SUBJECT INDEX

ADMINISTRATIVE LAW
Agency Regulations Providing Procedural Safeguards are a Prerequisite for Debarring Corporate Officers Under New Jersey's Prevailing Wage Age ........................................... 16:886-89

ADMIRALTY
Punitive Damages Not Available Under the Jones Act .......... 16:539-56

ADOPTION
See Domestic Relations

ANTITRUST
The Antitrust Labor Exemption: An Employer Perspective ... 16:4-73
—The Historical Development of the Labor Exemption ... 16:7-24
—Labor in the Pre-Antitrust Years ......................... 16:7-8
—The New Antitrust Laws ........................................... 16:8-10
—The New Deal Legislation ....................................... 16:11-13
—The Statutory Exemption ...................................... 16:13-15
—Congress's Effort to Redress the Balance ............... 16:15-19
—The Nonstatutory Exemption .................................. 16:18-22
—The Exemptions in Current Times ......................... 16:22-24
—Special Considerations from the Employer's Perspective .. 16:51-73
—Most Favored Nations and Affiliates Clauses .......... 16:51-55
—The Effect of Labor Law and Labor Law Determinations ........................................... 16:55-63
—Per se v. Rule of Reason Standards ....................... 16:63-67
—Coercion of Employers ........................................ 16:67-73
—The Tests: An Attempt at Order Amidst Disorder ........ 16:25-51
—The Statutory Exemption ...................................... 16:25-32
—The Nonstatutory Exemption .................................. 16:32-51

Price Fixing
—NCAA May Not Establish Price and Output Level of Televised College Football Games .......... 16:171-91

ATTORNEY-CLIENT PRIVILEGE
See Evidence

BUSINESS JUDGMENT RULE
See Corporations

CHIROPRACTORORS
See Evidence

CIVIL PROCEDURE
Entry of Judgment
—Summary Judgment on Plaintiff's Claim Will Remain Interlocutory Unless He Demonstrates Insubstantial Counterclaim and Compelling Need to Secure Judgment ........................................... 16:893-95
SUBJECT INDEX

Jury Selection
—Exclusion of Potential Jurors in Capital Sentencing Cases
  No Longer Requires That Venire Members Express
  Their Views About the Death Penalty With
  Unmistakable Clarity ................................. 16:851-76
—Peremptory Challenges Subject to Scrutiny Under Sixth
  Amendment Right to Impartial Jury ............... 16:192-219

Statute of Limitations
—Despite Deletion of Fictitious Party, Subsequent Addition
  of Specific Defendant May Be Allowed to Relate Back
  to Time of Original Complaint ..................... 16:898-901
—State Limitation Period for Personal Injury Actions
  Applies to All Section 1983 Claims ............... 16:831-50

CIVIL SERVICE
Suspended City Employee May Recover Back Pay for Period
  After Six Month's Suspension Absent Any Equitable
  Considerations ....................................... 16:279-81

CONSPIRACY
See Criminal Law

CONSTITUTIONAL LAW
Due Process
—Municipal Ordinance's Exclusion of "Churches and
  Similar Places of Worship" from Residential Zone
  Impermissibly Vague as Applied to Prayer Services
  Conducted in Minister's Home ...................... 16:558-60
First Amendment
—First Amendment Rights of Judicial Employees Must Be
  Balanced Against Need to Maintain Judicial Integrity . 16:879-81
Fourth Amendment
—Dodging a Bullet, But Opening Old Wounds in Fourth
  Amendment Jurisprudence .......................... 16:597-629
—Of Bright Lines and Blank Checks .................. 16:601-10
—The Initial Primacy of the Reasonableness Clause—The
  Blank Check is Accepted .......................... 16:610-13
—The Primacy of the Warrant Clause—The Blank Check
  Bounces ............................................. 16:613-19
—The Return of Reasonableness ...................... 16:619-26
Search and Seizure
—"Reasonable Suspicion" Test Provides Constitutional
  Standard for Detaining Suspected Alimentary Canal
  Smugglers ............................................. 16:763-84

State Constitutional Doctrine and the Criminal Process .... 16:630-55
—Historical Perspective ............................. 16:631-44
—Nature of State Constitutional Guarantees ........ 16:644-46
—Current Patterns of State Constitutional Analysis .... 16:646-49
—More Appropriate Analytical Framework ............ 16:649-54
—Additional Considerations ......................... 16:654-55
Tenth Amendment
Garcia v. San Antonio Metropolitan
Transit Authority: An Alternate Opinion ............ 16:74-100
### SUBJECT INDEX

**CONTRACTS**
- Limiting the Employment-at-Will Rule: Enforcing Policy
  - Development of Employment-at-Will Rule  16:469-77
  - The Woolley Court's Analysis  16:477-80
  - Unilateral Contract Analysis: Enforcing an Agreement Based on Performance  16:481-88
- Real Estate Commissions
  - Independent Real Estate Broker Not Entitled to Commission Absent Showing of Continuity in Relationship With Contractor  16:889-92

**CORPORATIONS**
- Directors Who Approve Sale of Corporations Without Sufficient Deliberation Not Entitled to Protection Afforded by Business Judgment Rule  16:242-75

**COURTS**

**CRIMINAL LAW**
- Conspiracy
  - Conspiracy Merges Unless It Has Criminal Objectives Other Than Substantive Offense Proven  16:287-89
- Medical Necessity
  - Medical Necessity is Not a Defense to Narcotics Possession Unless the Drug is Obtained in Compliance With Statutory Guidelines  16:895-98

**CRIMINAL PROCEDURE**
- Jury Selection
  - Trial Court Did Not Improperly Curtail Defendant's Right to Exercise Peremptory Challenges By Impaneling Only Thirteen Jurors  16:906-08
- Sentencing
  - Design, Not Operability, Determines Whether a Weapon is a Firearm Under the Graves Act  16:901-03

**DAMAGES**
- See Admiralty, First Amendment, Toxic Torts

**DEATH PENALTY**
- See Civil Procedure

**DEFAMATION**
- See First Amendment

**DOMESTIC RELATIONS**
- Adoption
  - The First English Adoption Law and its American Precursors  16:656-77
  - The Roman Law of Adoption  16:656-59
SUBJECT INDEX

—The Problems of Younger Sons ......................... 16:662-65
—The American Experience ................................. 16:665-69
—The Harbingers of Reform ................................. 16:669-74
—The Adoption of Children Act of 1926 ............... 16:674-76

Child Support
—Equitable Estoppel May Be Applied to Prevent
  Stepparent From Denying Obligation to Support ..... 16:127-49
—Stepparent Equitably Estopped From Denying Support
  Obligations After Divorce Based Upon Parent-Child
  Bonds .................................................. 16:561-63

Custody
—Private Agreements Must Be Considered, Though They
  May Be Rejected in Judicial Determinations of Custody. 16:884-86

EQUITABLE ESTOPPEL
See Domestic Relations

ETHICS
Multistate Practice and Conflicting Ethical Obligations ........ 16:678-721
—Major Differences in Ethical Standards .................. 16:681-92
—Jurisdiction Over Lawyers in Multistate Practice ........ 16:692-700
—Ethical Standards to Be Applied ........................ 16:700-19
—Additional Suggestions and Discussion .................. 16:719-21

EVIDENCE
Expert Witnesses
—Physician May Qualify as an Expert in Malpractice Action
  Against Chiropractor .................................. 16:745-62

Production of Documents
—Automatic In Camera Inspection Not Warranted in
  Weighing State’s Interest in Confidentiality Against
  Individual’s Right of Access to Public Records ........ 16:908-10

FAMILY LAW
See Domestic Relations

FIRST AMENDMENT
Defamation
—Private Individual May Recover Presumed and Punitive
  Damages Without a Showing of Actual Malice ............ 16:785-810
See also Constitutional Law

FOURTH AMENDMENT
See Constitutional Law

GRAVES ACT
See Criminal Procedure

INSURANCE
Policy Containing Automatic Premium Loan Provision
  Remains Effective Absent Proper Revocation .............. 16:881-84

JURISPRUDENCE
Jurisprudence and Prudential Justice ...................... 16:571-96
### Subject Index

**SUBJECT INDEX**

<table>
<thead>
<tr>
<th>Subject</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explanations</td>
<td>16:571-73</td>
</tr>
<tr>
<td>Conceptualizations</td>
<td>16:573-81</td>
</tr>
<tr>
<td>Implications</td>
<td>16:581-86</td>
</tr>
<tr>
<td>Applications</td>
<td>16:586-92</td>
</tr>
<tr>
<td>Ramifications</td>
<td>16:592-96</td>
</tr>
</tbody>
</table>

**Juries**

See Civil Procedure, Criminal Procedure

**Jones Act**

See Admiralty

**Labor Law**

See Antitrust

**Landlord-Tenant**

See Property

**Merchant Marine Act**

See Admiralty

**Negligence**

High-Speed Pursuits: Police Officer and Municipal Liability for Accidents Involving the Pursued and an Innocent Third Party

- The Law in New Jersey                      16:103-09
- The Law in Other Jurisdictions             16:109-11
- Policy Issues                              16:111-19
- Legal Analysis                             16:120-25

Spouse Has No Duty to Warn of Mate's Potential Danger to Community                              16:281-82

**Peremptory Challenges**

See Civil Procedure

**Products Liability**

The Expanding Scope of Products Liability: New Jersey Extends a Manufacturer's Responsibility to Include Injuries Caused After a Substantial Alteration of Its Product

- Background                                  16:723-27
- The Soler Case                               16:727-32
- The Brown Case                               16:732-39
- Analysis and Conclusions                     16:739-44

**Property**

Landlord-Tenant

- Testimony of Fellow Tenants Unnecessary in Eviction Proceedings Against Violent Tenant  16:568-69

Zoning

- "Mother and Daughter" Addition to Home Creates Multi-Family Dwelling                      16:903-05
ROBINSON-PATMAN ACT
  See Antitrust

SECURITIES
  Securities Regulation
  —Sale of Business Doctrine Does Not Exempt Sale of
    100% of Corporate Stock From Provisions of Federal
    Securities Acts ........................................... 16:811-50
  Tender Offers: Disclosure
  —A Hard Look at Soft Information: Disclosure of Asset
    Appraisals, Corporate Projections, and Other Forward-
    Looking Information Required if Material and if
    Disclosure Would Be More Beneficial Than Detrimental
    to Target Shareholders .................................. 16:511-38

SEARCH AND SEIZURE
  See Constitutional Law

SIXTH AMENDMENT
  See Constitutional Law

STATUTE OF LIMITATIONS
  See Civil Procedure

SUMMARY JUDGMENT
  See Civil Procedure

SUPREME COURT JUSTICES
  —Justice Bradley ........................................... 16:343-75
  —Justice William J. Brennan, Jr. .......................... 16:429-60
  —Justice Paterson .......................................... 16:313-40
  —Justice Pitney ............................................ 16:381-423

TAXATION
  Filing of Returns
  —Reliance on Attorney is Not Reasonable Cause for
    Delinquent Filing of Estate Tax Return ................. 16:150-69
  State Taxation of Interstate Commerce
  —Use of Part-Time, Nonresident Employees and Affiliate
    Officers Provides Sufficient Minimum Contacts for New
    Jersey to Tax Out-of-State Corporation .................. 16:564-66

TENTH AMENDMENT
  See Constitutional Law

TORTS
  See Negligence

TOXIC TORTS
  Damages
  —Tort Claims Act Allows Damages Only for Objective
    Injuries .................................................. 16:283-85
WORKERS' COMPENSATION
Compensation Rate Determined By Aggregating Salaries
From Three Positions Worked For a Single Employer .... 16:285-87

ZONING
See Property