as Torts Decisional Litany: Four Problem Areas in North Carolina ............................................. 18:359
Charles E. Daye

State's Interest in Wild Animals - Hughes v. Oklahoma .................. 2:151
Susan Morrison Umstead

ANTITRUST LAW

Formulation of the Two Part Analysis for State Action Exemption - Hoover v. Ronwin ......................................................... 7:231
Donald E. Harrop

Repudiation of the Intraenterprise Conspiracy Doctrine - Copperweld v. Independence Tube Corp. ......................................... 7:369
Ellen M. Gregg

Vicarious Antitrust Liability in the Health Care Field .................... 5:61
Dean M. Harris

APPEAL AND ERROR

The Substantial Right Doctrine and Interlocutory Appeals ............... 17:71
J. Brad Donovan

APPELLATE PROCEDURE

The Substantial Right Doctrine and Interlocutory Appeals ............... 17:71
J. Brad Donovan
APPORTIONMENT CLAUSE

History and Executive Removal Power: Morrison v. Olson and Separation of Powers .................................................. 11:175
John L. Gedid

ARBITRATION AND AWARD

FAA and Arbitration Clauses - How Far Can It Reach? The Effect of Allied-Bruce Terminix, Inc. v. Dobson ......................... 19:607 Edmond Seferi

Modifying Arbitrator’s Awards - A Nod to “Judges of the Parties’ Own Choosing” - Crutchley v. Crutchley .......................... 4:203 Gene B. Tarr

ATTORNEY GENERAL


ATTORNEY’S FEES

Back to the Future: The Buyer’s Market and the Need for Law Firm Leadership, Creativity and Innovation .......................... 16:147 F. Leary Davis


The Contingent Fee Contract in Domestic Relations Cases - Thompson v. Thompson ....................................................... 7:427 Timothy H. Graham

ATTORNEYS

As if We Had Enough to Worry About . . . Attorneys and the Federal Fair Debt Collection Practices Act: Supreme Court Rules on Former Attorney Exemption ............................................. 18:165 David Hilton

Back to the Future: The Buyer’s Market and the Need for Law Firm Leadership, Creativity and Innovation .......................... 16:147 F. Leary Davis


Civil RICO: The Judges’ Perspective, and Some Notes on Practice for North Carolina Lawyers ............................................. 12:145 The Honorable David B. Sentelle

Commentary From the Bench: “Rummaging Through A Wilderness of Verbage” - The Charge Conference, Jury Argument and Instructions .................................................. 8:269 Honorable Thomas S. Watts

Creating The Legal Monster: The Expansion and Effect of Legal Malpractice Liability in North Carolina .............................. 18:121 Gregory Huffman
Paul E. Johnson, Michael G. Johnson, Raleigh K. Little

Gender Stereotypes and Discriminatory Behaviors Toward Female Attorneys: The North Carolina Case .................................. 13:183
Michael L. Vasu and Ellen Storey Vasu

Grand Jury Subpoenas to Defense Attorneys Representing Targets: An Ethical/Legal Tug of War ......................................... 9:347
Paul Marshall Yoder

How the Uniform Partnership Act Determines Ultimate Liability For a Claim Against a General Partnership and Provides for the Settling of Accounts Between Partners .................................. 17:333
Russell C. Smith

Law School: A Mortuary for Poets and Moral Reason .................. 16:61
Davis R. Culp

T. June Hobby

Lives of Lawyers - A Book Review ................................... 17:165
Ed Gaskins

Kevin P. Roddy and William Woodward Webb

The Contingent Fee Contract in Domestic Relations Cases - Thompson v. Thompson ....................................................... 7:427
Timothy H. Graham

Debra D. Burke

AUDITORS
Guarding the Guardians: Expanding Auditor Negligence Liability to Third-Party Users of Financial Information .................. 11:123
James W. Zisa

BAILMENTS
The Legal Relationship Between the Bank and Its Safe Deposit Customer ......................................................... 5:263
Richard A. Lord

BANKRUPTCY
James B. McLaughlin, Jr. and Robert W. Nelms

ERISA Qualified Pension Plan Benefits as Property of the Bankruptcy Estate: The Unanswered Questions after Patterson v. Shumate... 16:303
Jack E. Karns
<table>
<thead>
<tr>
<th>Category</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>BANKS AND BANKING</td>
<td>Bank Growth in the Investment Company Industry: Do Guidelines Issued by the Comptroller of</td>
</tr>
<tr>
<td></td>
<td>the Currency Compensate for Bank Exclusion from Statutory Provisions of the Federal</td>
</tr>
<tr>
<td></td>
<td>Securities Laws Defining “Broker/Dealer” and “Investment Adviser”?</td>
</tr>
<tr>
<td></td>
<td>Paul A. Caldarelli</td>
</tr>
<tr>
<td></td>
<td>The Legal Relationship Between the Bank and Its Safe Deposit Customer</td>
</tr>
<tr>
<td></td>
<td>Richard A. Lord</td>
</tr>
<tr>
<td>BATTERED WOMAN SYNDROME</td>
<td>Battered Woman Syndrome: The Killing of a Passive Victim - A Perfect Defense or a Perfect</td>
</tr>
<tr>
<td></td>
<td>Crime? - State v. Norman</td>
</tr>
<tr>
<td></td>
<td>Jeffrey M. Cutler</td>
</tr>
<tr>
<td></td>
<td>Was the First Woman Hanged in North Carolina a “Battered Spouse”?</td>
</tr>
<tr>
<td></td>
<td>Jeffrey P. Gray</td>
</tr>
<tr>
<td></td>
<td>Richard T. Bowser</td>
</tr>
<tr>
<td></td>
<td>Beyond the Crossroads: Shackled By Liberty, Tyrannized By Equality (Book Review: Slouching</td>
</tr>
<tr>
<td></td>
<td>Towards Gomorrah)</td>
</tr>
<tr>
<td></td>
<td>Alan L. Button</td>
</tr>
<tr>
<td></td>
<td>Jurisfiction - A Book Review</td>
</tr>
<tr>
<td></td>
<td>John Rockwell Snowden</td>
</tr>
<tr>
<td></td>
<td>Law’s Empire - A Book Review</td>
</tr>
<tr>
<td></td>
<td>Jeremy M. Miller</td>
</tr>
<tr>
<td></td>
<td>Lewis and Lewis: The Life and Times of a Victorian Solicitor - A Book Review</td>
</tr>
<tr>
<td></td>
<td>Mark M. Dobson</td>
</tr>
<tr>
<td></td>
<td>Lives of Lawyers - A Book Review</td>
</tr>
<tr>
<td></td>
<td>Ed Gaskins</td>
</tr>
<tr>
<td></td>
<td>North Carolina Security Interests - A Book Review</td>
</tr>
<tr>
<td></td>
<td>I. Boyce Covington</td>
</tr>
<tr>
<td></td>
<td>Webster’s Real Estate Law in North Carolina</td>
</tr>
<tr>
<td></td>
<td>Robert E. Lee</td>
</tr>
<tr>
<td>BOYCOTTS</td>
<td>Freedom of Association and the Political Boycott - N.A.A.C.P. v. Clai-borne Hardware Co.</td>
</tr>
<tr>
<td></td>
<td>Elaine Cohoon</td>
</tr>
<tr>
<td>BURDEN OF PROOF</td>
<td>Evidentiary Standards in Employment Discrimination Suits - Department of Correction v.</td>
</tr>
<tr>
<td></td>
<td>Gibson</td>
</tr>
<tr>
<td></td>
<td>Beth Marshall</td>
</tr>
<tr>
<td>Title</td>
<td>Volume</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Mail-Order Ministries Under the Section 170 Charitable Contribution</td>
<td>11</td>
</tr>
<tr>
<td>Deduction: The First Amendment Restrictions, the Minister's Burden</td>
<td></td>
</tr>
<tr>
<td>of Proof, and the Effect of TRA '86</td>
<td></td>
</tr>
<tr>
<td>Anthony L. Scialabba, Melissa B. Kurtzman, Lance J. M. Steinhart</td>
<td></td>
</tr>
</tbody>
</table>

**BUSINESS LAW**

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A New Bright Line Rule for General Construction Contractors - Brady v.</td>
<td>7</td>
<td>7:199</td>
</tr>
<tr>
<td>Fulghum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kimberly Ann Kelly</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Code</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charles C. Lewis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>As if We Had Enough to Worry About ... Attorneys and the Federal</td>
<td>18</td>
<td>18:165</td>
</tr>
<tr>
<td>Fair Debt Collection Practices Act: Supreme Court Rules on Former</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attorney Exemption</td>
<td></td>
<td></td>
</tr>
<tr>
<td>David Hilton</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issued by the Comptroller of the Currency Compensate for Bank</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exclusion from Statutory Provisions of the Federal Securities Laws</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Defining “Broker/Dealer” and “Investment Adviser”?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paul A. Caldarelli</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Warranties and Remedies: A Comprehensive Study of the Creation, Modification and Exclusion of Contract Warranties and Remedies for Attorneys and Other Contracting Professionals</td>
<td>14</td>
<td>14:323</td>
</tr>
<tr>
<td>Joseph J. Corey, Jr.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inherently Dangerous or Inherently Difficult? Interpretations and Criticisms of Imposing Vicarious Liability on General Contractors for Injuries Suffered as a Result of Work Performed by Independent Contractors: Hooper v. Pizzagalli Construction Company</td>
<td>17</td>
<td>17:483</td>
</tr>
<tr>
<td>Mary Margaret McEachern</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest-Free Demand Loans Now Subject to Gift Tax - Dickman v.</td>
<td>7</td>
<td>7:217</td>
</tr>
<tr>
<td>Commissioner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William T. Sharpe</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organizational Ethos and Corporate Criminal Liability</td>
<td>17</td>
<td>17:47</td>
</tr>
<tr>
<td>Henry J. Amoroso</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Effect of Unanimous Approval on Corporate Bylaws - Blount v.</td>
<td>1</td>
<td>1:153</td>
</tr>
<tr>
<td>Taft</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Margaret Person Currin</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Omnibus Clause of U.C.C. Section 4-303(1)(d): A Holder's Sword or a Payor's Shield?</td>
<td>4</td>
<td>4:279</td>
</tr>
<tr>
<td>Charles C. Lewis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Unrelated Business Taxable Income of Social Clubs: An Analysis of Section 512(a)(3)(A), Cleveland Athletic Club, Inc. v. United States and Brook, Inc. v. C.I.R.</td>
<td>10</td>
<td>10:249</td>
</tr>
<tr>
<td>Anthony L. Scialabba</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
CABLE TELEVISION

Cable TV's "Must Carry" Rules: The Most Restrictive Alternative -
    Quincy Cable TV, Inc. v. FCC .................................................. 8:339
    Robert B. Hobbs, Jr.

The Growing Pains of Cable Television ..................................... 7:175
    Beth Bals

CAPITAL PUNISHMENT

Death Penalty: Jury Discretion Bridled - State v. Pinch ................. 5:451
    J. Craig Young

Its Days were Numbered: The Year and a Day Rule Falls in North Carolina - State v. Vance ........................................... 14:235
    Melanie Lewis Vtipil

Prosecutorial Abuse of Peremptory Challenges in Death Penalty Litigation: Some Constitutional and Ethical Considerations .................. 8:71
    Stephen P. Lindsay

Symposium Address: The Death Penalty in North Carolina ................ 8:1
    Honorable James G. Exum, Jr.

CARRIERS

Unleashing the Greyhounds - The Bus Regulatory Reform Act of 1982... 6:75
    William E. Thoms

CHARITIES

Mail-Order Ministries Under the Section 170 Charitable Contribution Deduction: The First Amendment Restrictions, the Minister's Burden of Proof, and the Effect of TRA '86 ............................................ 11:1
    Anthony L. Scialabba, Melissa B. Kurtzman, Lance J. M. Steinhart

CHILD ABUSE AND NEGLECT

A New Means to Combat Child Abuse? - State v. Walden .................. 5:415
    Janet Coleman

Commentary From the Bench - Coercive Governmental Intervention and the Family: A Comment on North Carolina's Proposed Standards .. 7:145
    Honorable Clarence E. Horton, Jr.

Conditioning A Woman's Probation on Her Using Norplant: New Weapon Against Child Abuse Backfires .................................... 17:301
    Scott J. Jebson

Intimate Injuries: Are There Constitutional Law Protections from Family Violence ......................................................... 15:1
    J. Randall Patterson

North Carolina Allows Admission of the Unthinkable: Hearsay Exceptions and Statements Made by Sexually Abused Children - State v. Smith ................................................................. 9:437
    Benita A. Lloyd

Presumed Guilty: The Use of Videotaped and Closed-Circuit Televised Testimony in Child Sex Abuse Prosecutions and the Defendant's Right to Confrontation -Coy v. Iowa ........................................ 11:381
    Charles E. Wilson, Jr.
CHILD CUSTODY

Contractual Modification of Past Due and Future Child Support Payments ................................................................. 19:189
Lynette K. Neel

Mental Health Care for Children: Before and During State Custody .... 13:1
Honorable K. Edward Greene

The Effect on the Child of a Custodial Parent's Involvement in an Intimate Same-Sex Relationship-North Carolina Adopts the "Nexus Test" in Pulliam v. Smith ........................................... 19:131
Vicki Parrott

Uniform Child Custody Jurisdiction Act in North Carolina ............... 4:371
Sharon K. Allen

Beverly W. Massey

CHILDREN

A New Means to Combat Child Abuse? - State v. Walden ............... 5:415
Janet Coleman

Julie Zydron Griggs

Closing one Door on the Parent-Child Immunity Doctrine: Legislature Rejects the Decision of Coffey v. Coffey ........................................... 13:105
Elizabeth Ashley Baker

Commentary From the Bench - Coercive Governmental Intervention and the Family: A Comment on North Carolina's Proposed Standards .. 7:145
Honorable Clarence E. Horton, Jr.

Commentary From the Bench - Rights and Interests of Parent, Child, Family and State: A Critique of Development of the Law in Recent Supreme Court Cases and in the North Carolina Juvenile Code .... 4:85
Honorable Walter H. Bennett, Jr.

Intimate Injuries: Are There Constitutional Law Protections from Family Violence ........................................... 15:1
J. Randall Patterson

Mental Health Care for Children: Before and During State Custody .... 13:1
Honorable K. Edward Greene

North Carolina Allows Admission of the Unthinkable: Hearsay Exceptions and Statements Made by Sexually Abused Children - State v. Smith ................................................................. 9:437
Benita A. Lloyd

Presumed Guilty: The Use of Videotaped and Closed-Circuit Televised Testimony in Child Sex Abuse Prosecutions and the Defendant's Right to Confrontation -Coy v. Iowa ........................................... 11:381
Charles E. Wilson, Jr.
Thomas G. Walker

Debra D. Burke

The Right to Appointment of Counsel for the Indigent Civil Contemnor Facing Incarceration for Failure to Pay Child Support - McBride v. McBride ........................................................ 16:127
Kurt F. Hausler

To Be Or Not To Be: The Wrongful Life Cause of Action - Turpin v. Sortini ...................................... 5:435
Mary Beth Forsyth

Uniform Child Custody Jurisdiction Act in North Carolina .................. 4:371
Sharon K. Allen

Beverly W. Massey

Wrong Without a Remedy - North Carolina and the Wrongful Death of a Stillborn ........................................................ 9:93
Susan D. Crooks

CIVIL PROCEDURE

Discovery of Medical Records in a Corporate Negligence Action - Shelton v. Morehead Memorial Hospital .................................. 10:193
G. Bruce Park

Examining DiDonato's Damage Limitations and Mandatory Joinder Requirements - Greer v. Parsons ............................................ 15:97
John M. McCabe

Yoichiro Hamabe

Lawyers Take Heed! A De Novo Review of Rule 11 in North Carolina - Turner v. Duke Univ. ............................................. 12:293
T. June Hobby

Kevin P. Roddy and William Woodward Webb

Symposium Address: Racial Justice in the 1980's ...................... 8:29
Julius L. Chambers

The Right to Appointment of Counsel for the Indigent Civil Contemnor Facing Incarceration for Failure to Pay Child Support - McBride v. McBride ........................................................ 16:127
Kurt F. Hausler

The Video Deposition as a Civil Litigation Tool ............................. 13:375
Hugh B. Lewis
Brian E. Moore

CIVIL RIGHTS

Evidentiary Standards in Employment Discrimination Suits - Department of Correction v. Gibson ........................................ 6:163
Beth Marshall

Martinez, Oliphant and Federal Court Review of Tribal Activity Under the Indian Civil Rights Act ..................................... 10:411
Robert Laurence

Racial Gerrymandering and the Voting Rights Act in North Carolina ........................................ 9:255
Robert N. Hunter, Jr.

Symposium Address: Racial Justice in the 1980's .................................. 8:29
Julius L. Chambers

The Long and Winding Road: Redistricting in Light of Shaw v. Reno ........................................ 16:457
Charles W. McKeller

Title IX Applies to Employees - North Haven Board of Education v. Bell. 5:249
Barbara Hollingsworth

COLLATERAL

Entrustment Under U.C.C. Section 2-403 and Its Implications for Article 9 ........................................ 9:407
John E. Cargill

COLLEGES AND UNIVERSITIES

The Use of Race in the Admissions Programs of Higher Educational Institutions - A Violation of the Equal Protection Clause? ..... 19:489
Kevin Joyner

Universities, Colleges and the Equal Pay Act: The Fourth Circuit Analyzes a Salary Dispute in Stag v. Board of Trustees ............... 19:333
Laura Woodworth Keohane

COMMERCE

States Lose Power to Prescribe Highway Safety Regulations - Kassel v. Consolidated Freightways Corp. ........................................ 4:127
Larry C. Harris

Unleashing the Greyhounds - The Bus Regulatory Reform Act of 1982 ... 6:75
William E. Thoms

COMMERCIAL LAW

Charles C. Lewis

Contract Warranties and Remedies: A Comprehensive Study of the Creation, Modification and Exclusion of Contract Warranties and Remedies for Attorneys and Other Contracting Professionals ........................................ 14:323
Joseph J. Corey, Jr.

Damages and Problems of Proof with Planted Nonconforming Seeds ........ 9:63
Kemp Burpeau

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
Drafting, Interpreting, and Enforcing Commercial and Shopping Center Leases .......................................................... 14:275
John M. Tyson

Entrustment Under U.C.C. Section 2-403 and Its Implications for Article 9 ........................................................................... 9:407
John E. Cargill

Farmers as Merchants in North Carolina - Currituck Grain, Inc. v. Powell ................................................................................ 1:141
Beverly Wheeler Massey

I. Boyce Covington

Return to the Conservative View of Security Agreements in Commercial Transactions ...................................................... 8:505
Gregory D. Hutchins

The Omnibus Clause of U.C.C. Section 4-303(1)(d): A Holder's Sword or a Payor's Shield? .......................................................... 4:279
Charles C. Lewis

Unfair and Deceptive Legislation: The Case for Finding North Carolina General Statutes Section 75-1.1 Unconstitutionally Vague as Applied to an Alleged Breach of a Commercial Contract .................. 8:421
Thomas A. Farr

COMMUNICATIONS
Cable TV's "Must Carry" Rules: The Most Restrictive Alternative - Quincy Cable TV, Inc. v. FCC ...................................................... 8:339
Robert B. Hobbs, Jr.

The Growing Pains of Cable Television ........................................ 7:175
Beth Bals

COMPUTER SOFTWARE
A Review of Copyright and the Internet ....................................... 20:193
Needham J. Boddie, II, Thomas C. McThenia, Jr., Fred B. Amos, II, and Douglas W. Kim

Copyright Law: Integrating Successive Filtering into the Bifurcated Substantial Similarity Inquiry in Software Copyright Infringement Cases: A Standard for Determining the Scope of Copyright Protection for Non-Literal Elements of Computer Programs .............. 14:1
Maury M. Tepper, III

The Next-to-Last Step to Software Patentability? - Diamond v. Diehr .... 4:219
Ron Karl Levy

CONFIDENTIAL COMMUNICATIONS
Breach of Confidence - The Need for a New Tort - Watts v. Cumberland County Hospital System .............................................. 8:145
Kathryn B. Remick

CONFLICTS OF LAW
Conflicts of Law in Divorce Litigation: A Looking-Glass World? ........ 10:145
Mary M. Wills
CONSTITUTIONAL LAW

“Student-Initiated” Prayer: Assessing the Newest Initiatives to Return Prayer to the Public Schools ........................................ 18:303
Jessica Smith

A New Test for Political Firings - Branti v. Finkel .................... 3:103
James L. Seay, Jr.

A New Twist to the Law of Defamation - Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc. ........................................... 8:527
Benita A. Lloyd

A Slash-And-Burn Expedition through the Law of Environmental Stamping - Lujan v. Defenders of Wildlife .................... 15:347
Donald Strong Higley, II

Access to Private Property - Cape Cod Nursing Home Council v. Rambling Rose Rest Home .......................................... 5:193
Lawrence Mazer

An Indigent’s Right to a Blood Test in a Paternity Suit - Little v. Streater .......................................................... 4:169
Barbara Hollingsworth

L. Phillip Hornthal, III

Asset Forfeiture: Giving Up Your Constitutional Rights ............ 19:527
Douglas Kim

Beauty Conquers the First Amendment - Members of the City of Los Angeles v. Taxpayers for Vincent .......................... 7:383
Elaine J. Strickland

Cable TV’s “Must Carry” Rules: The Most Restrictive Alternative - Quincy Cable TV, Inc. v. FCC ............................ 8:339
Robert B. Hobbs, Jr.

Conditioning A Woman’s Probation on Her Using Norplant: New Weapon Against Child Abuse Backfires ........................ 17:301
Scott J. Jebson

Confrontation and Hearsay: New Wine in an Old Bottle .......... 16:1
The Honorable Anthony M. Brannon

Confronting Accused With Evidence Against Him as “Interrogation” Within the Meaning of Miranda - State v. McLean .......... 1:173
William M. Spivey

Constitutional Admissibility of Hearsay under the Confrontation Clause: Reliability Requirement for Hearsay Admitted under a Non-“Firmly Rooted” Exception - Idaho v. Wright .......................... 14:347
A. Perry Wadsworth, Jr.

Constitutional Rights of Students, Their Families, and Teachers in the Public Schools ................................................. 10:353
Norman B. Smith

Control of Obscenity Through Enforcement of a Nuisance Statute - Chateau X, Inc. v. State ex rel Andrews ....................... 4:139
Robert H. Miller, II
Defendant's Due Process Right to a Psychiatric Expert - Ake v. Oklahoma .......................................................... 8:323
  William D. Auman

  John Lloyd Coble

Entrapment and Due Process of Law - The Efficacy of ABSCAM Type Operations - United States v. Jannotti ..................... 5:377
  Dennis Franks

Equal Protection for Non-Suspect Class Victims of Governmental Misconduct: Theory and Proof of Disparate Treatment and Arbitrariness Claims .................................................... 18:333
  J. Michael McGuinness

Focus on Gerrymandering - Beyond Justiciability: Political Gerrymandering After Davis v. Bandemer ................................. 9:207
  Michael A. Hess

Freedom of Association and the Political Boycott - N.A.A.C.P. v. Claiborne Hardware Co. ........................................ 5:359
  Elaine Cohoon

  Honorable Harry C. Martin

Gender Sterotypes and Discriminatory Behaviors Toward Female Attorneys: The North Carolina Case ................................ 13:183
  Michael L. Vasu and Ellen Storey Vasu

Grand Jury Subpoenas to Defense Attorneys Representing Targets: An Ethical/Legal Tug of War ................................. 9:347
  Paul Marshall Yoder

Health Care Professionals Seek to Advertise - Friedman v. Rogers ...... 2:173
  Lex Allen Watson II

History and Executive Removal Power: Morrison v. Olson and Separation of Powers .............................................. 11:175
  John L. Gedid

HIV, AIDS & Job Discrimination: North Carolina Failure and Federal Redemption ...................................................... 17:115
  Jeremy McKinney

Intimate Injuries: Are There Constitutional Law Protections from Family Violence .................................................. 15:1
  J. Randall Patterson

Is Promissory Estoppel Forever Estopped in North Carolina - Home Electric Co. of Lenoir, Inc. v. Hall & Underdown Heating and Air Conditioning Co. ...................................... 10:293
  Lu Ann Brown

Legislative Chaplaincy Program Held Not to Violate the Establishment of Religion Clause - Marsh v. Chambers .................... 6:143
  M. Greg Crumpler
<table>
<thead>
<tr>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legitimate Governmental Interest in Regulating the Sale of Drug Paraphernalia Receives Judicial Recognition - Village of Hoffman Estates v. Flipside, Hoffman Estates, Inc.</td>
<td>5:231</td>
<td></td>
</tr>
<tr>
<td>James A. Atkins</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mail-Order Ministries Under the Section 170 Charitable Contribution Deduction: The First Amendment Restrictions, the Minister's Burden of Proof, and the Effect of TRA '86</td>
<td>11:1</td>
<td></td>
</tr>
<tr>
<td>Anthony L. Scialabba, Melissa B. Kurtzman, Lance J. M. Steinhart</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mental Health Care for Children: Before and During State Custody</td>
<td>13:1</td>
<td></td>
</tr>
<tr>
<td>Honorable K. Edward Greene</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moment of Silence Statutes May Threaten the Wall of Separation Between Church and State - Wallace v. Jaffree</td>
<td>8:125</td>
<td></td>
</tr>
<tr>
<td>Valerie B. Spalding</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Annexation in North Carolina: A Look at the Past Decade</td>
<td>14:135</td>
<td></td>
</tr>
<tr>
<td>Steven W. Blevins</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Carolina Adopts the Inevitable Discovery Exception to the Exclusionary Rule - State v. Garner</td>
<td>15:305</td>
<td></td>
</tr>
<tr>
<td>G. Chris Olson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Carolina and Pretrial Civil Revocation of an Impaired Driver's License and the Double Jeopardy Clause</td>
<td>18:391</td>
<td></td>
</tr>
<tr>
<td>Marc Tyrey</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Carolina's New AIDS Discrimination Protection: Who Do They Think They're Fooling?</td>
<td>12:475</td>
<td></td>
</tr>
<tr>
<td>Angela Sue Bullard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walter L. Jones</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Obscenity: The Justices' (Not So) New Robes</td>
<td>8:387</td>
<td></td>
</tr>
<tr>
<td>Michael Kent Curtis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oliver and the Open Fields Doctrine - Oliver v. United States</td>
<td>7:253</td>
<td></td>
</tr>
<tr>
<td>T. Michael Godley</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Albert M. Benshoff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lora B. Greene</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Press Has No Constitutional Right to Attend a Pretrial Suppression Hearing - Gannett Co. v. DePasquale</td>
<td>2:125</td>
<td></td>
</tr>
<tr>
<td>Jay C. Welch</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Presumed Guilty: The Use of Videotaped and Closed-Circuit Televised Testimony in Child Sex Abuse Prosecutions and the Defendant’s Right to Confrontation -Coy v. Iowa</td>
<td>11:381</td>
<td></td>
</tr>
<tr>
<td>Charles E. Wilson, Jr.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prisoners' Rights - Recognition That Involuntary Exposure to Environ-</td>
<td>11:363</td>
</tr>
<tr>
<td>mental Tobacco Smoke May Constitute Cruel and Unusual Punishment</td>
<td></td>
</tr>
<tr>
<td>- Avery v. Powell</td>
<td></td>
</tr>
<tr>
<td>Robin Terry</td>
<td></td>
</tr>
<tr>
<td>Prosecutorial Abuse of Peremptory Challenges in Death Penalty Litiga-</td>
<td>8:71</td>
</tr>
<tr>
<td>tion: Some Constitutional and Ethical Considerations</td>
<td></td>
</tr>
<tr>
<td>Stephen P. Lindsay</td>
<td></td>
</tr>
<tr>
<td>Racial Gerrymandering and the Voting Rights Act in North Carolina</td>
<td>9:255</td>
</tr>
<tr>
<td>Robert N. Hunter, Jr.</td>
<td></td>
</tr>
<tr>
<td>Scarlet Letter Lawsuits: Private Affairs and Public Judgments</td>
<td>10:1</td>
</tr>
<tr>
<td>Lynn Buzzard</td>
<td></td>
</tr>
<tr>
<td>Self-Directed Death, Euthanasia, and the Termination of Life-Support:</td>
<td></td>
</tr>
<tr>
<td>Reasonable Decisions to Die</td>
<td>16:205</td>
</tr>
<tr>
<td>G. Steven Neeley</td>
<td></td>
</tr>
<tr>
<td>Senate Bill 43: A Refinement of North Carolina's Involuntary Civil Com-</td>
<td>14:105</td>
</tr>
<tr>
<td>mitment Procedures</td>
<td></td>
</tr>
<tr>
<td>Bruce Vrana</td>
<td></td>
</tr>
<tr>
<td>Smoking in the Workplace: Who Has What Rights?</td>
<td>11:311</td>
</tr>
<tr>
<td>John C. Fox</td>
<td></td>
</tr>
<tr>
<td>Speedy Trial Clause Not Applicable to Time Between Dismissal of Mili-</td>
<td>5:213</td>
</tr>
<tr>
<td>tary Charges and Subsequent Indictment on Civilian Charges</td>
<td></td>
</tr>
<tr>
<td>United States v. MacDonald</td>
<td></td>
</tr>
<tr>
<td>Frank Prior</td>
<td></td>
</tr>
<tr>
<td>Is Campbell University an Armed Church?</td>
<td></td>
</tr>
<tr>
<td>Stephen See</td>
<td></td>
</tr>
<tr>
<td>State's Interest in Wild Animals - Hughes v. Oklahoma</td>
<td>2:151</td>
</tr>
<tr>
<td>Susan Morrison Umstead</td>
<td></td>
</tr>
<tr>
<td>States Lose Power to Prescribe Highway Safety Regulations - Kassel v.</td>
<td>4:127</td>
</tr>
<tr>
<td>Consolidated Freightways Corp.</td>
<td></td>
</tr>
<tr>
<td>Larry C. Harris</td>
<td></td>
</tr>
<tr>
<td>Suicide, Liberty and our Imperfect Constitution: An Analysis of the</td>
<td>14:69</td>
</tr>
<tr>
<td>Legitimacy of The Supreme Court's Entanglement in Decisions to Termi-</td>
<td></td>
</tr>
<tr>
<td>nate Life-Sustaining Medical Treatment</td>
<td></td>
</tr>
<tr>
<td>Terrance A. Kline</td>
<td></td>
</tr>
<tr>
<td>Symposium Address: Racial Justice in the 1980's</td>
<td>8:29</td>
</tr>
<tr>
<td>Julius L. Chambers</td>
<td></td>
</tr>
<tr>
<td>The “Plain Feel” Exception in Minnesota v. Dickerson: A Further Ero-</td>
<td>16:257</td>
</tr>
<tr>
<td>sion of the Fourth Amendment</td>
<td></td>
</tr>
<tr>
<td>Nicole J. Lehmann</td>
<td></td>
</tr>
<tr>
<td>The Admissibility of Evidence Obtained Through Hypnosis - State v.</td>
<td>7:409</td>
</tr>
<tr>
<td>Peoples</td>
<td></td>
</tr>
<tr>
<td>Sharon L. Hartman</td>
<td></td>
</tr>
<tr>
<td>The Amy Jackson Law - A Look at the Constitutionality of North Caro-</td>
<td>20:347</td>
</tr>
<tr>
<td>lina's Answer to Megan's Law.</td>
<td></td>
</tr>
<tr>
<td>Nikki Gfellers and Kimberly Ann Lewis</td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td>Page</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>The Concept of Religion in State Constitutions</td>
<td>8:437</td>
</tr>
<tr>
<td>Kent Greenawalt</td>
<td></td>
</tr>
<tr>
<td>The Constitutionality of the Adolescent Family Life Act: An Analysis of</td>
<td></td>
</tr>
<tr>
<td>Bowen v. Kendrick and its Impact on Current Establishment Clause</td>
<td></td>
</tr>
<tr>
<td>Thomas G. Walker</td>
<td></td>
</tr>
<tr>
<td>The Dual Sovereignty Doctrine Extended to Successive State Prosecutions - Heath v. Alabama</td>
<td>8:361</td>
</tr>
<tr>
<td>Clifton Walker Homesley</td>
<td></td>
</tr>
<tr>
<td>The Elderly Incompetent: The Right to Die With Dignity</td>
<td>13:57</td>
</tr>
<tr>
<td>Cary C. Homes</td>
<td></td>
</tr>
<tr>
<td>The Fourth Circuit and the Fourth Amendment: Removing the High From the Seas</td>
<td>3:1</td>
</tr>
<tr>
<td>Herman E. Gaskins, Jr.</td>
<td></td>
</tr>
<tr>
<td>The Growing Pains of Cable Television</td>
<td>7:175</td>
</tr>
<tr>
<td>Beth Bals</td>
<td></td>
</tr>
<tr>
<td>The Long and Winding Road: Redistricting in Light of Shaw v. Reno</td>
<td>16:457</td>
</tr>
<tr>
<td>Charles W. McKeller</td>
<td></td>
</tr>
<tr>
<td>The Right to Appointment of Counsel for the Indigent Civil Contemnor</td>
<td></td>
</tr>
<tr>
<td>Facing Incarceration for Failure to Pay Child Support - McBride v. McBride</td>
<td>16:127</td>
</tr>
<tr>
<td>Kurt F. Hausler</td>
<td></td>
</tr>
<tr>
<td>The Role of the Search Warrant in Fire Investigations - Michigan v. Clifford</td>
<td>7:269</td>
</tr>
<tr>
<td>Samuel A. Mann</td>
<td></td>
</tr>
<tr>
<td>The Supreme Court Takes A Stance With Plain View Searches and</td>
<td></td>
</tr>
<tr>
<td>Seizures - Arizona v. Hicks</td>
<td>10:331</td>
</tr>
<tr>
<td>Tonya C. Cumalander</td>
<td></td>
</tr>
<tr>
<td>The Use of Race in the Admissions Programs of Higher Educational Institutions - A</td>
<td></td>
</tr>
<tr>
<td>Violation of the Equal Protection Clause?</td>
<td>19:489</td>
</tr>
<tr>
<td>Kevin Joyner</td>
<td></td>
</tr>
<tr>
<td>Unfair and Deceptive Legislation: The Case for Finding North Carolina</td>
<td></td>
</tr>
<tr>
<td>General Statutes Section 75-1.1 Unconstitutionally Vague as Applied</td>
<td></td>
</tr>
<tr>
<td>to an Alleged Breach of a Commercial Contract</td>
<td>8:421</td>
</tr>
<tr>
<td>Thomas A. Farr</td>
<td></td>
</tr>
<tr>
<td>Untying the Gordian Knot: An Orderly Approach to Federal Jurisdiction</td>
<td></td>
</tr>
<tr>
<td>Issues in a Basic Course in United States Constitutional Law</td>
<td>12:383</td>
</tr>
<tr>
<td>Thomas C. Marks, Jr.</td>
<td></td>
</tr>
<tr>
<td>Vessels in Inland Waters are Subject to Suspicionless Boarding - United</td>
<td></td>
</tr>
<tr>
<td>States v. Villamonte-Marquez</td>
<td>6:183</td>
</tr>
<tr>
<td>Wallace R. Young, Jr.</td>
<td></td>
</tr>
<tr>
<td>Waiver of Right to Counsel - State v. Butler</td>
<td>2:113</td>
</tr>
<tr>
<td>Patti Owen Harper</td>
<td></td>
</tr>
<tr>
<td>Warrant to Search Premises as Authorizing Search and Detention of</td>
<td></td>
</tr>
<tr>
<td>Occupants of Premises - Michigan v. Summers</td>
<td>4:191</td>
</tr>
<tr>
<td>Patrick C. Cork</td>
<td></td>
</tr>
</tbody>
</table>

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
INDEX BY CATEGORY

WARRANTLESS AERIAL SURVEILLANCE ENDORSED
California v. Ciraolo ...... 9:497
Bobby L. Bollinger, Jr.

WEBSTER V. REPRODUCTIVE HEALTH SERVICES: A PATH TO CONSTITUTIONAL EQUILIBRIUM
Mark E. Chopko

WEBSTER V. REPRODUCTIVE HEALTH SERVICES: DO LEGISLATIVE DECLARATIONS THAT LIFE BEGINS AT CONCEPTION VIOLATE THE ESTABLISHMENT CLAUSE?... 12:1
Robert L. Maddox and Blaine Bortnick

WHEN TWO "RIGHTS" MAKE A WRONG: THE PROTECTION OF NONSMOKERS' RIGHTS IN THE WORKPLACE
Donna C. Stroud

CONSTRUCTION AND CONTRACTS

A NEW BRIGHT LINE RULE FOR GENERAL CONSTRUCTION CONTRACTORS - BRADY V.
Fulghum ................................. 7:199
Kimberly Ann Kelly

INHERENTLY DANGEROUS OR INHERENTLY DIFFICULT? INTERPRETATIONS AND CRITICISMS OF IMPOSING VICARIOUS LIABILITY ON GENERAL CONTRACTORS FOR INJURIES SUFFERED AS A RESULT OF WORK PERFORMED BY INDEPENDENT CONTRACTORS: HOOPER V. PIZZAGALLI CONSTRUCTION COMPANY .............. 17:483
Mary Margaret McEachern

IS PROMISSORY ESTOPPEL FOREVER ESTOPPED IN NORTH CAROLINA - HOME ELECTRIC CO. OF LENOIR, INC. V. HALL & UNDERDOWN HEATING AND AIR CONDITIONING CO. ......................... 10:293
Lu Ann Brown

JUDICIAL ACTIVISM CONSTRUCTS LENDERS' NIGHTMARE - EMBREE CONSTRUCTION GROUP, INC. V. RAFCOR, INC. AND UNITED CAROLINA BANK .............. 15:77
Phillip A. Mullins, IV

CONSUMER PROTECTION

CONSUMER CHOICE IN THE NORTH CAROLINA AUTO INSURANCE MARKET .......... 19:67
Jeffrey O'Connell, Stephen Carroll, Michael Horowitz, Allan Abrahamse, and Bradley Miliauskas

THE DEMISE OF THE FOREIGN-NATURAL TEST IN NORTH CAROLINA - GOODMAN V.
Wenco Foods ......................... 16:275
Leigh A. Aughenbaugh

Debra D. Burke

THE ROLE OF ACTUAL CONFUSION EVIDENCE IN FEDERAL TRADEMARK INFRINGEMENT LITIGATION ......................... 16:19
Michael J. Allen

THE TROUBLE WITH TREBLES: WHAT VIOLATES G.S. §75-1.1? ................. 5:119
Edward M. McClure, Jr.

Cindy C. Heenan

Published by Scholarly Repository @ Campbell University School of Law, 1998
CONTRACTORS

Judicial Activism Constructs Lenders' Nightmare - Embree Construction Group, Inc. v. Rafcor, Inc. and United Carolina Bank .................. 15:77
Phillip A. Mullins, IV

CONTRACTS

A Fresh Look at Contractual Tenant Remedies Under the North Carolina Residential Rental Agreements Act - Miller v. C.W. Myers Trading Post, Inc................................................................. 10:167
Johnny Foster

A New Bright Line Rule for General Construction Contractors - Brady v. Fulghum ......................................................... 7:199
Kimberly Ann Kelly

A New Rule for Consent Judgments in Family Law - Walters v. Walters ........................................................................... 6:125
H. William Palmer, Jr.

Contract Warranties and Remedies: A Comprehensive Study of the Creation, Modification and Exclusion of Contract Warranties and Remedies for Attorneys and Other Contracting Professionals .......... 14:323
Joseph J. Corey, Jr.

Contractual Modification of Past Due and Future Child Support Payments ................................................................. 19:189
Lynette K. Neel

Creating The Legal Monster: The Expansion and Effect of Legal Malpractice Liability in North Carolina ...................... 18:121
Gregory Huffman

FAA and Arbitration Clauses - How Far Can It Reach? The Effect of Allied-Bruce Terminix, Inc. v. Dobson ....................... 19:607
Edmond Seferi

Fixed Price Option v. Right of First Refusal: Construction of a Dual Option Lease - Texaco, Inc. v. Creel .............................. 7:349
Mark Scruggs

Installment Land Contracts in North Carolina ............................................ 3:29
James W. Narron

Lu Ann Brown

North Carolina's Uniform Premarital Agreement Act: A Contract Perspective ......................................................... 12:221
Richard A. Lord

Offer to Purchase and Contract: Buyer Beware .......................... 8:473
Lisa Ann Finger

Post-Separation Failure to Support a Dependent Spouse as a Sole Ground for Alimony Despite the Absence of Marital Misconduct Before Separation - Brown v. Brown ..................... 15:333
Elizabeth N. Rich
   Gerald H. Groon, Jr.

Separation Agreements: Effect of Resumed Marital Relations - Murphy v. Murphy ....................................................... 1:131
   Donald R. Teeter

The Contingent Fee Contract in Domestic Relations Cases - Thompson v. Thompson ....................................................... 7:427
   Timothy H. Graham

   W. Greg Merritt

The Doctrine of Wrongful Discharge in North Carolina: The Confusing Path From Sides to Guy and the Need for Reform .................... 10:217
   J. Michael McGuinness

The Legal Relationship Between the Bank and Its Safe Deposit Customer ....................................................... 5:263
   Richard A. Lord

Unfair and Deceptive Legislation: The Case for Finding North Carolina General Statutes Section 75-1.1 Unconstitutionally Vague as Applied to an Alleged Breach of a Commercial Contract ............... 8:421
   Thomas A. Farr

Waiver of Closing Date in Land Sales Contracts in North Carolina - Fletcher v. Jones ................................................ 8:547
   Ricky L. Griffin

CONTRIBUTORY NEGLIGENCE

Contributory Negligence, Comparative Negligence, and Stare Decisis in North Carolina .................................................. 18:1
   Steven Gardner

The Evolution and Status of the Contributory Negligence Defense to Medical Malpractice Actions in North Carolina - McGill v. French. 16:103
   Lucinda L. Fraley

COPYRIGHT

A Review of Copyright and the Internet ............................................. 20:193
   Needham J. Boddie, II, Thomas C. McThenia, Jr., Fred B. Amos, II, and Douglas W. Kim

Copyright Law: Integrating Successive Filtering into the Bifurcated Substantial Similarity Inquiry in Software Copyright Infringement Cases: A Standard for Determining the Scope of Copyright Protection for Non-Literal Elements of Computer Programs .................... 14:1
   Maury M. Tepper, III

CORPORATIONS

Organizational Ethos and Corporate Criminal Liability ..................... 17:47
   Henry J. Amoroso
The Effect of Unanimous Approval on Corporate Bylaws - Blount v. Taft
 Margaret Person Currin

The Federal Sentencing Guidelines Endorsement of Corporate-Level Restitution: Furtherance of Public Policy or Discrimination on the Basis of Entity Capitalization?
 Henry Amoroso

CRIMINAL LAW

A New Means to Combat Child Abuse? - State v. Walden
 Janet Coleman

Asset Forfeiture: Giving Up Your Constitutional Rights
 Douglas Kim

 Jeffrey M. Cutler

Conditioning A Woman’s Probation on Her Using Norplant: New Weapon Against Child Abuse Backfires
 Scott J. Jebson

Confrontation and Hearsay: New Wine in an Old Bottle
 The Honorable Anthony M. Brannon

Confronting Accused With Evidence Against Him as “Interrogation” Within the Meaning of Miranda - State v. McLean
 William M. Spivey

Control of Obscenity Through Enforcement of a Nuisance Statute - Chateau X, Inc. v. State ex rel Andrews
 Robert H. Miller, II

Death Penalty: Jury Discretion Bridled - State v. Pinch
 J. Craig Young

Defendant’s Due Process Right to a Psychiatric Expert - Ake v. Oklahoma
 William D. Auman

 John M. Nunnally

Edwards v. Arizona Is Alive But Not Well in North Carolina
 John Lloyd Coble

Entrapment and Due Process of Law - The Efficacy of ABSCAM Type Operations - United States v. Jannotti
 Dennis Franks

Expert Testimony on Bite Marks -State v. Temple
 Ben H. Sirmons, Jr.

Expert Testimony Regarding the Speed of a Vehicle: The Status of North Carolina Law and the State of the Art
 Lawrence F. Mazer, Charles R. Manning, Richard T. Edwards, Michael A. Sutton
<table>
<thead>
<tr>
<th>Title</th>
<th>Citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Its Days were Numbered: The Year and a Day Rule Falls in North Carolina - State v. Vance</td>
<td>14:235</td>
</tr>
<tr>
<td>Melanee Lewis Vtipil</td>
<td></td>
</tr>
<tr>
<td>Legitimate Governmental Interest in Regulating the Sale of Drug Paraphernalia Receives Judicial Recognition - Village of Hoffman Estates v. Flipside, Hoffman Estates, Inc.</td>
<td>5:231</td>
</tr>
<tr>
<td>James A. Atkins</td>
<td></td>
</tr>
<tr>
<td>W. Anthony Purcell</td>
<td></td>
</tr>
<tr>
<td>Motion for Change of Venue - In Search of a Guiding Light - State v. Jerett</td>
<td>7:73</td>
</tr>
<tr>
<td>Buxton Sawyer Copeland</td>
<td></td>
</tr>
<tr>
<td>North Carolina Adopts the Inevitable Discovery Exception to the Exclusionary Rule - State v. Garner</td>
<td>15:305</td>
</tr>
<tr>
<td>G. Chris Olson</td>
<td></td>
</tr>
<tr>
<td>North Carolina and Declarations Against Penal Interest - State v. Haywood</td>
<td>1:161</td>
</tr>
<tr>
<td>Samuel W. Meekins</td>
<td></td>
</tr>
<tr>
<td>North Carolina and PretrialCivil Revocation of an Impaired Driver's License and the Double Jeopardy Clause</td>
<td>18:391</td>
</tr>
<tr>
<td>Marc Tyrey</td>
<td></td>
</tr>
<tr>
<td>Walter L. Jones</td>
<td></td>
</tr>
<tr>
<td>Oliver and the Open Fields Doctrine - Oliver v. United States</td>
<td>7:253</td>
</tr>
<tr>
<td>T. Michael Godley</td>
<td></td>
</tr>
<tr>
<td>Organizational Ethos and Corporate Criminal Liability</td>
<td>17:47</td>
</tr>
<tr>
<td>Henry J. Amoroso</td>
<td></td>
</tr>
<tr>
<td>Perfecting the Imperfect Right of Self-Defense - State v. Norris</td>
<td>4:427</td>
</tr>
<tr>
<td>Richard Charles Blanks</td>
<td></td>
</tr>
<tr>
<td>Person or Thing-In Search of the Legal Status of a Fetus: A Survey of North Carolina Law</td>
<td>17:169</td>
</tr>
<tr>
<td>Tony Hartsoe</td>
<td></td>
</tr>
<tr>
<td>Polygraph Test Results No Longer Admissible in North Carolina - State v. Grier</td>
<td>6:205</td>
</tr>
<tr>
<td>William T. Sharpe</td>
<td></td>
</tr>
<tr>
<td>Presumed Guilty: The Use of Videotaped and Closed-Circuit Televised Testimony in Child Sex Abuse Prosecutions and the Defendant's Right to Confrontation -Coy v. Iowa</td>
<td>11:381</td>
</tr>
<tr>
<td>Charles E. Wilson, Jr.</td>
<td></td>
</tr>
<tr>
<td>Prior Crimes as Evidence in Present Criminal Trials</td>
<td>1:1</td>
</tr>
<tr>
<td>Charles W. Gamble</td>
<td></td>
</tr>
<tr>
<td>Prisoners' Rights - Recognition That Involuntary Exposure to Environmental Tobacco Smoke May Constitute Cruel and Unusual Punishment - Avery v. Powell</td>
<td>11:363</td>
</tr>
<tr>
<td>Robin Terry</td>
<td></td>
</tr>
</tbody>
</table>
Privilege for Adverse Spousal Testimony Vested in Witness Spouse - Trammel v. United States ........................................ 3:125
James Quimby Wallace, III

Prosecutorial Abuse of Peremptory Challenges in Death Penalty Litigation: Some Constitutional and Ethical Considerations .................. 8:71
Stephen P. Lindsay

Rape Victim Shield Statute - State v. Fortney ......................... 3:113
Richard Boyd Harper

Removing the Third Option From the Jury - State v. Strickland ........ 7:89
Lisa Boutelle Hardin

Repudiation of the Intraenterprise Conspiracy Doctrine - Copperweld v. Independence Tube Corp. .................. 7:369
Ellen M. Gregg

Senate Bill 43: A Refinement of North Carolina's Involuntary Civil Commitment Procedures ............................................. 14:105
Bruce Vrana

Some Practical Implications of Civil RICO Cases .......................... 7:299
William Woodward Webb and Kevin P. Roddy

Speedy Trial Clause Not Applicable to Time Between Dismissal of Military Charges and Subsequent Indictment on Civilian Charges - United States v. MacDonald ...................................... 5:213
Frank Prior

Submission to the Jury of Lesser Included Offenses - State v. Thompson ....................................................... 2:145
Tony Carlton Dalton

Symposium Address: The Death Penalty in North Carolina ........................ 8:1
Honorable James G. Exum, Jr.

George Robert Hicks, III

The "Plain Feel" Exception in Minnesota v. Dickerson: A Further Erosion of the Fourth Amendment ................................. 16:257
Nicole J. Lehmann

The Admissibility of a Criminal Defendant's Hypnotically Refreshed Testimony - Rock v. Arkansas .................. 10:311
Audrey Cooper

The Admissibility of Evidence Obtained Through Hypnosis - State v. Peoples ......................................................... 7:409
Sharon L. Hartman

The Amy Jackson Law - A Look at the Constitutionality of North Carolina's Answer to Megan's Law ................. 20:347
Nikki Gfellers and Kimberly Ann Lewis

The Dual Sovereignty Doctrine Extended to Successive State Prosecutions - Heath v. Alabama ................. 8:361
Clifton Walker Homesley

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
The Federal Sentencing Guidelines Endorsement of Corporate-Level Restitution: Furtherance of Public Policy or Discrimination on the Basis of Entity Capitalization? ................................................................. 18:225
    Henry Amoroso

The Fourth Circuit and the Fourth Amendment: Removing the High From the Seas ............................................................... 3:1
    Herman E. Gaskins, Jr.

The Supreme Court Takes A Stance With Plain View Searches and Seizures - Arizona v. Hicks ........................................ 10:331
    Tonya C. Cumalander

Uniform Controlled Substances Act of 1990 ........................................ 13:365
    Richard L. Braun

Using the Fair Sentencing Act to Protect the Criminal Defendant ....... 9:127
    Valerie B. Spalding

    Patrick C. Cork

Warrantless Aerial Surveillance Endorsed - California v. Ciraolo ...... 9:497
    Bobby L. Bollinger, Jr.

Was the First Woman Hanged in North Carolina a “Battered Spouse”? . 19:311
    Jeffrey P. Gray

CRIMINAL PROCEDURE

Confronting Accused With Evidence Against Him as “Interrogation” Within the Meaning of Miranda - State v. McLean ................. 1:173
    William M. Spivey

Motion for Change of Venue - In Search of a Guiding Light - State v. Jerett ................................................................. 7:73
    Buxton Sawyer Copeland

North Carolina Adopts the Inevitable Discovery Exception to the Exclusionary Rule - State v. Garner ................................... 15:305
    G. Chris Olson

Oliver and the Open Fields Doctrine - Oliver v. United States ........ 7:253
    T. Michael Godley

Prior Crimes as Evidence in Present Criminal Trials ................... 1:1
    Charles W. Gamble

    John S. Austin

Rape Victim Shield Statute - State v. Fortney ............................ 3:113
    Richard Boyd Harper

Speedy Trial Clause Not Applicable to Time Between Dismissal of Military Charges and Subsequent Indictment on Civilian Charges - United States v. MacDonald .................. 5:213
    Frank Prior
George Robert Hicks, III

The Role of the Search Warrant in Fire Investigations - Michigan v. Clifford .................................................. 7:269
Samuel A. Mann

The Supreme Court Takes A Stance With Plain View Searches and Seizures - Arizona v. Hicks .................................................. 10:331
Tonya C. Cumarlander

Vessels in Inland Waters are Subject to Suspicionless Boarding - United States v. Villamonte-Marquez .................................................. 6:183
Wallace R. Young, Jr.

Waiver of Right to Counsel - State v. Butler .................................................. 2:113
Patti Owen Harper

Warrant to Search Premises as Authorizing Search and Detention of Occupants of Premises - Michigan v. Summers .................................................. 4:191
Patrick C. Cork

Warrantless Aerial Surveillance Endorsed - California v. Ciraolo .................................................. 9:497
Bobby L. Bollinger, Jr.

When a Hotel is Your Home, Is There Protection? - Baker v. Rushing .................................................. 15:295
Amy M. Campbell

CRUEL AND UNUSUAL PUNISHMENT
Conditioning A Woman's Probation on Her Using Norplant: New Weapon Against Child Abuse Backfires .................................................. 17:301
Scott J. Jebson

Prisoners' Rights - Recognition That Involuntary Exposure to Environmental Tobacco Smoke May Constitute Cruel and Unusual Punishment - Avery v. Powell .................................................. 11:363
Robin Terry

The Amy Jackson Law - A Look at the Constitutionality of North Carolina's Answer to Megan's Law .................................................. 20:347
Nikki Gfellers and Kimberly Ann Lewis

CUSTOMS
Vessels in Inland Waters are Subject to Suspicionless Boarding - United States v. Villamonte-Marquez .................................................. 6:183
Wallace R. Young, Jr.

DAMAGES
A Fresh Look at Contractual Tenant Remedies Under the North Carolina Residential Rental Agreements Act - Miller v. C.W. Myers Trading Post, Inc .................................................. 10:167
Johnny Foster

Damages and Problems of Proof with Planted Nonconforming Seeds .................................................. 9:63
Kemp Burpeau

Economic Valuation for Wrongful Death .................................................. 6:47
Joseph E. Johnson and George B. Flanigan
<table>
<thead>
<tr>
<th>Category</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>INDEX BY CATEGORY</td>
<td></td>
<td>543</td>
</tr>
<tr>
<td></td>
<td>Examining DiDonato's Damage Limitations and Mandatory Joinder</td>
<td>15:97</td>
</tr>
<tr>
<td></td>
<td>Fighting Fire With Fire: “Reverse Bad Faith” In First-Party Litigation</td>
<td>19:43</td>
</tr>
<tr>
<td></td>
<td>Person or Thing-In Search of the Legal Status of a Fetus: A Survey</td>
<td>17:169</td>
</tr>
<tr>
<td></td>
<td>of North Carolina Law</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The American Medical Association v. The American Tort System</td>
<td>8:241</td>
</tr>
<tr>
<td></td>
<td>The Doctrine of Wrongful Discharge in North Carolina: The Confusing</td>
<td>10:217</td>
</tr>
<tr>
<td></td>
<td>Path From Sides to Guy and the Need for Reform</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Trouble With Trebles: What Violates G.S. §75-1.1?</td>
<td>5:119</td>
</tr>
<tr>
<td>DEADLY FORCE</td>
<td>Civil Liability in the Use of Deadly Force in North Carolina</td>
<td>4:391</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DEBTOR-CREDITOR</td>
<td>As if We Had Enough to Worry About ... Attorneys and the Federal</td>
<td>18:165</td>
</tr>
<tr>
<td></td>
<td>Fair Debt Collection Practices Act: Supreme Court Rules on Former</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Attorney Exemption</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Classification of Unsecured Claims in Chapter 13 of the Bankruptcy</td>
<td>7:329</td>
</tr>
<tr>
<td></td>
<td>Reform Act of 1978: What is Fair?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Entrustment Under U.C.C. Section 2-403 and Its Implications for Article</td>
<td>9:407</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DECEDENTS ESTATES</td>
<td>Estate Planning Considerations for the North Carolina Principal and</td>
<td>8:173</td>
</tr>
<tr>
<td></td>
<td>Income Act of 1973</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The North Carolina Dissent Statutes: The Seeds of Inequities</td>
<td>8:449</td>
</tr>
<tr>
<td></td>
<td>The Uniform Probate Code's “Augmented Estate” Concept: A Remedy for</td>
<td>12:425</td>
</tr>
<tr>
<td></td>
<td>the North Carolina Dissent Statute</td>
<td></td>
</tr>
</tbody>
</table>

Published by Scholarly Repository @ Campbell University School of Law, 1998
DEDICATIONS

Dedication: David L. Dickson ........................................... 6:1
F. Leary Davis

Dedication: Dr. John J. Broderick .................................... 9:1
The Honorable Joseph Branch, F. Leary Davis and Paul C. Ridgeway

Dedication: F. Leary Davis .......................................... 8:167
Norman A. Wiggins and Beverly Wheeler Massey

Dedication: Professor Richard L. Braun ............................ 11:115
Norman A. Wiggins and David R. Guin

Tribute to Dr. I. Beverly Lake, Sr. ............................... 17:1
Patrick K. Hetrick and Nornam A. Wiggins

DEEDS

Restrictive Covenants - Enforceability of Assessments Against Property Owners in Residential Developments
Figure Eight Beach Homeowners' Association, Inc. v. Parker ........................................ 7:33
Ernest Rawls Carter, Jr. and Monty Beck

DEFAMATION

A New Twist to the Law of Defamation - Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc. ................. 8:527
Benita A. Lloyd

Judicial Boilerplate Language as Torts Decisional Litany: Four Problem Areas in North Carolina .............. 18:359
Charles E. Daye

Scarlet Letter Lawsuits: Private Affairs and Public Judgments ..................................................... 10:1
Lynn Buzzard

DEFENSES

Jeffrey M. Cutler

Entrapment and Due Process of Law - The Efficacy of ABSCAM Type Operations - United States v. Jannotti .................................................... 5:377
Dennis Franks

Liner v. Brown: Where Should We Go From Here - Two Different Approaches for North Carolina ............ 19:447
A. John Hoomani, Kimberly Woodell Sieredzki

Perfecting the Imperfect Right of Self-Defense - State v. Norris .................................................. 4:427
Richard Charles Blanks

George Robert Hicks, III

The Evolution and Status of the Contributory Negligence Defense to Medical Malpractice Actions in North Carolina - McGill v. French ........................................ 16:103
Lucinda L. Fraley
DISCOVERY

Discovery of Medical Records in a Corporate Negligence Action - Shelton v. Morehead Memorial Hospital ...................................... 10:193
   G. Bruce Park

   David L. Woodard

DISCRIMINATION

Another Step Towards Ending Discrimination in the Jury Selection Process - Powers v. Ohio............................................ 14:369
   L. Phillip Hornthal, III

   Jeffrey M. Cutler

Constitutionally Defending Marriage: The Defense of Marriage Act, Romer v. Evans and the Cultural Battle They Represent ........ 19:159
   Leonard G. Brown, III

Equal Protection for Non-Suspect Class Victims of Governmental Misconduct: Theory and Proof of Disparate Treatment and Arbitrariness Claims .................................................. 18:333
   J. Michael McGuinness

Evidentiary Standards in Employment Discrimination Suits - Department of Correction v. Gibson ..................................... 6:163
   Beth Marshall

Focus on Gerrymandering - Beyond Justiciability: Political Gerrymandering After Davis v. Bandemer ................................. 9:207
   Michael A. Hess

Gender Sterotypes and Discriminatory Behaviors Toward Female Attorneys: The North Carolina Case .................................. 13:183
   Michael L. Vasu and Ellen Storey Vasu

HIV, AIDS & Job Discrimination: North Carolina Failure and Federal Redemption .................................................... 17:115
   Jeremy McKinney

Intimate Injuries: Are There Constitutional Law Protections from Family Violence.................................................. 15:1
   J. Randall Patterson

North Carolina's New AIDS Discrimination Protection: Who Do They Think They're Fooling? ...................................... 12:475
   Angela Sue Bullard

Racial Gerrymandering and the Voting Rights Act in North Carolina ..................................... 9:255
   Robert N. Hunter, Jr.

Symposium Address: Racial Justice in the 1980's ............................................ 8:29
   Julius L. Chambers

The Broadened Dimensions and More Powerful Bite of the State Fair Housing Act ............................................. 12:267
   B. Bailey Liipfert, III
The Doctrine of Wrongful Discharge in North Carolina: The Confusing Path From Sides to Guy and the Need for Reform ......................... 10:217
J. Michael McGuinness

The Long and Winding Road: Redistricting in Light of Shaw v. Reno .. 16:457
Charles W. McKeller

The Use of Race in the Admissions Programs of Higher Educational Institutions - A Violation of the Equal Protection Clause? ........ 19:489
Kevin Joyner

Title IX Applies to Employees - North Haven Board of Education v. Bell. 5:249
Barbara Hollingsworth

Universities, Colleges and the Equal Pay Act: The Fourth Circuit Analyzes a Salary Dispute in Stag v. Board of Trustees ................ 19:333
Laura Woodworth Keohane

Webster v. Reproductive Health Services: A Path to Constitutional Equilibrium ............................................................ 12:181
Mark E. Chopko

DIVORCE AND SEPARATION

A New Rule for Consent Judgments in Family Law - Walters v. Walters ................................................................. 6:125
H. William Palmer, Jr.

Conflicts of Law in Divorce Litigation: A Looking-Glass World? .......... 10:145
Mary M. Wills

Modifying Arbitrator's Awards - A Nod to "Judges of the Parties' Own Choosing" - Crutchley v. Crutchley ............................... 4:203
Gene B. Tarr

Post-Separation Failure to Support a Dependent Spouse as a Sole Ground for Alimony Despite the Absence of Marital Misconduct Before Separation - Brown v. Brown ................... 15:333
Elizabeth N. Rich

Gerald H. Groon, Jr.

Separation Agreements: Effect of Resumed Marital Relations - Murphy v. Murphy .................................................... 1:131
Donald R. Teeter

W. Greg Merritt

The Equitable Distribution of Professional Degrees Upon Divorce in North Carolina .................................................. 10:69
Carole S. Gailor and Meredith J. McGill

The Professional Degree as Marital Property Under North Carolina's Equitable Distribution Statute .............................. 6:101
Darnell A. Batton

Uniform Child Custody Jurisdiction Act in North Carolina ............... 4:371
Sharon K. Allen
Beverly W. Massey

DOCUMENTS AND RECORDS
Discovery of Medical Records in a Corporate Negligence Action - Shelton v. Morehead Memorial Hospital ........................................... 10:193
G. Bruce Park
Guarding the Guardians: Expanding Auditor Negligence Liability to Third-Party Users of Financial Information ................................. 11:123
James W. Zisa
Public Documents in the Hands of Private Collectors - State v. West .... 1:179
Samuel R. Clawson

DOMESTIC RELATIONS
A New Means to Combat Child Abuse? - State v. Walden ............... 5:415
Janet Coleman
A New Rule for Consent Judgments in Family Law - Walters v. Walters ................................................................. 6:125
H. William Palmer, Jr.
Jeffrey M. Cutler
Commentary From the Bench - Coercive Governmental Intervention and the Family: A Comment on North Carolina's Proposed Standards . 7:145
Honorable Clarence E. Horton, Jr.
Commentary From the Bench - Rights and Interests of Parent, Child, Family and State: A Critique of Development of the Law in Recent Supreme Court Cases and in the North Carolina Juvenile Code .... 4:85
Honorable Walter H. Bennett, Jr.
Conflicts of Law in Divorce Litigation: A Looking-Glass World? ..... 10:145
Mary M. Wills
Contractual Modification of Past Due and Future Child Support Payments .......................................................... 19:189
Lynette K. Neel
Intimate Injuries: Are There Constitutional Law Protections from Family Violence .................................................. 15:1
J. Randall Patterson
Modifying Arbitrator's Awards - A Nod to "Judges of the Parties' Own Choosing" - Crutchley v. Crutchley ................................. 4:203
Gene B. Tarr
North Carolina's Uniform Premarital Agreement Act: A Contract Perspective ................................................................. 12:221
Richard A. Lord
Post-Separation Failure to Support a Dependent Spouse as a Sole Ground for Alimony Despite the Absence of Marital Misconduct Before Separation - Brown v. Brown .................................... 15:333
Elizabeth N. Rich
Post-Separation Sexual Intercourse Precludes Enforcement of Agreement
Requiring Parties to Live Separate and Apart - Higgins v. Higgins. 11:73
Gerald H. Groon, Jr.

Premarital Agreements .............................................. 13:343
Suzanne Reynolds

Privilege for Adverse Spousal Testimony Vested in Witness Spouse -
Trammel v. United States ........................................... 3:125
James Quimby Wallace, III

Separation Agreements: Effect of Resumed Marital Relations - Murphy
v. Murphy ........................................................... 1:131
Donald R. Teeter

The Contingent Fee Contract in Domestic Relations Cases - Thompson v.
Thompson ........................................................... 7:427
Timothy H. Graham

The Diploma Dilemma: An Inequitable Result Under North Carolina’s
Equitable Distribution Statute- Kuder v. Schroeder ............... 17:361
W. Greg Merritt

The Effect on the Child of a Custodial Parent’s Involvement in an Inti-
mate Same-Sex Relationship-North Carolina Adopts the “Nexus
Test” in Pulliam v. Smith ............................................ 19:131
Vicki Parrott

The Equitable Distribution of Professional Degrees Upon Divorce in
North Carolina ....................................................... 10:69
Carole S. Gailor and Meredith J. McGill

The Professional Degree as Marital Property Under North Carolina’s
Equitable Distribution Statute ...................................... 6:101
Darnell A. Batton

The Right to Appointment of Counsel for the Indigent Civil Contemnor
Facing Incarceration for Failure to Pay Child Support - McBride v.
McBride ............................................................... 16:127
Kurt F. Hausler

Uniform Child Custody Jurisdiction Act in North Carolina ........... 4:371
Sharon K. Allen

Using Hindsight to Change Child Support Obligations: A Survey of Ret-
roactive Modification and Reimbursement of Child Support in North
 Carolina .............................................................. 10:111
Beverly W. Massey

Was the First Woman Hanged in North Carolina a “Battered Spouse”? 19:311
Jeffrey P. Gray

DOMICILE AND RESIDENCE

Warrant to Search Premises as Authorizing Search and Detention of
Patrick C. Cork

When a Hotel is Your Home, Is There Protection? - Baker v. Rushing .. 15:295
Amy M. Campbell

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
<table>
<thead>
<tr>
<th>Category</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DOUBLE JEOPARDY</strong></td>
<td>Asset Forfeiture: Giving Up Your Constitutional Rights</td>
<td>19:527</td>
</tr>
<tr>
<td></td>
<td>Douglas Kim</td>
<td></td>
</tr>
<tr>
<td></td>
<td>John M. Nunnally</td>
<td></td>
</tr>
<tr>
<td>North Carolina and Pretrial</td>
<td>Civil Revocation of an Impaired Driver's License and the Double Jeopardy Clause</td>
<td>18:391</td>
</tr>
<tr>
<td></td>
<td>Marc Tyrey</td>
<td></td>
</tr>
<tr>
<td>The Amy Jackson Law - A Look</td>
<td>at the Constitutionality of North Carolina's Answer to Megan's Law</td>
<td>20:347</td>
</tr>
<tr>
<td></td>
<td>Nikki Gfellers and Kimberly Ann Lewis</td>
<td></td>
</tr>
<tr>
<td>The Dual Sovereignty Doctrine</td>
<td>Extended to Successive State Prosecutions - Heath v. Alabama</td>
<td>8:361</td>
</tr>
<tr>
<td></td>
<td>Clifton Walker Homesley</td>
<td></td>
</tr>
<tr>
<td><strong>DRUGS</strong></td>
<td>Asset Forfeiture: Giving Up Your Constitutional Rights</td>
<td>19:527</td>
</tr>
<tr>
<td></td>
<td>Douglas Kim</td>
<td></td>
</tr>
<tr>
<td>Legitimate Governmental Interest</td>
<td>in Regulating the Sale of Drug Paraphernalia Receives Judicial Recognition - Village</td>
<td>5:231</td>
</tr>
<tr>
<td></td>
<td>of Hoffman Estates, Inc</td>
<td></td>
</tr>
<tr>
<td></td>
<td>James A. Atkins</td>
<td></td>
</tr>
<tr>
<td>North Carolina and Pretrial</td>
<td>Civil Revocation of an Impaired Driver's License and the Double Jeopardy Clause</td>
<td>18:391</td>
</tr>
<tr>
<td></td>
<td>Marc Tyrey</td>
<td></td>
</tr>
<tr>
<td>The Fourth Circuit and the</td>
<td>Fourth Amendment: Removing the High From the Seas</td>
<td>3:1</td>
</tr>
<tr>
<td></td>
<td>Herman E. Gaskins, Jr.</td>
<td></td>
</tr>
<tr>
<td>Uniform Controlled Substances</td>
<td>Act of 1990</td>
<td>13:365</td>
</tr>
<tr>
<td></td>
<td>Richard L. Braun</td>
<td></td>
</tr>
<tr>
<td><strong>DUAL SOVEREIGNTY DOCTRINE</strong></td>
<td>The Dual Sovereignty Doctrine Extended to Successive State Prosecutions - Heath v.</td>
<td>8:361</td>
</tr>
<tr>
<td></td>
<td>Alabama</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Clifton Walker Homesley</td>
<td></td>
</tr>
<tr>
<td><strong>DUE PROCESS</strong></td>
<td>Asset Forfeiture: Giving Up Your Constitutional Rights</td>
<td>19:527</td>
</tr>
<tr>
<td></td>
<td>Douglas Kim</td>
<td></td>
</tr>
<tr>
<td>Defendant's Due Process Right</td>
<td>to a Psychiatric Expert - Ake v. Oklahoma</td>
<td>8:323</td>
</tr>
<tr>
<td></td>
<td>William D. Auman</td>
<td></td>
</tr>
<tr>
<td>Entrapment and Due Process of</td>
<td>Law - The Efficacy of ABSCAM Type Operations - United States v. Jannotti</td>
<td>5:377</td>
</tr>
<tr>
<td></td>
<td>Dennis Franks</td>
<td></td>
</tr>
<tr>
<td>Intimate Injuries: Are There</td>
<td>Constitutional Law Protections from Family Violence</td>
<td>15:1</td>
</tr>
<tr>
<td></td>
<td>J. Randall Patterson</td>
<td></td>
</tr>
</tbody>
</table>
John S. Austin

Senate Bill 43: A Refinement of North Carolina's Involuntary Civil Commitment Procedures ............................................ 14:105
Bruce Vrana

Unfair and Deceptive Legislation: The Case for Finding North Carolina General Statutes Section 75-1.1 Unconstitutionally Vague as Applied to an Alleged Breach of a Commercial Contract .................... 8:421
Thomas A. Farr

Webster v. Reproductive Health Services: A Path to Constitutional Equilibrium .................................................... 12:181
Mark E. Chopko

ECONOMICS

Back to the Future: The Buyer's Market and the Need for Law Firm Leadership, Creativity and Innovation ........................... 16:147
F. Leary Davis

Jeffrey O'Connell, Stephen Carroll, Michael Horowitz, Allan Abrahamse, and Bradley Miliauskas

Economic Valuation for Wrongful Death .................................. 6:47
Joseph E. Johnson and George B. Flanigan

Time Passage and the Economics of Coming to the Nuisance: Reassessing the Coasean Perspective. ..................................... 20:273
Roy E. Cordato

EDUCATION

"Student-Initiated" Prayer: Assessing the Newest Initiatives to Return Prayer to the Public Schools ........................................... 18:303
Jessica Smith

Constitutional Rights of Students, Their Families, and Teachers in the Public Schools ................................................... 10:353
Norman B. Smith

Defining Inadequate Performance Under the North Carolina Tenured Teacher Fair Dismissal Act ........................................... 3:77
William P. Harper, Jr., and Richard T. Gammon

Title IX Applies to Employees - North Haven Board of Education v. Bell. 5:249
Barbara Hollingsworth

EIGHTH AMENDMENT

Conditioning A Woman's Probation on Her Using Norplant: New Weapon Against Child Abuse Backfires .......................... 17:301
Scott J. Jebson

The Amy Jackson Law - A Look at the Constitutionality of North Carolina's Answer to Megan's Law ........................................ 20:347
Nikki Gfellers and Kimberly Ann Lewis
ELDERLY
The Elderly Incompetent: The Right to Die With Dignity ............... 13:57
Cary C. Homes

ELECTIONS
Focus on Gerrymandering - Beyond Justiciability: Political Gerrymandering After Davis v. Bandemer .................................. 9:207
Michael A. Hess
Racial Gerrymandering and the Voting Rights Act in North Carolina . 9:255
Robert N. Hunter, Jr.
The Long and Winding Road: Redistricting in Light of Shaw v. Reno . 16:457
Charles W. McKeller

EMINENT DOMAIN
Paul A. Caldarelli
Is Time Running Out For the Government to Dispute Regulatory Takings? - First English Evangelical Lutheran Church v. City of Los Angeles ........................................................ 10:275
Sharon A. Woodard
Municipal Annexation in North Carolina: A Look at the Past Decade . 14:135
Steven W. Blevins

EMOTIONAL DISTRESS
William B. L. Little
Bruce Batchelor

Donna L. Shumate
What the Supreme Court Giveth, the Supreme Court Taketh Away - Gardner v. Gardner ............................................. 16:481
Alice McNeer

EMPLOYER-EMPLOYEE
A Departure From Precedent or Past Error Corrected? - Rutledge v. Tultex Corp./Kings Yarn ......................................................... 7:99
Sharon L. Hartman
A New Bright Line Rule for General Construction Contractors - Brady v. Fulghum ............................................................... 7:199
Kimberly Ann Kelly
A New Exception to the Exclusivity Provision of the North Carolina Workers' Compensation Act - Woodson v. Rowland .................. 14:261
Debbie Collins

A New Test for Political Firings - Branti v. Finkel ..................... 3:103
James L. Seay, Jr.

An Analysis of the Retaliatory Employment Discrimination Act and Protected Activity under the Occupational Safety and Health Act of North Carolina ......................... 15:29
Dr. Michael R. Smith

Death Knell of a Good Samaritan! - Culpepper v. Fairfield Sapphire Valley .................. 12:121
Kathleen G. Sumner

Defining Inadequate Performance Under the North Carolina Tenured Teacher Fair Dismissal Act ...................... 3:77
William P. Harper, Jr., and Richard T. Gammon

Evidentiary Standards in Employment Discrimination Suits - Department of Correction v. Gibson .................. 6:163
Beth Marshall

Fraudulent, Negligent, and Innocent Misrepresentation in the Employment Context: The Deceitful, Careless, and Thoughtless Employer .................. 20:1
Frank J. Cavico

Jeremy McKinney

In Praise of Pension Reform .................. 1:31
Ronald I. Kirschbaum

Mediation of Industrial Commission Cases ...................... 17:395
Lex K. Larson

Primary Issues In Compensation Litigation .................. 17:443
Commissioner J. Randolph Ward

Removing the Third Option From the Jury - State v. Strickland .... 7:89
Lisa Boutelle Hardin

John C. Fox

The Doctrine of Wrongful Discharge in North Carolina: The Confusing Path From Sides to Guy and the Need for Reform .................. 10:217
J. Michael McGuinness

The Fairness Requirement for a Workers' Compensation Agreement - The Effect of Vernon v. Steven L. Mabe Builders .................. 17:521
Isabel E. Loytty

The Reality of Work-Related Stress: An Analysis of How Mental Disability Claims Should be Handled Under the North Carolina Worker's Compensation Act .................. 20:321
Amy Berry
J. Elizabeth Spradlin

The Substantial Certainty Exception To Workers' Compensation ....... 17:413
Michael Doran

Title IX Applies to Employees - North Haven Board of Education v. Bell. 5:249
Barbara Hollingsworth

When Two “Rights” Make a Wrong: The Protection of Nonsmokers’ Rights in the Workplace.............................................. 11:339
Donna C. Stroud

Will the Public Policy Exception to the Employment-At-Will Doctrine Ever be Clear? - Amos v. Oakdale Knitting Co. ................. 14:123
Victoria W. Shelton

EMPLOYMENT DISCRIMINATION

A New Test for Political Firings - Branti v. Finkel .................... 3:103
James L. Seay, Jr.

An Analysis of the Retaliatory Employment Discrimination Act and Protected Activity under the Occupational Safety and Health Act of North Carolina ........................................ 15:29
Dr. Michael R. Smith

Evidentiary Standards in Employment Discrimination Suits - Department of Correction v. Gibson .................................. 6:163
Beth Marshall

Evidentiary Standards in Employment Discrimination Suits - Department of Correction v. Gibson .................................. 6:163
Beth Marshall

HIV, AIDS & Job Discrimination: North Carolina Failure and Federal Redemption .............................................. 17:115
Jeremy McKinney

The Doctrine of Wrongful Discharge in North Carolina: The Confusing Path From Sides to Guy and the Need for Reform ............. 10:217
J. Michael McGuinness

Title IX Applies to Employees - North Haven Board of Education v. Bell. 5:249
Barbara Hollingsworth

EMPLOYMENT RETIREMENT SECURITY ACT OF 1974

A Call to Congress to Amend ERISA Preeemption of HMO Medical Malpractice Claims: The Dissatisfactory Distinction Between Quality and Quantity of Care. ....................... 20:293
Angela M. Easley

ERISA Qualified Pension Plan Benefits as Property of the Bankruptcy Estate: The Unanswered Questions after Patterson v. Shumate.... 16:303
Jack E. Korns

ERISA Spendthrift Rules - It Just Shouldn’t Be This Hard ............ 11:29
Ronald I. Kirshbaum
ERISA, Preemption and Comprehensive Federal Health Care: A Call for "Cooperative Federalism" to Preserve the States' Role in Formulating Health Care Policy. .................................................. 16:405
James E. Holloway

In Praise of Pension Reform ........................................ 1:31
Ronald I. Kirschbaum

ENTRAPMENT
Entrapment and Due Process of Law - The Efficacy of ABSCAM Type
Operations - United States v. Jannotti ................................ 5:377
Dennis Franks

George Robert Hicks, III

ENTRUSTMENT
Entrustment Under U.C.C. Section 2-403 and Its Implications for Article 9 ............................................................... 9:407
John E. Cargill

ENVIRONMENTAL
A Slash-And-Burn Expedition through the Law of Environmental Standing - Lujan v. Defenders of Wildlife ...................... 15:347
Donald Strong Higley, II

Bennett v. Spear: A New Interpretation of the Citizen-Suit Provision . . 20:173
Lynwood P. Evans

Sarah Patterson Brison

Thurman A. Gardner, Jr.

EQUITABLE DISTRIBUTION
W. Greg Merritt

The Equitable Distribution of Professional Degrees Upon Divorce in North Carolina ......................................................... 10:69
Carole S. Gailor and Meredith J. McGill

The Professional Degree as Marital Property Under North Carolina's Equitable Distribution Statute .................................. 6:101
Darnell A. Batton

ESTABLISHMENT CLAUSE
"Student-Initiated" Prayer: Assessing the Newest Initiatives to Return Prayer to the Public Schools ..................................... 18:303
Jessica Smith

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
58
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislative Chaplaincy Program Held Not to Violate the Establishment</td>
<td>6:143</td>
</tr>
<tr>
<td>of Religion Clause - Marsh v. Chambers</td>
<td></td>
</tr>
<tr>
<td>M. Greg Crumpler</td>
<td></td>
</tr>
<tr>
<td>Mail-Order Ministries Under the Section 170 Charitable Contribution</td>
<td>11:1</td>
</tr>
<tr>
<td>Deduction: The First Amendment Restrictions, the Minister's Burden</td>
<td></td>
</tr>
<tr>
<td>of Proof, and the Effect of TRA '86</td>
<td></td>
</tr>
<tr>
<td>Anthony L. Scialabba, Melissa B. Kurtzman, Lance J. M. Steinhart</td>
<td></td>
</tr>
<tr>
<td>Moment of Silence Statutes May Threaten the Wall of Separation</td>
<td>8:125</td>
</tr>
<tr>
<td>Between Church and State - Wallace v. Jaffree</td>
<td></td>
</tr>
<tr>
<td>Valerie B. Spalding</td>
<td></td>
</tr>
<tr>
<td>Scarlet Letter Lawsuits: Private Affairs and Public Judgments</td>
<td>10:1</td>
</tr>
<tr>
<td>Lynn Buzzard</td>
<td></td>
</tr>
<tr>
<td>Is Campbell University an Armed Church?</td>
<td></td>
</tr>
<tr>
<td>Stephen See</td>
<td></td>
</tr>
<tr>
<td>The Concept of Religion in State Constitutions</td>
<td>8:437</td>
</tr>
<tr>
<td>Kent Greenawalt</td>
<td></td>
</tr>
<tr>
<td>The Constitutionality of the Adolescent Family Life Act: An Analysis</td>
<td>11:243</td>
</tr>
<tr>
<td>of Bowen v. Kendrick and its Impact on Current Establishment Clause</td>
<td></td>
</tr>
<tr>
<td>Jurisprudence</td>
<td></td>
</tr>
<tr>
<td>Thomas G. Walker</td>
<td></td>
</tr>
<tr>
<td>Webster v. Reproductive Health Services: Do Legislative Declarations</td>
<td>12:1</td>
</tr>
<tr>
<td>that Life begins at Conception Violate the Establishment Clause?</td>
<td></td>
</tr>
<tr>
<td>Robert L. Maddox and Blaine Bortnick</td>
<td></td>
</tr>
<tr>
<td>ESTATE LAW</td>
<td></td>
</tr>
<tr>
<td>Commentary From the Bar: The Continuing Power of Attorney - An</td>
<td>5:305</td>
</tr>
<tr>
<td>Essential Instrument</td>
<td></td>
</tr>
<tr>
<td>Estate Planning Considerations for the North Carolina Principal and</td>
<td>8:173</td>
</tr>
<tr>
<td>Income Act of 1973</td>
<td></td>
</tr>
<tr>
<td>James W. Narron</td>
<td></td>
</tr>
<tr>
<td>The North Carolina Dissent Statutes: The Seeds of Inequities</td>
<td>8:449</td>
</tr>
<tr>
<td>Germinate</td>
<td></td>
</tr>
<tr>
<td>Anne Mayo Evans</td>
<td></td>
</tr>
<tr>
<td>The Uniform Probate Code's “Augmented Estate” Concept: A Remedy for</td>
<td>12:425</td>
</tr>
<tr>
<td>the North Carolina Dissent Statute</td>
<td></td>
</tr>
<tr>
<td>Charles H. Munn, Jr.</td>
<td></td>
</tr>
<tr>
<td>ESTOPPEL</td>
<td></td>
</tr>
<tr>
<td>Creating The Legal Monster: The Expansion and Effect of Legal Mal-</td>
<td>18:121</td>
</tr>
<tr>
<td>practice Liability in North Carolina</td>
<td></td>
</tr>
<tr>
<td>Gregory Huffman</td>
<td></td>
</tr>
<tr>
<td>Is Promissory Estoppel Forever Estopped in North Carolina - Home Elec-</td>
<td>10:293</td>
</tr>
<tr>
<td>tric Co. of Lenoir, Inc. v. Hall &amp; Underdown Heating and Air Condition-</td>
<td></td>
</tr>
<tr>
<td>ing Co.</td>
<td></td>
</tr>
<tr>
<td>Lu Ann Brown</td>
<td></td>
</tr>
</tbody>
</table>
EVIDENCE

Admissibility of Expert Opinion - State v. Wade ......................... 2:137
   James A. Haney

Commentary From the Bench: Objections - Howls of a Dog-Pound
   Quarrel ......................................................... 4:339
   Honorable E. Maurice Braswell

Commentary From the Bench: When Should a Trial Judge Intervene to
   Question a Witness? ............................................. 3:69
   Honorable Hamilton H. Hobgood

Confrontation and Hearsay: New Wine in an Old Bottle ............... 16:1
   The Honorable Anthony M. Brannon

Constitutional Admissibility of Hearsay under the Confrontation Clause:
   Reliability Requirement for Hearsay Admitted under a Non-"Firmly
   Rooted" Exception - Idaho v. Wright. .............................. 14:347
   A. Perry Wadsworth, Jr.

Discovery of Medical Records in a Corporate Negligence Action - Shelton
   v. Morehead Memorial Hospital .................................. 10:193
   G. Bruce Park

Economic Valuation for Wrongful Death .................................. 6:47
   Joseph E. Johnson and George B. Flanigan

Edwards v. Arizona Is Alive But Not Well in North Carolina ........... 7:51
   John Lloyd Coble

Evidentiary Standards in Employment Discrimination Suits - Depart-
   ment of Correction v. Gibson ..................................... 6:163
   Beth Marshall

Expert Testimony on Bite Marks - State v. Temple .................. 4:179
   Ben H. Sirmons, Jr.

Expert Testimony Regarding the Speed of a Vehicle: The Status of
   North Carolina Law and the State of the Art .................... 16:191
   Lawrence F. Mazer, Charles R. Manning, Richard T. Edwards, Michael A.
   Sutton

Guarding the Guardians: Expanding Auditor Negligence Liability to
   Third-Party Users of Financial Information ........................ 11:123
   James W. Zisa

Match-Game 1990's: The Admissibility of DNA Profiling - State v.
   Pennington ...................................................... 13:209
   W. Anthony Purcell

North Carolina Adopts the Inevitable Discovery Exception to the Exclu-
   sionary Rule - State v. Garner ................................... 15:305
   G. Chris Olson

North Carolina Allows Admission of the Unthinkable: Hearsay Excep-
   tions and Statements Made by Sexually Abused Children - State v.
   Smith ........................................................... 9:437
   Benita A. Lloyd

North Carolina and Declarations Against Penal Interest - State v.
   Haywood ........................................................ 1:161
   Samuel W. Meekins
  Walter L. Jones

Polygraph Test Results No Longer Admissible in North Carolina - State
  v. Grier ......................................................... 6:205
  William T. Sharpe

Presumed Guilty: The Use of Videotaped and Closed-Circuit Televised
  Testimony in Child Sex Abuse Prosecutions and the Defendant's
  Right to Confrontation -Coy v. Iowa .............................. 11:381
  Charles E. Wilson, Jr.

Prior Crimes as Evidence in Present Criminal Trials ...................... 1:1
  Charles W. Gamble

Privilege for Adverse Spousal Testimony Vested in Witness Spouse -
  Trammel v. United States ........................................ 3:125
  James Quimby Wallace, III

Rape Victim Shield Statute - State v. Fortney .......................... 3:113
  Richard Boyd Harper

Shielding the Plaintiff and Physician: The Prohibition of Ex Parte Con-
  tacts with a Plaintiff's Treating Physician ........................ 13:233
  David L. Woodard

Successful Shadowboxing: The Art of Impeaching Hearsay Declarants . 13:157
  The Honorable Anthony M. Brannon

The Admissibility of a Criminal Defendant's Hypnotically Refreshed Test-
  imony - Rock v. Arkansas ....................................... 10:311
  Audrey Cooper

The Admissibility of Evidence Obtained Through Hypnosis - State v.
  Peoples ......................................................... 7:409
  Sharon L. Hartman

The Admissibility of Prior Acquittal Evidence - Has North Carolina
  Adopted the "Minority View"? - The Effect of State v. Scott  ....... 16:231
  Matthew S. Sullivan

The Death of Discretion: Prior Felony Convictions Automatically Admis-
  sible in Civil Actions - Green v. Bock Laundry Machine Co. ...... 12:319
  Kimberly S. Smith

The Role of Actual Confusion Evidence in Federal Trademark Infringe-
  ment Litigation .................................................. 16:19
  Michael J. Allen

The Supreme Court Takes A Stance With Plain View Searches and
  Seizures - Arizona v. Hicks ...................................... 10:331
  Tonya C. Cumalander

The Video Deposition as a Civil Litigation Tool ........................ 13:375
  Hugh B. Lewis

EX PARTE COMMUNICATIONS

Shielding the Plaintiff and Physician: The Prohibition of Ex Parte Con-
  tacts with a Plaintiff's Treating Physician ........................ 13:233
  David L. Woodard
EXCLUSIONARY RULE

  John Lloyd Coble

North Carolina Adopts the Inevitable Discovery Exception to the Exclusionary Rule - State v. Garner ...................................... 15:305
  G. Chris Olson

EXECUTIVE POWER

History and Executive Removal Power: Morrison v. Olson and Separation of Powers ............................................................... 11:175
  John L. Gedid

EXPERT WITNESS

Admissibility of Expert Opinion - State v. Wade .......................... 2:137
  James A. Haney

Defendant's Due Process Right to a Psychiatric Expert - Ake v. Oklahoma ................................................................. 8:323
  William D. Auman

Economic Valuation for Wrongful Death .................................... 6:47
  Joseph E. Johnson and George B. Flanigan

Expert Testimony on Bite Marks - State v. Temple .................... 4:179
  Ben H. Sirmons, Jr.

  Lawrence F. Mazer, Charles R. Manning, Richard T. Edwards, Michael A. Sutton

  W. Anthony Purcell

FAIR HOUSING

Betsey v. Turtle Creek Associates: All Adult Housing Policy May Violate the Fair Housing Act ................................................. 8:47
  J. Michael McGuinness

The Broadened Dimensions and More Powerful Bite of the State Fair Housing Act .................................................. 12:267
  B. Bailey Liipfert, III

FAIR TRIAL

Motion for Change of Venue - In Search of a Guiding Light - State v. Jerett ................................................................. 7:73
  Buxton Sawyer Copeland

Prosecutorial Abuse of Peremptory Challenges in Death Penalty Litigation: Some Constitutional and Ethical Considerations ........ 8:71
  Stephen P. Lindsay

FAMILY LAW

A New Means to Combat Child Abuse? - State v. Walden ............... 5:415
  Janet Coleman
<table>
<thead>
<tr>
<th>INDEX BY CATEGORY</th>
</tr>
</thead>
</table>

A New Rule for Consent Judgments in Family Law - Walters v. Walters ................................................................. 6:125
_H. William Palmer, Jr._

A Spouse's Right to Control Assets During the Marriage: Is North Carolina Living in the Middle Ages? .................................................. 18:203
_The Honorable K. Edward Greene_

An Indigent's Right to a Blood Test in a Paternity Suit - Little v. Streater ................................................................. 4:169
_Barbara Hollingsworth_

Another Step Towards Ending Discrimination in the Jury Selection Process - Powers v. Ohio ................................................................. 14:369
_L. Phillip Hornthal, III_

Closing one Door on the Parent-Child Immunity Doctrine: Legislature Rejects the Decision of Coffey v. Coffey .................................................. 13:105
_Elisabeth Ashley Baker_

Commentary From the Bench - Coercive Governmental Intervention and the Family: A Comment on North Carolina's Proposed Standards .................................................. 7:145
_Honorable Clarence E. Horton, Jr._

Commentary From the Bench - Rights and Interests of Parent, Child, Family and State: A Critique of Development of the Law in Recent Supreme Court Cases and in the North Carolina Juvenile Code .................................................. 4:85
_Honorable Walter H. Bennett, Jr._

Conflicts of Law in Divorce Litigation: A Looking-Glass World? .................................................. 10:145
_Mary M. Wills_

Contractual Modification of Past Due and Future Child Support Payments .................................................. 19:189
_Lynette K. Neel_

Fetal Tissue Research and Abortion: Do They Have a Future Together? .................................................. 13:81
_Angela M. Skerrett_

Intimate Injuries: Are There Constitutional Law Protections from Family Violence .................................................. 15:1
_J. Randall Patterson_

Liner v. Brown: Where Should We Go From Here - Two Different Approaches for North Carolina .................................................. 19:447
_A. John Hoomani, Kimberly Woodell Sieredzki_

Modifying Arbitrator's Awards - A Nod to "Judges of the Parties' Own Choosing" - Crutchley v. Crutchley .................................................. 4:203
_Gene B. Tarr_

North Carolina's Uniform Premarital Agreement Act: A Contract Perspective .................................................. 12:221
_Richard A. Lord_

Post-Separation Failure to Support a Dependent Spouse as a Sole Ground for Alimony Despite the Absence of Marital Misconduct Before Separation - Brown v. Brown .................................................. 15:333
_Elizabeth N. Rich_

Published by Scholarly Repository @ Campbell University School of Law, 1998
Post-Separation Sexual Intercourse Precludes Enforcement of Agreement
Requiring Parties to Live Separate and Apart - Higgins v. Higgins . 11:73
Gerald H. Groon, Jr.

Premarital Agreements .............................................. 13:343
Suzanne Reynolds

Separation Agreements: Effect of Resumed Marital Relations - Murphy v. Murphy . 1:131
Donald R. Teeter

Thomas G. Walker

The Contingent Fee Contract in Domestic Relations Cases - Thompson v. Thompson . 7:427
Timothy H. Graham

W. Greg Merritt

The Effect on the Child of a Custodial Parent’s Involvement in an Intimate Same-Sex Relationship-North Carolina Adopts the “Nexus Test” in Pulliam v. Smith . 19:131
Vicki Parrott

The Equitable Distribution of Professional Degrees Upon Divorce in North Carolina . 10:69
Carole S. Gailor and Meredith J. McGill

The Professional Degree as Marital Property Under North Carolina’s Equitable Distribution Statute . 6:101
Darnell A. Batton

The Right to Appointment of Counsel for the Indigent Civil Contemnor Facing Incarceration for Failure to Pay Child Support - McBride v. McBride . 16:127
Kurt F. Hausler

Uniform Child Custody Jurisdiction Act in North Carolina . 4:371
Sharon K. Allen

Beverly W. Massey

FARMING

Damages and Problems of Proof with Planted Nonconforming Seeds . 9:63
Kemp Burpeau

Farmers as Merchants in North Carolina - Currituck Grain, Inc. v. Powell . 1:141
Beverly Wheeler Massey

The North Carolina Farm Machinery Franchise Act: Its Provisions, Context and Contribution to the Law of Franchising . 8:289
Paul C. Ridgeway

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
**FEDERAL COMMUNICATIONS COMMISSION (FCC)**

- Cable TV's “Must Carry” Rules: The Most Restrictive Alternative - Quincy Cable TV, Inc. v. FCC ................................................. 8:339
  *Robert B. Hobbs, Jr.*

- The Growing Pains of Cable Television ........................................... 7:175
  *Beth Bals*

**FEDERAL JURISDICTION**

- The Federal Sentencing Guidelines Endorsement of Corporate-Level Restitution: Furtherance of Public Policy or Discrimination on the Basis of Entity Capitalization? ......................................................... 18:225
  *Henry Amoroso*

**FEDERAL LEGISLATION**

- ERISA Qualified Pension Plan Benefits as Property of the Bankruptcy Estate: The Unanswered Questions after Patterson v. Shumate........ 16:303
  *Jack E. Karns*

- HIV, AIDS & Job Discrimination: North Carolina Failure and Federal Redemption ......................................................... 17:115
  *Jeremy McKinney*

- States Lose Power to Prescribe Highway Safety Regulations - Kassel v. Consolidated Freightways Corp........................................... 4:127
  *Larry C. Harris*

  *Thomas G. Walker*

**FIDUCIARIES**

- Commentary From the Bar: The Continuing Power of Attorney - An Essential Instrument ......................................................... 5:305

- Estate Planning Considerations for the North Carolina Principal and Income Act of 1973 ......................................................... 8:173
  *James W. Narron*

**FIFTH AMENDMENT**

- Confronting Accused With Evidence Against Him as “Interrogation” Within the Meaning of Miranda - State v. McLean ............................. 1:173
  *William M. Spivey*

  *John M. Nunnally*

- Edwards v. Arizona Is Alive But Not Well in North Carolina ........... 7:51
  *John Lloyd Coble*

- The Admissibility of Evidence Obtained Through Hypnosis - State v. Peoples ................................................................. 7:409
  *Sharon L. Hartman*
The Amy Jackson Law - A Look at the Constitutionality of North Carolina's Answer to Megan's Law ............................................. 20:347
Nikki Gfellers and Kimberly Ann Lewis

The Dual Sovereignty Doctrine Extended to Successive State Prosecutions - Heath v. Alabama ............................................. 8:361
Clifton Walker Homesley

FINES
Asset Forfeiture: Giving Up Your Constitutional Rights .................. 19:527
Douglas Kim

FIRST AMENDMENT
“Student-Initiated” Prayer: Assessing the Newest Initiatives to Return Prayer to the Public Schools ............................................. 18:303
Jessica Smith

A New Twist to the Law of Defamation - Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc. ............................................. 8:527
Benita A. Lloyd

Access to Private Property - Cape Cod Nursing Home Council v. Rambling Rose Rest Home ............................................. 5:193
Lawrence Mazer

Beauty Conquers the First Amendment - Members of the City of Los Angeles v. Taxpayers for Vincent ............................................. 7:383
Elaine J. Strickland

Cable TV's “Must Carry” Rules: The Most Restrictive Alternative - Quincy Cable TV, Inc. v. FCC ............................................. 8:339
Robert B. Hobbs, Jr.

Conditioning A Woman's Probation on Her Using Norplant: New Weapon Against Child Abuse Backfires .............................. 17:301
Scott J. Jebson

Constitutional Rights of Students, Their Families, and Teachers in the Pubic Schools ............................................. 10:353
Norman B. Smith

Control of Obscenity Through Enforcement of a Nuisance Statute - Chateau X, Inc. v. State ex rel Andrews .......................... 4:139
Robert H. Miller, II

Focus on Gerrymandering - Beyond Justiciability: Political Gerrymandering After Davis v. Bandemer ............................................. 9:207
Michael A. Hess

Freedom of Association and the Political Boycott - N.A.A.C.P. v. Claiborne Hardware Co. ............................................. 5:359
Elaine Cohoon

Honorable Harry C. Martin

Legislative Chaplaincy Program Held Not to Violate the Establishment of Religion Clause - Marsh v. Chambers ..................................... 6:143
M. Greg Crumpler

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
**INDEX BY CATEGORY**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mail-Order Ministries Under the Section 170 Charitable Contribution Deduction: The First Amendment Restrictions, the Minister’s Burden of Proof, and the Effect of TRA ’86</td>
<td>11:1</td>
</tr>
<tr>
<td>Anthony L. Scialabba, Melissa B. Kurtzman, Lance J. M. Steinhart</td>
<td></td>
</tr>
<tr>
<td>Moment of Silence Statutes May Threaten the Wall of Separation Between Church and State - Wallace v. Jaffree</td>
<td>8:125</td>
</tr>
<tr>
<td>Valerie B. Spalding</td>
<td></td>
</tr>
<tr>
<td>Obscenity: The Justices’ (Not So) New Robes</td>
<td>8:387</td>
</tr>
<tr>
<td>Michael Kent Curtis</td>
<td></td>
</tr>
<tr>
<td>Press Has No Constitutional Right to Attend a Pretrial Suppression Hearing - Gannett Co. v. DePasquale</td>
<td>2:125</td>
</tr>
<tr>
<td>Jay C. Welch</td>
<td></td>
</tr>
<tr>
<td>Scarlet Letter Lawsuits: Private Affairs and Public Judgments</td>
<td>10:1</td>
</tr>
<tr>
<td>Lynn Buzzard</td>
<td></td>
</tr>
<tr>
<td>State v. Pendleton: Impermissible Delegations to Religious Institutions: Is Campbell University an Armed Church?</td>
<td>18:409</td>
</tr>
<tr>
<td>Stephen See</td>
<td></td>
</tr>
<tr>
<td>The Concept of Religion in State Constitutions</td>
<td>8:437</td>
</tr>
<tr>
<td>Kent Greenawalt</td>
<td></td>
</tr>
<tr>
<td>Thomas G. Walker</td>
<td></td>
</tr>
<tr>
<td>The Growing Pains of Cable Television</td>
<td>7:175</td>
</tr>
<tr>
<td>Beth Bals</td>
<td></td>
</tr>
<tr>
<td>Webster v. Reproductive Health Services: Do Legislative Declarations that Life begins at Conception Violate the Establishment Clause?</td>
<td>12:1</td>
</tr>
<tr>
<td>Robert L. Maddox and Blaine Bortnick</td>
<td></td>
</tr>
</tbody>
</table>

**FOOD, DRUG, COSMETIC LAW**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Demise of the Foreign-Natural Test in North Carolina - Goodman v. Wenco Foods</td>
<td>16:275</td>
</tr>
<tr>
<td>Leigh A. Aughenbaugh</td>
<td></td>
</tr>
</tbody>
</table>

**FORENSIC MEDICINE**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expert Testimony on Bite Marks -State v. Temple</td>
<td>4:179</td>
</tr>
<tr>
<td>Ben H. Sirmons, Jr.</td>
<td></td>
</tr>
</tbody>
</table>

**FORFEITURE**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset Forfeiture: Giving Up Your Constitutional Rights</td>
<td>19:527</td>
</tr>
<tr>
<td>Douglas Kim</td>
<td></td>
</tr>
</tbody>
</table>

**FOURTEENTH AMENDMENT**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset Forfeiture: Giving Up Your Constitutional Rights</td>
<td>19:527</td>
</tr>
<tr>
<td>Douglas Kim</td>
<td></td>
</tr>
<tr>
<td>Defendant's Due Process Right to a Psychiatric Expert - Ake v. Oklahoma</td>
<td>8:323</td>
</tr>
<tr>
<td>William D. Auman</td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td>Volume</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Entrapment and Due Process of Law - The Efficacy of ABSCAM Type</td>
<td></td>
</tr>
<tr>
<td>Operations - United States v. Jannotti</td>
<td></td>
</tr>
<tr>
<td>Equal Protection for Non-Suspect Class Victims of Governmental Misconduct: Theory and Proof of Disparate Treatment and Arbitrariness</td>
<td></td>
</tr>
<tr>
<td>J. Michael McGuinness</td>
<td></td>
</tr>
<tr>
<td>Intimate Injuries: Are There Constitutional Law Protections from Family Violence</td>
<td></td>
</tr>
<tr>
<td>J. Randall Patterson</td>
<td></td>
</tr>
<tr>
<td>Prosecutorial Discretion and Substantial Assistance: The Power and Authority of Judicial Review - United States v. Wade</td>
<td></td>
</tr>
<tr>
<td>John S. Austin</td>
<td></td>
</tr>
<tr>
<td>Senate Bill 43: A Refinement of North Carolina's Involuntary Civil Commitment Procedures</td>
<td></td>
</tr>
<tr>
<td>Bruce Vrana</td>
<td></td>
</tr>
<tr>
<td>The Use of Race in the Admissions Programs of Higher Educational Institutions - A Violation of the Equal Protection Clause?</td>
<td></td>
</tr>
<tr>
<td>Kevin Joyner</td>
<td></td>
</tr>
<tr>
<td>Unfair and Deceptive Legislation: The Case for Finding North Carolina General Statutes Section 75-1.1 Unconstitutionally Vague as Applied to an Alleged Breach of a Commercial Contract</td>
<td></td>
</tr>
<tr>
<td>Thomas A. Farr</td>
<td></td>
</tr>
<tr>
<td>Webster v. Reproductive Health Services: A Path to Constitutional Equilibrium</td>
<td></td>
</tr>
<tr>
<td>Mark E. Chopko</td>
<td></td>
</tr>
<tr>
<td>FOURTH AMENDMENT</td>
<td></td>
</tr>
<tr>
<td>North Carolina Adopts the Inevitable Discovery Exception to the Exclusionary Rule - State v. Garner</td>
<td></td>
</tr>
<tr>
<td>G. Chris Olson</td>
<td></td>
</tr>
<tr>
<td>Oliver and the Open Fields Doctrine - Oliver v. United States</td>
<td></td>
</tr>
<tr>
<td>T. Michael Godley</td>
<td></td>
</tr>
<tr>
<td>The &quot;Plain Feel&quot; Exception in Minnesota v. Dickerson: A Further Erosion of the Fourth Amendment</td>
<td></td>
</tr>
<tr>
<td>Nicole J. Lehmann</td>
<td></td>
</tr>
<tr>
<td>The Fourth Circuit and the Fourth Amendment: Removing the High From the Seas</td>
<td></td>
</tr>
<tr>
<td>Herman E. Gaskins, Jr.</td>
<td></td>
</tr>
<tr>
<td>The Role of the Search Warrant in Fire Investigations - Michigan v. Clifford</td>
<td></td>
</tr>
<tr>
<td>Samuel A. Mann</td>
<td></td>
</tr>
<tr>
<td>The Supreme Court Takes A Stance With Plain View Searches and Seizures - Arizona v. Hicks</td>
<td></td>
</tr>
<tr>
<td>Tonya C. Cumalander</td>
<td></td>
</tr>
<tr>
<td>Vessels in Inland Waters are Subject to Suspicionless Boarding - United States v. Villamonte-Marquez</td>
<td></td>
</tr>
<tr>
<td>Wallace R. Young, Jr.</td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>Title</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Warrant to Search Premises</td>
<td>Warrant to Search Premises as Authorizing Search and Detention of Occupants of Premises</td>
</tr>
<tr>
<td></td>
<td>- Michigan v. Summers</td>
</tr>
<tr>
<td></td>
<td><strong>Patrick C. Cork</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Bobby L. Bollinger, Jr.</strong></td>
</tr>
<tr>
<td>When a Hotel is Your Home</td>
<td>When a Hotel is Your Home, Is There Protection? - Baker v. Rushing</td>
</tr>
<tr>
<td></td>
<td><strong>Amy M. Campbell</strong></td>
</tr>
<tr>
<td>FRANCHISING</td>
<td>The Franchising Dilemma Continues: Update on Franchisor Liability for Wrongful Acts by</td>
</tr>
<tr>
<td></td>
<td>Local Franchisees</td>
</tr>
<tr>
<td></td>
<td><strong>Randall K. Hanson</strong></td>
</tr>
<tr>
<td>The North Carolina Farm Machinery</td>
<td>The North Carolina Farm Machinery Franchise Act: Its Provisions, Context and Contribution</td>
</tr>
<tr>
<td></td>
<td>to the Law of Franchising</td>
</tr>
<tr>
<td></td>
<td><strong>Paul C. Ridgeway</strong></td>
</tr>
<tr>
<td>FREEDOM OF ASSOCIATION</td>
<td>Freedom of Association and the Political Boycott - N.A.A.C.P. v. Claiborne Hardware Co.</td>
</tr>
<tr>
<td></td>
<td><strong>Elaine Cohoon</strong></td>
</tr>
<tr>
<td>FREEDOM OF RELIGION</td>
<td>“Student-Initiated” Prayer: Assessing the Newest Initiatives to Return Prayer to the Public</td>
</tr>
<tr>
<td></td>
<td>Schools</td>
</tr>
<tr>
<td></td>
<td><strong>Jessica Smith</strong></td>
</tr>
<tr>
<td>Conditioning A Woman's Probation</td>
<td>Conditioning A Woman's Probation on Her Using Norplant: New Weapon Against Child Abuse</td>
</tr>
<tr>
<td></td>
<td>Backfires</td>
</tr>
<tr>
<td></td>
<td><strong>Scott J. Jebson</strong></td>
</tr>
<tr>
<td>Legislative Chaplaincy Program</td>
<td>Legislative Chaplaincy Program Held Not to Violate the Establishment of Religion Clause</td>
</tr>
<tr>
<td></td>
<td>- Marsh v. Chambers</td>
</tr>
<tr>
<td></td>
<td><strong>M. Greg Crumpler</strong></td>
</tr>
<tr>
<td>Mail-Order Ministries Under</td>
<td>Mail-Order Ministries Under the Section 170 Charitable Contribution Deduction: The First</td>
</tr>
<tr>
<td></td>
<td>Amendment Restrictions, the Minister's Burden of Proof, and the Effect of TRA '86</td>
</tr>
<tr>
<td></td>
<td><strong>Anthony L. Scialabba, Melissa B. Kurtzman, Lance J. M. Steinhart</strong></td>
</tr>
<tr>
<td>Moment of Silence Statutes</td>
<td>Moment of Silence Statutes May Threaten the Wall of Separation Between Church and State</td>
</tr>
<tr>
<td></td>
<td>- Wallace v. Jaffree</td>
</tr>
<tr>
<td></td>
<td><strong>Valerie B. Spalding</strong></td>
</tr>
<tr>
<td></td>
<td>University an Armed Church?</td>
</tr>
<tr>
<td></td>
<td><strong>Stephen See</strong></td>
</tr>
<tr>
<td>The Concept of Religion in State</td>
<td>The Concept of Religion in State Constitutions</td>
</tr>
<tr>
<td></td>
<td><strong>Kent Greenawalt</strong></td>
</tr>
<tr>
<td>FREEDOM OF SPEECH</td>
<td>“Student-Initiated” Prayer: Assessing the Newest Initiatives to Return Prayer to the Public</td>
</tr>
<tr>
<td></td>
<td>Schools</td>
</tr>
<tr>
<td></td>
<td><strong>Jessica Smith</strong></td>
</tr>
</tbody>
</table>
A New Twist to the Law of Defamation - Dun & Bradstreet, Inc. v. Green moss Builders, Inc. ........................................ 8:527 Benita A. Lloyd

Access to Private Property - Cape Cod Nursing Home Council v. Ramb ling Rose Rest Home ........................................ 5:193 Lawrence Mazer

Beauty Conquers the First Amendment - Members of the City of Los Angeles v. Taxpayers for Vincent ........................................ 7:383 Elaine J. Strickland

Cable TV's “Must Carry” Rules: The Most Restrictive Alternative - Quincy Cable TV, Inc. v. FCC ........................................ 8:339 Robert B. Hobbs, Jr.

Constitutional Rights of Students, Their Families, and Teachers in the Pubic Schools ........................................ 10:353 Norman B. Smith

Control of Obscenity Through Enforcement of a Nuisance Statute - Cha teau X, Inc. v. State ex rel Andrews ........................................ 4:139 Robert H. Miller, II

Focus on Gerrymandering - Beyond Justiciability: Political Gerryman dering After Davis v. Bandemer ........................................ 9:207 Michael A. Hess

Freedom of Association and the Political Boycott - N.A.A.C.P. v. Clai borne Hardware Co........................................ 5:359 Elaine Cohoon


Health Care Professionals Seek to Advertise - Friedman v. Rogers ....... 2:173 Lex Allen Watson II

Legislative Chaplaincy Program Held Not to Violate the Establishment of Religion Clause - Marsh v. Chambers ........................................ 6:143 M. Greg Crumpler

Mail-Order Ministries Under the Section 170 Charitable Contribution Deduction: The First Amendment Restrictions, the Minister's Bur den of Proof, and the Effect of TRA '86 ........................................ 11:1 Anthony L. Scialabba, Melissa B. Kurtzman, Lance J. M. Steinhart

Moment of Silence Statutes May Threaten the Wall of Separation Between Church and State - Wallace v. Jaffree ........................................ 8:125 Valerie B. Spalding

Obscenity: The Justices' (Not So) New Robes ........................................ 8:387 Michael Kent Curtis

Scarlet Letter Lawsuits: Private Affairs and Public Judgments ............. 10:1 Lynn Buzzard

The Concept of Religion in State Constitutions ........................................ 8:437 Kent Greenawalt

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
Thomas G. Walker

The Growing Pains of Cable Television ........................................ 7:175
Beth Bals

FREEDOM OF THE PRESS
Press Has No Constitutional Right to Attend a Pretrial Suppression Hearing - Gannett Co. v. DePasquale ...................................... 2:125
Jay C. Welch

GERRYMANDERING
Focus on Gerrymandering - Beyond Justiciability: Political Gerrymandering After Davis v. Bandemer ........................................ 9:207
Michael A. Hess
Racial Gerrymandering and the Voting Rights Act in North Carolina 9:255
Robert N. Hunter, Jr.
The Long and Winding Road: Redistricting in Light of Shaw v. Reno 16:457
Charles W. McKeller

GIFTS
Julie Zydron Griggs
Interest-Free Demand Loans Now Subject to Gift Tax - Dickman v. Commissioner ................................................... 7:217
William T. Sharpe

GOVERNMENT EMPLOYEES
A New Test for Political Firings - Branti v. Finkel .......................... 3:103
James L. Seay, Jr.

GRAND JURIES
Grand Jury Subpoenas to Defense Attorneys Representing Targets: An Ethical/Legal Tug of War .............................................. 9:347
Paul Marshall Yoder

GUARANTEE CLAUSE
Focus on Gerrymandering - Beyond Justiciability: Political Gerrymandering After Davis v. Bandemer ........................................ 9:207
Michael A. Hess

HABEAS CORPUS
Brian E. Moore

HEALTH AND SAFETY LAWS
A Departure From Precedent or Past Error Corrected? - Rutledge v. Tultex Corp/Kings Yarn ................................................... 7:99
Sharon L. Hartman
<table>
<thead>
<tr>
<th>Title</th>
<th>Authors</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>An Analysis of the Retaliatory Employment Discrimination Act and Protected Activity under the Occupational Safety and Health Act of North Carolina</td>
<td>Dr. Michael R. Smith</td>
<td>15:29</td>
<td></td>
</tr>
<tr>
<td>ERISA, Preemption and Comprehensive Federal Health Care: A Call For &quot;Cooperative Federalism&quot; to Preserve the States' Role in Formulating Health Care Policy</td>
<td>James E. Holloway</td>
<td>16:405</td>
<td></td>
</tr>
<tr>
<td>Fetal Tissue Research and Abortion: Do They Have a Future Together</td>
<td>Angela M. Skerrett</td>
<td>13:81</td>
<td></td>
</tr>
<tr>
<td>Health Care Professionals Seek to Advertise - Friedman v. Rogers</td>
<td>Lex Allen Watson II</td>
<td>2:173</td>
<td></td>
</tr>
<tr>
<td>Legal Implications of Human In Vitro Fertilization for the Practicing Physician in North Carolina</td>
<td>Roger B. Bernholz and G. Nicholas Herman</td>
<td>6:5</td>
<td></td>
</tr>
<tr>
<td>North Carolina Hospitals' Dilemma: The Inherent Conflict Between Carolina ACCESS and the Emergency Medical Treatment and Active Labor Act</td>
<td>Benjamin D. Overby</td>
<td>20:135</td>
<td></td>
</tr>
<tr>
<td>North Carolina's New AIDS Discrimination Protection: Who Do They Think They're Fooling?</td>
<td>Angela Sue Bullard</td>
<td>12:475</td>
<td></td>
</tr>
<tr>
<td>Prisoners' Rights - Recognition That Involuntary Exposure to Environmental Tobacco Smoke May Constitute Cruel and Unusual Punishment - Avery v. Powell</td>
<td>Robin Terry</td>
<td>11:363</td>
<td></td>
</tr>
<tr>
<td>Self-Directed Death, Euthanasia, and the Termination of Life-Support: Reasonable Decisions to Die</td>
<td>G. Steven Neeley</td>
<td>16:205</td>
<td></td>
</tr>
<tr>
<td>Smoking in the Workplace: Who Has What Rights?</td>
<td>John C. Fox</td>
<td>11:311</td>
<td></td>
</tr>
<tr>
<td>States Lose Power to Prescribe Highway Safety Regulations - Kassel v. Consolidated Freightways Corp.</td>
<td>Larry C. Harris</td>
<td>4:127</td>
<td></td>
</tr>
<tr>
<td>Statutory Standard of Care for North Carolina Health Care Providers</td>
<td>John Marsh Tyson</td>
<td>1:111</td>
<td></td>
</tr>
<tr>
<td>Suicide, Liberty and our Imperfect Constitution: An Analysis of the Legitimacy of The Supreme Court's Entanglement in Decisions to Terminate Life-Sustaining Medical Treatment</td>
<td>Terrance A. Kline</td>
<td>14:69</td>
<td></td>
</tr>
<tr>
<td>The American Medical Association v. The American Tort System</td>
<td>Jeff Essen and Lisa Aldred</td>
<td>8:241</td>
<td></td>
</tr>
</tbody>
</table>
To Be Or Not To Be: The Wrongful Life Cause of Action - Turpin v. Sortini
Mary Beth Forsyth

Vicarious Antitrust Liability in the Health Care Field
Dean M. Harris

When Two "Rights" Make a Wrong: The Protection of Nonsmokers' Rights in the Workplace
Donna C. Stroud

You Take (45% of) My Breath Away - Morrison v. Burlington Industries
Stanley Hammer and Kenneth L. Hardison

HEARSAY

Confrontation and Hearsay: New Wine in an Old Bottle
The Honorable Anthony M. Brannon

Constitutional Admissibility of Hearsay under the Confrontation Clause:
Reliability Requirement for Hearsay Admitted under a Non-"Firmly Rooted" Exception - Idaho v. Wright
A. Perry Wadsworth, Jr.

North Carolina Allows Admission of the Unthinkable: Hearsay Exceptions and Statements Made by Sexually Abused Children - State v. Smith
Benita A. Lloyd

North Carolina and Declarations Against Penal Interest - State v. Haywood
Samuel W. Meekins

Successful Shadowboxing: The Art of Impeaching Hearsay Declarants
The Honorable Anthony M. Brannon

The Role of Actual Confusion Evidence in Federal Trademark Infringement Litigation
Michael J. Allen

HISTORY OF LAW

A History of Liquor By-The-Drink Legislation in North Carolina
Michael Crowell

Ancient Legal Maxims and Modern Human Rights
Dr. J. Stanley McQuade

Honorable Harry C. Martin

History and Executive Removal Power: Morrison v. Olson and Separation of Powers
John L. Gedid

Jurisfiction - A Book Review
John Rockwell Snowden

Lewis and Lewis: The Life and Times of a Victorian Solicitor - A Book Review
Mark M. Dobson
The Discipline and Removal of Judges in North Carolina .......... 4:1
Honorable Edward B. Clark

HOSPITALS
Vicarious Antitrust Liability in the Health Care Field ............ 5:61
Dean M. Harris

HOUSING
Betsey v. Turtle Creek Associates: All Adult Housing Policy May Violate
the Fair Housing Act ........................................ 8:47
J. Michael McGuinness

IMMUNITY
Closing one Door on the Parent-Child Immunity Doctrine: Legislature
Rejects the Decision of Coffey v. Coffey ................................ 13:105
Elizabeth Ashley Baker
Liner v. Brown: Where Should We Go From Here - Two Different
Approaches for North Carolina .................................... 19:447
A. John Hoomani, Kimberly Woodell Sieredzki
Statutory Waiver of Municipal Immunity Upon Purchase of Liability
Insurance in North Carolina and the Municipal Liability Crisis .... 4:41
Patti Owen Harper
The Discretionary Function Exception to the Federal Tort Claims Act:
How Much is Enough? .............................................. 19:411
Amy M. Hackman
The Public Duty Doctrine: Should it Apply in the Face of Legislative
David S. Bowers

IMPEACHMENT OF WITNESS
Prior Crimes as Evidence in Present Criminal Trials ............... 1:1
Charles W. Gamble
Successful Shadowboxing: The Art of Impeaching Hearsay Declarants 13:157
The Honorable Anthony M. Brannon
The Death of Discretion: Prior Felony Convictions Automatically Admis-
sible in Civil Actions - Green v. Bock Laundry Machine Co. ....... 12:319
Kimberly S. Smith

IN VITRO FERTILIZATION
Legal Implications of Human In Vitro Fertilization for the Practicing
Physician in North Carolina ...................................... 6:5
Roger B. Bernholz and G. Nicholas Herman

INCOMPETENTS
The Elderly Incompetent: The Right to Die With Dignity .......... 13:57
Cary C. Homes

INDIAN LAW
Martinez, Oliphant and Federal Court Review of Tribal Activity Under
the Indian Civil Rights Act .................................... 10:411
Robert Laurence

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
INDEX

BY CATEGORY

INSANITY
Senate Bill 43: A Refinement of North Carolina's Involuntary Civil Commitment Procedures ..................................................... 14:105
Bruce Vrana

INSURANCE
A Gap in the North Carolina Motor Vehicle Liability Policy Statute:
Joint Tortfeasors - When and How Does Underinsured Motorist Coverage Apply? ........................................ 12:99
Elizabeth H. McCullough
Automobile Insurance Policies Build "Write-Away" Around Frolic and Detour, A Persistent Problem on the Highway of Torts .......... 19:85
William A. Wines
Jeffrey O'Connell, Stephen Carroll, Michael Horowitz, Allan Abrahamse, and Bradley Miliauskas
Fighting Fire With Fire: "Reverse Bad Faith" In First-Party Litigation
Involving Arson and Insurance Fraud ........................................ 19:43
Cathryn M. Little
Statutory Waiver of Municipal Immunity Upon Purchase of Liability Insurance in North Carolina and the Municipal Liability Crisis .... 4:41
Patti Owen Harper
The Battle at little Big Horn Has Moved to Raleigh - Is This Custer's Last Stand Against Tort Reform? ................................. 10:439
John P. Marshall
The Duty to Defend - Brown v. Lumbermens Mutual Casualty Company .............................................................. 13:141
George H. Pender
Cindy C. Heenan
Underinsured Motorist Coverage: North Carolina's Multiple Claimant Wrinkle - Ray v. Atlantic Casualty Insurance Co. ............. 17:147
Paul J. Osowski

INTELLECTUAL PROPERTY
A New Test for Trademark Dilution-Why North Carolina Should Adopt Section 12 of the Model State Trademark Bill ......................... 5:163
Phillip Summa
A Review of Copyright and the Internet ........................................ 20:193
Needham J. Bodie, II, Thomas C. McThenia, Jr., Fred B. Amos, II, and Douglas W. Kim
Copyright Law: Integrating Successive Filtering into the Bifurcated Substantial Similarity Inquiry in Software Copyright Infringement Cases: A Standard for Determining the Scope of Copyright Protection for Non-Literal Elements of Computer Programs .................... 14:1
Maury M. Tepper, III

Published by Scholarly Repository @ Campbell University School of Law, 1998
The Next-to-Last Step to Software Patentability? - Diamond v. Diehr... 4:219
Ron Karl Levy

The Role of Actual Confusion Evidence in Federal Trademark Infringe-
ment Litigation .................................................. 16:19
Michael J. Allen

INTERROGATION
Confronting Accused With Evidence Against Him as “Interrogation”
Within the Meaning of Miranda - State v. McLean ................. 1:173
William M. Spivey

John Lloyd Coble

INTERSTATE COMMERCE
States Lose Power to Prescribe Highway Safety Regulations - Kassel v.
Consolidated Freightways Corp. ................................... 4:127
Larry C. Harris

INTESTACY
Defendant’s Due Process Right to a Psychiatric Expert - Ake v.
Oklahoma .............................................................. 8:323
William D. Auman

The Uniform Probate Code’s “Augmented Estate” Concept: A Remedy for
the North Carolina Dissent Statute .................................. 12:425
Charles H. Munn, Jr.

INVERSE CONDEMNATION
Is Time Running Out For the Government to Dispute Regulatory Tak-
ings? - First English Evangelical Lutheran Church v. City of Los
Angeles ................................................................. 10:275
Sharon A. Woodard

INVITEES AND LICENSEES
Assault on the Common Law of Premises Liability: What Duty of Care
Does an Owner or Occupier of Land Owe to a Police Officer Who
Enters the Premises of Another By Authority of Law? Newton v.
New Hanover County Board of Education ................................ 19:579
Linda Sayed

Judicial Boilerplate Language as Torts Decisional Litany: Four Problem
Areas in North Carolina ............................................. 18:359
Charles E. Daye

Merchant’s Duty to Protect Invitees From Third-Party Criminal Acts -
Foster v. Winston-Salem Joint Venture ................................ 4:411
John W. Watson, Jr.

JUDGES
Changes in the State’s Law Firm: The Powers, Duties and Operations of
the Office of the Attorney General .................................. 12:343
The Honorable Lacy H. Thornburg

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
INDEX BY CATEGORY

The Honorable David B. Sentelle

Commentary From the Bench: "Rummaging Through A Wilderness of Verbage" - The Charge Conference, Jury Argument and Instructions .................................................... 8:269
Honorable Thomas S. Watts

Commentary From the Bench: Objections - Howls of a Dog-Pound Quarrel ........................................................ 4:339
Honorable E. Maurice Braswell

Commentary From the Bench: When Should a Trial Judge Intervene to Question a Witness? ..................... 3:69
Honorable Hamilton H. Hobgood

Paul E. Johnson, Michael G. Johnson, Raleigh K. Little

Gender Sterotypes and Discriminatory Behaviors Toward Female Attorneys: The North Carolina Case ........ 13:183
Michael L. Vasu and Ellen Storey Vasu

Grand Jury Subpoenas to Defense Attorneys Representing Targets: An Ethical/Legal Tug of War ................ 9:347
Paul Marshall Yoder

Law School: A Mortuary for Poets and Moral Reason .......................................................... 16:61
Davis R. Culp

Lawyers Take Heed! A De Novo Review of Rule 11 in North Carolina - Turner v. Duke Univ. ....................... 12:293
T. June Hobby

Kevin P. Roddy and William Woodward Webb

The Discipline and Removal of Judges in North Carolina .......................................................... 4:1
Honorable Edward B. Clark

Debra D. Burke

JUDGMENTS AND EXECUTIONS

A New Rule for Consent Judgments in Family Law - Walters v. Walters ............................................... 6:125
H. William Palmer, Jr.

JUDICIAL REVIEW

Advisory Rulings by Administrative Agencies: Their Benefits and Dangers .................................................. 2:1
Davis L. Dickson

Lawyers Take Heed! A De Novo Review of Rule 11 in North Carolina - Turner v. Duke Univ. ..................... 12:293
T. June Hobby
Martinez, Oliphant and Federal Court Review of Tribal Activity Under
the Indian Civil Rights Act ........................................ 10:411
Robert Laurence

Prosecutorial Discretion and Substantial Assistance: The Power and
Authority of Judicial Review - United States v. Wade ............ 15:263
John S. Austin

The New North Carolina APA: A Practical Guide to Understanding and
Using It ............................................................. 9:293
Jackson Nichols

Untying the Gordian Knot: An Orderly Approach to Federal Jurisdiction
Issues in a Basic Course in United States Constitutional Law ..... 12:383
Thomas C. Marks, Jr.

Using the Fair Sentencing Act to Protect the Criminal Defendant ...... 9:127
Valerie B. Spalding

JURISDICTION

Common Sense and Nonsense Stand Face-to-Face in the Fourth Circuit -
Hassinger v. Tideland Electric Membership Corp. .................. 9:175
Paul A. Newton

Section 337 Jurisdiction and the Forgotten Remedy .................. 9:45
Janet D. Saxon and Paul A. Newhouse

Uniform Child Custody Jurisdiction Act in North Carolina ........... 4:371
Sharon K. Allen

Untying the Gordian Knot: An Orderly Approach to Federal Jurisdiction
Issues in a Basic Course in United States Constitutional Law ..... 12:383
Thomas C. Marks, Jr.

JURISPRUDENCE

A Matter Of Interpretation: Federal Courts and the Law - A Book
Review ............................................................. 19:209
Richard T. Bowser

An Eagle Soaring: The Jurisprudence of Justice Antonin Scalia .... 19:223
Stephen R. McAllister, Autumn Fox

Ancient Legal Maxims and Modern Human Rights .................... 18:75
Dr. J. Stanley McQuade

Beyond the Crossroads: Shackled By Liberty, Tyrannized By Equality
(Book Review: Slouching Towards Gomorrah) ...................... 19:1
Alan L. Button

Expertise in Trial Advocacy: Some Considerations for Inquiry Into Its
Nature and Development ............................................ 7:119
Paul E. Johnson, Michael G. Johnson, Raleigh K. Little

Law School: A Mortuary for Poets and Moral Reason ............... 16:61
Davis R. Culp

Law’s Empire - A Book Review .................................... 9:203
Jeremy M. Miller

Motion for Change of Venue - In Search of a Guiding Light - State v.
Jerett ............................................................. 7:73
Buxton Sawyer Copeland

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
Albert M. Benshoff

JURY INSTRUCTIONS
Commentary From the Bench: “Rummaging Through A Wilderness of Verbage” - The Charge Conference, Jury Argument and Instructions .......................................................... 8:269
Honorable Thomas S. Watts

Richard Charles Blanks

Removing the Third Option From the Jury - State v. Strickland ........ 7:89
Lisa Boutelle Hardin

Submission to the Jury of Lesser Included Offenses - State v. Thompson ..................................................... 2:145
Tony Carlton Dalton

JUVENILE LAW
Commentary From the Bench - Rights and Interests of Parent, Child, Family and State: A Critique of Development of the Law in Recent Supreme Court Cases and in the North Carolina Juvenile Code .... 4:85
Honorable Walter H. Bennett, Jr.

LAND USE
A Practical Interpretation of North Carolina’s Comprehensive Plan Requirement .................................................. 7:1
Kenneth G. Silliman

Albert M. Benshoff

Restrictive Covenants - Enforceability of Assessments Against Property Owners in Residential Developments - Figure Eight Beach Homeowners’ Association, Inc. v. Parker ........................................ 7:33
Ernest Rawls Carter, Jr. and Monty Beck

LANDLORD-TENANT
Johnny Foster

Betsey v. Turtle Creek Associates: All Adult Housing Policy May Violate the Fair Housing Act .............................. 8:47
J. Michael McGuinness

The Legal Relationship Between the Bank and Its Safe Deposit Customer ..................................................... 5:263
Richard A. Lord

When a Hotel is Your Home, Is There Protection? - Baker v. Rushing .. 15:295
Amy M. Campbell
LAW ENFORCEMENT OFFICERS
Civil Liability in the Use of Deadly Force in North Carolina ................. 4:391
Arvil Lee Collins

LAW SCHOOLS
Law School: A Mortuary for Poets and Moral Reason .................... 16:61
Davis R. Culp
Navigating the Dark Morass: A First-Year Student's Guide to the
Library .................................................. 19:115
Maureen Straub Kordesh
The Use of Race in the Admissions Programs of Higher Educational
Institutions - A Violation of the Equal Protection Clause? ............. 19:489
Kevin Joyner

LEASES
A Fresh Look at Contractual Tenant Remedies Under the North Carolina
Residential Rental Agreements Act - Miller v. C.W. Myers Trading
Post, Inc. ........................................ 10:167
Johnny Foster
Drafting, Interpreting, and Enforcing Commercial and Shopping Center
Leases ................................................. 14:275
John M. Tyson
Fixed Price Option v. Right of First Refusal: Construction of a Dual
Option Lease - Texaco, Inc. v. Creel .................................. 7:349
Mark Scruggs

LIABILITY
Vicarious Antitrust Liability in the Health Care Field ................... 5:61
Dean M. Harris

LICENSING
A New Bright Line Rule for General Construction Contractors - Brady v.
Fulghum .................................................. 7:199
Kimberly Ann Kelly

LOANS
Interest-Free Demand Loans Now Subject to Gift Tax - Dickman v.
Commissioner ........................................ 7:217
William T. Sharpe

LOCAL GOVERNMENT
Municipal Liability for Negligent Inspection in Sinning v. Clark - A
'Hollow' Victory for the Public Duty Doctrine ................................ 18:241
Frank Swindell

MARRIAGE
A Spouse's Right to Control Assets During the Marriage: Is North Caro-
lina Living in the Middle Ages? ..................................... 18:203
The Honorable K. Edward Greene
Conflicts of Law in Divorce Litigation: A Looking-Glass World? ....... 10:145
Mary M. Wills
Constitutionally Defending Marriage: The Defense of Marriage Act, Romer v. Evans and the Cultural Battle They Represent .......... 19:159
Leonard G. Brown, III

North Carolina's Uniform Premarital Agreement Act: A Contract Perspective ..................................................... 12:221
Richard A. Lord

Premarital Agreements .............................................. 13:343
Suzanne Reynolds

Privilege for Adverse Spousal Testimony Vested in Witness Spouse - Trammel v. United States ........................................ 3:125
James Quimby Wallace, III

Separation Agreements: Effect of Resumed Marital Relations - Murphy v. Murphy ....................................................... 1:131
Donald R. Teeter

The Equitable Distribution of Professional Degrees Upon Divorce in North Carolina .................................................. 10:69
Carole S. Gailor and Meredith J. McGill

The Professional Degree as Marital Property Under North Carolina's Equitable Distribution Statute .......................... 6:101
Darnell A. Batton

MASTER AND SERVANT

J. Elizabeth Spradlin

Vicarious Antitrust Liability in the Health Care Field .................. 5:61
Dean M. Harris

MEDICAL MALPRACTICE

Statutory Standard of Care for North Carolina Health Care Providers ... 1:111
John Marsh Tyson

MEDICAL PROFESSION

A Call to Congress to Amend ERISA Preeemption of HMO Medical Malpractice Claims: The Dissatisfactory Distinction Between Quality and Quantity of Care .............................................. 20:293
Angela M. Easley

Breach of Confidence - The Need for a New Tort - Watts v. Cumberland County Hospital System .......................... 8:145
Kathryn B. Remick

Legal Implications of Human In Vitro Fertilization for the Practicing Physician in North Carolina .......................... 6:5
Roger B. Bernholz and G. Nicholas Herman

Medicine Goes Madison Avenue: An Evaluation of the Effect of Direct-To-Consumer Pharmaceutical Advertising on the Learned Intermediary Doctrine .............................................. 20:113
Michael C. Allen
The American Medical Association v. The American Tort System ........ 8:241
Jeff Essen and Lisa Aldred

The Evolution and Status of the Contributory Negligence Defense to Medical Malpractice Actions in North Carolina - McGill v. French .. 16:103
Lucinda L. Fraley

Debra D. Burke

The Vicarious Liability of a Physician for the Negligence of Other Medical Professionals - North Carolina Charts A Middle Course - The Effect of Harris v. Miller ....................... 17:375
J. Scott Coalter

Vicarious Antitrust Liability in the Health Care Field ................... 5:61
Dean M. Harris

MEDICAL RESEARCH
Fetal Tissue Research and Abortion: Do They Have a Future Together .. 13:81
Angela M. Skerrett

MENTAL HEALTH
Mental Health Care for Children: Before and During State Custody .... 13:1
Honorable K. Edward Greene

Senate Bill 43: A Refinement of North Carolina's Involuntary Civil Commitment Procedures ................................................. 14:105
Bruce Vrana

The Reality of Work-Related Stress: An Analysis of How Mental Disability Claims Should be Handled Under the North Carolina Worker's Compensation Act ........................................... 20:321
Amy Berry

MERCHANTS
Farmers as Merchants in North Carolina - Currituck Grain, Inc. v. Powell .............................................................................. 1:141
Beverly Wheeler Massey

Merchant's Duty to Protect Invitees From Third-Party Criminal Acts - Foster v. Winston-Salem Joint Venture .................................. 4:411
John W. Watson, Jr.

MILITARY
Speedy Trial Clause Not Applicable to Time Between Dismissal of Military Charges and Subsequent Indictment on Civilian Charges - United States v. MacDonald ............................................. 5:213
Frank Prior

MIRANDA RIGHTS
Confronting Accused With Evidence Against Him as "Interrogation" Within the Meaning of Miranda - State v. McLean ..................... 1:173
William M. Spivey

Waiver of Right to Counsel - State v. Butler ............................... 2:113
Patti Owen Harper
MORTGAGES

Judicial Activism Constructs Lenders' Nightmare - Embree Construction Group, Inc. v. Rafcor, Inc. and United Carolina Bank ............... 15:77
Phillip A. Mullins, IV

MOTOR VEHICLES

Elizabeth H. McCullough

Automobile Insurance Policies Build “Write-Away” Around Frolic and Detour, A Persistent Problem on the Highway of Torts ............. 19:85
William A. Wines

Jeffrey O’Connell, Stephen Carroll, Michael Horowitz, Allan Abrahamse, and Bradley Miliauskas

Lawrence F. Mazer, Charles R. Manning, Richard T. Edwards, Michael A. Sutton

Underinsured Motorist Coverage: North Carolina’s Multiple Claimant Wrinkle - Ray v. Atlantic Casualty Insurance Co. ............... 17:147
Paul J. Osowski

Unleashing the Greyhounds - The Bus Regulatory Reform Act of 1982... 6:75
William E. Thorns

NEGLIGENCE

Assault on the Common Law of Premises Liability: What Duty of Care Does an Owner or Occupier of Land Owe to a Police Officer Who Enters the Premises of Another By Authority of Law? Newton v. New Hanover County Board of Education ...................... 19:579
Linda Sayed

Automobile Insurance Policies Build “Write-Away” Around Frolic and Detour, A Persistent Problem on the Highway of Torts ............. 19:85
William A. Wines

Contributory Negligence, Comparative Negligence, and Stare Decisis in North Carolina ................................................. 18:1
Steven Gardner

Discovery of Medical Records in a Corporate Negligence Action - Shelton v. Morehead Memorial Hospital .......................... 10:193
G. Bruce Park

Fraudulent, Negligent, and Innocent Misrepresentation in the Employment Context: The Deceitful, Careless, and Thoughtless Employer . . 20:1
Frank J. Cavico

Guarding the Guardians: Expanding Auditor Negligence Liability to Third-Party Users of Financial Information ...................... 11:123
James W. Zisa
Merchant's Duty to Protect Invitees From Third-Party Criminal Acts - Foster v. Winston-Salem Joint Venture ..................... 4:411
John W. Watson, Jr.

Frank Swindell

Statutory Standard of Care for North Carolina Health Care Providers ... 1:111
John Marsh Tyson

The American Medical Association v. The American Tort System .......... 8:241
Jeff Essen and Lisa Aldred

Bruce Batchelor

The Franchising Dilemma Continues: Update on Franchisor Liability for Wrongful Acts by Local Franchisees ............................ 20:91
Randall K. Hanson

The Recognition of Social Host Liability in North Carolina - Hart v. Ivey ................................................................. 15:207
Donna L. Shumate

The Vicarious Liability of a Physician for the Negligence of Other Medical Professionals - North Carolina Charts A Middle Course - The Effect of Harris v. Miller ........................................ 17:375
J. Scott Coalter

To Be Or Not To Be: The Wrongful Life Cause of Action - Turpin v. Sortini ............................................................................. 5:435
Mary Beth Forsyth

Donna L. Shumate

What the Supreme Court Giveth, the Supreme Court Taketh Away - Gardner v. Gardner ...................................................... 16:481
Alice McNeer

Wrong Without a Remedy - North Carolina and the Wrongful Death of a Stillborn ......................................................... 9:93
Susan D. Crooks

NEGLIGENCE

Creating The Legal Monster: The Expansion and Effect of Legal Malpractice Liability in North Carolina ......................... 18:121
Gregory Huffman

NEGOTIABLE INSTRUMENTS

Charles C. Lewis
<table>
<thead>
<tr>
<th>Category</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guarding the Guardians: Expanding Auditor Negligence Liability to Third-Party Users of Financial Information</td>
<td>11:123</td>
<td></td>
</tr>
<tr>
<td>The Omnibus Clause of U.C.C. Section 4-303(1)(d): A Holder's Sword or a Payor's Shield?</td>
<td>4:279</td>
<td></td>
</tr>
<tr>
<td>NUISANCE</td>
<td>Control of Obscenity Through Enforcement of a Nuisance Statute - Chateau X, Inc. v. State ex rel Andrews</td>
<td>4:139</td>
</tr>
<tr>
<td></td>
<td>Judicial Boilerplate Language as Torts Decisional Litany: Four Problem Areas in North Carolina</td>
<td>18:359</td>
</tr>
<tr>
<td>OBJECTIONS</td>
<td>Commentary From the Bench: Objections - Howls of a Dog-Pound Quarrel</td>
<td>4:339</td>
</tr>
<tr>
<td>OBSCENITY</td>
<td>Control of Obscenity Through Enforcement of a Nuisance Statute - Chateau X, Inc. v. State ex rel Andrews</td>
<td>4:139</td>
</tr>
<tr>
<td></td>
<td>Obscenity: The Justices' (Not So) New Robes</td>
<td>8:387</td>
</tr>
<tr>
<td>PARENT AND CHILD</td>
<td>A New Means to Combat Child Abuse? - State v. Walden</td>
<td>5:415</td>
</tr>
<tr>
<td></td>
<td>Closing one Door on the Parent-Child Immunity Doctrine: Legislature Rejects the Decision of Coffey v. Coffey</td>
<td>13:105</td>
</tr>
<tr>
<td></td>
<td>Commentary From the Bench - Coercive Governmental Intervention and the Family: A Comment on North Carolina's Proposed Standards</td>
<td>7:145</td>
</tr>
<tr>
<td></td>
<td>Commentary From the Bench - Rights and Interests of Parent, Child, Family and State: A Critique of Development of the Law in Recent Supreme Court Cases and in the North Carolina Juvenile Code</td>
<td>4:85</td>
</tr>
<tr>
<td>Contractual Modification of Past Due and Future Child Support Payments</td>
<td>19:189</td>
<td></td>
</tr>
<tr>
<td>Liner v. Brown: Where Should We Go From Here - Two Different Approaches for North Carolina</td>
<td>19:447</td>
<td></td>
</tr>
<tr>
<td>Mental Health Care for Children: Before and During State Custody</td>
<td>13:1</td>
<td></td>
</tr>
</tbody>
</table>

Published by Scholarly Repository @ Campbell University School of Law, 1998
The Effect on the Child of a Custodial Parent's Involvement in an Intimate Same-Sex Relationship—North Carolina Adopts the "Nexus Test" in Pulliam v. Smith ........................................ 19:131
Vicki Parrott

Bruce Batchelor

To Be Or Not To Be: The Wrongful Life Cause of Action—Turpin v. Sortini ........................................ 5:435
Mary Beth Forsyth

Uniform Child Custody Jurisdiction Act in North Carolina .............. 4:371
Sharon K. Allen

Beverly W. Massey

PARTNERSHIPS
Creating The Legal Monster: The Expansion and Effect of Legal Malpractice Liability in North Carolina ........................................ 18:121
Gregory Huffman

How the Uniform Partnership Act Determines Ultimate Liability For a Claim Against a General Partnership and Provides for the Settling of Accounts Between Partners .................................. 17:333
Russell C. Smith

PATENTS AND TRADEMARKS
A New Test for Trademark Dilution—Why North Carolina Should Adopt Section 12 of the Model State Trademark Bill ..................... 5:163
Phillip Summa

The Next-to-Last Step to Software Patentability?—Diamond v. Diehr .... 4:219
Ron Karl Levy

The Role of Actual Confusion Evidence in Federal Trademark Infringe-ment Litigation ...................................................... 16:19
Michael J. Allen

Paternity Actions
An Indigent's Right to a Blood Test in a Paternity Suit—Little v. Streater ........................................ 4:169
Barbara Hollingsworth

Pension Plans
ERISA Qualified Pension Plan Benefits as Property of the Bankruptcy Estate: The Unanswered Questions after Patterson v. Shumate .... 16:303
Jack E. Karns

ERISA Spendthrift Rules—It Just Shouldn't Be This Hard ................. 11:29
Ronald I. Kirshbaum

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
ERISA, Preemption and Comprehensive Federal Health Care: A Call For “Cooperative Federalism” to Preserve the States’ Role in Formulating Health Care Policy ........................................ 16:405
James E. Holloway

In Praise of Pension Reform ........................................ 1:31
Ronald I. Kirschbaum

PEREMPTORY CHALLENGES
Prosecutorial Abuse of Peremptory Challenges in Death Penalty Litigation: Some Constitutional and Ethical Considerations .............. 8:71
Stephen P. Lindsay

PERSONAL PROPERTY
Public Documents in the Hands of Private Collectors - State v. West .... 1:179
Samuel R. Clawson

The Legal Relationship Between the Bank and Its Safe Deposit Customer .................................................. 5:263
Richard A. Lord

PHARMACY
Medicine Goes Madison Avenue: An Evaluation of the Effect of Direct-To-Consumer Pharmaceutical Advertising on the Learned Intermediary Doctrine ................................................... 20:113
Michael C. Allen

PHYSICIANS AND SURGEONS
Health Care Professionals Seek to Advertise - Friedman v. Rogers ....... 2:173
Lex Ailen Watson II

Legal Implications of Human In Vitro Fertilization for the Practicing Physician in North Carolina ........................................ 6:5
Roger B. Bernholz and G. Nicholas Herman

Medicine Goes Madison Avenue: An Evaluation of the Effect of Direct-To-Consumer Pharmaceutical Advertising on the Learned Intermediary Doctrine ................................................... 20:113
Michael C. Allen

Shielding the Plaintiff and Physician: The Prohibition of Ex Parte Contacts with a Plaintiff’s Treating Physician ........................................ 13:233
David L. Woodard

Statutory Standard of Care for North Carolina Health Care Providers . . 1:111
John Marsh Tyson

The American Medical Association v. The American Tort System ...... 8:241
Jeff Essen and Lisa Aldred

The Evolution and Status of the Contributory Negligence Defense to Medical Malpractice Actions in North Carolina - McGill v. French .. 16:103
Lucinda L. Fraley

Debra D. Burke
The Vicarious Liability of a Physician for the Negligence of Other Medical Professionals - North Carolina Charts A Middle Course - The Effect of Harris v. Miller ............................................... 17:375  
J. Scott Coalter  
Vicarious Antitrust Liability in the Health Care Field ............. 5:61  
Dean M. Harris  
PLEADINGS  
Yoichiro Hamabe  
Some Practical Implications of Civil RICO Cases ...................... 7:299  
William Woodward Webb and Kevin P. Roddy  
POLITICS  
A New Test for Political Firings - Branti v. Finkel .................. 3:103  
James L. Seay, Jr.  
Focus on Gerrymandering - Beyond Justiciability: Political Gerrymandering After Davis v. Bandemer ......................... 9:207  
Michael A. Hess  
Freedom of Association and the Political Boycott - N.A.A.C.P. v. Clai borne Hardware Co. ........................................... 5:359  
Elaine Cohoon  
POLYGRAPH TESTS  
Polygraph Test Results No Longer Admissible in North Carolina - State v. Grier ............................................. 6:205  
William T. Sharpe  
POWERS OF ATTORNEY  
Commentary From the Bar: The Continuing Power of Attorney - An Essential Instrument ............................................. 5:305  
PREEMPTION OF LAWS  
A Call to Congress to Amend ERISA Preeemption of HMO Medical Malpractice Claims: The Dissatisfactory Distinction Between Quality and Quantity of Care. .................... 20:293  
Angela M. Easley  
FAA and Arbitration Clauses - How Far Can It Reach? The Effect of Allied-Bruce Terminix, Inc. v. Dobson ......................... 19:607  
Edmond Seferi  
North Carolina Hospitals’ Dilemma: The Inherent Conflict Between Carolina ACCESS and the Emergency Medical Treatment and Active Labor Act ............................................. 20:135  
Benjamin D. Overby  
Lora B. Greene
States Lose Power to Prescribe Highway Safety Regulations - Kassel v. Consolidated Freightways Corp. ................................................. 4:127
Larry C. Harris

Cindy C. Heenan

PREMARITAL AGREEMENTS
North Carolina's Uniform Premarital Agreement Act: A Contract Perspective ..................................................... 12:221
Richard A. Lord

Premarital Agreements .............................................. 13:343
Suzanne Reynolds

PRESIDENT
History and Executive Removal Power: Morrison v. Olson and Separation of Powers ............................................. 11:175
John L. Gedid

PRISONS AND PRISONERS
Prisoners' Rights - Recognition That Involuntary Exposure to Environmental Tobacco Smoke May Constitute Cruel and Unusual Punishment - Avery v. Powell ........................................ 11:363
Robin Terry

Prisoners' Rights - Recognition That Involuntary Exposure to Environmental Tobacco Smoke May Constitute Cruel and Unusual Punishment - Avery v. Powell ........................................ 11:363
Robin Terry

PRIVILEGES
Privilege for Adverse Spousal Testimony Vested in Witness Spouse - Trammel v. United States .............................................. 3:125
James Quimby Wallace, III

Shielding the Plaintiff and Physician: The Prohibition of Ex Parte Contacts with a Plaintiff's Treating Physician ........................................ 13:233
David L. Woodard

PROBATE LAW AND PRACTICE
Commentary From the Bar: The Continuing Power of Attorney - An Essential Instrument ..................................................... 5:305

Estate Planning Considerations for the North Carolina Principal and Income Act of 1973 .............................................. 8:173
James W. Narron

The North Carolina Dissent Statutes: The Seeds of Inequities Germinate .............................................................. 8:449
Anne Mayo Evans

Charles H. Munn, Jr.
PROFESSIONALS

The Professional Degree as Marital Property Under North Carolina's Equitable Distribution Statute .......................................................... 6:101

Darnell A. Batton

PROPERTY

A Fresh Look at Contractual Tenant Remedies Under the North Carolina Residential Rental Agreements Act - Miller v. C.W. Myers Trading Post, Inc. ................................................................. 10:167

Johnny Foster

A Practical Interpretation of North Carolina's Comprehensive Plan Requirement ...................................................................................... 7:1

Kenneth G. Silliman

Access to Private Property - Cape Cod Nursing Home Council v. Rambling Rose Rest Home .................................................................... 5:193

Lawrence Mazer

Drafting, Interpreting, and Enforcing Commercial and Shopping Center Leases ....................................................................................... 14:275

John M. Tyson

Fixed Price Option v. Right of First Refusal: Construction of a Dual Option Lease - Texaco, Inc. v. Creel ...................................................... 7:349

Mark Scruggs

Installment Land Contracts in North Carolina .......................................... 3:29

James W. Narron

Is Time Running Out For the Government to Dispute Regulatory Takings? - First English Evangelical Lutheran Church v. City of Los Angeles ............................................................................. 10:275

Sharon A. Woodard

Judicial Activism Constructs Lenders' Nightmare - Embree Construction Group, Inc. v. Rafcor, Inc. and United Carolina Bank .............. 15:77

Phillip A. Mullins, IV

Judicial Boilerplate Language as Torts Decisional Litany: Four Problem Areas in North Carolina ............................................................... 18:359

Charles E. Daye

Much Ado About Mighty Little - North Carolina and the Application of the Relative Hardship Doctrine to Encroachments of Permanent Structures on the Property of Another ........................................... 12:71

Olivia Leigh Weeks

Municipal Annexation in North Carolina: A Look at the Past Decade ... 14:135

Steven W. Blevins

North Carolina's Tenancy By The Entirety Reform Legislation of 1982 ........ 5:1

William A. Reppy, Jr.

Offer to Purchase and Contract: Buyer Beware ........................................ 8:473

Lisa Ann Finger


Albert M. Benshoff

http://scholarship.law.campbell.edu/clr/vol20/iss2/7
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Volume</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Documents in the Hands of Private Collectors - State v. West</td>
<td>Samuel R. Clawson</td>
<td>1:179</td>
<td></td>
</tr>
<tr>
<td>Restrictive Covenants - Enforceability of Assessments Against Property Owners in Residential Developments - Figure Eight Beach Homeowners’ Association, Inc. v. Parker</td>
<td>Ernest Rawls Carter, Jr. and Monty Beck</td>
<td>7:33</td>
<td></td>
</tr>
<tr>
<td>The Broadened Dimensions and More Powerful Bite of the State Fair Housing Act</td>
<td>B. Bailey Litpffert, III</td>
<td>12:267</td>
<td></td>
</tr>
<tr>
<td>The Legal Relationship Between the Bank and Its Safe Deposit Customer</td>
<td>Richard A. Lord</td>
<td>5:263</td>
<td></td>
</tr>
<tr>
<td>The Pearl in the Oyster: The Public Trust Doctrine in North Carolina</td>
<td>Valerie B. Spalding</td>
<td>12:23</td>
<td></td>
</tr>
<tr>
<td>The Professional Degree as Marital Property Under North Carolina’s Equitable Distribution Statute</td>
<td>Darnell A. Batton</td>
<td>6:101</td>
<td></td>
</tr>
<tr>
<td>Waiver of Closing Date in Land Sales Contracts in North Carolina - Fletcher v. Jones</td>
<td>Ricky L. Griffin</td>
<td>8:547</td>
<td></td>
</tr>
<tr>
<td>Webster’s Real Estate Law in North Carolina.</td>
<td>Robert E. Lee</td>
<td>4:239</td>
<td></td>
</tr>
<tr>
<td>PSYCHIATRY</td>
<td>Defendant’s Due Process Right to a Psychiatric Expert - Ake v.</td>
<td>8:323</td>
<td></td>
</tr>
<tr>
<td>PUBLIC PROPERTY</td>
<td>Beauty Conquers the First Amendment - Members of the City of Los Angeles v. Taxpayers for Vincent</td>
<td>7:383</td>
<td></td>
</tr>
<tr>
<td>The Pearl in the Oyster: The Public Trust Doctrine in North Carolina</td>
<td>Valerie B. Spalding</td>
<td>12:23</td>
<td></td>
</tr>
<tr>
<td>PUBLIC TRUST DOCTRINE</td>
<td>The Pearl in the Oyster: The Public Trust Doctrine in North Carolina</td>
<td>12:23</td>
<td></td>
</tr>
<tr>
<td>PUNISHMENT</td>
<td>The Amy Jackson Law - A Look at the Constitutionality of North Carolina’s Answer to Megan’s Law.</td>
<td>20:347</td>
<td></td>
</tr>
</tbody>
</table>

Published by Scholarly Repository @ Campbell University School of Law, 1998
Using the Fair Sentencing Act to Protect the Criminal Defendant .......... 9:127
Valerie B. Spalding

RACKETEER INFLUENCED AND CORRUPT ORGANIZATION ACT (RICO)
Asset Forfeiture: Giving Up Your Constitutional Rights ..................... 19:527
Douglas Kim

Civil RICO: The Judges' Perspective, and Some Notes on Practice for
North Carolina Lawyers ........................................................ 12:145
The Honorable David B. Sentelle

Some Practical Implications of Civil RICO Cases ............................ 7:299
William Woodward Webb and Kevin P. Roddy

RADIO AND TELEVISION
Cable TV's "Must Carry" Rules: The Most Restrictive Alternative -
Quincy Cable TV, Inc. v. FCC .............................................. 8:339
Robert B. Hobbs, Jr.

The Growing Pains of Cable Television ..................................... 7:175
Beth Bals

REAL PROPERTY
A Fresh Look at Contractual Tenant Remedies Under the North Carolina
Residential Rental Agreements Act - Miller v. C.W. Myers Trading Post, Inc. ......... 10:167
Johnny Foster

A Practical Interpretation of North Carolina's Comprehensive Plan
Requirement ................................................................. 7:1
Kenneth G. Silliman

Access to Private Property - Cape Cod Nursing Home Council v. Rambling Rose Rest Home ............................ 5:193
Lawrence Mazer

Drafting, Interpreting, and Enforcing Commercial and Shopping Center
Leases ........................................................................... 14:275
John M. Tyson

Fixed Price Option v. Right of First Refusal: Construction of a Dual
Option Lease - Texaco, Inc. v. Creel ........................................ 7:349
Mark Scruggs

Installment Land Contracts in North Carolina ................................. 3:29
James W. Narron

Is Time Running Out For the Government to Dispute Regulatory Takings? - First English Evangelical Lutheran Church v. City of Los Angeles ............................................................. 10:275
Sharon A. Woodard

Judicial Boilerplate Language as Torts Decisional Litany: Four Problem Areas in North Carolina ................................. 18:359
Charles E. Daye

Much Ado About Mighty Little - North Carolina and the Application of
the Relative Hardship Doctrine to Encroachments of Permanent Structures on the Property of Another ................. 12:71
Olivia Leigh Weeks
<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Annexation in North Carolina: A Look at the Past Decade</td>
<td>14:135</td>
</tr>
<tr>
<td>Steven W. Blevins</td>
<td></td>
</tr>
<tr>
<td>North Carolina's Tenancy By The Entirety Reform Legislation of 1982</td>
<td>5:1</td>
</tr>
<tr>
<td>William A. Reppy, Jr.</td>
<td></td>
</tr>
<tr>
<td>Offer to Purchase and Contract: Buyer Beware</td>
<td>8:473</td>
</tr>
<tr>
<td>Lisa Ann Finger</td>
<td></td>
</tr>
<tr>
<td>Out of Focus: The Fuzzy Line Between Regulatory “Takings” and Valid</td>
<td></td>
</tr>
<tr>
<td>Zoning-Related “Exactions” in North Carolina and Federal Jurisprudence</td>
<td>16:333</td>
</tr>
<tr>
<td>Albert M. Benshoff</td>
<td></td>
</tr>
<tr>
<td>Restrictive Covenants - Enforceability of Assessments Against Property Owners in Residential Developments - Figure Eight Beach Homeowners’ Association, Inc. v. Parker</td>
<td>7:33</td>
</tr>
<tr>
<td>Ernest Rawls Carter, Jr. and Monty Beck</td>
<td></td>
</tr>
<tr>
<td>The Broadened Dimensions and More Powerful Bite of the State Fair Housing Act</td>
<td>12:267</td>
</tr>
<tr>
<td>B. Bailey Liipfert, III</td>
<td></td>
</tr>
<tr>
<td>The Pearl in the Oyster: The Public Trust Doctrine in North Carolina</td>
<td>12:23</td>
</tr>
<tr>
<td>Valerie B. Spalding</td>
<td></td>
</tr>
<tr>
<td>Waiver of Closing Date in Land Sales Contracts in North Carolina -</td>
<td></td>
</tr>
<tr>
<td>Fletcher v. Jones</td>
<td>8:547</td>
</tr>
<tr>
<td>Ricky L. Griffin</td>
<td></td>
</tr>
<tr>
<td>Webster's Real Estate Law in North Carolina</td>
<td>4:239</td>
</tr>
<tr>
<td>Robert E. Lee</td>
<td></td>
</tr>
<tr>
<td>When a Hotel is Your Home, Is There Protection? - Baker v. Rushing</td>
<td>15:295</td>
</tr>
<tr>
<td>Amy M. Campbell</td>
<td></td>
</tr>
<tr>
<td>RELIGION</td>
<td></td>
</tr>
<tr>
<td>Scarlet Letter Lawsuits: Private Affairs and Public Judgments</td>
<td>10:1</td>
</tr>
<tr>
<td>Lynn Buzzard</td>
<td></td>
</tr>
<tr>
<td>Webster v. Reproductive Health Services: Do Legislative Declarations that Life begins at Conception Violate the Establishment Clause?</td>
<td>12:1</td>
</tr>
<tr>
<td>Robert L. Maddox and Blaine Bortnick</td>
<td></td>
</tr>
<tr>
<td>REMEDIES</td>
<td></td>
</tr>
<tr>
<td>A Fresh Look at Contractual Tenant Remedies Under the North Carolina Residential Rental Agreements Act - Miller v. C.W. Myers Trading Post, Inc.</td>
<td>10:167</td>
</tr>
<tr>
<td>Johnny Foster</td>
<td></td>
</tr>
<tr>
<td>Contract Warranties and Remedies: A Comprehensive Study of the Cre- ation, Modification and Exclusion of Contract Warranties and Remedies for Attorneys and Other Contracting Professionals</td>
<td>14:323</td>
</tr>
<tr>
<td>Joseph J. Corey, Jr.</td>
<td></td>
</tr>
<tr>
<td>Damages and Problems of Proof with Planted Nonconforming Seeds</td>
<td>9:63</td>
</tr>
<tr>
<td>Kemp Burpeau</td>
<td></td>
</tr>
<tr>
<td>Some Practical Implications of Civil RICO Cases</td>
<td>7:299</td>
</tr>
<tr>
<td>William Woodward Webb and Kevin P. Roddy</td>
<td></td>
</tr>
<tr>
<td>RES JUDICATA</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------</td>
</tr>
<tr>
<td>Categorization Approach</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>RETROACTIVE LAWS AND DECISIONS</td>
<td></td>
</tr>
<tr>
<td>Too Late For The Truth? Retroactivity And Application of the Statute of</td>
<td>Brian E. Moore</td>
</tr>
<tr>
<td>Limitations for Filing 28 U.S.C. § 2255 Petitions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>RIGHT TO COUNSEL</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>Ethical/Legal Tug of War</td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>The Right to Appointment of Counsel for the Indigent Civil Contemnor</td>
<td>Kurt F. Hausler</td>
</tr>
<tr>
<td>Facing Incarceration for Failure to Pay Child Support - McBride v. McBride</td>
<td>Kurt F. Hausler</td>
</tr>
<tr>
<td></td>
<td>Kurt F. Hausler</td>
</tr>
<tr>
<td>Waiver of Right to Counsel - State v. Butler</td>
<td>Patti Owen Harper</td>
</tr>
<tr>
<td></td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>RIGHT TO DIE</td>
<td></td>
</tr>
<tr>
<td>Self-Directed Death, Euthanasia, and the Termination of Life-Support:</td>
<td>G. Steven Neeley</td>
</tr>
<tr>
<td>Reasonable Decisions to Die</td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>Suicide, Liberty and our Imperfect Constitution: An Analysis of the</td>
<td>Terrance A. Kline</td>
</tr>
<tr>
<td>Legitimacy of The Supreme Court's Entanglement in Decisions to</td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>Terminate Life-Sustaining Medical Treatment</td>
<td>Kurt F. Hausler</td>
</tr>
<tr>
<td></td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>The Elderly Incompetent: The Right to Die With Dignity</td>
<td>Cary C. Homes</td>
</tr>
<tr>
<td></td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>RIGHT TO PRIVACY</td>
<td></td>
</tr>
<tr>
<td>The Elderly Incompetent: The Right to Die With Dignity</td>
<td>Cary C. Homes</td>
</tr>
<tr>
<td></td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>SAFE DEPOSIT BOXES AND VAULTS</td>
<td></td>
</tr>
<tr>
<td>The Legal Relationship Between the Bank and Its Safe Deposit</td>
<td>Richard A. Lord</td>
</tr>
<tr>
<td>Customer</td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td></td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td>SALES</td>
<td></td>
</tr>
<tr>
<td>Damages and Problems of Proof with Planted Nonconforming Seeds</td>
<td>Kemp Burpeau</td>
</tr>
<tr>
<td>Offer to Purchase and Contract: Buyer Beware</td>
<td>Lisa Ann Finger</td>
</tr>
<tr>
<td>Waiver of Closing Date in Land Sales Contracts in North Carolina -</td>
<td>Ricky L. Griffin</td>
</tr>
<tr>
<td>Fletcher v. Jones</td>
<td>Yoichiro Hamabe</td>
</tr>
<tr>
<td></td>
<td>Yoichiro Hamabe</td>
</tr>
</tbody>
</table>
SANCTIONS

Lawyers Take Heed! A De Novo Review of Rule 11 in North Carolina -
   Turner v. Duke Univ. ............................................ 12:293
   T. June Hobby

Practice and Procedure Under Amended Rule 11 of the Federal Rules of
   Civil Procedure ................................................. 9:11
   Kevin P. Roddy and William Woodward Webb

SEARCH AND SEIZURE

North Carolina Adopts the Inevitable Discovery Exception to the Exclusionary Rule - State v. Garner ............................................ 15:305
   G. Chris Olson

Oliver and the Open Fields Doctrine - Oliver v. United States ............ 7:253
   T. Michael Godley

The “Plain Feel” Exception in Minnesota v. Dickerson: A Further Erosion of the Fourth Amendment .................................. 16:257
   Nicole J. Lehmann

The Fourth Circuit and the Fourth Amendment: Removing the High From the Seas ................................................... 3:1
   Herman E. Gaskins, Jr.

The Role of the Search Warrant in Fire Investigations - Michigan v. Clifford.............................................................. 7:269
   Samuel A. Mann

The Supreme Court Takes A Stance With Plain View Searches and Seizures - Arizona v. Hicks ..................................................... 10:331
   Tonya C. Cumalander

Vessels in Inland Waters are Subject to Suspicionless Boarding - United States v. Villamonte-Marquez ..................................... 6:183
   Wallace R. Young, Jr.

   Patrick C. Cork

Warrantless Aerial Surveillance Endorsed - California v. Ciraolo ...... 9:497
   Bobby L. Bollinger, Jr.

When a Hotel is Your Home, Is There Protection? - Baker v. Rushing . 15:295
   Amy M. Campbell

SECURED TRANSACTIONS

Entrustment Under U.C.C. Section 2-403 and Its Implications for Article 9 .............................................................. 9:407
   John E. Cargill

Judicial Activism Constructs Lenders’ Nightmare - Embree Construction Group, Inc. v. Rafcor, Inc. and United Carolina Bank ............. 15:77
   Phillip A. Mullins, IV

Return to the Conservative View of Security Agreements in Commercial Transactions ..................................................... 8:505
   Gregory D. Hutchins
SECURITIES

Paul A. Caldarelli

Investment Advisory Regulatory Muddy Waters: Registration and Control Issues are Confused with Issues of Disclosure and Anti-Fraud . 19:349
Susan Rogers Finneran

SECURITY INTERESTS

Entrustment Under U.C.C. Section 2-403 and Its Implications for Article 9 ............................................................... 9:407
John E. Cargill

I. Boyce Covington

Return to the Conservative View of Security Agreements in Commercial Transactions .................................................... 8:505
Gregory D. Hutchins

SELF-DEFENSE

Jeffrey M. Cutler

Perfecting the Imperfect Right of Self-Defense - State v. Norris ......... 4:427
Richard Charles Blanks

SENTENCING

Organizational Ethos and Corporate Criminal Liability .................. 17:47
Henry J. Amoroso

Prosecutorial Discretion and Substantial Assistance: The Power and Authority of Judicial Review - United States v. Wade .............. 15:263
John S. Austin

The Federal Sentencing Guidelines Endorsement of Corporate-Level Restitution: Furtherance of Public Policy or Discrimination on the Basis of Entity Capitalization? .............................. 18:225
Henry Amoroso

Using the Fair Sentencing Act to Protect the Criminal Defendant ...... 9:127
Valerie B. Spalding

SEPARATION AGREEMENTS

A New Rule for Consent Judgments in Family Law - Walters v. Walters ............................................................... 6:125
H. William Palmer, Jr.

Post-Separation Failure to Support a Dependent Spouse as a Sole Ground for Alimony Despite the Absence of Marital Misconduct Before Separation - Brown v. Brown ....................... 15:333
Elizabeth N. Rich
Post-Separation Sexual Intercourse Precludes Enforcement of Agreement
   Requiring Parties to Live Separate and Apart - Higgins v. Higgins . 11:73
     Gerald H. Groon, Jr.

Separation Agreements: Effect of Resumed Marital Relations - Murphy
   v. Murphy ................................................................. 1:131
     Donald R. Teeter

SEPARATION OF POWERS

History and Executive Removal Power: Morrison v. Olson and Separation
   of Powers ............................................................. 11:175
     John L. Gedid

SEX DISCRIMINATION

Gender Stereotypes and Discriminatory Behaviors Toward Female Attorneys:
The North Carolina Case ........................................... 13:183
     Michael L. Vasu and Ellen Storey Vasu

Title IX Applies to Employees - North Haven Board of Education v. Bell. 5:249
     Barbara Hollingsworth

SIXTH AMENDMENT

Confrontation and Hearsay: New Wine in an Old Bottle .................. 16:1
     The Honorable Anthony M. Brannon

Constitutional Admissibility of Hearsay under the Confrontation Clause:
   Reliability Requirement for Hearsay Admitted under a Non-"Firmly
   Rooted" Exception - Idaho v. Wright ................................ 14:347
     A. Perry Wadsworth, Jr.

Grand Jury Subpoenas to Defense Attorneys Representing Targets: An
   Ethical/Legal Tug of War ........................................... 9:347
     Paul Marshall Yoder

Motion for Change of Venue - In Search of a Guiding Light - State v.
   Jerett ................................................................. 7:73
     Buxton Sawyer Copeland

North Carolina and Pretrial Civil Revocation of an Impaired Driver's
   License and the Double Jeopardy Clause .......................... 18:391
     Marc Tyrey

Press Has No Constitutional Right to Attend a Pretrial Suppression
   Hearing - Gannett Co. v. DePasquale ............................. 2:125
     Jay C. Welch

Prisoners' Rights - Recognition That Involuntary Exposure to Environmental
   Tobacco Smoke May Constitute Cruel and Unusual Punishment -
   Avery v. Powell .................................................. 11:363
     Robin Terry

Prosecutorial Abuse of Peremptory Challenges in Death Penalty Litigation:
   Some Constitutional and Ethical Considerations .................. 8:71
     Stephen P. Lindsay

Speedy Trial Clause Not Applicable to Time Between Dismissal of Military
   Charges and Subsequent Indictment on Civilian Charges -
   United States v. MacDonald ....................................... 5:213
     Frank Prior

Published by Scholarly Repository @ Campbell University School of Law, 1998
The Right to Appointment of Counsel for the Indigent Civil Contemnor Facing Incarceration for Failure to Pay Child Support - McBride v. McBride .......................................................... 16:127
Kurt F. Hausler

Waiver of Right to Counsel - State v. Butler ......................... 2:113
Patti Owen Harper

SOCIAL SECURITY
In Praise of Pension Reform ............................................. 1:31
Ronald I. Kirschbaum

SOVEREIGN IMMUNITY
Statutory Waiver of Municipal Immunity Upon Purchase of Liability Insurance in North Carolina and the Municipal Liability Crisis .... 4:41
Patti Owen Harper

David S. Bowers

SPEEDY TRIAL
Speedy Trial Clause Not Applicable to Time Between Dismissal of Military Charges and Subsequent Indictment on Civilian Charges - United States v. MacDonald ...................................... 5:213
Frank Prior

SPORTS LAW
Universities, Colleges and the Equal Pay Act: The Fourth Circuit Analyzes a Salary Dispute in Stag v. Board of Trustees ............. 19:333
Laura Woodworth Keohane

STANDARD OF CARE
Merchant's Duty to Protect Invitees From Third-Party Criminal Acts - Foster v. Winston-Salem Joint Venture ............................ 4:411
John W. Watson, Jr.

Statutory Standard of Care for North Carolina Health Care Providers ... 1:111
John Marsh Tyson

STATE ACTION
Formulation of the Two Part Analysis for State Action Exemption - Hoover v. Ronwin .................................................. 7:231
Donald E. Harrop

STATUTORY CONSTRUCTION
Title IX Applies to Employees - North Haven Board of Education v. Bell. 5:249
Barbara Hollingsworth

Unfair and Deceptive Legislation: The Case for Finding North Carolina General Statutes Section 75-1.1 Unconstitutionally Vague as Applied to an Alleged Breach of a Commercial Contract .................... 8:421
Thomas A. Farr
SUBPOENAS
Grand Jury Subpoenas to Defense Attorneys Representing Targets: An
   Ethical/Legal Tug of War ........................................... 9:347
   Paul Marshall Yoder

TARIFF ACT OF 1930
Section 337 Jurisdiction and the Forgotten Remedy .................... 9:45
   Janet D. Saxon and Paul A. Newhouse

TAXATION
Dependency Deductions for Paramours - Ensminger v. Commissioner ... 3:133
   Scott MacDonald Taylor
ERISA Spendthrift Rules - It Just Shouldn't Be This Hard ............. 11:29
   Ronald I. Kirshbaum
Estate Planning Considerations for the North Carolina Principal and
   Income Act of 1973 .............................................. 8:173
   James W. Narron
Guarding the Guardians: Expanding Auditor Negligence Liability to
   Third-Party Users of Financial Information ........................ 11:123
   James W. Zisa
In Praise of Pension Reform ........................................... 1:31
   Ronald I. Kirschbaum
Interest-Free Demand Loans Now Subject to Gift Tax - Dickman v.
   Commissioner ................................................... 7:217
   William T. Sharpe
Mail-Order Ministries Under the Section 170 Charitable Contribution
   Deduction: The First Amendment Restrictions, the Minister's Bur-
   den of Proof, and the Effect of TRA '86 ............................ 11:1
   Anthony L. Scialabba, Melissa B. Kurtzman, Lance J. M. Steinhart
North Carolina's Tenancy By The Entirety Reform Legislation of 1982 .. 5:1
   William A. Reppy, Jr.
The Unrelated Business Taxable Income of Social Clubs: An Analysis of
   Section 512(a)(3)(A), Cleveland Athletic Club, Inc. v. United States
   and Brook, Inc. v. C.I.R. .......................................... 10:249
   Anthony L. Scialabba

TEACHERS
Defining Inadequate Performance Under the North Carolina Tenured
   Teacher Fair Dismissal Act ......................................... 3:77
   William P. Harper, Jr., and Richard T. Gammon

TENANCY BY THE ENTIRETY
North Carolina's Tenancy By The Entirety Reform Legislation of 1982 .. 5:1
   William A. Reppy, Jr.

TOBACCO PRODUCTS
Preemption of State Common Law Actions Against Cigarette Manufac-
   turers By the Federal Cigarette Labeling and Advertising Act: Have
Smokers taken Their Last Puff to Hold Tobacco Companies Liable Under A State Tort Claim? -Palmer v. Ligget Group, Inc. ............. 10:467
Lora B. Greene

Prisoners' Rights - Recognition That Involuntary Exposure to Environmental Tobacco Smoke May Constitute Cruel and Unusual Punishment - Avery v. Powell .................................................. 11:363
Robin Terry

John C. Fox

When Two "Rights" Make a Wrong: The Protection of Nonsmokers' Rights in the Workplace .............................................. 11:339
Donna C. Stroud

You Take (45% of) My Breath Away - Morrison v. Burlington Industries . 4:107
Stanley Hammer and Kenneth L. Hardison

TORT LAW

A Call to Congress to Amend ERISA Preeemption of HMO Medical Malpractice Claims: The Dissatisfactory Distinction Between Quality and Quantity of Care. ................................................. 20:293
Angela M. Easley

Elizabeth H. McCullough

A New Twist to the Law of Defamation - Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc. ................................................. 8:527
Benita A. Lloyd

As if We Had Enough to Worry About ... Attorneys and the Federal Fair Debt Collection Practices Act: Supreme Court Rules on Former Attorney Exemption. ....... 18:165
David Hilton

Assault on the Common Law of Premises Liability: What Duty of Care Does an Owner or Occupier of Land Owe to a Police Officer Who Enters the Premises of Another By Authority of Law? Newton v. New Hanover County Board of Education ....................................... 19:579
Linda Sayed

Automobile Insurance Policies Build "Write-Away" Around Frolic and Detour, A Persistent Problem on the Highway of Torts .................... 19:85
William A. Wines

Breach of Confidence - The Need for a New Tort - Watts v. Cumberland County Hospital System .................................. 8:145
Kathryn B. Remick

Civil Liability in the Use of Deadly Force in North Carolina .......... 4:391
Arvil Lee Collins

Common Sense and Nonsense Stand Face-to-Face in the Fourth Circuit - Hassinger v. Tideland Electric Membership Corp. ................... 9:175
Paul A. Newton
INDEX BY CATEGORY

Jeffrey O'Connell, Stephen Carroll, Michael Horowitz, Allan Abrahamse, and Bradley Miliauskas

Contributory Negligence, Comparative Negligence, and Stare Decisis in North Carolina .................................................. 18:1
Steven Gardner

William B. L. Little

Discovery of Medical Records in a Corporate Negligence Action - Shelton v. Morehead Memorial Hospital ........................................ 10:193
G. Bruce Park

Economic Valuation for Wrongful Death ........................................ 6:47
Joseph E. Johnson and George B. Flanigan

Examining DiDonato's Damage Limitations and Mandatory Joinder Requirements - Greer v. Parsons ........................................ 15:97
John M. McCabe

Fraudulent, Negligent, and Innocent Misrepresentation in the Employment Context: The Deceitful, Careless, and Thoughtless Employer . 20:1
Frank J. Cavico

Guarding the Guardians: Expanding Auditor Negligence Liability to Third-Party Users of Financial Information ..................................... 11:123
James W. Zisa

Mary Margaret McEachern

Judicial Boilerplate Language as Torts Decisional Litany: Four Problem Areas in North Carolina ............................................... 18:359
Charles E. Daye

Liner v. Brown: Where Should We Go From Here - Two Different Approaches for North Carolina ........................................ 19:447
A. John Hoomani, Kimberly Woodell Sieredzki

Medicine Goes Madison Avenue: An Evaluation of the Effect of Direct-to-Consumer Pharmaceutical Advertising on the Learned Intermediary Doctrine ........................................ 20:113
Michael C. Allen

Merchant's Duty to Protect Invitees From Third-Party Criminal Acts - Foster v. Winston-Salem Joint Venture .................................. 4:411
John W. Watson, Jr.

Frank Swindell
Person or Thing-In Search of the Legal Status of a Fetus: A Survey of North Carolina Law ............................................. 17:169 Tony Hartsoe


Scarlet Letter Lawsuits: Private Affairs and Public Judgments ........ 10:1 Lynn Buzzard

Statutory Standard of Care for North Carolina Health Care Providers ... 1:111 John Marsh Tyson

The American Medical Association v. The American Tort System ........ 8:241 Jeff Essen and Lisa Aldred

The Battle at little Big Horn Has Moved to Raleigh - Is This Custer's Last Stand Against Tort Reform? ......................... 10:439 John P. Marshall

The Demise of the Foreign-Natural Test in North Carolina - Goodman v. Wenco Foods ................................................... 16:275 Leigh A. Aughenbaugh


The Doctrine of Wrongful Discharge in North Carolina: The Confusing Path From Sides to Guy and the Need for Reform ................. 10:217 J. Michael McGuinness

The Evolution and Status of the Contributory Negligence Defense to Medical Malpractice Actions in North Carolina - McGill v. French .. 16:103 Lucinda L. Fraley


The Franchising Dilemma Continues: Update on Franchisor Liability for Wrongful Acts by Local Franchisees ................................. 20:91 Randall K. Hanson


The Recognition of Social Host Liability in North Carolina - Hart v. Ivey ............................................................ 15:207 Donna L. Shumate

The Vicarious Liability of a Physician for the Negligence of Other Medical Professionals - North Carolina Charts A Middle Course - The Effect of Harris v. Miller ................................................ 17:375
  J. Scott Coalter

Time Passage and the Economics of Coming to the Nuisance: Reassessing the Coasean Perspective. .................................................. 20:273
  Roy E. Cordato

To Be Or Not To Be: The Wrongful Life Cause of Action - Turpin v. Sortini .......................................................... 5:435
  Mary Beth Forsyth

  Donna L. Shumate

What the Supreme Court Giveth, the Supreme Court Taketh Away - Gardner v. Gardner ........................................................ 16:481
  Alice McNeer

TRADE REGULATION

A New Test for Trademark Dilution-Why North Carolina Should Adopt Section 12 of the Model State Trademark Bill........................................... 5:163
  Phillip Summa

Section 337 Jurisdiction and the Forgotten Remedy .................... 9:45
  Janet D. Saxon and Paul A. Newhouse

The Trouble With Trebles: What Violates G.S. §75-1.1? ................. 5:119
  Edward M. McClure, Jr.

  Cindy C. Heenan

TRANSPORTATION

Unleashing the Greyhounds - The Bus Regulatory Reform Act of 1982... 6:75
  William E. Thoms

TRIAL PRACTICE

Admissibility of Expert Opinion - State v. Wade .......................... 2:137
  James A. Haney

Another Step Towards Ending Discrimination in the Jury Selection Process - Powers v. Ohio..................................................... 14:369
  L. Phillip Hornthal, III

  The Honorable David B. Sentelle

Commentary From the Bench: "Rummaging Through A Wilderness of Verbage" - The Charge Conference, Jury Argument and Instructions ..................................................... 8:269
  Honorable Thomas S. Watts
Commentary From the Bench: Objections - Howls of a Dog-Pound Quarrel .......................................................... 4:339
Honorable E. Maurice Braswell

Commentary From the Bench: When Should a Trial Judge Intervene to Question a Witness? .......................... 3:69
Honorable Hamilton H. Hobgood

Confrontation and Hearsay: New Wine in an Old Bottle ............... 16:1
The Honorable Anthony M. Brannon

Constitutional Admissibility of Hearsay under the Confrontation Clause: Reliability Requirement for Hearsay Admitted under a Non-“Firmly Rooted” Exception - Idaho v. Wright. .............................. 14:347
A. Perry Wadsworth, Jr.

Defendant's Due Process Right to a Psychiatric Expert - Ake v. Oklahoma ............................................................. 8:323
William D. Auman

Discovery of Medical Records in a Corporate Negligence Action - Shelton v. Morehead Memorial Hospital ........................................ 10:193
G. Bruce Park

John M. Nunnally

Economic Valuation for Wrongful Death ........................................ 6:47
Joseph E. Johnson and George B. Flanigan

Lawrence F. Mazer, Charles R. Manning, Richard T. Edwards, Michael A. Sutton

Paul E. Johnson, Michael G. Johnson, Raleigh K. Little

Fighting Fire With Fire: “Reverse Bad Faith” In First-Party Litigation Involving Arson and Insurance Fraud ..................... 19:43
Cathryn M. Little

Good Faith Mediation: Improving Efficiency, Cost, and Satisfaction in North Carolina’s Pre-Trial Process .............................. 18:281
Tony Biller

Its Days were Numbered: The Year and a Day Rule Falls in North Carolina - State v. Vance ............................. 14:235
Melanie Lewis Vtipil

Lawyers Take Heed! A De Novo Review of Rule 11 in North Carolina - Turner v. Duke Univ. ............................. 12:293
T. June Hobby

W. Anthony Purcell
| Motion for Change of Venue - In Search of a Guiding Light - State v. Jerett | 7:73 |
| Buxton Sawyer Copeland |
| North Carolina Adopts the Inevitable Discovery Exception to the Exclusionary Rule - State v. Garner | 15:305 |
| G. Chris Olson |
| North Carolina Allows Admission of the Unthinkable: Hearsay Exceptions and Statements Made by Sexually Abused Children - State v. Smith | 9:437 |
| Benita A. Lloyd |
| North Carolina and Declarations Against Penal Interest - State v. Haywood | 1:161 |
| Samuel W. Meekins |
| Walter L. Jones |
| Perfecting the Imperfect Right of Self-Defense - State v. Norris | 4:427 |
| Richard Charles Blanks |
| Polygraph Test Results No Longer Admissible in North Carolina - State v. Grier | 6:205 |
| William T. Sharpe |
| Kevin P. Roddy and William Woodward Webb |
| Presumed Guilty: The Use of Videotaped and Closed-Circuit Televised Testimony in Child Sex Abuse Prosecutions and the Defendant’s Right to Confrontation -Coy v. Iowa | 11:381 |
| Charles E. Wilson, Jr. |
| Primary Issues In Compensation Litigation | 17:443 |
| Commissioner J. Randolph Ward |
| Prior Crimes as Evidence in Present Criminal Trials | 1:1 |
| Charles W. Gamble |
| Prosecutorial Abuse of Peremptory Challenges in Death Penalty Litigation: Some Constitutional and Ethical Considerations | 8:71 |
| Stephen P. Lindsay |
| Removing the Third Option From the Jury - State v. Strickland | 7:89 |
| Lisa Boutelle Hardin |
| Shielding the Plaintiff and Physician: The Prohibition of Ex Parte Contacts with a Plaintiff’s Treating Physician | 13:233 |
| David L. Woodard |
| Some Practical Implications of Civil RICO Cases | 7:299 |
| William Woodward Webb and Kevin P. Roddy |
| Speedy Trial Clause Not Applicable to Time Between Dismissal of Military Charges and Subsequent Indictment on Civilian Charges - United States v. MacDonald | 5:213 |
| Frank Prior |
Submission to the Jury of Lesser Included Offenses - State v. Thompson ....................................................... 2:145
Tony Carlton Dalton

Successful Shadowboxing: The Art of Impeaching Hearsay Declarants . 13:157
The Honorable Anthony M. Brannon

The Admissibility of a Criminal Defendant's Hypnotically Refreshed Testimony - Rock v. Arkansas .............................. 10:311
Audrey Cooper

The Admissibility of Evidence Obtained Through Hypnosis - State v. Peoples ......................................................... 7:409
Sharon L. Hartman

The Admissibility of Prior Acquittal Evidence - Has North Carolina Adopted the “Minority View”? - The Effect of State v. Scott ....... 16:231
Matthew S. Sullivan

Kimberly S. Smith

The Role of Actual Confusion Evidence in Federal Trademark Infringement Litigation .................................................. 16:19
Michael J. Allen

The Substantial Right Doctrine and Interlocutory Appeals ....... 17:71
J. Brad Donovan

The Vicarious Liability of a Physician for the Negligence of Other Medical Professionals - North Carolina Charts A Middle Course - The Effect of Harris v. Miller .................................................. 17:375
J. Scott Coalter

The Video Deposition as a Civil Litigation Tool .......................... 13:375
Hugh B. Lewis

Brian E. Moore

Trial Tactics in a Complex Case ...................................... 2:93
Vincent Bugliosi

TRUST AND TRUSTEES

Julie Zydron Griggs

ERISA Spendthrift Rules - It Just Shouldn't Be This Hard ............. 11:29
Ronald I. Kirshbaum

Estate Planning Considerations for the North Carolina Principal and Income Act of 1973 .............................................. 8:173
James W. Narron

UNFAIR AND DECEPTIVE TRADE PRACTICES

Drafting, Interpreting, and Enforcing Commercial and Shopping Center Leases .................................................. 14:275
John M. Tyson
<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 337 Jurisdiction and the Forgotten Remedy</td>
<td>9:45</td>
</tr>
<tr>
<td>Janet D. Saxon and Paul A. Newhouse</td>
<td></td>
</tr>
<tr>
<td>The Learned Profession Exemption of the North Carolina Deceptive</td>
<td>15:223</td>
</tr>
<tr>
<td>Trade Practices Act: The Wrong Bright Line?</td>
<td></td>
</tr>
<tr>
<td>Debra D. Burke</td>
<td></td>
</tr>
<tr>
<td>The Trouble With Trebles: What Violates G.S. §75-1.1?</td>
<td>5:119</td>
</tr>
<tr>
<td>Edward M. McClure, Jr.</td>
<td></td>
</tr>
<tr>
<td>The Unfair Trade Practices Act and The Insurance Code: Does Per Se</td>
<td></td>
</tr>
<tr>
<td>Necessarily Preempt? - Pearce v. American Defender Life Insurance.</td>
<td>10:487</td>
</tr>
<tr>
<td>Co.</td>
<td></td>
</tr>
<tr>
<td>Cindy C. Heenan</td>
<td></td>
</tr>
<tr>
<td>Unfair and Deceptive Legislation: The Case for Finding North Carolina</td>
<td>8:421</td>
</tr>
<tr>
<td>General Statutes Section 75-1.1 Unconstitutionally Vague as Applied</td>
<td></td>
</tr>
<tr>
<td>to an Alleged Breach of a Commercial Contract</td>
<td></td>
</tr>
<tr>
<td>Thomas A. Farr</td>
<td></td>
</tr>
<tr>
<td>UNIFORM COMMERCIAL CODE</td>
<td></td>
</tr>
<tr>
<td>Commercial Code</td>
<td></td>
</tr>
<tr>
<td>Charles C. Lewis</td>
<td></td>
</tr>
<tr>
<td>Contract Warranties and Remedies: A Comprehensive Study of the</td>
<td></td>
</tr>
<tr>
<td>Creation, Modification and Exclusion of Contract Warranties and</td>
<td></td>
</tr>
<tr>
<td>Remedies for Attorneys and Other Contracting Professionals</td>
<td>14:323</td>
</tr>
<tr>
<td>Joseph J. Corey, Jr.</td>
<td></td>
</tr>
<tr>
<td>Damages and Problems of Proof with Planted Nonconforming Seeds</td>
<td>9:63</td>
</tr>
<tr>
<td>Kemp Burpeau</td>
<td></td>
</tr>
<tr>
<td>Entrustment Under U.C.C. Section 2-403 and Its Implications for Article</td>
<td>9:407</td>
</tr>
<tr>
<td>9</td>
<td></td>
</tr>
<tr>
<td>John E. Cargill</td>
<td></td>
</tr>
<tr>
<td>Farmers as Merchants in North Carolina - Currituck Grain, Inc. v.</td>
<td>1:141</td>
</tr>
<tr>
<td>Powell</td>
<td></td>
</tr>
<tr>
<td>Beverly Wheeler Massey</td>
<td></td>
</tr>
<tr>
<td>I. Boyce Covington</td>
<td></td>
</tr>
<tr>
<td>Return to the Conservative View of Security Agreements in Commercial</td>
<td>8:505</td>
</tr>
<tr>
<td>Transactions</td>
<td></td>
</tr>
<tr>
<td>Gregory D. Hutchins</td>
<td></td>
</tr>
<tr>
<td>The Omnibus Clause of U.C.C. Section 4-303(1)(d): A Holder's Sword or a</td>
<td>4:279</td>
</tr>
<tr>
<td>Payor's Shield?</td>
<td></td>
</tr>
<tr>
<td>Charles C. Lewis</td>
<td></td>
</tr>
<tr>
<td>UNIFORM LAWS</td>
<td></td>
</tr>
<tr>
<td>100 by 100</td>
<td>13:255</td>
</tr>
<tr>
<td>Nelson B. Crisp</td>
<td></td>
</tr>
<tr>
<td>Commercial Code</td>
<td></td>
</tr>
<tr>
<td>Charles C. Lewis</td>
<td></td>
</tr>
</tbody>
</table>
A Summary of the North Carolina Uniform Transfers to Minors Act and
Julie Zydron Griggs

How the Uniform Partnership Act Determines Ultimate Liability For a
Claim Against a General Partnership and Provides for the Settling
of Accounts Between Partners ........................................ 17:333
Russell C. Smith

North Carolina's Uniform Premarital Agreement Act: A Contract
Perspective .......................................................... 12:221
Richard A. Lord

Premarital Agreements .................................................. 13:343
Suzanne Reynolds

The Release Provision of the Uniform Contribution Among Tort-Feasors
Act Applies to Vicarious Liability in the Master-Servant Context -
Yates v. New South Pizza, Ltd. ...................................... 15:55
J. Elizabeth Spradlin

The Uniform Probate Code's “Augmented Estate” Concept: A Remedy for
the North Carolina Dissent Statute .................................. 12:425
Charles H. Munn, Jr.

Uniform Child Custody Jurisdiction Act in North Carolina ............. 4:371
Sharon K. Allen

Uniform Controlled Substances Act of 1990 .......................... 13:365
Richard L. Braun

VENUE
Motion for Change of Venue - In Search of a Guiding Light - State v.
Jerett .............................................................................. 7:73
Buxton Sawyer Copeland

VESSELS
Common Sense and Nonsense Stand Face-to-Face in the Fourth Circuit -
Hassinger v. Tideland Electric Membership Corp. ..................... 9:175
Paul A. Newton

The Fourth Circuit and the Fourth Amendment: Removing the High
From the Seas ............................................................. 3:1
Herman E. Gaskins, Jr.

Vessels in Inland Waters are Subject to Suspicionless Boarding - United
States v. Villamonte-Marquez ........................................... 6:183
Wallace R. Young, Jr.

VICARIOUS LIABILITY
Automobile Insurance Policies Build “Write-Away” Around Frolic and
Detour, A Persistent Problem on the Highway of Torts .............. 19:85
William A. Wines

Inherently Dangerous or Inherently Difficult? Interpretations and Criti-
cisms of Imposing Vicarious Liability on General Contractors for
Injuries Suffered as a Result of Work Performed by Independent
Contractors: Hooper v. Pizzagalli Construction Company ........... 17:483
Mary Margaret McEachern
J. Elizabeth Spradlin

The Vicarious Liability of a Physician for the Negligence of Other Medical Professionals - North Carolina Charts A Middle Course - The Effect of Harris v. Miller ........................................ 17:375
J. Scott Coalter

Vicarious Antitrust Liability in the Health Care Field ....................... 5:61
Dean M. Harris

VIETNAM
Conference Address: Myths and Realities in the Vietnam Debate .......... 9:473
Robert F. Turner

VOTING
Focus on Gerrymandering - Beyond Justiciability: Political Gerrymandering After Davis v. Bandemer ........................................ 9:207
Michael A. Hess

Racial Gerrymandering and the Voting Rights Act in North Carolina .. 9:255
Robert N. Hunter, Jr.

WAIVER
Statutory Waiver of Municipal Immunity Upon Purchase of Liability Insurance in North Carolina and the Municipal Liability Crisis .... 4:41
Patti Owen Harper

Waiver of Closing Date in Land Sales Contracts in North Carolina - Fletcher v. Jones ................................................. 8:547
Ricky L. Griffin

Waiver of Right to Counsel - State v. Butler .................................. 2:113
Patti Owen Harper

WAR
Conference Address: Myths and Realities in the Vietnam Debate .......... 9:473
Robert F. Turner

WARRANTIES
Contract Warranties and Remedies: A Comprehensive Study of the Creation, Modification and Exclusion of Contract Warranties and Remedies for Attorneys and Other Contracting Professionals .......... 14:323
Joseph J. Corey, Jr.

WASTE MANAGEMENT
Sarah Patterson Brison

WATER AND WATER COURSES
The Pearl in the Oyster: The Public Trust Doctrine in North Carolina .. 12:23
Valerie B. Spalding
WILDLIFE
A Slash-And-Burn Expedition through the Law of Environmental Standing - Lujan v. Defenders of Wildlife............................... 15:347
Donald Strong Higley, II
State's Interest in Wild Animals - Hughes v. Oklahoma .............  2:151
Susan Morrison Umstead

WILLS
Estate Planning Considerations for the North Carolina Principal and Income Act of 1973 ...........................................  8:173
James W. Narron
The North Carolina Dissent Statutes: The Seeds of Inequities Germinate...............................................................  8:449
Anne Mayo Evans
Charles H. Munn, Jr.

WORKERS COMPENSATION
A Departure From Precedent or Past Error Corrected? - Rutledge v. Tultex Corp./Kings Yarn ..............................................  7:99
Sharon L. Hartman
A New Bright Line Rule for General Construction Contractors - Brady v. Fulghum .........................................................  7:199
Kimberly Ann Kelly
A New Exception to the Exclusivity Provision of the North Carolina Workers' Compensation Act - Woodson v. Rowland ............ 14:261
Debbie Collins
Death Knell of a Good Samaritan! - Culpepper v. Fairfield Sapphire Valley................................................................. 12:121
Kathleen G. Sumner
Mediation of Industrial Commission Cases................................ 17:395
Lex K. Larson
Primary Issues In Compensation Litigation ................................ 17:443
Commissioner J. Randolph Ward
John C. Fox
The Fairness Requirement for a Workers' Compensation Agreement - The Effect of Vernon v. Steven L. Mabe Builders ......... 17:521
Isabel E. Loytty
The Reality of Work-Related Stress: An Analysis of How Mental Disability Claims Should be Handled Under the North Carolina Worker's Compensation Act. ............................... 20:321
Amy Berry
The Substantial Certainty Exception To Workers' Compensation ...... 17:413
Michael Doran
You Take (45% of) My Breath Away - Morrison v. Burlington Industries. 4:107
Stanley Hammer and Kenneth L. Hardison
WRONGFUL DEATH

Economic Valuation for Wrongful Death ................................................. 6:47

Joseph E. Johnson and George B. Flanigan

Examining DiDonato's Damage Limitations and Mandatory Joinder
Requirements - Greer v. Parsons ....................................................... 15:97

John M. McCabe

Person or Thing-In Search of the Legal Status of a Fetus: A Survey of North Carolina Law ......................................................... 17:169

Tony Hartsoe


Bruce Batchelor

Wrong Without a Remedy - North Carolina and the Wrongful Death of a Stillborn ................................................................. 9:93

Susan D. Crooks

WRONGFUL DISCHARGE

Breach of Confidence - The Need for a New Tort - Watts v. Cumberland County Hospital System .............................................................. 8:145

Kathryn B. Remick

The Doctrine of Wrongful Discharge in North Carolina: The Confusing Path From Sides to Guy and the Need for Reform ................... 10:217

J. Michael McGuinness

Will the Public Policy Exception to the Employment-At-Will Doctrine Ever be Clear? - Amos v. Oakdale Knitting Co ........................................ 14:123

Victoria W. Shelton

WRONGFUL LIFE

Person or Thing-In Search of the Legal Status of a Fetus: A Survey of North Carolina Law ................................................................. 17:169

Tony Hartsoe

To Be Or Not To Be: The Wrongful Life Cause of Action - Turpin v. Sortini ..................................................................................... 5:435

Mary Beth Forsyth

ZONING

A Practical Interpretation of North Carolina's Comprehensive Plan Requirement ................................................................. 7:1

Kenneth G. Stilliman


Albert M. Benshoff

Published by Scholarly Repository @ Campbell University School of Law, 1998