

## INDEX

### ARTICLES—AUTHORS

BRENNAN, RICHARD E. AND BURDICK, CHRISTOPHER W.: <i>Does the Guarantor Guarantee? Lender, Beware!</i> .....	11:353
BYRNE, BRENDAN T.: <i>The Role of the Judiciary in the Modern Institutional State</i> .....	11:653
CARABALLO, WILFREDO: <i>The Tender Trap: U.C.C. § 1-207 and Its Applicability to an Attempted Accord and Satisfaction by Tendering a Check in a Dispute Arising from a Sale of Goods</i> .....	11:445
HERMANN, DONALD H. J.: <i>Socrates on Justice and Legal Obligation</i> .....	11:663
HOBBET, RICHARD D.: <i>Charitable Contributions—How Charitable Must They Be?</i> .....	11:1
HUGHES, RICHARD J.: <i>Reflections: “A Growing Court”</i> .....	11:379
KESSLER, ROBERT A.: <i>Employment Arrangements in Close Corporations</i> .....	11:187
TROMBETTA, WILLIAM L.: <i>The MLS Access Issue: A Rule of Reason Analysis</i> .....	11:396

### ARTICLES—TITLES

CHARITABLE CONTRIBUTIONS—HOW CHARITABLE MUST THEY BE? <i>Richard D. Hobbett</i> .....	11:1
DOES THE GUARANTOR GUARANTEE? LENDER, BEWARE! <i>Richard E. Brennan and Christopher W. Burdick</i> .....	11:353
EMPLOYMENT ARRANGEMENTS IN CLOSE CORPORATIONS. <i>Robert A. Kessler</i> .....	11:187
THE MLS ACCESS ISSUE: A RULE OF REASON ANALYSIS. <i>William L. Trombetta</i> .....	11:396
REFLECTIONS: A GROWING COURT. <i>Richard J. Hughes</i> .....	11:379
THE ROLE OF THE JUDICIARY IN THE MODERN INSTITUTIONAL STATE. <i>Brendan T. Byrne</i> .....	11:653
SOCRATES ON JUSTICE AND LEGAL OBLIGATION. <i>Donald H.J. Hermann</i> .....	11:663
THE TENDER TRAP: U.C.C. § 1-207 AND ITS APPLICABILITY TO AN ATTEMPTED ACCORD AND SATISFACTION BY TENDERING A CHECK IN A DISPUTE ARISING FROM A SALE OF GOODS. <i>Wilfredo Caraballo</i> .....	11:445

## COMMENTS

<i>Botta v. Brunner</i> Revisited: Arguing Per Diem Damages in Summation .....	11:461
Constitutional Law: Equal Protection and Educating Illegal Alien Children .....	11:499
<i>Crane's</i> Footnote Thirty-Seven Gets the Boot .....	11:679
FDA "New Drug" Approval Procedures: The Impact of Judicial Intervention on Public and Pharmaceutical Company Interests .....	11:695
<i>LaSalle</i> Revisited: The Use of Agency Subpoena Powers in Parallel Civil and Criminal Proceedings .....	11:716
The Right to Trial by Jury: Old English Law Supports a Complexity Exception to the Seventh Amendment .....	11:31
The Sale of a Close Corporation Through a Stock Transfer: Covered by the Federal Securities Laws? .....	11:749
Secondary Picketing—The Pruning of the <i>Tree Fruits</i> Exception .....	11:519

## NOTES

Administrative Procedure—Remedies—Exhaustion of Administrative Remedies Required When Company Challenges Constitutionality of OSHA Inspection Warrant ( <i>Babcock &amp; Wilcox Co. v. Marshall</i> , 3d Cir. 1979) .....	11:56
Constitutional Law—Conflict of Laws—Contact-Interest Approach to Constitutional Limitations on State Choice of Law ( <i>Allstate Insurance Co. v. Hague</i> , U.S. 1981) .....	11:770
Constitutional Law—Equal Protection—Equal Protection Does Not Protect Nonimmigrant Iranian Students from Selective Deportation ( <i>Narenji v. Civiletti</i> , D.C. Cir. 1979, <i>cert. denied</i> , U.S. 1980) .....	11:230
Constitutional Law—Equal Protection—Veterans' Preference Statute Not Unconstitutional Despite Sexually Disparate Impact ( <i>Personnel Administrator of Massachusetts v. Feeney</i> , U.S. 1979) .....	11:86
Constitutional Law—Establishment Clause—Statutory Scheme Directly Reimbursing Nonpublic School Personnel for Costs Incurred from Complying with State Requirements Not Violative of Establishment Clause of First Amendment ( <i>Committee for Public Education &amp; Religious Liberty v. Regan</i> , U.S. 1980) .....	11:72
Constitutional Law—First Amendment—Sincere Religious Belief, Though Not a Tenet of One's Church or Sect, Still Protected by First Amendment ( <i>Lewis v. Califano</i> , 3d Cir. 1980) .....	11:220

Constitutional Law—Insurance Law—New Jersey No-Fault Act's Mandatory Renewal Provision Held Applicable to Carriers Withdrawing from State's Automobile Insurance Market ( <i>Sheeran v. Nationwide Mutual Insurance Co.</i> , N.J. 1979) .....	11:99
Constitutional Law—Justiciability—Treaty Termination: A Nonjusticiable Controversy ( <i>Goldwater v. Carter</i> , U.S. 1979) .....	11:243
Constitutional Law—Mental Health—State Mental Health Patients' Right to Refuse Forcible Administration of Medication Narrowly Construed ( <i>Rogers v. Okin</i> , D. Mass. 1979, <i>aff'd in part, rev'd in part</i> , 1st Cir. 1980, <i>cert. granted</i> , U.S. 1981) .....	11:796
Constitutional Law—Right to Trial by Jury—Aliens Charged with Non-Military Offenses in a United States Court in Berlin Entitled to Jury Trial ( <i>United States, as the United States Element, Allied Kommandatura, Berlin v. Tiede</i> , U.S. Ct. for Berlin 1979) .....	11:809
Constitutional Law—Zoning—Zoning According to Biological or Legal Relationships Is Violative of the New Jersey Constitution ( <i>State v. Baker</i> , N.J. 1979) .....	11:112
Criminal Law—Evidence—Expert Testimony Relating to Subject Matter of Battered Women Admissible on Issue of Self-Defense ( <i>IBN-TAMAS v. United States</i> , D.C. 1979) .....	11:255
Criminal Procedure—Search and Seizure—Automobile Exception to Fourth Amendment Warrant Requirement Does Not Encompass Luggage Found in Vehicle ( <i>Arkansas v. Sanders</i> , U.S. 1979) .....	11:121
Discrimination—Sex—Burden of Persuasion Shifts in Remedial Claim After Finding of Sexual Harassment in Work Environment ( <i>Bundy v. Jackson</i> , D.C. Cir. 1981) .....	11:825
Divorce and Separation—Alimony And Maintenance—Standards and Procedures for Modifying Support and Maintenance Arrangements Following a Final Judgment of Divorce ( <i>Lepis v. Lepis</i> , N.J. 1980) .....	11:545
Employer and Employee—Employee At Will—Discharge of Employee at Will Actionable Under Public Policy Exceptions ( <i>Pierce v. Ortho Pharmaceutical Corp.</i> , N.J. 1980) ..	11:557
Evidence—Marital Privileges—Common Law Privilege Preventing Adverse Spousal Testimony Vested Solely in Witness Spouse in Federal Criminal Proceeding ( <i>Trammel v. United States</i> , U.S. 1980) .....	11:265
Federal Courts—Collateral Estoppel—Exception to Preclusion Principles in Section 1983 Action Brought to Vindicate Fourth Amendment Violations ( <i>McCurry v. Allen</i> , 8th Cir. 1979, <i>cert. granted</i> , U.S. 1980) .....	11:136

Government Immunity And Liability—Armed Forces—Government Officials Charged with Violating Servicemen's Fifth Amendment Rights Not Entitled to Absolute Immunity ( <i>Jaffee v. United States</i> , 3d Cir. 1980) .....	11:275
Labor Law—Constitutional Law—Private University Faculty Excluded from NLRA Coverage under Managerial Exemption ( <i>NLRB v. Yeshiva University</i> , U.S. 1980) .....	11:287
Labor Law—Damages—International Union Not Liable in Damages for Unauthorized Strike at Local Union Level ( <i>Carbon Fuel Co. v. United Mine Workers</i> , U.S. 1979) ..	11:151
Labor Law—Union's Duty of Fair Representation Pursuant to Modified Seniority Clause in Collective Bargaining Agreement ( <i>Smith v. Hussman Refrigerator Co.</i> , 8th Cir. 1980) ..	11:299
Landlord and Tenant—Application of Implied Warranty of Habitability Expanded to Encompass Tenant Security ( <i>Trentacost v. Brussel</i> , N.J. 1980) .....	11:576
Landlord and Tenant—Mortgages—New Jersey's Anti-Eviction Act, N.J. STAT. ANN §§ 2A:18-61.1 to -61.12 (West Cum. Supp. 1980-1981), Prohibits Removal of Residential Tenants by Foreclosing Mortgagee upon Default of Landlord-Mortgagor, Absent "Good Cause" ( <i>Guttenberg Savings &amp; Loan Association v. Rivera</i> , App. Div. 1979, <i>certif. granted</i> , N.J. 1980) .....	11:311
Legal Ethics—Securities—Securities Attorneys' Affirmative Duty to Take Prompt Action to Have Clients Comply with Disclosure Requirements ( <i>In re Carter</i> , SEC Release 1981) ..	11:838
Products Liability—Negligence—Manufacturer Not Liable for Injuries Resulting from Employer's Foreseeable Modification of Machine's Safety Device ( <i>Robinson v. Reed-Prentice Division of Package Machinery Co.</i> , N.Y. 1980) .....	11:585
Public Officials and Employees—Pensions—Crimes of Moral Turpitude Unrelated to Public Employment Found Insufficient Cause for Pension Revocation ( <i>Masse v. Board of Trustees, Public Employees' Retirement System</i> , App. Div., <i>certif. granted</i> , N.J. 1980) .....	11:599
Torts—Market Share Liability—The California Roulette of Causation Eliminating the Identification Requirement ( <i>Sindell v. Abbott Laboratories</i> , Cal., <i>cert. denied</i> , 1980) .....	11:610

## BOOKS REVIEWED

JERSEY JUSTICE. <i>Carla Vivian Bello and Arthur T. Vanderbilt</i> ..	11:177-82
THE NATIONAL ENVIRONMENT POLICY ACT, CASES AND MATERIALS. <i>Neil Orloff and George Brooks</i> .....	11:183-85

**BOOKS REVIEWED—REVIEWERS**

Mountain, Worall F. JERSEY JUSTICE .....	11:177-82
Traylor, Martha M. THE NATIONAL ENVIRONMENTAL POLICY ACT, CASES AND MATERIALS .....	11:183-85

**BOOKS REVIEWED—AUTHORS**

BELLO, CARLA VIVIAN AND VANDERBILT, ARTHUR T. JERSEY JUSTICE. <i>Worall F. Mountain</i> .....	11:177-82
ORLOFF, NEIL AND BROOKS, GEORGE. THE NATIONAL ENVIRONMENTAL POLICY ACT, CASES AND MATERIALS. <i>Martha M. Traylor</i> .....	11:183-85

