

## SUBJECT INDEX

### ACCRETION

- Marshland Title Dilemma: A
  - Tidal Phenomenon . . . . . 3:323-48
  - A Problem of Proof . . . . . 3:327-30
  - A Quasi-Judicial Solution . . . . . 3:331-35
  - A Title State of Chaos . . . . . 3:323-27
  - Valuation and Factor-Percentage System . . . . . 3:335-47

### ACTIONS AND DEFENSES

- Duty to Retreat—Retreat from the Porch of One's Own Home Not Required . . . . . 3:532-42
- State Attorney General's Class Action: Exorbitant Price to Unconscionability to Fraud . . . . . 3:470-81

### ADJOINING LANDOWNERS

- Marshland Title Dilemma: A
  - Tidal Phenomenon . . . . . 3:323-48
  - A Problem of Proof . . . . . 3:327-30
  - A Quasi-Judicial Solution . . . . . 3:331-35
  - A Title State of Chaos . . . . . 3:323-27
  - Valuation and Factor-Percentage System . . . . . 3:335-47

### ADMINISTRATION OF JUSTICE

- Indigent Petty Offenders Accorded Right to Appointed Counsel . . . . . 3:214-32
- Right to Counsel in New Jersey . . . . . 3:224-32
- Practical Prophylaxis and Appellate Methodology: The Exclusionary Rule as a Case Study in the Decisional Process . . . . . 3:295-322
- A Case Study in Judicial Methodology . . . . . 3:299-306
- Defining the Universe . . . . . 3:306-07
- Testing Effectiveness . . . . . 3:307-21

### ADMINISTRATIVE AGENCIES

- Homosexuals in Government Employment: *The Boys in the Bureau* . . . . . 3:89-107
- The Agency Arguments: Supposition v. "Rational

Nexus" . . . . . 3:97-100

- Grimm, Gayer, and Ulrich: A Frontal Assault* . . . . . 3:100-05
- McConnell: A Giant Step Backward* . . . . . 3:105-06
- Recent Cases . . . . . 3:91-96

### ADMINISTRATIVE LAW

- Due Process—Rights of Confrontation and Cross-Examination Accorded to Students at Expulsion Hearings . . . . . 3:523-31
- School District Lines No Barrier to Commissioner When Seeking to Eliminate Racial Imbalance . . . . . 3:259-68

### ADMISSIBILITY OF EVIDENCE

- Interrogation—*Parens Patriae v. Miranda: Conflicting Interests* . . . . . 3:482-91
- Practical Prophylaxis and Appellate Methodology: The Exclusionary Rule as a Case Study in the Decisional Process . . . . . 3:295-322
- A Case Study in Judicial Methodology . . . . . 3:299-306
- Defining the Universe . . . . . 3:306-07
- Testing Effectiveness . . . . . 3:307-21
- The Right To Privacy—Minimization of Nonpertinent Communications Required by New Jersey Statute . . . . . 3:543-56

### ADOPTION

- Psychological v. Biological Parenthood in Determining the Best Interests of the Child . . . . . 3:130-42

### ALCOHOLIC BEVERAGES

- Increasing the Liability of New Jersey Taverns: Where to Draw the Line? . . . . . 3:233-46

### APTITUDE TESTS

- Restricting the Use of General Aptitude Tests as Employment Criteria . . . . . 3:143-58

**SUBJECT INDEX**

ix

**ATTORNEYS-GENERAL**

State Attorney General's Class  
Action: Exorbitant Price  
to Unconscionability to  
Fraud ..... 3:470-81

**AUTOMOBILE INSURANCE**

No-Fault Automobile Insur-  
ance in New Jersey: Con-  
stitutional Problems ..... 3:386-415  
—Constitutional Caveats 3:392-404  
—Existing Problems: Is  
No-Fault the Answer? 3:404-15  
—A Scheme for New Jer-  
sey ..... 3:389-92  
Protection Against Uninsured  
Motorists in New Jersey 3:19-60  
—Arbitration Under the  
Endorsement ..... 3:30-36  
—The Basic Coverage  
Concept of the Endorse-  
ment ..... 3:29-30  
—Cooperation of the  
Claimant ..... 3:44-45  
—Hit-and-Run Cases .... 3:50-52  
—Obtaining Judicial De-  
termination of Coverage  
Issues ..... 3:36-40  
—Offsets Against Pay-  
ments Under the En-  
dorsement ..... 3:45-48  
—The Possibility of Cover-  
age Under More Than  
One Endorsement ..... 3:48-50  
—Territorial Limitations  
of the Endorsement ... 3:40-41  
—Time Limitations of the  
Endorsement ..... 3:41-44

**AUTOMOBILES**

See MOTOR VEHICLES

**BIRTH CONTROL**

Damages—Birth of Healthy  
but Unplanned Child Due  
to Pharmacist's Negligence  
Held a Compensable In-  
jury ..... 3:492-504

**BOUNDARIES**

Marshland Title Dilemma: A  
Tidal Phenomenon ..... 3:323-48  
—A Problem of Proof ... 3:327-30

—A Quasi-Judicial Solu-  
tion ..... 3:331-35  
—A Title State of Chaos 3:323-27  
—Valuation and Factor-  
Percentage System ..... 3:335-47

**BRIBERY**

Prosecutions of Local Political  
Corruption Under the  
Hobbs Act: The Unneces-  
sary Distinction Between  
Bribery and Extortion .. 3:1-17

**CHILDREN**

See INFANTS

**CHURCH AND STATE**

See FREEDOM OF RELIGION

**CIVIL PROCEDURE**

Six-Member Juries in Civil Ac-  
tions in the Federal Ju-  
dicial System ..... 3:281-94

**CIVIL RIGHTS**

Arkansas State Penitentiary  
Transgresses Constitution-  
al Proscription Against  
Cruel and Unusual Pun-  
ishment ..... 3:159-67  
Restricting the Use of General  
Aptitude Tests as Employ-  
ment Criteria ..... 3:143-58  
School District Lines No Bar-  
rier to Commissioner  
When Seeking to Elim-  
inate Racial Imbalance .. 3:259-68  
Sexual Mythology and Em-  
ployment Discrimination 3:108-29  
—Sex Discrimination and  
the Constitution ..... 3:111-19  
—Sex Discrimination: The  
Congressional Response 3:119-26  
—Sexual Equality: Solving  
the Dilemma ..... 3:126-29  
State Action No Longer a  
Requisite Under 42 U.S.C.  
§ 1985(3) ..... 3:168-77

**CLASS ACTIONS**

State Attorney General's Class  
Action: Exorbitant Price  
to Unconscionability to  
Fraud ..... 3:470-81

## COLLEGES AND UNIVERSITIES

Parochial School Aid—From <i>Allen to Lemon to Tilton</i> —Out at Second, Safe at First .....	3:61-86
—The Key Elements ....	3:61-63
— <i>Lemon</i> —Entanglement is the Key .....	3:72-76
—The Lessons of <i>Lemon</i> and <i>Tilton</i> .....	3:79-83
—Past Law Relating to the Establishment Ques- tion .....	3:63-72
— <i>Tilton</i> —A Matter of De- gree .....	3:76-79
—A Word About New Jersey .....	3:83-86

## COMMERCE CLAUSE

State Action No Longer a Requisite Under 42 U.S.C. § 1985(3) .....	3:168-77
--	----------

## CONFESSIONS

Interrogation— <i>Parens Patriae</i> <i>v. Miranda</i> : Conflicting Interests .....	3:482-91
--	----------

## CONSTITUTIONAL LAW

Arkansas State Penitentiary Transgresses Constitutional Proscription Against Cruel and Unusual Punishment	3:159-67
Compulsory Education in the United States: <i>Big Brother</i> <i>Goes to School</i> .....	3:349-85
—Constitutional Consid- erations .....	3:351-53
—Curriculum Choice and Parental Rights .....	3:370-72
—The Equivalency Rule in Compulsory Educa- tion Conflicts .....	3:364-70
—Health Regulations ....	3:372-75
—Origins of Parent-State Conflicts .....	3:353-57
—Prosecution of Compul- sory Education Offenses	3:375-80
—The Secular Regulation Rule .....	3:358-63
Due Process—Rights of Con- frontation and Cross-Ex- amination Accorded to	

Students at Expulsion Hearings .....	3:523-31
The Fifth Amendment's Proxy —Transactional or Use Immunity? .....	3:199-213
Freedom of Religion—Judi- cially Mandated Blood Transfusion for Adult Je- hovah's Witness .....	3:444-56
Income Tax—Self-Reporting Confronts Self-Incrimina- tion: The Fifth Amend- ment in Retreat! .....	3:457-69
Indigent Petty Offenders Ac- cording Right to Ap- pointed Counsel .....	3:214-32
—Right to Counsel in New Jersey .....	3:224-32
Interrogation— <i>Parens Patriae</i> <i>v. Miranda</i> : Conflicting Interests .....	3:482-91
No-Fault Automobile Insur- ance in New Jersey: Con- stitutional Problems ....	3:386-415
—Constitutional Caveats	3:392-404
—Existing Problems: Is No-Fault the Answer?	3:404-15
—A Scheme for New Jer- sey .....	3:389-92
Parochial School Aid—From <i>Allen to Lemon to Tilton</i> —Out at Second, Safe at First .....	3:61-86
—The Key Elements ....	3:61-63
— <i>Lemon</i> —Entanglement is the Key .....	3:72-76
—The Lessons of <i>Lemon</i> and <i>Tilton</i> .....	3:79-83
—Past Law Relating to the Establishment Ques- tion .....	3:63-72
— <i>Tilton</i> —A Matter of Degree .....	3:76-79
—A Word About New Jersey .....	3:83-86
Practical Prophylaxis and Ap- pellate Methodology: The Exclusionary Rule as a Case Study in the Deci- sional Process .....	3:295-322
—A Case Study in Judi- cial Methodology .....	3:299-306
—Defining the Universe	3:306-07
—Testing Effectiveness ..	3:307-21

**SUBJECT INDEX**

Sexual Mythology and Employment Discrimination	3:108-29	Hobbs Act: The Unnecessary Distinction Between Bribery and Extortion ...	3:1-17
—Sex Discrimination and the Constitution .....	3:111-19		
—Sex Discrimination: The Congressional Response	3:119-26	<b>COURTS</b>	
—Sexual Equality: Solving the Dilemma .....	3:126-29	Six-member Juries in Civil Actions in the Federal Judicial System .....	3:281-94
Six-Member Juries in Civil Actions in the Federal Judicial System .....	3:281-94		
State Action No Longer a Requirement Under 42 U.S.C. § 1985(3) .....	3:168-77	<b>CRIME</b>	
Supreme Court Declares New Standard of Proof for Groups Alleging Submergence in a Multi-Member Election District .....	3:178-98	Prosecutions of Local Political Corruption Under the Hobbs Act: The Unnecessary Distinction Between Bribery and Extortion ...	3:1-17
—The Effect of <i>Whitcomb v. Chavis</i> .....	3:196-97		
—Mixed Systems—Equal Protection .....	3:186-96	<b>CRIMINAL INVESTIGATION</b>	
—Submergence — Equal Protection .....	3:182-86	The Right to Privacy—Minimization of Nonpertinent Communications Required by New Jersey Statute ...	3:543-56
<b>CONSUMER PROTECTION</b>		<b>CRIMINAL LAW AND PROCEDURE</b>	
State Attorney General's Class Action: Exorbitant Price to Unconscionability to Fraud	3:470-81	Duty to Retreat—Retreat from the Porch of One's Own Home Not Required .....	3:532-42
		Income Tax—Self-Reporting Confronts Self-Incrimination: The Fifth Amendment in Retreat! .....	3:457-69
<b>CONTEMPT</b>		Indigent Petty Offenders Accorded Right to Appointed Counsel .....	3:214-32
The Fifth Amendment's Proxy —Transactional or Use Immunity? .....	3:199-213	—Right to Counsel in New Jersey .....	3:224-32
		Interrogation— <i>Parens Patriae v. Miranda</i> : Conflicting Interests .....	3:482-91
<b>CONTRACTS: CONSIDERATION</b>		Practical Prophylaxis and Appellate Methodology: The Exclusionary Rule as a Case Study in the Decisional Process .....	3:295-322
State Attorney General's Class Action: Exorbitant Price to Unconscionability to Fraud .....	3:470-81	—A Case Study in Judicial Methodology .....	3:299-306
		—Defining the Universe ..	3:306-07
<b>CONTRIBUTORY NEGLIGENCE</b>		—Testing Effectiveness ...	3:307-21
Increasing the Liability of New Jersey Taverns: Where to Draw the Line? .....	3:233-46	Prosecutions of Local Political Corruption Under the Hobbs Act: The Unnecessary Distinction Between Bribery and Extortion ...	3:1-17
		The Right to Privacy—Minimization of Nonpertinent	
<b>CONVICTS</b>			
See PENOLOGY; PRISONS AND PRISONERS			
<b>CORRUPT PRACTICES</b>			
Prosecutions of Local Political Corruption Under the			

Communications Required by New Jersey Statute . . . .	3:543-56	Students at Expulsion Hearings . . . . .	3:523-31
<b>CROSS-EXAMINATION</b>		Homosexuals in Government Employment: <i>The Boys in the Bureau</i> . . . . .	3:89-107
Due Process—Rights of Con- frontation and Cross-Ex- amination Accorded to Students at Expulsion Hearings . . . . .	3:523-31	—The Agency Arguments: Supposition v. "Rational Nexus" . . . . .	3:97-100
<b>DAMAGES</b>		— <i>Grimm, Gayer and Ul- rich: A Frontal Assault</i> . . . . .	3:100-05
Damages—Birth of Healthy but Unplanned Child Due to Pharmacist's Negligence Held a Compensable In- jury . . . . .	3:492-504	— <i>McConnell: A Giant Step Backward</i> . . . . .	3:105-06
State Attorney General's Class Action: Exorbitant Price to Unconscionability to Fraud . . . . .	3:470-81	—Recent Cases . . . . .	3:91-96
<b>DEATH</b>		Interrogation— <i>Parens Patriae v. Miranda: Conflicting In- terests</i> . . . . .	3:482-91
See WRONGFUL DEATH		No-Fault Automobile Insurance in New Jersey: Constitu- tional Problems . . . . .	3:386-415
<b>DEFENSES</b>		—Constitutional Caveats . . . . .	3:392-404
See ACTIONS AND DEFENSES		—Existing Problems: Is No-Fault the Answer? . . . . .	3:404-15
<b>DISCRIMINATION</b>		—A Scheme for New Jersey . . . . .	3:389-92
Restricting the Use of General Aptitude Tests as Employ- ment Criteria . . . . .	3:143-58	Six-Member Juries in Civil Ac- tions in the Federal Judi- cial System . . . . .	3:281-94
School District Lines No Bar- rier to Commissioner When Seeking to Eliminate Racial Imbalance . . . . .	3:259-68	<b>EAVESDROPPING</b>	
Sexual Mythology and Employ- ment Discrimination . . . . .	3:108-29	The Right to Privacy—Mini- mization of Nonpertinent Communications Required by New Jersey Statute . . . .	3:543-56
—Sex Discrimination and the Constitution . . . . .	3:111-19	<b>EDUCATION</b>	
—Sex Discrimination: The Congressional Response . . . . .	3:119-26	Compulsory Education in the United States: <i>Big Brother Goes to School</i> . . . . .	3:349-85
—Sexual Equality: Solving the Dilemma . . . . .	3:126-29	—Constitutional Consider- ations . . . . .	3:351-53
<b>DOCTORS</b>		—Curriculum Choice and Parental Rights . . . . .	3:370-72
See PHYSICIANS AND SURGEONS		—The Equivalency Rule in Compulsory Educa- tion Conflicts . . . . .	3:364-70
<b>DRUGGISTS</b>		—Health Regulations . . . . .	3:372-75
See PHARMACISTS		—Origins of Parent-State Conflicts . . . . .	3:353-57
<b>DUE PROCESS OF LAW</b>		—Prosecution of Compul- sory Education Offenses . . . . .	3:375-80
Due Process—Rights of Con- frontation and Cross-Ex- amination Accorded to		—The Secular Regulation Rule . . . . .	3:358-63
		Due Process—Rights of Con- frontation and Cross-Ex- amination Accorded to	

- Students at Expulsion Hearings ..... 3:523-31
- School District Lines No Barrier to Commissioner When Seeking to Eliminate Racial Imbalance ... 3:259-68
- EIGHTH AMENDMENT**
- Arkansas State Penitentiary Transgresses Constitutional Proscription Against Cruel and Unusual Punishment ..... 3:159-67
- ELECTIONS**
- Supreme Court Declares New Standard of Proof for Groups Alleging Submergence in a Multi-Member Election District ..... 3:178-98
  - The Effect of Whitcomb v. Chavis ..... 3:196-97
  - Mixed Systems—Equal Protection ..... 3:186-96
  - Submergence — Equal Protection ..... 3:182-86
- EMPLOYER AND EMPLOYEE**
- Homosexuals in Government Employment: *The Boys in the Bureau* ..... 3:89-107
  - The Agency Arguments: Supposition v. "Rational Nexus" ..... 3:97-100
  - Grimm, Gayer and Ulrich: A Frontal Assault ..... 3:100-05
  - McConnell: A Giant Step Backward ..... 3:105-06
  - Recent Cases ..... 3:91-96
- Restricting the Use of General Aptitude Tests as Employment Criteria ..... 3:143-58
- Sexual Mythology and Employment Discrimination ..... 3:108-29
  - Sex Discrimination and the Constitution ..... 3:111-19
  - Sex Discrimination: The Congressional Response ..... 3:119-26
  - Sexual Equality: Solving the Dilemma ..... 3:126-29
- EQUAL PROTECTION**
- Interrogation—*Parens Patriae* v. *Miranda*: Conflicting Interests ..... 3:482-91
- No-Fault Automobile Insurance in New Jersey: Constitutional Problems ..... 3:386-415
  - Constitutional Caveats ..... 3:392-404
  - Existing Problems: Is No-Fault the Answer? ..... 3:404-15
  - A Scheme for New Jersey ..... 3:389-92
- Sexual Mythology and Employment Discrimination ..... 3:108-29
  - Sex Discrimination and the Constitution ..... 3:111-19
  - Sex Discrimination: The Congressional Response ..... 3:119-26
  - Sexual Equality: Solving the Dilemma ..... 3:126-29
- State Action No Longer a Requisite Under 42 U.S.C. § 1985(3) ..... 3:168-77
- Supreme Court Declares New Standard of Proof for Groups Alleging Submergence in a Multi-Member Election District ..... 3:178-98
  - The Effect of Whitcomb v. Chavis ..... 3:196-97
  - Mixed Systems—Equal Protection ..... 3:186-96
  - Submergence — Equal Protection ..... 3:182-86
- EQUITABLE REMEDIES**
- State Attorney General's Class Action: Exorbitant Price to Unconscionability to Fraud ..... 3:470-81
- EVIDENCE**
- Homosexuals in Government Employment: *The Boys in the Bureau* ..... 3:89-107
  - The Agency Arguments: Supposition v. "Rational Nexus" ..... 3:97-100
  - Grimm, Gayer and Ulrich: A Frontal Assault ..... 3:100-05
  - McConnell: A Giant Step Backward ..... 3:105-06
  - Recent Cases ..... 3:91-96
- Practical Prophylaxis and Appellate Methodology: The

Exclusionary Rule as a Case Study in the Decisional Process .....	3:295-322	Income Tax—Self-Reporting Confronts Self-Incrimination: The Fifth Amendment in Retreat! .....	3:457-69
—A Case Study in Judicial Methodology .....	3:299-306	Interrogation— <i>Parens Patriae</i> v. <i>Miranda</i> : Conflicting Interests .....	3:482-91
—Defining the Universe	3:306-07	Practical Prophylaxis and Appellate Methodology: The Exclusionary Rule as a Case Study in the Decisional Process .....	3:295-322
—Testing Effectiveness ..	3:307-21	—A Case Study in Judicial Methodology .....	3:299-306
The Right to Privacy—Minimization of Nonpertinent Communications Required by New Jersey Statute ...	3:543-56	—Defining the Universe	3:306-07
		—Testing Effectiveness ..	3:307-21
<b>EXTORTION</b>		<b>FIRST AMENDMENT</b>	
Prosecutions of Local Political Corruption Under the Hobbs Act: The Unnecessary Distinction Between Bribery and Extortion ..	3:1-17	Freedom of Religion—Judicially Mandated Blood Transfusion for Adult Jehovah's Witness .....	3:444-56
<b>FAIR EMPLOYMENT PRACTICES</b>		Parochial School Aid—From <i>Allen</i> to <i>Lemon</i> to <i>Tilton</i> —Out at Second, Safe at First .....	3:61-86
See DISCRIMINATION		—The Key Elements ....	3:61-63
<b>FEDERAL AID</b>		— <i>Lemon</i> — Entanglement is the Key .....	3:72-76
Parochial School Aid—From <i>Allen</i> to <i>Lemon</i> to <i>Tilton</i> —Out at Second, Safe at First .....	3:61-86	—The Lessons of <i>Lemon</i> and <i>Tilton</i> .....	3:79-83
—The Key Elements ....	3:61-63	—Past Law Relating to the Establishment Question .....	3:63-72
— <i>Lemon</i> — Entanglement is the Key .....	3:72-76	— <i>Tilton</i> —A Matter of Degree .....	3:76-79
—The Lessons of <i>Lemon</i> and <i>Tilton</i> .....	3:79-83	—A Word About New Jersey .....	3:83-86
—Past Law Relating to the Establishment Question .....	3:63-72	<b>FORENSIC MEDICINE</b>	
— <i>Tilton</i> —A Matter of Degree .....	3:76-79	See MEDICAL JURISPRUDENCE	
—A Word About New Jersey .....	3:83-86	<b>FOURTH AMENDMENT</b>	
<b>FEDERAL COURTS</b>		Practical Prophylaxis and Appellate Methodology: The Exclusionary Rule as a Case Study in the Decisional Process .....	3:295-322
Six-Member Juries in Civil Actions in the Federal Judicial System .....	3:281-94	—A Case Study in Judicial Methodology ....	3:299-306
<b>FIFTH AMENDMENT</b>		—Defining the Universe	3:306-07
Due Process—Rights of Confrontation and Cross-Examination Accorded to Students at Expulsion Hearings .....	3:523-31	—Testing Effectiveness ..	3:307-21
The Fifth Amendment's Proxy—Transactional or Use Immunity? .....	3:199-213	<b>FRAUD</b>	
		State Attorney General's Class	

## SUBJECT INDEX

xv

- Action: Exorbitant Price to Unconscionability to Fraud ..... 3:470-81
- FREEDOM OF RELIGION**
- Compulsory Education in the United States: *Big Brother Goes to School* ..... 3:349-85
- Constitutional Considerations ..... 3:351-53
- Curriculum Choice and Parental Rights ..... 3:370-72
- The Equivalency Rule in Compulsory Education Conflicts ..... 3:364-70
- Health Regulations ... 3:372-75
- Origins of Parent-State Conflicts ..... 3:353-57
- Prosecution of Compulsory Education Offenses 3:375-80
- The Secular Regulation Rule ..... 3:358-63
- Freedom of Religion—Judicially Mandated Blood Transfusion for Adult Jehovah's Witness ..... 3:444-56
- Parochial School Aid—From *Allen to Lemon to Tilton*
- Out at Second, Safe at First ..... 3:61-86
- The Key Elements ... 3:61-63
- Lemon* — Entanglement is the Key ..... 3:72-76
- The Lessons of *Lemon* and *Tilton* ..... 3:79-83
- Past Law Relating to the Establishment Question ..... 3:63-72
- Tilton*—A Matter of Degree ..... 3:76-79
- A Word About New Jersey ..... 3:83-86
- GOVERNMENT CONTRACTS**
- Prosecutions of Local Political Corruption Under the Hobbs Act: The Unnecessary Distinction Between Bribery and Extortion ... 3:1-17
- GOVERNMENT EMPLOYEES**
- See PUBLIC OFFICIALS
- GOVERNMENT IMMUNITY**
- See SOVEREIGN IMMUNITY
- GUARDIAN AND WARD**
- Psychological v. Biological Parenthood in Determining the Best Interests of the Child ..... 3:130-42
- HOSPITALS**
- Freedom of Religion—Judicially Mandated Blood Transfusion for Adult Jehovah's Witness ..... 3:444-56
- IMMUNITY**
- See SOVEREIGN IMMUNITY; PRIVILEGES
- INCOME TAX: EVASION AND AVOIDANCE**
- Income Tax—Self-Reporting Confronts Self-Incrimination: The Fifth Amendment in Retreat! ..... 3:457-69
- INDIGENTS**
- Indigent Petty Offenders Accorded Right to Appointed Counsel ..... 3:214-32
- Right to Counsel in New Jersey ..... 3:224-32
- INFANTS**
- Damages—Birth of Healthy but Unplanned Child Due to Pharmacist's Negligence Held a Compensable Injury ..... 3:492-504
- Interrogation—*Parens Patriae* v. *Miranda*: Conflicting Interests ..... 3:482-91
- Psychological v. Biological Parenthood in Determining the Best Interests of the Child ..... 3:130-42
- INSURANCE**
- No-Fault Automobile Insurance in New Jersey: Constitutional Problems ..... 3:386-415
- Constitutional Caveats 3:392-404
- Existing Problems: Is No-Fault the Answer? 3:404-15
- A Scheme for New Jersey ..... 3:389-92

Protection Against Uninsured Motorists in New Jersey	3:19-60	Aptitude Tests as Employment Criteria	3:143-58
—Arbitration Under the Endorsement	3:30-36	<b>LAND TITLES</b>	
—The Basic Coverage Concept of the Endorsement	3:29-30	See TITLE TO LAND	
—Cooperation of the Claimant	3:44-45	<b>LEGISLATION</b>	
—Hit-and-Run Cases	3:50-52	No-Fault Automobile Insurance in New Jersey: Constitutional Problems	3:386-415
—Obtaining Judicial Determination of Coverage Issues	3:36-40	—Constitutional Caveats	3:392-404
—Offsets Against Payments Under the Endorsement	3:45-48	—Existing Problems: Is No-Fault the Answer?	3:404-15
—The Possibility of Coverage Under More Than One Endorsement	3:48-50	—A Scheme for New Jersey	3:389-92
—Territorial Limitations of the Endorsement	3:40-41	<b>LEGISLATIVE BODIES</b>	
—Time Limitations of the Endorsement	3:41-44	Supreme Court Declares New Standard of Proof for Groups Alleging Submergence in a Multi-Member Election District	3:178-98
<b>INTERROGATION</b>		—The Effect of <i>Whitcomb v. Chavis</i>	3:196-97
Interrogation— <i>Parens Patriae v. Miranda</i> : Conflicting Interests	3:482-91	—Mixed Systems—Equal Protection	3:186-96
<b>INTOXICATING LIQUORS</b>		—Submergence — Equal Protection	3:182-86
See ALCOHOLIC BEVERAGES		<b>LIABILITY INSURANCE</b>	
<b>JURIES</b>		No-Fault Automobile Insurance in New Jersey: Constitutional Problems	3:386-415
Six-Member Juries in Civil Actions in the Federal Judicial System	3:281-94	—Constitutional Caveats	3:392-404
<b>JURISPRUDENCE</b>		—Existing Problems: Is No-Fault the Answer?	3:404-15
Practical Prophylaxis and Appellate Methodology: The Exclusionary Rule as a Case Study in the Decisional Process	3:295-322	—A Scheme for New Jersey	3:389-92
—A Case Study in Judicial Methodology	3:299-306	Protection Against Uninsured Motorists in New Jersey	3:19-60
—Defining the Universe	3:306-07	—Arbitration Under the Endorsement	3:30-36
—Testing Effectiveness	3:307-21	—The Basic Coverage Concept of the Endorsement	3:29-30
<b>JUVENILE DELINQUENCY</b>		—Cooperation of the Claimant	3:44-45
Interrogation— <i>Parens Patriae v. Miranda</i> : Conflicting Interests	3:482-91	—Hit-and-Run Cases	3:50-52
<b>LABOR LAW</b>		—Obtaining Judicial Determination of Coverage Issues	3:36-40
Restricting the Use of General		—Offsets Against Payments Under the Endorsement	3:45-48

- The Possibility of Coverage Under More Than One Endorsement . . . . . 3:48-50
- Territorial Limitations of the Endorsement . . . . . 3:40-41
- Time Limitations of the Endorsement . . . . . 3:41-44

**LOCAL GOVERNMENT**

See MUNICIPAL GOVERNMENTS

**LOYALTY AND LOYALTY OATHS**

- Homosexuals in Government Employment: *The Boys in the Bureau* . . . . . 3:89-107
- The Agency Arguments: *Supposition v. "Rational Nexus"* . . . . . 3:97-100
- Grimm, Gayer and Ulrich: A Frontal Assault* . . . . . 3:100-05
- McConnell: A Giant Step Backward* . . . . . 3:105-06
- Recent Cases . . . . . 3:91-96

**MALPRACTICE**

See PHYSICIANS AND SURGEONS

**MARSHLAND**

- Marshland Title Dilemma: A Tidal Phenomenon . . . . . 3:323-48
- A Problem of Proof . . . . . 3:327-30
- A Quasi-Judicial Solution . . . . . 3:331-35
- A Title State of Chaos . . . . . 3:323-27
- Valuation and Factor-Percentage System . . . . . 3:335-47

**MASTER AND SERVANT**

See EMPLOYER AND EMPLOYEE

**MEDICAL JURISPRUDENCE**

- Freedom of Religion—Judicially Mandated Blood Transfusion for Adult Jehovah's Witness . . . . . 3:444-56
- Medical Malpractice—Lack of Diligence in Diagnosis Resulting in Loss of Chance to Live Is Not a Compensable Injury . . . . . 3:505-22

**MINORS**

See INFANTS

**MOTOR VEHICLES**

- No-Fault Automobile Insurance in New Jersey: Constitutional Problems . . . . . 3:386-415
- Constitutional Caveats . . . . . 3:392-404
- Existing Problems: Is No-Fault the Answer? . . . . . 3:404-15
- A Scheme for New Jersey . . . . . 3:389-92
- Protection Against Uninsured Motorists in New Jersey . . . . . 3:19-60
- Arbitration Under the Endorsement . . . . . 3:30-36
- The Basic Coverage Concept of the Endorsement . . . . . 3:29-30
- Cooperation of the Claimant . . . . . 3:44-45
- Hit-and-Run Cases . . . . . 3:50-52
- Obtaining Judicial Determination of Coverage Issues . . . . . 3:36-40
- Offsets Against Payments Under the Endorsement . . . . . 3:45-48
- The Possibility of Coverage Under More Than One Endorsement . . . . . 3:48-50
- Territorial Limitations of the Endorsement . . . . . 3:40-41
- Time Limitations of the Endorsement . . . . . 3:41-44

**MUNICIPAL COURTS**

- Indigent Petty Offenders Accorded Right to Appointed Counsel . . . . . 3:214-32
- Right to Counsel in New Jersey . . . . . 3:224-32

**MUNICIPAL GOVERNMENTS**

- A Survey of Municipal Immunity in New Jersey . . . . . 3:416-43
- History . . . . . 3:417-26
- Modern New Jersey Law . . . . . 3:431-42
- Modern Theories of Governmental Immunity: Discretionary-Ministerial Test . . . . . 3:426-31

**NATIONAL SECURITY**

See LOYALTY AND LOYALTY OATHS

**NEGLIGENCE**

- Damages—Birth of Healthy

- but Unplanned Child Due to Pharmacist's Negligence Held a Compensable Injury ..... 3:492-504
- Increasing the Liability of New Jersey Taverns: Where to Draw the Line? 3:233-46
- Medical Malpractice—Lack of Diligence in Diagnosis Resulting in Loss of Chance to Live Is Not a Compensable Injury ..... 3:505-22
- ORGANIZED CRIME**  
*See CRIME*
- PARENT AND CHILD**  
 Compulsory Education in the United States: *Big Brother Goes to School* ..... 3:349-85  
 —Constitutional Considerations ..... 3:351-53  
 —Curriculum Choice and Parental Rights ..... 3:370-72  
 —The Equivalency Rule in Compulsory Education Conflicts ..... 3:364-70  
 —Health Regulations ... 3:372-75  
 —Origins of Parent-State Conflicts ..... 3:353-57  
 —Prosecution of Compulsory Education Offenses 3:375-80  
 —The Secular Regulation Rule ..... 3:358-63
- Damages—Birth of Healthy but Unplanned Child Due to Pharmacist's Negligence Held a Compensable Injury ..... 3:492-504
- Psychological v. Biological Parenthood in Determining the Best Interests of the Child ..... 3:130-42
- PAROLE**  
 Procedural Fairness Crosses the Threshold ..... 3:247-58
- PENOLOGY**  
 Arkansas State Penitentiary Transgresses Constitutional Proscription Against Cruel and Unusual Punishment 3:159-67
- Procedural Fairness Crosses the Threshold ..... 3:247-58
- PHARMACISTS**  
 Damages—Birth of Healthy but Unplanned Child Due to Pharmacist's Negligence Held a Compensable Injury ..... 3:492-504
- PHYSICIANS AND SURGEONS**  
 Medical Malpractice—Lack of Diligence in Diagnosis Resulting in Loss of Chance to Live Is Not a Compensable Injury ..... 3:505-22
- POLICE POWER**  
 Compulsory Education in the United States: *Big Brother Goes to School* ..... 3:349-85  
 —Constitutional Considerations ..... 3:351-53  
 —Curriculum Choice and Parental Rights ..... 3:370-72  
 —The Equivalency Rule in Compulsory Education Conflicts ..... 3:364-70  
 —Health Regulations ... 3:372-75  
 —Origins of Parent-State Conflicts ..... 3:353-57  
 —Prosecution of Compulsory Education Offenses 3:375-80  
 —The Secular Regulation Rule ..... 3:358-63
- Freedom of Religion—Judicially Mandated Blood Transfusion for Adult Jehovah's Witness ..... 3:444-56
- PRISONS AND PRISONERS**  
 Arkansas State Penitentiary Transgresses Constitutional Proscription Against Cruel and Unusual Punishment ..... 3:159-67  
 Procedural Fairness Crosses the Threshold ..... 3:247-58
- PRIVACY**  
*See RIGHT OF PRIVACY*
- PRIVILEGES**  
 The Fifth Amendment's Proxy

—Transactional or Use  
Immunity? ..... 3:199-213  
Income Tax—Self-Reporting  
Confronts Self-Incrimina-  
tion: The Fifth Amend-  
ment in Retreat! ..... 3:457-69

**PROCEDURE**

See CIVIL PROCEDURE

**PROPORTIONAL REPRESENTATION**

See REPRESENTATIVE GOVERNMENT

**PROXIMATE CAUSE**

Medical Malpractice—Lack of  
Diligence in Diagnosis Re-  
sulting in Loss of Chance  
to Live Is Not a Com-  
pensable Injury ..... 3:505-22

**PSYCHOLOGY**

Psychological v. Biological Par-  
enthood in Determining  
the Best Interests of the  
Child ..... 3:130-42

**PUBLIC CORPORATIONS**

See MUNICIPAL GOVERNMENTS

**PUBLIC OFFICIALS**

Prosecutions of Local Political  
Corruption Under the  
Hobbs Act: The Unneces-  
sary Distinction Between  
Bribery and Extortion ... 3:1-17

**REAL PROPERTY**

Marshland Title Dilemma: A  
Tidal Phenomenon ..... 3:323-48  
—A Problem of Proof ... 3:327-30  
—A Quasi-Judicial Solu-  
tion ..... 3:331-35  
—A Title State of Chaos 3:323-27  
—Valuation and Factor-  
Percentage System ..... 3:335-47

**REAPPORTIONMENT**

See REPRESENTATIVE GOVERNMENT

**REHABILITATION OF PRISONERS**

See PENOLOGY; PRISONS AND PRISONERS

**REMEDIES**

State Attorney General's Class  
Action: Exorbitant Price

to Unconscionability to  
Fraud ..... 3:470-81

**REPRESENTATIVE GOVERNMENT**

Supreme Court Declares New  
Standard of Proof for  
Groups Alleging Submer-  
gence in a Multi-Member  
Election District ..... 3:178-98  
—The Effect of *Whitcomb*  
*v. Chavis* ..... 3:196-97  
—Mixed Systems—Equal  
Protection ..... 3:186-96  
—Submergence — Equal  
Protection ..... 3:182-86

**RETREAT**

Duty to Retreat—Retreat from  
the Porch of One's Own  
Home Not Required .... 3:532-42

**RIGHT OF PRIVACY**

The Right to Privacy—Mini-  
mization of Nonpertinent  
Communications Required  
by New Jersey Statute ... 3:543-56

**RIGHT TO COUNSEL**

Indigent Petty Offenders Ac-  
corded Right to Appointed  
Counsel ..... 3:214-32  
—Right to Counsel in  
New Jersey ..... 3:224-32

**RIPARIAN RIGHTS**

Marshland Title Dilemma: A  
Tidal Phenomenon ..... 3:323-48  
—A Problem of Proof ... 3:327-30  
—A Quasi-Judicial Solu-  
tion ..... 3:331-35  
—A Title State of Chaos 3:323-27  
—Valuation and Factor-  
Percentage System ..... 3:335-47

**RIVERS**

See WATER AND WATERCOURSES

**SCHOOLS AND SCHOOL DISTRICTS**

Compulsory Education in the  
United States: *Big Brother*  
*Goes to School* ..... 3:349-85  
—Constitutional Consid-  
erations ..... 3:351-53

- Curriculum Choice and Parental Rights ..... 3:370-72
  - The Equivalency Rule in Compulsory Education Conflicts ..... 3:364-70
  - Health Regulations ... 3:372-75
  - Origins of Parent-State Conflicts ..... 3:353-57
  - Prosecution of Compulsory Education Offenses 3:375-80
  - The Secular Regulation Rule ..... 3:358-63
  - Due Process—Rights of Confrontation and Cross-Examination Accorded to Students at Expulsion Hearings ..... 3:523-31
  - Parochial School Aid—From *Allen to Lemon to Tilton*
    - Out at Second, Safe at First ..... 3:61-86
    - The Key Elements .... 3:61-63
    - Lemon* — Entanglement is the Key ..... 3:72-76
    - The Lessons of *Lemon* and *Tilton* ..... 3:79-83
    - Past Law Relating to the Establishment Question ..... 3:63-72
    - Tilton*—A Matter of Degree ..... 3:76-79
    - A Word About New Jersey ..... 3:83-86
  - School District Lines No Barrier to Commissioner When Seeking to Eliminate Racial Imbalance .. 3:259-68
- SEARCH AND SEIZURE**
- The Right to Privacy—Minimization of Nonpertinent Communications Required by New Jersey Statute ... 3:543-56
- SEGREGATION**
- School District Lines No Barrier to Commissioner When Seeking to Eliminate Racial Imbalance .. 3:259-68
- SELF-DEFENSE**
- Duty to Retreat—Retreat from the Porch of One's Own Home Not Required .... 3:532-42
- SELF-INCRIMINATION**
- The Fifth Amendment's Proxy
    - Transactional or Use Immunity? ..... 3:199-213
  - Income Tax—Self-Reporting Confronts Self-Incrimination: The Fifth Amendment in Retreat! ..... 3:457-69
- SOVEREIGN IMMUNITY**
- A Survey of Municipal Immunity in New Jersey ... 3:416-43
    - History ..... 3:417-26
    - Modern New Jersey Law 3:431-42
    - Modern Theories of Governmental Immunity: Discretionary-Ministerial Test ..... 3:426-31
- STANDING TO SUE**
- State Attorney General's Class Action: Exorbitant Price to Unconscionability to Fraud ..... 3:470-81
- STATUTES**
- See* LEGISLATION
- SUBMERGED LANDS**
- Marshland Title Dilemma: A Tidal Phenomenon .... 3:323-48
    - A Problem of Proof ... 3:327-30
    - A Quasi-Judicial Solution ..... 3:331-35
    - A Title State of Chaos 3:323-27
    - Valuation and Factor-Percentage System .... 3:335-47
- SUICIDE**
- Freedom of Religion—Judicially Mandated Blood Transfusion for Adult Jehovah's Witness ..... 3:444-56
- SURVEILLANCE SYSTEMS**
- The Right to Privacy—Minimization of Nonpertinent Communications Required by New Jersey Statute ... 3:543-56
- TAVERNS**
- Increasing the Liability of New Jersey Taverns: Where to Draw the Line? 3:233-46

**TAXATION: ENFORCEMENT**

- Income Tax—Self-Reporting  
Confronts Self-Incrimination:  
The Fifth Amendment in Retreat! ..... 3:457-69

**TERRITORIAL WATERS**

- Marshland Title Dilemma: A  
Tidal Phenomenon ..... 3:323-48
- A Problem of Proof ... 3:327-30
- A Quasi-Judicial Solution ..... 3:331-35
- A Title State of Chaos 3:323-27
- Valuation and Factor-  
Percentage System .... 3:335-47

**THIRTEENTH AMENDMENT**

- State Action No Longer a  
Requisite Under 42 U.S.C.  
§ 1985(3) ..... 3:168-77

**TIDELANDS**

See TERRITORIAL WATERS

**TITLE TO LAND**

- Marshland Title Dilemma: A  
Tidal Phenomenon ..... 3:323-48
- A Problem of Proof ... 3:327-30
- A Quasi-Judicial Solution ..... 3:331-35
- A Title State of Chaos 3:323-27
- Valuation and Factor-  
Percentage System ..... 3:335-47

**TORTS**

- Damages—Birth of Healthy  
but Unplanned Child Due  
to Pharmacist's Negligence  
Held a Compensable In-  
jury ..... 3:492-504
- Increasing the Liability of  
New Jersey Taverns:  
Where to Draw the Line? 3:233-46
- Medical Malpractice—Lack of  
Diligence in Diagnosis Re-  
sulting in Loss of Chance  
to Live Is Not a Com-  
pensable Injury ..... 3:505-22

**TRANSFUSIONS**

- Freedom of Religion—Judi-  
cially Mandated Blood  
Transfusion for Adult Je-  
hovah's Witness ..... 3:444-56

**TRIALS**

- Six-Member Juries in Civil Ac-  
tions in the Federal Judi-  
cial System ..... 3:281-94

**UNIFORM COMMERCIAL CODE**

- State Attorney General's Class  
Action: Exorbitant Price  
to Unconscionability to  
Fraud ..... 3:470-81

**UNITED STATES:**

- Restricting the Use of General  
Aptitude Tests as Employ-  
ment Criteria ..... 3:143-58

**UNIVERSITIES**

See COLLEGES AND UNIVERSITIES

**VOTING**

See ELECTIONS

**WATER AND WATERCOURSES**

- Marshland Title Dilemma: A  
Tidal Phenomenon ..... 3:323-48
- A Problem of Proof ... 3:327-30
- A Quasi-Judicial Solution ..... 3:331-35
- A Title State of Chaos 3:323-27
- Valuation and Factor-  
Percentage System ..... 3:335-47

**WIRETAPPING**

See EAVESDROPPING

**WRONGFUL DEATH**

- Medical Malpractice—Lack of  
Diligence in Diagnosis Re-  
sulting in Loss of Chance  
to Live Is Not a Com-  
pensable Injury ..... 3:505-22