



UNC
SCHOOL OF LAW

NORTH CAROLINA LAW REVIEW

Volume 64 | Number 1

Article 4

11-1-1985

Subject Index

North Carolina Law Review

Follow this and additional works at: <http://scholarship.law.unc.edu/nclr>



Part of the [Law Commons](#)

Recommended Citation

North Carolina Law Review, *Subject Index*, 64 N.C. L. REV. (1985).

Available at: <http://scholarship.law.unc.edu/nclr/vol64/iss1/4>

This Index is brought to you for free and open access by Carolina Law Scholarship Repository. It has been accepted for inclusion in North Carolina Law Review by an authorized editor of Carolina Law Scholarship Repository. For more information, please contact law_repository@unc.edu.

SUBJECT

Administrative Law	
Administratively Declaring Order: Some Practical Applications of the Administrative Procedure Act's Declaratory Order Process	277
Comment, Implications of the 1984 Insider Trading Sanction Act: Collateral Estoppel and Double Jeopardy	117
Note, Contested Case Hearings Under the North Carolina Administrative Procedure Act: 1985 Rewrite Contains Dual System of Administrative Adjudication	852
Antitrust Law	
Arbitration Agreements and Antitrust Claims: The Need for Enhanced Accommodation of Conflicting Public Policies	219
Appellate Procedure	
Allocating Adjudicative Decision Making Authority Between the Trial and Appellate Levels: A Unified View of the Scope of Review, the Judge/Jury Question, and Procedural Discretion	993
Arbitration	
Arbitration Agreements and Antitrust Claims: The Need for Enhanced Accommodation of Conflicting Public Policies	219
Note, <i>Rodgers Builders, Inc. v. McQueen</i> : Arbitration and Punitive Damages.....	1145
Aycock Tribute	
Bill Aycock in Law School	207
Tribute to William Brantley Aycock: Foreword	205
William Brantley Aycock: There Are So Many of Him	211
William Brantley Aycock: University Administrator 1957-1964	215
Bankruptcy	
Pension and Bankruptcy Laws: A Clash of Social Policies	3
Comment, Avoidability of Intercorporate Guarantees Under Sections 548(a)(2) and 544(b) of the Bankruptcy Code	1099
Church and State	
Rethinking Government Neutrality Towards Religion Under the Establishment Clause: The Untapped Potential of Justice O'Connor's Insight	1049
Something There is that Doesn't Love a Wall: Reflections on the History of North Carolina's Religious Test for Public Office	1071
Civil Procedure	
Comment, Implications of the 1984 Insider Trading Sanction Act: Collateral Estoppel and Double Jeopardy	117
Civil Rights	
Exploring Southern Legal History	77
Commercial Law	
Stock Equipment for the Bargain in Fact: Trade, Usage, "Express Terms," and Consistency Under Section 1-205 of the Uniform Commercial Code	777

Constitutional Law	
The “Especially Heinous” Aggravating Circumstance in Capital Cases—The Standardless Standard	941
Is the Item Veto Constitutional?	819
Paths to Belonging: The Constitution and Cultural Identity	303
Peremptories or Peers?—Rethinking Sixth Amendment Doctrine, Images, and Procedures	501
Rethinking Government Neutrality Towards Religion Under the Establishment Clause: The Untapped Potential of Justice O’Connor’s Insight	1049
Something There is that Doesn’t Love a Wall: Reflections on the History of North Carolina’s Religious Test for Public Office	1071
Take Care, Mr. President	381
Note, <i>Delconte v. State</i> : Some Thoughts on Home Education	1302
Note, <i>In re Truesdell</i> : North Carolina Adopts Two New and Conflicting Standards for Sterilization of Mentally Retarded Persons	1196
Note, <i>Repose for Manufacturers: Six Year Statutory Bar to Products Liability Actions Upheld—Tetterton v. Long Manufacturing Co.</i>	1157
Note, <i>State v. Cofield</i> : Petit Deliberation of Grand Jury Discrimination	1179

Corporate Law	
Comment, Implications of the 1984 Insider Trading Sanction Act: Collateral Estoppel and Double Jeopardy	117
Note, <i>Alford v. Shaw</i> : North Carolina Adopts a Prophylactic Rule to Prevent Termination of Shareholders’ Derivative Suits Through Special Litigation Committees	1228
Note, <i>Glenn v. Wagner</i> : Instrumentality Rule Versus the Balancing Test in Piercing the Corporate Veil	1265
Note, <i>Nelson v. Patrick</i> : More Problems for Professional Corporations	1216
Note, <i>Skinner v. E. F. Hutton & Co.</i> : North Carolina’s Caveat Tipper Exception to the <i>In Pari Delicto</i> Doctrine	1250

Criminal Law	
The “Especially Heinous” Aggravating Circumstance in Capital Cases—The Standardless Standard	941
Incriminating Physical Evidence, the Defense Attorney’s Dilemma, and the Need for Rules	897
Too High a Price for Truth: The Exception to the Attorney-Client Privilege for Contemplated Crimes and Fraud?	443
Note, <i>State v. Fields</i> : The Definition of Driving Under the North Carolina Safe Roads Act	1278
Note, <i>State v. Parker</i> : North Carolina Adopts the Trustworthiness Doctrine	1285
Note, <i>State v. Smith</i> : Facilitating the Admissibility of Hearsay Statements in Child Sexual Abuse Cases	1352
Note, <i>State v. Stafford</i> : Rape Trauma Syndrome and the Admissibility of Statements Made by Rape Victims	1365

Criminal Procedure	
The “Especially Heinous” Aggravating Circumstance in Capital Cases—The Standardless Standard	941
Incriminating Physical Evidence, the Defense Attorney’s Dilemma, and the Need for Rules	897
Peremptories or Peers?—Rethinking Sixth Amendment Doctrine, Images, and Procedures	501
Note, <i>State v. Cofield</i> : Petit Deliberation of Grand Jury Discrimination	1179

Dispute Resolution	
Note, <i>Rodgers Builders, Inc. v. McQueen</i> : Arbitration and Punitive Damages	1145
Domestic Law	
Note, <i>Branch Banking & Trust Co. v. Wright</i> —Creditors' Rights to Entireties Property Awarded to Nondebtor Spouse Upon Divorce.	1471
Note, <i>Miller v. Kite</i> : Should Domestic Disputes Require the Maximum of Minimum Contacts?	825
Note, North Carolina's Equitable Distribution Statute: Recent Developments . . .	1395
Note, <i>Plott v. Plott</i> : Use of a Formula to Determine Parental Child Support Obligations—A Continuation of Inconsistent and Inequitable Decisions?	1378
Education Law	
Note, <i>Delconte v. State</i> : Some Thoughts on Home Education	1302
Employment Law	
Women and Part-time Work: The Case for Pay Equity and Equal Access	709
Note, <i>Sides v. Duke Hospital</i> : A Public Policy Exception to the Employment-at-Will Rule	840
Environment	
The Battle to Preserve North Carolina's Estuarine Marshes: The 1985 Legislation, Private Claims to Estuarine Marshes, Denial of Permits to Fill, and the Public Trust	565
Note, The Hazardous Chemicals Right-to-Know Act: Letting the Public Know What's Next Door	1330
ERISA	
Pension and Bankruptcy Laws: A Clash of Social Policies	3
Implications of the 1984 Insider Trading Sanction Act: Collateral Estoppel and Double Jeopardy	117
Evidence	
Too High a Price for Truth: The Exception to the Attorney-Client Privilege for Contemplated Crimes and Frauds?	443
Note, <i>State v. Smith</i> : Facilitating the Admissibility of Hearsay Statements in Child Sexual Abuse Cases	1352
Note, <i>State v. Stafford</i> : Rape Trauma Syndrome and the Admissibility of Statements Made by Rape Victims	1365
Insurance Law	
Note, Bad Faith Refusal to Pay First-Party Insurance Claims: A Growing Recognition of Extra-Contract Damages	1422
Note, Underinsured Motorist Coverage: Legislative Solutions to Settlement Difficulties	1408
Jurisdiction	
Note, <i>Burger King Corp. v. Rudzewicz</i> : Flexibility v. Predictability in In Personam Jurisdiction	880
Note, <i>Miller v. Kite</i> : Should Domestic Disputes Require the Maximum of Minimum Contacts?	825

Land Use	
The Battle to Preserve North Carolina's Estuarine Marshes: The 1985 Legislation, Private Claims to Estuarine Marshes, Denial of Permits to Fill, and the Public Trust.....	565
Legal History	
Exploring Southern Legal History	77
Malpractice	
Note, <i>Black v. Littlejohn</i> : A New Discovery Formula for Non-apparent Injuries Under the Professional Malpractice Statute of Limitations	1438
Minorities	
Paths to Belonging: The Constitution and Cultural Identity	303
Professional Responsibility	
Incriminating Physical Evidence, the Defense Attorney's Dilemma, and the Need for Rules	897
Too High a Price for Truth: The Exception to the Attorney-Client Privilege for Contemplated Crimes and Frauds.....	443
Property Law	
The Battle to Preserve North Carolina's Estuarine Marshes: The 1985 Legislation, Private Claims to Estuarine Marshes, Denial of Permits to Fill, and the Public Trust.....	565
Mistaken Improvers of Real Estate	37
Comment, Sunbathers Versus Property Owners: Public Access to North Carolina Beaches	159
Note, Another Look at the Implied Warranty of Habitability in North Carolina ..	869
Note, <i>Branch Banking & Trust Co. v. Wright</i> —Creditors' Rights to Entireties Property Awarded to Nondebtor Spouse Upon Divorce.....	1471
Note, New Developments for Federally Subsidized Housing Tenants in North Carolina	1455
Note, <i>Oates v. JAG, Inc.</i> : Let the Builder Beware—A Remedy for Subsequent Purchasers of Homes in North Carolina	1485
Note, <i>Walls v. Grohman</i> : Adverse Possession in Mistaken Boundary Cases.....	1496
Securities Law	
Implications of the 1984 Insider Trading Sanction Act: Collateral Estoppel and Double Jeopardy.....	117
Note, <i>Skinner v. E.F. Hutton & Co.</i> : North Carolina's Caveat Tipper Exception to the <i>In Pari Delicto</i> Doctrine	1250
Selective Prosecution	
Note, And Justice for All: <i>Wayte v. United States</i> and the Defense of Selective Prosecution	385
Separation of Powers	
Take Care, Mr. President	381
Statutes of Repose	
Note, Repose for Manufacturers: Six Year Statutory Bar to Products Liability Actions Upheld— <i>Tetterton v. Long Manufacturing Co.</i>	1157