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Administrative Law Review	60	Admin. L. Rev., No. 4, Fall, 2008.
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American Journal of Criminal Law	34	Am. J. Crim. L., No. 3, Summer, 2007.
American University Journal of Gender, Social Policy & the Law	16	Am. U. J. Gender Soc. Pol'y & L., No. 4, Pp. 437-552, 2008.
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+Note title change. Formerly Southwestern University Law Review.

ADMINISTRATIVE LAW

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Alexander, J. Brooke. Note. Dual agency flat rate: inadequate, inefficient and legally suspect. 18 S. Cal. Rev. L. & Soc. Just. 153-206 (2008).

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Briggett, Joseph. Note. The Fourth Circuit ignores ambiguities in the Coastal Zone Management Act and imposes a stringent approval requirement on state coastal management plans. (**AES Sparrows Point LNG, LLC v. Smith**, 527 F.3d 120, *cert denied*, 2008 WL 3873802, 2008.) 22 Tul. Envtl. L.J. 159-170 (2008).

Caudill, David S. and Donald E. Curley. Strategic idealizations of science to oppose environmental regulation: a case study of five TMDL controversies. 57 U. Kan. L. Rev. 251-312 (2009).

Ellis, Seth L. Comment. Disestablishing "the last plantation": the need for accountability in the United States Department of Agriculture. 4 J. Food L. & Pol'y 93-127 (2008).

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Oshima, Miyuki. Comment. The continuing uncertainty of collective bargaining for Department of Homeland Security employees. 40 U. Tol. L. Rev. 247-272 (2008).

Ross, David M. G. Comment. Leveraging federal programs to boost local innovation and encourage venture capital investment: considering the Small Business Innovation Development Act and derivative state-level incentives, with specific implications for innovators and legislators in Louisiana and the Southern states. 11 Tul. J. Tech. & Intell. Prop. 115-137 (2008).

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Sikora, James P. Note. Providing hope: developing a viable regulatory framework for providing terminally ill patients with adequate access to investigational drugs. 70 U. Pitt. L. Rev. 191-215 (2008).

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Ellis, Seth L. Comment. Disestablishing "the last plantation": the need for accountability in the United States Department of Agriculture. 4 J. Food L. & Pol'y 93-127 (2008).

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Oliar, Dotan and Christopher Sprigman. There's no free laugh (anymore): the emergence of intellectual property norms and the transformation of stand-up comedy. 94 Va. L. Rev. 1787-1867 (2008).

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BANKING AND FINANCE

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McCall, Brian M. Unprofitable lending: modern credit regulation and the lost theory of usury. 30 Cardozo L. Rev. 549-615 (2008).

Murray, John C. Court decisions and state statutes send warning to "foreclosure consultants". 43 Real Prop. Tr. & Est. L.J. 571-606 (2008).

O'Brien, Elizabeth Doyle. Comment. Minimizing the risk of the undeserved scarlet letter: an urgent call to amend § 1681e(b) of the Fair Credit Reporting Act. 57 Cath. U. L. Rev. 1217-1244 (2008).

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CIVIL RIGHTS AND DISCRIMINATION

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Cheng, Glen. Note. Caring for New Jersey's children with autism: a multifaceted struggle for parity. 60 *Rutgers L. Rev.* 997-1037 (2008).

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Sutton, Hon. Jeffrey S. **San Antonio Independent School District v. Rodriguez** and its aftermath. 94 *Va. L. Rev.* 1963-1986 (2008).

Varnum, Thomas G. Let's not jump to conclusions: approaching felon disenfranchisement challenges under the Voting Rights Act. 14 *Mich. J. Race & L.* 109-142 (2008).

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(For contents see the **Tables of Contents of Indexed Law Reviews** for [Catholic University Law Review](#).)

COMMERCIAL LAW

Martin, Jennifer S. Adapting U.C.C. § 2-615 excuse for civilian-military contractors in wartime. 61 *Fla. L. Rev.* 99-150 (2009).

Smythe, Donald J. The scope of a bargain and the value of a promise. 60 *S.C. L. Rev.* 203-236 (2008).

COMMUNICATIONS LAW

Abramowicz, David. Note. Calculating the public interest in protecting journalists' confidential sources. 108 *Colum. L. Rev.* 1949-1990 (2008).

Avery, Michael K. Note. Whose rights? Why states should set parameters for federal honest services mail and wire fraud prosecutions. 49 *B.C. L. Rev.* 1431-1458 (2008).

Desormeaux, Melissa. Note. At the direction of the user or service provider: the District Court of Northern California takes a stand on what constitutes creating a copy under DMCA safe harbors.. (**Io Group, Inc. v. Veoh Networks, Inc.**, 2008 WL 4065872.) 11 *Tul. J. Tech. & Intell. Prop.* 147-156 (2008).

Folsom, Thomas C. Space pirates, hitchhikers, guides, and the public interest: transformational trademark law in cyberspace. 60 *Rutgers L. Rev.* 825-918 (2008).

Neinas, Scott. Comment. A skinny shield is better: why Congress should propose a federal reporters' shield statute that narrowly defines journalists. 40 *U. Tol. L. Rev.* 225-246 (2008).

Palyan, Tigran. Comment. Common law privacy in a not so common world: prospects for the tort of intrusion upon seclusion in virtual worlds. 38 *Sw. L. Rev.* 167-194 (2008).

Pats, Justin. The show must go on: an egalitarian approach to descendibility as applied to a prospective federal personaright statute. 35 *N. Ky. L. Rev.* 37-52 (2008).

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COMPARATIVE AND FOREIGN LAW

Alborn, Timothy. A license to bet: life insurance and the Gambling Act in the British courts. 14 Conn. Ins. L.J. 1-20 (2007).

Boyer, M. Martin. Three insights from the Canadian D & O insurance market: inertia, information and insiders. 14 Conn. Ins. L.J. 75-106 (2007).

Kopetsky, Brad A. Comment. Deutschland über alles: why German regulations need to conquer the divided U.S. renewable-energy framework to save clean tech (and the world). 2008 Wis. L. Rev. 941-986.

Layton, Marlon A. Note. Is private securities litigation essential for the development of China's stock markets? 83 N.Y.U. L. Rev. 1948-1978 (2008).

Leibovitch, Emilie H. Recent development. European Union food law update. 4 J. Food L. & Pol'y 155-175 (2008).

Mason, Ruth. Made in America for European tax: the internal consistency test. 49 B.C. L. Rev. 1277-1326 (2008).

Pek, Jane. Note. Things better left unwritten?: constitutional text and the rule of law. 83 N.Y.U. L. Rev. 1979-2012 (2008).

Recuerda, Miguel A. Dangerous interpretations of the precautionary principle and the foundational values of European Union food law: risk versus risk. 4 J. Food L. & Pol'y 1-43 (2008).

Rogoyski, Robert S. Learning the hard way: the anti-circumvention amendments to the Hong Kong Copyright Ordinance. 11 Tul. J. Tech. & Intell. Prop. 35-57 (2008).

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Murphy, Richard. Abandoning standing: trading a rule of access for a rule of deference. 60 Admin. L. Rev. 943-993 (2008).

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Ross, Lee. A conversation with Linda Greenhouse. 59 Syracuse L. Rev. 91-100 (2008).

Semeraro, Steven. Sweet land of property?: the history, symbols, rhetoric, and theory behind the ordering of the rights to liberty and property in the constitutional lexicon. 60 S.C. L. Rev. 1-61 (2008).

Symposium on [America's Constitution: A Biography](#). William M. Wiecek, moderator, Akhil Reed Amar, Ralph Ketcham, Paul Finkelman, Andrew Wender Cohen and Thomas M. Keck, panelists. 59 Syracuse L. Rev. 31-67 (2008).

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Klass, Gregory. Three pictures of contract: duty, power, and compound rule. 83 N.Y.U. L. Rev. 1726-1783 (2008).

Randall, Susan. Freedom of contract in insurance. 14 Conn. Ins. L.J. 107-147 (2007).

Warner, Richard. Turned on its head?: norms, freedom, and acceptable terms in Internet contracting. 11 Tul. J. Tech. & Intell. Prop. 1-34 (2008).

Wegener, Meredith A. Giving promises force: allowing debtor's breach of contract claim despite position taken in bankruptcy. 78 Miss. L.J. 105-128 (2008).

CORPORATIONS

Bergen, Chris. Note. The Supreme Court tightens the purse strings on corporate punitive awards. (**Exxon Shipping Co. v. Baker**, 128 S. Ct. 2605, 2008.) 22 Tul. Envtl. L.J. 141-158 (2008).

Bhagat, Sanjai, Brian Bolton and Roberta Romano. The promise and peril of corporate governance indices. 108 Colum. L. Rev. 1803-1882 (2008).

Cheyette, Daniel L. Policing the corporate citizen: arguments for prosecuting organizations. 25 Alaska L. Rev. 175-211 (2008).

Cremers, K. J. Martijn, Vinay B. Nair and Urs Peyer. Takeover defenses and competition: the role of stakeholders. 5 J. Empirical Legal Stud. 791-818 (2008).

Gardner, Jennifer M. Note. Corporate attorney-client privileges and work-product protections should absolutely be preserved. 70 U. Pitt. L. Rev. 155-189 (2008).

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Rodrigues, Usha. From loyalty to conflict: addressing fiduciary duty at the officer level. 61 Fla. L. Rev. 1-53 (2009).

Sneirson, Judd F. Soft paternalism for close corporations: helping shareholders help themselves. 2008 Wis. L. Rev. 899-940.

COURTS

Edelman, Paul H., David E. Klein and Stefanie A. Lindquist. Measuring deviations from expected voting patterns on collegial courts. 5 J. Empirical Legal Stud. 819-852 (2008).

Frakt, David J. R. An indelicate imbalance: a critical comparison of the rules and procedures for military commissions and courts-martial. 34 Am. J. Crim. L. 315-367 (2007).

Solimine, Michael E. Congress, **Ex parte Young**, and the fate of the three-judge district court. 70 U. Pitt. L. Rev. 101-153 (2008).

CRIMINAL LAW AND PROCEDURE

(For other articles on CRIMINAL LAW AND PROCEDURE see the **Tables of Contents of Indexed Law Reviews** for [American Journal of Criminal Law.](#))

Anderson, William and Martin T. Wells. Numerical analysis in least squares regression with an application to the abortion-crime debate. 5 J. Empirical Legal Stud. 647-681 (2008).

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Blumenthal, Jeremy A. Implicit theories and capital sentencing: an experimental study. 59 Syracuse L. Rev. 1-29 (2008).

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Chemerinsky, Jeffrey M. Note. Counting offenses. 58 Duke L.J. 709-746 (2009).

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- Gross, Samuel R. and Barbara O'Brien. Frequency and predictors of false conviction: why we know so little, and new data on capital cases. 5 *J. Empirical Legal Stud.* 927-962 (2008).
- Halpern, Gergana. Note. Punishing aggressors in U.S. courts: will the act of state doctrine bar national prosecution of the crime of aggression? 7 *Cardozo Pub. L. Pol'y & Ethics J.* 239-274 (2008).
- Johnson, Christopher M. Not for love or money: appointing a public defender to litigate a claim of ineffective assistance involving another public defender. 78 *Miss. L.J.* 69-103 (2008).
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- Lawrence, Frederick M. The evolving federal role in bias crime law enforcement and the Hate Crimes Prevention Act of 2007. 19 *Stan. L. & Pol'y Rev.* 251-282 (2008).
- Montgomery, Liam J. Note. The unrealized promise of Section 1983 method-of-execution challenges. 94 *Va. L. Rev.* 1987-2033 (2008).
- Myers, Richard E. II. Responding to the time-based failures of the criminal law through a criminal sunset amendment. 49 *B.C. L. Rev.* 1327-1382 (2008).
- Nichol, William L. V. Recent decision. Criminal law--mental competence and right to self-representation--a state may insist on representation of counsel for defendant who is mentally fit to stand trial but lacks sufficient competence to represent himself at trial. (*Edwards v. State*, 854 N.E.2d 42, 2006, *rev'd*, 866 N.E.2d 252, 2007, *rev'd*, 128 S. Ct. 2379, 2008.) 78 *Miss. L.J.* 227-239 (2008).
- Rossi, Rachel Alexandra. Student paper. Meet me on death row: post-sentence victim-offender mediation in capital cases. 9 *Pepp. Disp. Resol. L.J.* 185-210 (2008).
- Sandler, Jeffrey C., Naomi J. Freeman and Kelly M. Socia. Does a watched pot boil? A time-series analysis of New York State's sex offender registration and notification law. 14 *Psychol. Pub. Pol'y & L.* 284-302 (2008).
- Schumacher, David A. Comment. Post-conviction access to DNA testing: the federal government does not offer an adequate solution, leaving the states to remedy the situation. 57 *Cath. U. L. Rev.* 1245-1274 (2008).
- Short, Charles. Note. Guilt by machine: the problem of source code discovery in Florida DUI prosecutions. 61 *Fla. L. Rev.* 177-201 (2009).
- Stephens, Mitchell. Ignoring justice: prosecutorial discretion and the ethics of charging. 35 *N. Ky. L. Rev.* 53-65 (2008).
- Taslitz, Andrew E. Confessing in the human voice: a defense of the privilege against self-incrimination. 7 *Cardozo Pub. L. Pol'y & Ethics J.* 121-206 (2008).
- Tobolowsky, Peggy M. To **Panetti** and beyond--defining and identifying capital offenders who are too "insane" to be executed. 34 *Am. J. Crim. L.* 369-431 (2007).
- Toland, Carol J. Comment. Internet journalists and the reporter's privilege: providing protection for online periodicals. 57 *U. Kan. L. Rev.* 461-490 (2009).
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- Yoshino, Erin R. Note. California's criminal gang enhancements: *lessons from interviews with practitioners*. 18 *S. Cal. Rev. L. & Soc. Just.* 117-152 (2008).
- Yunes, Yamil Farid. Note. Dictation method: do dictated handwriting exemplars provide for testimonial evidence protected by the Fifth Amendment? 34 *Am. J. Crim. L.* 433-457 (2007).

DISPUTE RESOLUTION

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DOMESTIC RELATIONS

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Ferretti, Daniel J. Casenote. Constitutional law--Fourteenth Amendment Equal Protection Clause--local school districts cannot use race to place students in schools to achieve proportional diversity. (**Parents Involved in Community Schools v. Seattle School District No. 1,** 127 S. Ct. 2738, 2007.) 38 *Cumb. L. Rev.* 631-644 (2007-2008).

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Ellis, John R. IV. Casenote. Constitutional law--standing in federal courts--taxpayer status is insufficient to confer standing on a plaintiff challenging the constitutionality under the Establishment Clause of executive use of discretionary funds. (**Hein v. Freedom From Religion Foundation, Inc.**, 127 S. Ct. 2553, 2007.) 38 *Cumb. L. Rev.* 645-661 (2007-2008).

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(For other articles on INSURANCE LAW see the **Tables of Contents of Indexed Law Reviews** for Connecticut Insurance Law Journal.)

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LEGAL RESEARCH AND BIBLIOGRAPHY

Gallacher, Ian. "Aux armes, citoyens!:" time for law schools to lead the movement for free and open access to the law. 40 U. Tol. L. Rev. 1-51 (2008).

Krishnaswami, Julie Graves. Justice Sandra Day O'Connor: a selected annotated bibliography. 57 Cath. U. L. Rev. 1099-1150 (2008).

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Frakt, David J. R. An indelicate imbalance: a critical comparison of the rules and procedures for military commissions and courts-martial. 34 Am. J. Crim. L. 315-367 (2007).

Halpern, Gergana. Note. Punishing aggressors in U.S. courts: will the act of state doctrine bar national prosecution of the crime of aggression? 7 Cardozo Pub. L. Pol'y & Ethics J. 239-274 (2008).

Kreder, Jennifer Anglim. The Holocaust, museum ethics and legalism. 18 S. Cal. Rev. L. & Soc. Just. 1-43 (2008).

Martin, Jennifer S. Adapting U.C.C. § 2-615 excuse for civilian-military contractors in wartime. 61 Fla. L. Rev. 99-150 (2009).

Messer, Kristen. Two sides of the same coin: the memory of the Holocaust at war with a survivor. 35 N. Ky. L. Rev. 19-35 (2008).

Prystowsky, Margaret. The constitutionality of court-martialing civilian contractors in Iraq. 7 Cardozo Pub. L. Pol'y & Ethics J. 45-92 (2008).

Scheper, Jeanne, et al. Comment. "The importance of objective analysis" on gays in the military: a response to Elaine Donnelly's *Constructing the co-ed military*. 15 Duke J. Gender L. & Pol'y 419-448 (2008).

MOTOR VEHICLES

Short, Charles. Note. Guilt by machine: the problem of source code discovery in Florida DUI prosecutions. 61 Fla. L. Rev. 177-201 (2009).

NATURAL RESOURCES LAW

Olmsted, James L. Paradoxical conservation and the tragedy of multiple commons. 22 Tul. Envtl. L.J. 103-121 (2008).

ORGANIZATIONS

Farnia, Nina. Student book review. Sitting silently at home. (A critique of The Revolution Will Not Be Funded: Beyond the Non-Profit Industrial Complex, edited by INCITE! Women of Color Against Violence.) 17 UCLA Women's L.J. 269-304 (2008).

POLITICS

Hayden, Grant M. and Matthew T. Bodie. One share, one vote and the false promise of shareholder homogeneity. 30 Cardozo L. Rev. 445-505 (2008).

O'Hanlon, Stephen. Justice Kennedy's short-lived libertarian revolution: a brief history of Supreme Court libertarian ideology. 7 Cardozo Pub. L. Pol'y & Ethics J. 1-44 (2008).

Shepherd, Joanna M. Money, politics, and impartial justice. 58 Duke L.J. 623-685 (2009).

Varnum, Thomas G. Let's not jump to conclusions: approaching felon disenfranchisement challenges under the Voting Rights Act. 14 Mich. J. Race & L. 109-142 (2008).

Gender and Religious Conservatism. Articles by Barbara L. Bernier, Colleen Theresa Rutledge, Emily J. Duncan, Lynne Marie Kohm, Gila Stopler and Toni Lester. 15 Duke J. Gender L. & Pol'y 275-417 (2008).

(For contents see the **Tables of Contents of Indexed Law Reviews** for Duke Journal of Gender Law & Policy.)

PRACTICE AND PROCEDURE

Coffee, John C., Jr. Accountability and competition in securities class actions: why "exit" works better than "voice". 30 Cardozo L. Rev. 407-444 (2008).

Gist, Ryan. Note. Transactional pleading: a proportional approach to Rule 8 in the wake of ... (**Bell Atlantic Corp. v. Twombly**, 127 S. Ct. 1955, 2007.) 2008 Wis. L. Rev. 1013-1047.

Schauer, Frederick. Authority and authorities. 94 Va. L. Rev. 1931-1961 (2008).

Scheindlin, Hon. Shira A. and Jonathan M. Redgrave. Special masters and e-discovery: the intersection of two recent revisions to the Federal Rules of Civil Procedure. 30 Cardozo L. Rev. 347-405 (2008).

PRESIDENT/EXECUTIVE DEPARTMENT

Akerman, Michelle. Note. **Brown v. United States, The Paquete Habana**, and the Executive. (**Brown v. United States**, 12 U.S. 110 (8 Cranch), 1814 and **The Paquete Habana**, 175 U.S. 677, 1900.) 60 Hastings L.J. 149-169 (2008).

Ellis, John R. IV. Casenote. Constitutional law--standing in federal courts--taxpayer status is insufficient to confer standing on a plaintiff challenging the constitutionality under the Establishment Clause of executive use of discretionary funds. (**Hein v. Freedom From Religion Foundation, Inc.**, 127 S. Ct. 2553, 2007.) 38 Cumb. L. Rev. 645-661 (2007-2008).

PROFESSIONAL ETHICS

Gardner, Jennifer M. Note. Corporate attorney-client privileges and work-product protections should absolutely be preserved. 70 U. Pitt. L. Rev. 155-189 (2008).

LoPucki, Lynn M. and Joseph W. Dogherty. Professional overcharging in large bankruptcy reorganization cases. 5 J. Empirical Legal Stud. 983-1017 (2008).

Richmond, Douglas R. For a few dollars more: the perplexing problem of unethical billing practices by lawyers. 60 S.C. L. Rev. 63-121 (2008).

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Stephens, Mitchell. Ignoring justice: prosecutorial discretion and the ethics of charging. 35 N. Ky. L. Rev. 53-65 (2008).

PROPERTY--PERSONAL AND REAL

(For other articles on PROPERTY--PERSONAL AND REAL see the **Tables of Contents of Indexed Law Reviews** for Real Property, Trust and Estate Law Journal.)

Goho, Shaun A. Process-oriented review and the original understanding of the public use requirement. 38 Sw. L. Rev. 37-87 (2008).

Howdeshell, Heather. Note. Didn't my general contractor pay you? Subcontractor construction liens in residential construction projects. 61 Fla. L. Rev. 151-176 (2009).

Lombardo, Evelyn C. Comment. A better **Twin Rivers**: a revised approach to state action by common-interest communities. 57 Cath. U. L. Rev. 1151-1179 (2008).

Messer, Kristen. Two sides of the same coin: the memory of the Holocaust at war with a survivor. 35 N. Ky. L. Rev. 19-35 (2008).

Nadler, Janice and Shari Seidman Diamond. Eminent domain and the psychology of property rights: proposed use, subjective attachment, and taker identity. 5 J. Empirical Legal Stud. 713-749 (2008).

Robertson, Christopher Tarver, Richard Egelhof and Michael Hoke. Get sick, get out: the medical causes of home mortgage foreclosures. 18 Health Matrix 65-104 (2008).

Semeraro, Steven. Sweet land of property?: the history, symbols, rhetoric, and theory behind the ordering of the rights to liberty and property in the constitutional lexicon. 60 S.C. L. Rev. 1-61 (2008).

PSYCHOLOGY AND PSYCHIATRY

(For other articles on PSYCHOLOGY AND PSYCHIATRY see the **Tables of Contents of Indexed Law Reviews** for Psychology, Public Policy, and Law.)

Konopasky, Aaron. Note. Eliminating harmful suicide policies in higher education. 19 Stan. L. & Pol'y Rev. 328-358 (2008).

Nichol, William L. V. Recent decision. Criminal law--mental competence and right to self-representation--a state may insist on representation of counsel for defendant who is mentally fit to stand trial but lacks sufficient competence to represent himself at trial. (**Edwards v. State**, 854 N.E.2d 42, 2006, *rev'd*, 866 N.E.2d 252, 2007, *rev'd*, 128 S. Ct. 2379, 2008.) 78 Miss. L.J. 227-239 (2008).

Smith, Douglas G. The constitutionality of civil commitment and the requirement of adequate treatment. 49 B.C. L. Rev. 1383-1429 (2008).

Tobolowsky, Peggy M. To **Panetti** and beyond--defining and identifying capital offenders who are too "insane" to be executed. 34 Am. J. Crim. L. 369-431 (2007).

RELIGION

Bickers, John M. Of non-horses, quantum mechanics, and the Establishment Clause. 57 U. Kan. L. Rev. 371-407 (2009).
DeGirolami, Marc O. The problem of religious learning. 49 B.C. L. Rev. 1213-1275 (2008).

Renaud, Robert Joseph and Lael Daniel Weinberger. Spheres of sovereignty: church autonomy doctrine and the theological heritage of the separation of church and state. 35 N. Ky. L. Rev. 67-102 (2008).

Trueworthy, Joy A. Note. The remnants of taxpayer standing in the era of the White House Office of Faith-Based and Community Initiatives. (**Hein v. Freedom From Religion Found., Inc.**, 127 S. Ct. 2553, 2007.) 60 Rutgers L. Rev. 1073-1102 (2008).

Warren, Christie S. Lifting the veil: women and Islamic law. 15 Cardozo J.L. & Gender 33-65 (2008).

Gender and Religious Conservatism. Articles by Barbara L. Bernier, Colleen Theresa Rutledge, Emily J. Duncan, Lynne Marie Kohm, Gila Stopler and Toni Lester. 15 Duke J. Gender L. & Pol'y 275-417 (2008).

(For contents see the **Tables of Contents of Indexed Law Reviews** for Duke Journal of Gender Law & Policy.)

REMEDIES

Bergen, Chris. Note. The Supreme Court tightens the purse strings on corporate punitive awards. (**Exxon Shipping Co. v. Baker**, 128 S. Ct. 2605, 2008.) 22 Tul. Envtl. L.J. 141-158 (2008).

Brill, Alison. Note. Rights without remedy: the myth of state court accessibility after the Prison Litigation Reform Act. 30 Cardozo L. Rev. 645-681 (2008).

Brumley, Jessica L. Note. Avoiding mere incantations: evaluating success on nonfee claims when determining prevailing-party status under 42 U.S.C. § 1988. 58 Duke L.J. 687-708 (2009).

Garretson, Heather J. Federal criminal forfeiture: a royal pain in the assets. 18 S. Cal. Rev. L. & Soc. Just. 45-77 (2008).

Hershberger, Bonnie. Supersized America: are lawsuits the right remedy? 4 J. Food L. & Pol'y 71-92 (2008).

Hill, Courtney Abbott. Note. Enabling the ADA: why monetary damages should be a remedy under Title III of the Americans with Disabilities Act. 59 Syracuse L. Rev. 101-121 (2008).

Montgomery, Liam J. Note. The unrealized promise of Section 1983 method-of-execution challenges. 94 Va. L. Rev. 1987-2033 (2008).

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Scott, John P., Jr. and Joshua H. Threadcraft. A practitioner's guide to recovery of mental anguish/emotional distress damages in Alabama. 38 *Cumb. L. Rev.* 507-566 (2007-2008).

RETIREMENT SECURITY

Percy, E. Farish. Applying the common fund doctrine to an ERISA-governed employee benefit plan's claim for subrogation or reimbursement. 61 *Fla. L. Rev.* 55-98 (2009).

RICO

Hemmer, Matthew D. Note. Pleading through hoops--respondeat superior in § 1962(c) RICO suits. 35 *N. Ky. L. Rev.* 127-156 (2008).

Rehn, Thane. Note. RICO and the Commerce Clause: a reconsideration of the scope of federal criminal law. 108 *Colum. L. Rev.* 1991-2036 (2008).

SCIENCE AND TECHNOLOGY

(For other articles on SCIENCE AND TECHNOLOGY see the **Tables of Contents of Indexed Law Reviews** for [Tulane Journal of Technology and Intellectual Property](#).)

Knaplund, Kristine S. Legal issues of maternity and inheritance for the biotech child of the 21st century. 43 *Real Prop. Tr. & Est. L.J.* 393-418 (2008).

SECURED TRANSACTIONS

Johnstun, Aaron K. and Stephen J. Ware. Farm tractors in Kansas: how to perfect a security interest. 57 *U. Kan. L. Rev.* 409-426 (2009).

SECURITIES LAW

Brennan, Thomas J. and Karl S. Okamoto. Measuring the tax subsidy in private equity and hedge fund compensation. 60 *Hastings L.J.* 27-59 (2008).

Coffee, John C., Jr. Accountability and competition in securities class actions: why "exit" works better than "voice". 30 *Cardozo L. Rev.* 407-444 (2008).

Layton, Marlon A. Note. Is private securities litigation essential for the development of China's stock markets? 83 *N.Y.U. L. Rev.* 1948-1978 (2008).

SEXUALITY AND THE LAW

Bartos, Samuel E. Note. Letting "privates" be private: toward a right of gender self-determination. 15 *Cardozo J.L. & Gender* 67-98 (2008).

Boccaccini, Marcus T., Darrel B. Turner and Daniel C. Murrie. Do some evaluators report consistently higher or lower PCL-R scores than others? Findings from a statewide sample of sexually violent predator evaluations. 14 *Psychol. Pub. Pol'y & L.* 262-283 (2008).

Fiser, Harvey L. and Paula K. Garrett. It takes three, baby: the lack of standard, legal definitions of "best interest of the child" and the right to contract for lesbian potential parents. 15 *Cardozo J.L. & Gender* 1-31 (2008).

Koch, Katie, student and Richard Bales. Transgender employment discrimination. 17 *UCLA Women's L.J.* 243-267 (2008).

Newlin, Alice. Should a trip from Illinois to Tennessee change a woman into a man?: proposal for a uniform interstate sex reassignment recognition act. 17 *Colum. J. Gender & L.* 461-503 (2008).

Perifimos, Cathy. Note. The changing faces of women's colleges: striking a balance between transgender rights and women's colleges' right to exclude. 15 *Cardozo J.L. & Gender* 141-168 (2008).

Poirier, Marc R. The cultural property claim within the same-sex marriage controversy. 17 *Colum. J. Gender & L.* 343-418 (2008).

Sandler, Jeffrey C., Naomi J. Freeman and Kelly M. Socia. Does a watched pot boil? A time-series analysis of New York State's sex offender registration and notification law. 14 *Psychol. Pub. Pol'y & L.* 284-302 (2008).

Scheper, Jeanne, et al. Comment. "The importance of objective analysis" on gays in the military: a response to Elaine Donnelly's *Constructing the co-ed military*. 15 *Duke J. Gender L. & Pol'y* 419-448 (2008).

Gender and Religious Conservatism. Articles by Barbara L. Bernier, Colleen Theresa Rutledge, Emily J. Duncan, Lynne Marie Kohm, Gila Stopler and Toni Lester. 15 *Duke J. Gender L. & Pol'y* 275-417 (2008).

(For contents see the **Tables of Contents of Indexed Law Reviews** for [Duke Journal of Gender Law & Policy](#).)

SOCIAL WELFARE

Alexander, J. Brooke. Note. Dual agency flat rate: inadequate, inefficient and legally suspect. 18 *S. Cal. Rev. L. & Soc. Just.* 153-206 (2008).

Barr, Michael S. and Jane K. Dokko. Third-party tax administration: the case of low-and-moderate-income households. 5 *J. Empirical Legal Stud.* 963-981 (2008).

DePina, Fallon. Comment. Brealing the chain: how state legislatures can learn from the mistakes of Maryland's Fair Share Act and stop benefit dumping. 14 *Conn. Ins. L.J.* 173-198 (2007).

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Goldman, Brian P. Legislative note. The San Francisco Health care Security Ordinance: universal health care beyond ERISA's reach? 19 *Stan. L. & Pol'y Rev.* 361-376 (2008).

Joseph, Anthony A. Public corruption: the government's expansive view in pursuit of local and state officials. 38 *Cumb. L. Rev.* 567-581 (2007-2008).

TAXATION--FEDERAL ESTATE AND GIFT

Bloom, Ira Mark. Unifying the rules for wills and revocable trusts in the federal estate tax apportionment arena: suggestions for reform. 43 *Real Prop. Tr. & Est. L.J.* 447-497 (2008).

Pareja, Sergio. Taxation without liquidation: rethinking "ability to pay". 2008 *Wis. L. Rev.* 841-897.

TAXATION--FEDERAL INCOME

(For other articles on TAXATION--FEDERAL INCOME see the **Tables of Contents of Indexed Law Reviews** for [Tax Law Review](#).)

Barr, Michael S. and Jane K. Dokko. Third-party tax administration: the case of low-and-moderate-income households. 5 *J. Empirical Legal Stud.* 963-981 (2008).

Brennan, Thomas J. and Karl S. Okamoto. Measuring the tax subsidy in private equity and hedge fund compensation. 60 *Hastings L.J.* 27-59 (2008).

Deering, Timothy. Note. A taxing statute: costly conjuncts and their logical fallout. 7 *Cardozo Pub. L. Pol'y & Ethics J.* 207-238 (2008).

Drennan, William A. Einstein's theory of taxation explains the nonqualified deferred compensation rules! 40 *U. Tol. L. Rev.* 53-103 (2008).

Ellis, John R. IV. Casenote. Constitutional law--standing in federal courts--taxpayer status is insufficient to confer standing on a plaintiff challenging the constitutionality under the Establishment Clause of executive use of discretionary funds. (**Hein v. Freedom From Religion Foundation, Inc.**, 127 S. Ct. 2553, 2007.) 38 *Cumb. L. Rev.* 645-661 (2007-2008).

Trueworthy, Joy A. Note. The remnants of taxpayer standing in the era of the White House Office of Faith-Based and Community Initiatives. (**Hein v. Freedom From Religion Found., Inc.**, 127 S. Ct. 2553, 2007.) 60 *Rutgers L. Rev.* 1073-1102 (2008).

TAXATION--TRANSNATIONAL

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Daniel, Scott R. Comment. The spy who sued the king: scaling the fortress of executive immunity for constitutional torts in ... (**Wilson v. Libby**, 498 F. Supp. 2d 74, 2007.) 16 *Am. U. J. Gender Soc. Pol'y & L.* 503-526 (2008).

Juenger, Joseph D. Note. In light of **Ahlborn**--designing state legislation to protect the recovery of Medicaid expenses from personal injury settlements. (**Arkansas Department of Health and Human Services v. Heidi Ahlborn**, 547 U.S. 268, 2006.) 35 *N. Ky. L. Rev.* 103-126 (2008).

LeBlond, Kristen. Comment. Bad faith in Alabama's civil justice system: "tort hell" or reformed jurisdiction. 14 *Conn. Ins. L.J.* 149-171 (2007).

Palyan, Tigran. Comment. Common law privacy in a not so common world: prospects for the tort of intrusion upon seclusion in virtual worlds. 38 *Sw. L. Rev.* 167-194 (2008).

Scott, John P., Jr. and Joshua H. Threadcraft. A practitioner's guide to recovery of mental anguish/emotional distress damages in Alabama. 38 *Cumb. L. Rev.* 507-566 (2007-2008).

Sport, Morgan McCue. Comment. An inconvenient suit: **California v. General Motors Corporation** and a look at whether global warming constitutes an actionable public nuisance or a nonjusticiable political question. 38 *Cumb. L. Rev.* 583-630 (2007-2008).

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WATER LAW

Benbenisty, Lara E. Note. Congress's expanding role in regulating interstate water disputes. (**Se. Fed. Power Customers, Inc. v. Green**, 514 F.3d 1316, 2008.) 22 *Tul. Envtl. L.J.* 123-139 (2008).

WOMEN

(For other articles on WOMEN see the **Tables of Contents of Indexed Law Reviews** for [American University Journal of Gender, Social Policy & the Law](#), [Cardozo Journal of Law & Gender](#), [Columbia Journal of Gender and Law](#), [Duke Journal of Gender Law & Policy](#) and [UCLA Women's Law Journal](#).)

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Chen, Jim. From **Red Lion** to red list: the dominance and decline of the broadcast medium. 60 Admin. L. Rev. 793-800 (2008).

Napoli, Philip M. Paradoxes of media policy analysis: implications for public interest media regulation. 60 Admin. L. Rev. 801-812 (2008).

Levi, Lili. The four eras of FCC public interest regulation. 60 Admin. L. Rev. 813-859 (2008).

Baker, C. Edwin. Keynote address: three cheers for **Red Lion**. 60 Admin. L. Rev. 861-868 (2008).

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May, Randolph J. A modest plea for FCC modesty regarding the public interest standard. 60 Admin. L. Rev. 895-909 (2008).

Krotoszynski, Ronald J., Jr. The irrelevant wasteland: an exploration of why **Red Lion** doesn't matter (much) in 2008, the crucial importance of the information revolution, and the continuing relevance of the public interest standard in regulating access to spectrum. 60 Admin. L. Rev. 911-942 (2008).

Murphy, Richard. Abandoning standing: trading a rule of access for a rule of deference. 60 Admin. L. Rev. 943-993 (2008).

25 ALASKA LAW REVIEW, NO. 2, DECEMBER, 2008.

Cheyette, Daniel L. Policing the corporate citizen: arguments for prosecuting organizations. 25 Alaska L. Rev. 175-211 (2008).

Henrikson, Gregory R. Dimond, not **Daubert**: reviving the discretionary standard of expert admission in Alaska. 25 Alaska L. Rev. 213-239 (2008).

Hutchinson, Douglas E., M.D. Comment. **Marsingill v. O'Malley**: the duty to disclose becomes the duty to divine. (**Marsingill v. O'Malley**, 128 P.3d 151, 2006.) 25 Alaska L. Rev. 241-262 (2008).

Bolotin, Lisa. Note. When parents fight: Alaska's presumption against awarding custody to perpetrators of domestic violence. 25 Alaska L. Rev. 263-301 (2008).

Taylor, Kelly. Note. Silence at a price? Judicial questionnaires and the independence of Alaska's judiciary. 25 Alaska L. Rev. 303-343 (2008).

34 AMERICAN JOURNAL OF CRIMINAL LAW, NO. 3, SUMMER, 2007.

Frakt, David J. R. An indelicate imbalance: a critical comparison of the rules and procedures for military commissions and courts-martial. 34 Am. J. Crim. L. 315-367 (2007).

Tobolowsky, Peggy M. To **Panetti** and beyond--defining and identifying capital offenders who are too "insane" to be executed. 34 Am. J. Crim. L. 369-431 (2007).

Yunes, Yamil Farid. Note. Dictation method: do dictated handwriting exemplars provide for testimonial evidence protected by the Fifth Amendment? 34 Am. J. Crim. L. 433-457 (2007).

16 AMERICAN UNIVERSITY JOURNAL OF GENDER, SOCIAL POLICY & THE LAW, NO. 4, PP. 437-552, 2008.

Brosh, Joanne E. and Monica K. Miller. Regulating pregnancy behaviors: how the constitutional rights of minority women are disproportionately compromised. 16 Am. U. J. Gender Soc. Pol'y & L. 437-457 (2008).

Anthony, Deborah J. The hidden harms of the Family and Medical Leave Act: gender-neutral versus gender-equal. 16 Am. U. J. Gender Soc. Pol'y & L. 459-501 (2008).

Daniel, Scott R. Comment. The spy who sued the king: scaling the fortress of executive immunity for constitutional torts in ... (**Wilson v. Libby**, 498 F. Supp. 2d 74, 2007.) 16 Am. U. J. Gender Soc. Pol'y & L. 503-526 (2008).

Finn, Brenna. Comment. Save me from harm: the consequences of the ordinary remand rule's misapplication to ... (**Gao v. Gonzales**, 440 F.3d 62, 2006, *vacated*, **Keisler v. Hong Ying Gao**, 128 S. Ct. 345, 2007.) 16 Am. U. J. Gender Soc. Pol'y & L. 527-552 (2008).

49 BOSTON COLLEGE LAW REVIEW, NO. 5, NOVEMBER, 2008.

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Smith, Douglas G. The constitutionality of civil commitment and the requirement of adequate treatment. 49 B.C. L. Rev. 1383-1429 (2008).

Avery, Michael K. Note. Whose rights? Why states should set parameters for federal honest services mail and wire fraud prosecutions. 49 B.C. L. Rev. 1431-1458 (2008).

Index to volume 49. 49 B.C. L. Rev. unpagged (2008).

15 CARDOZO JOURNAL OF LAW & GENDER, NO. 1, FALL, 2008.

Fiser, Harvey L. and Paula K. Garrett. It takes three, baby: the lack of standard, legal definitions of "best interest of the child" and the right to contract for lesbian potential parents. 15 Cardozo J.L. & Gender 1-31 (2008).

Warren, Christie S. Lifting the veil: women and Islamic law. 15 Cardozo J.L. & Gender 33-65 (2008).

Bartos, Samuel E. Note. Letting "privates" be private: toward a right of gender self-determination. 15 Cardozo J.L. & Gender 67-98 (2008).

Goldvaser, Amalia. Note. Inflating Goodyear's bottom line: paying women less and getting away with it. 15 Cardozo J.L. & Gender 99-116 (2008).

Lee, Young Eun. Note. Creating a proper incentive structure: a case study of ... (**Ledbetter v. The Goodyear Tire & Rubber Co. Inc.**, 127 S. Ct. 2162, 2007.) 15 Cardozo J.L. & Gender 117-139 (2008).

Perifimos, Cathy. Note. The changing faces of women's colleges: striking a balance between transgender rights and women's colleges' right to exclude. 15 Cardozo J.L. & Gender 141-168 (2008).

Annotated legal bibliography on gender. 15 Cardozo J.L. & Gender 169-227 (2008).

30 CARDOZO LAW REVIEW, NO. 2, NOVEMBER, 2008.

Scheindlin, Hon. Shira A. and Jonathan M. Redgrave. Special masters and e-discovery: the intersection of two recent revisions to the Federal Rules of Civil Procedure. 30 Cardozo L. Rev. 347-405 (2008).

Coffee, John C., Jr. Accountability and competition in securities class actions: why "exit" works better than "voice". 30 Cardozo L. Rev. 407-444 (2008).

Hayden, Grant M. and Matthew T. Bodie. One share, one vote and the false promise of shareholder homogeneity. 30 Cardozo L. Rev. 445-505 (2008).

Klein, Christine A. and Ling-Yee Huang. Cultural norms as a source of law: the example of bottled water. 30 Cardozo L. Rev. 507-548 (2008).

McCall, Brian M. Unprofitable lending: modern credit regulation and the lost theory of usury. 30 Cardozo L. Rev. 549-615 (2008).

Plank, Thomas E. Sense and sensibility in securitization: a prudent legal structure and a fanciful critique. 30 Cardozo L. Rev. 617-643 (2008).

Brill, Alison. Note. Rights without remedy: the myth of state court accessibility after the Prison Litigation Reform Act. 30 Cardozo L. Rev. 645-681 (2008).

Elman, Victoria. Note. From the runway to the courtroom: how substantial similarity is unfit for fashion. 30 Cardozo L. Rev. 683-715 (2008).

7 CARDOZO PUBLIC LAW, POLICY, & ETHICS JOURNAL, NO. 1, FALL, 2008.

O'Hanlon, Stephen. Justice Kennedy's short-lived libertarian revolution: a brief history of Supreme Court libertarian ideology. 7 Cardozo Pub. L. Pol'y & Ethics J. 1-44 (2008).

Prystowsky, Margaret. The constitutionality of court-martialing civilian contractors in Iraq. 7 Cardozo Pub. L. Pol'y & Ethics J. 45-92 (2008).

Rowen, Jamie. Social reality and philosophical ideals in transitional justice. 7 Cardozo Pub. L. Pol'y & Ethics J. 93-119 (2008).

Taslitz, Andrew E. Confessing in the human voice: a defense of the privilege against self-incrimination. 7 Cardozo Pub. L. Pol'y & Ethics J. 121-206 (2008).

Deering, Timothy. Note. A taxing statute: costly conjuncts and their logical fallout. 7 Cardozo Pub. L. Pol'y & Ethics J. 207-238 (2008).

Halpern, Gergana. Note. Punishing aggressors in U.S. courts: will the act of state doctrine bar national prosecution of the crime of aggression? 7 Cardozo Pub. L. Pol'y & Ethics J. 239-274 (2008).

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57 CATHOLIC UNIVERSITY LAW REVIEW, NO. 4, SUMMER, 2008.

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Black, Derek W. The uncertain future of school desegregation and the importance of goodwill, good sense, and a misguided decision. 57 Cath. U. L. Rev. 947-990 (2008).

La Noue, George and Kenneth L. Marcus. "Serious consideration" of race-neutral alternatives in higher education. 57 Cath. U. L. Rev. 991-1044 (2008).

Maltz, Earl M. Ignoring the real world: Justice O'Connor and affirmative action in education. 57 Cath. U. L. Rev. 1045-1058 (2008).

Hutchinson, Harry G. Moving forward? Diversity as a paradox? A critical race view. 57 Cath. U. L. Rev. 1059-1098 (2008).

Krishnaswami, Julie Graves. Justice Sandra Day O'Connor: a selected annotated bibliography. 57 Cath. U. L. Rev. 1099-1150 (2008).

Lombardo, Evelyn C. Comment. A better **Twin Rivers**: a revised approach to state action by common-interest communities. 57 Cath. U. L. Rev. 1151-1179 (2008).

Martin, Zachary. Comment. Public school teachers' First Amendment rights: in danger in the wake of "Bong Hits 4 Jesus". 57 Cath. U. L. Rev. 1183-1215 (2008).

O'Brien, Elizabeth Doyle. Comment. Minimizing the risk of the undeserved scarlet letter: an urgent call to amend § 1681e(b) of the Fair Credit Reporting Act. 57 Cath. U. L. Rev. 1217-1244 (2008).

Schumacher, David A. Comment. Post-conviction access to DNA testing: the federal government does not offer an adequate solution, leaving the states to remedy the situation. 57 Cath. U. L. Rev. 1245-1274 (2008).

17 COLUMBIA JOURNAL OF GENDER AND LAW, NO. 3, PP. 307-561, 2008.

Goldberg, Suzanne B. Family law cases as law reform litigation: unrecognized parents and the story of **Allison D. v. Virginia M.** 17 Colum. J. Gender & L. 307-342 (2008).

Poirier, Marc R. The cultural property claim within the same-sex marriage controversy. 17 Colum. J. Gender & L. 343-418 (2008).

Davis, Martha F. The Equal Rights Amendment: then and now. 17 Colum. J. Gender & L. 419-459 (2008).

Newlin, Alice. Should a trip from Illinois to Tennessee change a woman into a man?: proposal for a uniform interstate sex reassignment recognition act. 17 Colum. J. Gender & L. 461-503 (2008).

Schneider, Melanie C. The imprecise draftsmanship of the Lautenberg Amendment and the resulting problems for the judiciary. 17 Colum. J. Gender & L. 505-561 (2008).

108 COLUMBIA LAW REVIEW, NO. 8, DECEMBER, 2008.

Bhagat, Sanjai, Brian Bolton and Roberta Romano. The promise and peril of corporate governance indices. 108 Colum. L. Rev. 1803-1882 (2008).

Smith, Peter J. Textualism and jurisdiction. 108 Colum. L. Rev. 1883-1948 (2008).

Abramowicz, David. Note. Calculating the public interest in protecting journalists' confidential sources. 108 Colum. L. Rev. 1949-1990 (2008).

Rehn, Thane. Note. RICO and the Commerce Clause: a reconsideration of the scope of federal criminal law. 108 Colum. L. Rev. 1991-2036 (2008).

Motomura, Hiroshi. Immigration outside the law. 108 Colum. L. Rev. 2037-2097 (2008).

Amir, On and Orly Lobel. Stumble, predict, nudge: how behavioral economics informs law and policy. (Reviewing Richard H. Thaler and Cass R. Sunstein, Nudge: Improving Decisions About Health, Wealth, and Happiness and Dan Ariely, Predictably Irrational: The Hidden Forces That Shape Our Decisions.) 108 Colum. L. Rev. 2098-2137 (2008).

Index to volume 108. 108 Colum. L. Rev. i-xiii (2008).

14 CONNECTICUT INSURANCE LAW JOURNAL, NO. 1, FALL, 2007.

Alborn, Timothy. A license to bet: life insurance and the Gambling Act in the British courts. 14 Conn. Ins. L.J. 1-20 (2007).

Fischer, James M. Insurer-policyholder interests, defense counsel's professional duties, and the allocation of power to control the defense. 14 Conn. Ins. L.J. 21-73 (2007).

Boyer, M. Martin. Three insights from the Canadian D & O insurance market: inertia, information and insiders. 14 Conn. Ins. L.J. 75-106 (2007).

Randall, Susan. Freedom of contract in insurance. 14 Conn. Ins. L.J. 107-147 (2007).

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LeBlond, Kristen. Comment. Bad faith in Alabama's civil justice system: "tort hell" or reformed jurisdiction. 14 Conn. Ins. L.J. 149-171 (2007).

DePina, Fallon. Comment. Brealing the chain: how state legislatures can learn from the mistakes of Maryland's Fair Share Act and stop benefit dumping. 14 Conn. Ins. L.J. 173-198 (2007).

38 CUMBERLAND LAW REVIEW, NO. 3, PP. 467-662, 2007-2008.

Darby, Patrick. **Southeast and New England** mean New York: the rule of explicitness and post-bankruptcy interest on senior unsecured debt. 38 Cumb. L. Rev. 467-506 (2007-2008).

Scott, John P., Jr. and Joshua H. Threadcraft. A practitioner's guide to recovery of mental anguish/emotional distress damages in Alabama. 38 Cumb. L. Rev. 507-566 (2007-2008).

Joseph, Anthony A. Public corruption: the government's expansive view in pursuit of local and state officials. 38 Cumb. L. Rev. 567-581 (2007-2008).

Sport, Morgan McCue. Comment. An inconvenient suit: **California v. General Motors Corporation** and a look at whether global warming constitutes an actionable public nuisance or a nonjusticiable political question. 38 Cumb. L. Rev. 583-630 (2007-2008).

Ferretti, Daniel J. Casenote. Constitutional law--Fourteenth Amendment Equal Protection Clause--local school districts cannot use race to place students in schools to achieve proportional diversity. (**Parents Involved in Community Schools v. Seattle School District No. 1**, 127 S. Ct. 2738, 2007.) 38 Cumb. L. Rev. 631-644 (2007-2008).

Ellis, John R. IV. Casenote. Constitutional law--standing in federal courts--taxpayer status is insufficient to confer standing on a plaintiff challenging the constitutionality under the Establishment Clause of executive use of discretionary funds. (**Hein v. Freedom From Religion Foundation, Inc.**, 127 S. Ct. 2553, 2007.) 38 Cumb. L. Rev. 645-661 (2007-2008).

15 DUKE JOURNAL OF GENDER LAW & POLICY, NO. 2, AUGUST, 2008.

Gender and Religious Conservatism. 15 Duke J. Gender L. & Pol'y 275-417 (2008).

Bernier, Barbara L. Unholy troika: gender, race and religiosity in the 2008 presidential contest. 15 Duke J. Gender L. & Pol'y 275-296 (2008).

Rutledge, Colleen Theresa. Caught in the crossfire: how Catholic Charities of Boston was victim to the clash between gay rights and religious freedom. 15 Duke J. Gender L. & Pol'y 297-314 (2008).

Duncan, Emily J. Student paper. The positive effects of legalizing polygamy: "love is a many splendored thing". 15 Duke J. Gender L. & Pol'y 315-337 (2008).

Kohm, Lynne Marie. A Christian perspective on gender equality. 15 Duke J. Gender L. & Pol'y 339-363 (2008).

Stopler, Gila. "A rank usurpation of power"--the role of patriarchal religion and culture in the subordination of women. 15 Duke J. Gender L. & Pol'y 365-397 (2008).

Lester, Toni. "Talking about sexual orientation, teaching about homophobia"--negotiating the divide between religious belief and tolerance for LGBT rights in the classroom. 15 Duke J. Gender L. & Pol'y 399-417 (2008).

Scheper, Jeanne, et al. Comment. "The importance of objective analysis" on gays in the military: a response to Elaine Donnelly's *Constructing the co-ed military*. 15 Duke J. Gender L. & Pol'y 419-448 (2008).

58 DUKE LAW JOURNAL, NO. 4, JANUARY, 2009.

Bressman, Lisa Schultz. **Chevron's** mistake. 58 Duke L.J. 549-621 (2009).

Shepherd, Joanna M. Money, politics, and impartial justice. 58 Duke L.J. 623-685 (2009).

Brumley, Jessica L. Note. Avoiding mere incantations: evaluating success on nonfee claims when determining prevailing-party status under 42 U.S.C. § 1988. 58 Duke L.J. 687-708 (2009).

Chemerinsky, Jeffrey M. Note. Counting offenses. 58 Duke L.J. 709-746 (2009).

61 FLORIDA LAW REVIEW, NO. 1, JANUARY, 2009.

Rodrigues, Usha. From loyalty to conflict: addressing fiduciary duty at the officer level. 61 Fla. L. Rev. 1-53 (2009).

Percy, E. Farish. Applying the common fund doctrine to an ERISA-governed employee benefit plan's claim for subrogation or reimbursement. 61 Fla. L. Rev. 55-98 (2009).

Martin, Jennifer S. Adapting U.C.C. § 2-615 excuse for civilian-military contractors in wartime. 61 Fla. L. Rev. 99-150 (2009).

Howdeshell, Heather. Note. Didn't my general contractor pay you? Subcontractor construction liens in residential construction projects. 61 Fla. L. Rev. 151-176 (2009).

Short, Charles. Note. Guilt by machine: the problem of source code discovery in Florida DUI prosecutions. 61 Fla. L. Rev. 177-201 (2009).

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60 HASTINGS LAW JOURNAL, NO. 1, NOVEMBER, 2008.

Lipson, Andrew Z. A message from the Editor-in-Chief. 60 Hastings L.J. unpagged (2008).

Twerski, Aaron D. The cleaver, the violin, and the scalpel: duty and the *Restatement (Third) of Torts*. 60 Hastings L.J. 1-25 (2008).

Brennan, Thomas J. and Karl S. Okamoto. Measuring the tax subsidy in private equity and hedge fund compensation. 60 Hastings L.J. 27-59 (2008).

Keitner, Chimène I. Conceptualizing complicity in alien tort cases. 60 Hastings L.J. 61-103 (2008).

Bagchi, Aditi. Distributive injustice and private law. 60 Hastings L.J. 105-148 (2008).

Akerman, Michelle. Note. **Brown v. United States, The Paquete Habana**, and the Executive. (**Brown v. United States**, 12 U.S. 110 (8 Cranch), 1814 and **The Paquete Habana**, 175 U.S. 677, 1900.) 60 Hastings L.J. 149-169 (2008).

Avery, Matthew. Note. Continuing abuse of the Hatch-Waxman Act by pharmaceutical patent holders and the failure of the 2003 amendments. 60 Hastings L.J. 171-200 (2008).

18 HEALTH MATRIX, NO. 1, WINTER, 2008.

Morreim, E. Haavi. High-deductible health plans: litigation hazards for health insurers. 18 Health Matrix 1-64 (2008).

Robertson, Christopher Tarver, Richard Egelhof and Michael Hoke. Get sick, get out: the medical causes of home mortgage foreclosures. 18 Health Matrix 65-104 (2008).

Moore, Dale L. Never let your sense of morals keep you from doing what's right: using newly dead bodies as educational resources. 18 Health Matrix 105-125 (2008).

Lim, Stephanie Yu. Protecting the unborn as modern day eugenics. 18 Health Matrix 127-136 (2008).

Zawadski, Peter. Note. International outsourcing *plus* inexpensive, quality healthcare: binding arbitration makes this telemedical dream a reality. 18 Health Matrix 137-179 (2008).

Mason, Deborah E. Note. Kiss and make-up: a need for consolidation of FDA and cosmetic industry regulation programs. 18 Health Matrix 181-207 (2008).

Cook, Kristin. Note. Ethical and legal issues accompanying legislation requiring HPV vaccination of girls. 18 Health Matrix 209-228 (2008).

5 JOURNAL OF EMPIRICAL LEGAL STUDIES, NO. 4, DECEMBER, 2008.

Anderson, William and Martin T. Wells. Numerical analysis in least squares regression with an application to the abortion-crime debate. 5 J. Empirical Legal Stud. 647-681 (2008).

Slemrod, Joel. Why is Elvis on Burkina Faso postage stamps? Cross-country evidence on the commercialization of state sovereignty. 5 J. Empirical Legal Stud. 683-712 (2008).

Nadler, Janice and Shari Seidman Diamond. Eminent domain and the psychology of property rights: proposed use, subjective attachment, and taker identity. 5 J. Empirical Legal Stud. 713-749 (2008).

Boudreau, Cheryl and Mathew D. McCubbins. Nothing but the truth? Experiments on adversarial competition, expert testimony, and decision making. 5 J. Empirical Legal Stud. 751-789 (2008).

Cremers, K. J. Martijn, Vinay B. Nair and Urs Peyer. Takeover defenses and competition: the role of stakeholders. 5 J. Empirical Legal Stud. 791-818 (2008).

Edelman, Paul H., David E. Klein and Stefanie A. Lindquist. Measuring deviations from expected voting patterns on collegial courts. 5 J. Empirical Legal Stud. 819-852 (2008).

Stevenson, Betsey. Divorce law and women's labor supply. 5 J. Empirical Legal Stud. 853-873 (2008).

Kritzer, Herbert M. To lawyer or not to lawyer: *is* that the question? 5 J. Empirical Legal Stud. 875-906 (2008).

Lempert, Richard. Empirical research for public policy: with examples from family law. 5 J. Empirical Legal Stud. 907-926 (2008).

Gross, Samuel R. and Barbara O'Brien. Frequency and predictors of false conviction: why we know so little, and new data on capital cases. 5 J. Empirical Legal Stud. 927-962 (2008).

Barr, Michael S. and Jane K. Dokko. Third-party tax administration: the case of low-and-moderate-income households. 5 J. Empirical Legal Stud. 963-981 (2008).

LoPucki, Lynn M. and Joseph W. Dogherty. Professional overcharging in large bankruptcy reorganization cases. 5 J. Empirical Legal Stud. 983-1017 (2008).

4 JOURNAL OF FOOD LAW & POLICY, NO. 1, SPRING, 2008.

Recuerda, Miguel A. Dangerous interpretations of the precautionary principle and the foundational values of European Union food law: risk versus risk. 4 J. Food L. & Pol'y 1-43 (2008).

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Coit, Marne. Jumping on the next bandwagon: an overview of the policy and legal aspects of the local food movement. 4 J. Food L. & Pol'y 45-70 (2008).

Hershberger, Bonnie. Supersized America: are lawsuits the right remedy? 4 J. Food L. & Pol'y 71-92 (2008).

Ellis, Seth L. Comment. Disestablishing "the last plantation": the need for accountability in the United States Department of Agriculture. 4 J. Food L. & Pol'y 93-127 (2008).

Endres, A. Bryan. Recent development. United States food law update: food safety planning, attribute labeling, and the irradiation debate. 4 J. Food L. & Pol'y 129-154 (2008).

Leibovitch, Emilie H. Recent development. European Union food law update. 4 J. Food L. & Pol'y 155-175 (2008).

14 MICHIGAN JOURNAL OF RACE & LAW, NO. 1, FALL, 2008.

Florestal, Marjorie. Is a burrito a sandwich? Exploring race, class, and culture in contracts. 14 Mich. J. Race & L. 1-59 (2008).

Oakes, Anne Richardson. From pedagogical sociology to constitutional adjudication: the meaning of desegregation in social science research and law. 14 Mich. J. Race & L. 61-108 (2008).

Varnum, Thomas G. Let's not jump to conclusions: approaching felon disenfranchisement challenges under the Voting Rights Act. 14 Mich. J. Race & L. 109-142 (2008).

78 MISSISSIPPI LAW JOURNAL, NO. 1, FALL, 2008.

Chiesa, Luis E. Why is it a crime to stomp on a goldfish?--harm, victimhood and the structure of anti-cruelty offenses. 78 Miss. L.J. 1-67 (2008).

Johnson, Christopher M. Not for love or money: appointing a public defender to litigate a claim of ineffective assistance involving another public defender. 78 Miss. L.J. 69-103 (2008).

Wegener, Meredith A. Giving promises force: allowing debtor's breach of contract claim despite position taken in bankruptcy. 78 Miss. L.J. 105-128 (2008).

McGowan, Miranda. Do as I do, not as I say: an empirical investigation of Justice Scalia's ordinary meaning method of statutory interpretation. 78 Miss. L.J. 129-198 (2008).

Esbeck, Carl H. What the **Hein** decision can tell us about the Roberts Court and the Establishment Clause. 78 Miss. L.J. 199-226 (2008).

Nichol, William L. V. Recent decision. Criminal law--mental competence and right to self-representation--a state may insist on representation of counsel for defendant who is mentally fit to stand trial but lacks sufficient competence to represent himself at trial. (**Edwards v. State**, 854 N.E.2d 42, 2006, *rev'd*, 866 N.E.2d 252, 2007, *rev'd*. 128 S. Ct. 2379, 2008.) 78 Miss. L.J. 227-239 (2008).

83 NEW YORK UNIVERSITY LAW REVIEW, NO. 6, DECEMBER, 2008.

Adler, Barry E. Efficient breach theory through the looking glass. 83 N.Y.U. L. Rev. 1679-1725 (2008).

Klass, Gregory. Three pictures of contract: duty, power, and compound rule. 83 N.Y.U. L. Rev. 1726-1783 (2008).

Nelson, Caleb. Judicial review of legislative purpose. 83 N.Y.U. L. Rev. 1784-1882 (2008).

Chin, Tracy J. Note. An unfree trade in ideas: how OFAC's regulations restrain First Amendment rights. 83 N.Y.U. L. Rev. 1883-1914 (2008).

Chopra, Neel K. Note. Valuing the federal right: reevaluating the outer limits of supplemental jurisdiction. 83 N.Y.U. L. Rev. 1915-1947 (2008).

Layton, Marlon A. Note. Is private securities litigation essential for the development of China's stock markets? 83 N.Y.U. L. Rev. 1948-1978 (2008).

Pek, Jane. Note. Things better left unwritten?: constitutional text and the rule of law. 83 N.Y.U. L. Rev. 1979-2012 (2008).

35 NORTHERN KENTUCKY LAW REVIEW, NO. 1, GENERAL ISSUE, 2008.

Engle, Eric. Aristotle, law and justice: the tragic hero. 35 N. Ky. L. Rev. 1-17 (2008).

Messer, Kristen. Two sides of the same coin: the memory of the Holocaust at war with a survivor. 35 N. Ky. L. Rev. 19-35 (2008).

Pats, Justin. The show must go on: an egalitarian approach to descendibility as applied to a prospective federal personaright statute. 35 N. Ky. L. Rev. 37-52 (2008).

Stephens, Mitchell. Ignoring justice: prosecutorial discretion and the ethics of charging. 35 N. Ky. L. Rev. 53-65 (2008).

Renaud, Robert Joseph and Lael Daniel Weinberger. Spheres of sovereignty: church autonomy doctrine and the theological heritage of the separation of church and state. 35 N. Ky. L. Rev. 67-102 (2008).

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Juenger, Joseph D. Note. In light of *Ahlborn*--designing state legislation to protect the recovery of Medicaid expenses from personal injury settlements. (*Arkansas Department of Health and Human Services v. Heidi Ahlborn*, 547 U.S. 268, 2006.) 35 N. Ky. L. Rev. 103-126 (2008).

Hemmer, Matthew D. Note. Pleading through hoops--respondeat superior in § 1962(c) RICO suits. 35 N. Ky. L. Rev. 127-156 (2008).

9 PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL, NO. 1, FALL, 2008.

Oberman, Susan. *Style vs. model: why quibble?* 9 Pepp. Disp. Resol. L.J. 1-62 (2008).

Chafetz, Eric. Looking into a crystal ball: courts' inevitable refusal to enforce parties' contracts to expand judicial review of non-domestic arbitral awards. 9 Pepp. Disp. Resol. L.J. 63-117 (2008).

Steele, Jesse D. Student article. Negotiating with deity: strategies and influences related to recent North Korean negotiating behavior. 9 Pepp. Disp. Resol. L.J. 119-146 (2008).

Floryan, Jaclyn Pawlowski. Student article. A post-Pierce program: using IDR to improve the Los Angeles Fire Department's current complaint and disciplinary procedure. 9 Pepp. Disp. Resol. L.J. 147-166 (2008).

McLean, David J. and Sean-Patrick Wilson. Is three a crowd? Neutrality, partiality and partisanship in the context of tripartite arbitrations. 9 Pepp. Disp. Resol. L.J. 167-184 (2008).

Rossi, Rachel Alexandra. Student paper. Meet me on death row: post-sentence victim-offender mediation in capital cases. 9 Pepp. Disp. Resol. L.J. 185-210 (2008).

14 PSYCHOLOGY, PUBLIC POLICY, AND LAW, NO. 4, NOVEMBER, 2008.

Fontaine, Reid Griffith. Reactive cognition, reactive emotion: toward a more psychologically-informed understanding of reactive homicide. 14 Psychol. Pub. Pol'y & L. 243-261 (2008).

Boccaccini, Marcus T., Darrel B. Turner and Daniel C. Murrin. Do some evaluators report consistently higher or lower PCL-R scores than others? Findings from a statewide sample of sexually violent predator evaluations. 14 Psychol. Pub. Pol'y & L. 262-283 (2008).

Sandler, Jeffrey C., Naomi J. Freeman and Kelly M. Socia. Does a watched pot boil? A time-series analysis of New York State's sex offender registration and notification law. 14 Psychol. Pub. Pol'y & L. 284-302 (2008).

43 REAL PROPERTY, TRUST AND ESTATE LAW JOURNAL, NO. 3, FALL, 2008.

The Law of Succession in the 21st Century--A Symposium. 43 Real Prop. Tr. & Est. L.J. 387-522 (2008).

Gary, Susan N. Introduction to succession law in the 21st Century. 43 Real Prop. Tr. & Est. L.J. 387-392 (2008).

Knaplund, Kristine S. Legal issues of maternity and inheritance for the biotech child of the 21st century. 43 Real Prop. Tr. & Est. L.J. 393-418 (2008).

Gallanis, Thomas P. Frontiers of succession. 43 Real Prop. Tr. & Est. L.J. 419-432 (2008).

Rhodes, Anne-Marie. On inheritance and disinheritance. 43 Real Prop. Tr. & Est. L.J. 433-445 (2008).

Bloom, Ira Mark. Unifying the rules for wills and revocable trusts in the federal estate tax apportionment arena: suggestions for reform. 43 Real Prop. Tr. & Est. L.J. 447-497 (2008).

McCouch, Grayson M. P. A comment on unification. 43 Real Prop. Tr. & Est. L.J. 499-504 (2008).

Chester, Ronald. The psychology of dead hand control. 43 Real Prop. Tr. & Est. L.J. 505-522 (2008).

Newman, Alan. Revocable trusts and the law of wills: an imperfect fit. 43 Real Prop. Tr. & Est. L.J. 523-570 (2008).

Murray, John C. Court decisions and state statutes send warning to "foreclosure consultants". 43 Real Prop. Tr. & Est. L.J. 571-606 (2008).

60 RUTGERS LAW REVIEW, NO. 4, SUMMER, 2008.

Folsom, Thomas C. Space pirates, hitchhikers, guides, and the public interest: transformational trademark law in cyberspace. 60 Rutgers L. Rev. 825-918 (2008).

Fleisher, Madeline. Judicial decision making under the microscope: moving beyond politics versus precedent. 60 Rutgers L. Rev. 919-969 (2008).

Stern, Hon. Edwin H. **The 2008 Chief Justice Joseph Weintraub Lecture.** Frustrations of an intermediate appellate judge (and the benefits of being one in New Jersey). 60 Rutgers L. Rev. 971-995 (2008).

Cheng, Glen. Note. Caring for New Jersey's children with autism: a multifaceted struggle for parity. 60 Rutgers L. Rev. 997-1037 (2008).

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Miller, Michael C. Note. Standing in the wake of the Terrorist Surveillance Program: a modified standard for challenges to secret government surveillance. 60 Rutgers L. Rev. 1039-1071 (2008).

Trueworthy, Joy A. Note. The remnants of taxpayer standing in the era of the White House Office of Faith-Based and Community Initiatives. (*Hein v. Freedom From Religion Found., Inc.*, 127 S. Ct. 2553, 2007.) 60 Rutgers L. Rev. 1073-1102 (2008).

60 SOUTH CAROLINA LAW REVIEW, NO. 1, AUTUMN, 2008.

Semeraro, Steven. Sweet land of property?: the history, symbols, rhetoric, and theory behind the ordering of the rights to liberty and property in the constitutional lexicon. 60 S.C. L. Rev. 1-61 (2008).

Richmond, Douglas R. For a few dollars more: the perplexing problem of unethical billing practices by lawyers. 60 S.C. L. Rev. 63-121 (2008).

Sloan, Amy E. Step right up: using consumer decision making theory to teach research process in the electronic age. 60 S.C. L. Rev. 123-148 (2008).

Horton, Brent J. How corporate lawyers escaped Sarbanes-Oxley: disparate treatment in the legislative process. 60 S.C. L. Rev. 149-202 (2008).

Smythe, Donald J. The scope of a bargain and the value of a promise. 60 S.C. L. Rev. 203-236 (2008).

18 SOUTHERN CALIFORNIA REVIEW OF LAW AND SOCIAL JUSTICE, NO. 1, FALL, 2008.

Kreder, Jennifer Anglim. The Holocaust, museum ethics and legalism. 18 S. Cal. Rev. L. & Soc. Just. 1-43 (2008).

Garretson, Heather J. Federal criminal forfeiture: a royal pain in the assets. 18 S. Cal. Rev. L. & Soc. Just. 45-77 (2008).

Erlinder, Peter. "Doing time"...*after* the jury acquits: resolving the post-**Booker** "acquitted conduct" sentencing dilemma. 18 S. Cal. Rev. L. & Soc. Just. 79-114 (2008).

Yoshino, Erin R. Note. California's criminal gang enhancements: *lessons from interviews with practitioners*. 18 S. Cal. Rev. L. & Soc. Just. 117-152 (2008).

Alexander, J. Brooke. Note. Dual agency flat rate: inadequate, inefficient and legally suspect. 18 S. Cal. Rev. L. & Soc. Just. 153-206 (2008).

38 SOUTHWESTERN LAW REVIEW, NO. 1, PP. 1-219, 2008.

Best, Arthur. Student evaluations of law teaching work well: strongly agree, agree, neutral, disagree, strongly disagree. 38 Sw. L. Rev. 1-36 (2008).

Goho, Shaun A. Process-oriented review and the original understanding of the public use requirement. 38 Sw. L. Rev. 37-87 (2008).

Foley, Thomas B. Show me the money!: third-party copyright infringement liability reaches investors & lenders. 38 Sw. L. Rev. 89-139 (2008).

Hanning, Nathan. Comment. Waking from the American dream: expanding fiduciary duties to secondary lenders following the subprime mortgage meltdown. 38 Sw. L. Rev. 141-166 (2008).

Palyan, Tigran. Comment. Common law privacy in a not so common world: prospects for the tort of intrusion upon seclusion in virtual worlds. 38 Sw. L. Rev. 167-194 (2008).

Arambulo, Jose A. Comment. O where, o where has my legal job gone?: examining the realities of "offshoring" legal work and why states can regulate the practice despite Congress' broad power under the Foreign Commerce Clause. 38 Sw. L. Rev. 195-219 (2008).

19 STANFORD LAW & POLICY REVIEW, NO. 2, PP. 198-394, 2008.

Burrell, Sue, Corene Kendrick and Brian Blalock. Incompetent youth in California juvenile justice. 19 Stan. L. & Pol'y Rev. 198-250 (2008).

Lawrence, Frederick M. The evolving federal role in bias crime law enforcement and the Hate Crimes Prevention Act of 2007. 19 Stan. L. & Pol'y Rev. 251-282 (2008).

Thomas, W. John. Play it again, Hillary: a dramaturgical examination of a repeat health care plan performance. 19 Stan. L. & Pol'y Rev. 283-299 (2008).

Kellogg, Ian J. Note. Prescription for a cure: does the FDA's draft guidance adequately manage advisory committee members' conflicts of interest? 19 Stan. L. & Pol'y Rev. 300-327 (2008).

Konopasky, Aaron. Note. Eliminating harmful suicide policies in higher education. 19 Stan. L. & Pol'y Rev. 328-358 (2008).

Introduction to legislative notes. 19 Stan. L. & Pol'y Rev. 359-360 (2008).

Goldman, Brian P. Legislative note. The San Francisco Health care Security Ordinance: universal health care beyond ERISA's reach? 19 Stan. L. & Pol'y Rev. 361-376 (2008).

Xenakis, Nick. Legislative note. Living on the edge: recent developments in Georgia sex-offender legislation. 19 Stan. L. & Pol'y Rev. 377-383 (2008).

Carver, Ben and Sina Kian. Legislative note. The California solar initiative: how mandatory time-of-use rates chilled the solar energy market. 19 Stan. L. & Pol'y Rev. 384-394 (2008).

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59 SYRACUSE LAW REVIEW, NO. 1, PP. 1-164, 2008.

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Symposium on America's Constitution: A Biography. William M. Wiecek, moderator, Akhil Reed Amar, Ralph Ketcham, Paul Finkelman, Andrew Wender Cohen and Thomas M. Keck, panelists. 59 Syracuse L. Rev. 31-67 (2008).

Scafidi, Susan. F.I.T: fashion as information technology. 59 Syracuse L. Rev. 69-90 (2008).

Ross, Lee. A conversation with Linda Greenhouse. 59 Syracuse L. Rev. 91-100 (2008).

Hill, Courtney Abbott. Note. Enabling the ADA: why monetary damages should be a remedy under Title III of the Americans with Disabilities Act. 59 Syracuse L. Rev. 101-121 (2008).

Georgiady, Bryan N. Note. An excessively painful encounter: the reasonableness of pain and de minimus injuries for Fourth Amendment excessive force claims. 59 Syracuse L. Rev. 123-164 (2008).

61 TAX LAW REVIEW, NO. 4, SUMMER, 2008.

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Hasen, David. The tax treatment of advance receipts. 61 Tax L. Rev. 395-457 (2008).

22 TULANE ENVIRONMENTAL LAW JOURNAL, NO. 1, WINTER, 2008.

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Braverman, Irus. Governing certain things: the regulation of street trees in four North American cities. 22 Tul. Env'tl. L.J. 35-60 (2008).

Schramm, Daniel P. A federal midwife: assisting the states in the birth of a national greenhouse gas cap-and-trade program. 22 Tul. Env'tl. L.J. 61-102 (2008).

Olmsted, James L. Paradoxical conservation and the tragedy of multiple commons. 22 Tul. Env'tl. L.J. 103-121 (2008).

Benbenisty, Lara E. Note. Congress's expanding role in regulating interstate water disputes. (**Se. Fed. Power Customers, Inc. v. Green**, 514 F.3d 1316, 2008.) 22 Tul. Env'tl. L.J. 123-139 (2008).

Bergen, Chris. Note. The Supreme Court tightens the purse strings on corporate punitive awards. (**Exxon Shipping Co. v. Baker**, 128 S. Ct. 2605, 2008.) 22 Tul. Env'tl. L.J. 141-158 (2008).

Briggett, Joseph. Note. The Fourth Circuit ignores ambiguities in the Coastal Zone Management Act and imposes a stringent approval requirement on state coastal management plans. (**AES Sparrows Point LNG, LLC v. Smith**, 527 F.3d 120, *cert denied*, 2008 WL 3873802, 2008.) 22 Tul. Env'tl. L.J. 159-170 (2008).

Recent developments in environmental law. 22 Tul. Env'tl. L.J. 171-202 (2008).

11 TULANE JOURNAL OF TECHNOLOGY AND INTELLECTUAL PROPERTY, FALL, 2008.

Warner, Richard. Turned on its head?: norms, freedom, and acceptable terms in Internet contracting. 11 Tul. J. Tech. & Intell. Prop. 1-34 (2008).

Rogoyski, Robert S. Learning the hard way: the anti-circumvention amendments to the Hong Kong Copyright Ordinance. 11 Tul. J. Tech. & Intell. Prop. 35-57 (2008).

Miles, Christopher. Comment. Assessing the need for an international patent regime for inventions in outer space. 11 Tul. J. Tech. & Intell. Prop. 59-74 (2008).

Saunders, Michael. Comment. Creating life from scratch: the patentability of synthetic organisms. 11 Tul. J. Tech. & Intell. Prop. 75-89 (2008).

Miller, J. Matthew III. Comment. The trouble with traditions: the split over **Eldred's** traditional contours guidelines, how they might be applied, and why they ultimately fail. 11 Tul. J. Tech. & Intell. Prop. 91-113 (2008).

Ross, David M. G. Comment. Leveraging federal programs to boost local innovation and encourage venture capital investment: considering the Small Business Innovation Development Act and derivative state-level incentives, with specific implications for innovators and legislators in Louisiana and the Southern states. 11 Tul. J. Tech. & Intell. Prop. 115-137 (2008).

McGavran, Wolfgang. Note. Picking roommates on the Internet: matching roommates online and losing Communications Decency Act immunity in the process. 11 Tul. J. Tech. & Intell. Prop. 139-146 (2008).

Desormeaux, Melissa. Note. At the direction of the user or service provider: the District Court of Northern California takes a stand on what constitutes creating a copy under DMCA safe harbors.. (**Io Group, Inc. v. Veoh Networks, Inc.**, 2008 WL 4065872.) 11 Tul. J. Tech. & Intell. Prop. 147-156 (2008).

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Varner, Elizabeth. Note. Justice White's outdated guide to trademark infringement will likely result in appeals. (**Tiffany Inc. v. eBay, Inc.**, 2008 U.S. Dist. LEXIS 53359.) 11 Tul. J. Tech. & Intell. Prop. 157-174 (2008).

17 UCLA WOMEN'S LAW JOURNAL, NO. 2, SPRING, 2008.

Freeman, Marsha B. Love means always having to say you're sorry: applying the realities of therapeutic jurisprudence to family law. 17 UCLA Women's L.J. 215-241 (2008).

Koch, Katie, student and Richard Bales. Transgender employment discrimination. 17 UCLA Women's L.J. 243-267 (2008).

Farnia, Nina. Student book review. Sitting silently at home. (A critique of The Revolution Will Not Be Funded: Beyond the Non-Profit Industrial Complex, edited by INCITE! Women of Color Against Violence.) 17 UCLA Women's L.J. 269-304 (2008).

57 UNIVERSITY OF KANSAS LAW REVIEW, NO. 2, JANUARY, 2009.

Hendrix, Justin. Editor's note. 57 U. Kan. L. Rev. viii-ix (2009).

Caudill, David S. and Donald E. Curley. Strategic idealizations of science to oppose environmental regulation: a case study of five TMDL controversies. 57 U. Kan. L. Rev. 251-312 (2009).

Cordray, Margaret Meriwether and Richard Cordray. Setting the social agenda: deciding to review high-profile cases at the Supreme Court. 57 U. Kan. L. Rev. 313-369 (2009).

Bickers, John M. Of non-horses, quantum mechanics, and the Establishment Clause. 57 U. Kan. L. Rev. 371-407 (2009).

Johnstun, Aaron K. and Stephen J. Ware. Farm tractors in Kansas: how to perfect a security interest. 57 U. Kan. L. Rev. 409-426 (2009).

Winters, Christopher P. Comment. Cultivating a relationship that works: cyber-vigilantism and the public versus private inquiry of cyber-predator stings. 57 U. Kan. L. Rev. 427-460 (2009).

Toland, Carol J. Comment. Internet journalists and the reporter's privilege: providing protection for online periodicals. 57 U. Kan. L. Rev. 461-490 (2009).

70 UNIVERSITY OF PITTSBURGH LAW REVIEW, NO. 1, FALL, 2008.

Mtima, Lateef. So dark the con(tu) of man: the quest for a software derivative work right in section 117. 70 U. Pitt. L. Rev. 1-100 (2008).

Solimine, Michael E. Congress, **Ex parte Young**, and the fate of the three-judge district court. 70 U. Pitt. L. Rev. 101-153 (2008).

Gardner, Jennifer M. Note. Corporate attorney-client privileges and work-product protections should absolutely be preserved. 70 U. Pitt. L. Rev. 155-189 (2008).

Sikora, James P. Note. Providing hope: developing a viable regulatory framework for providing terminally ill patients with adequate access to investigational drugs. 70 U. Pitt. L. Rev. 191-215 (2008).

Williams, Adam J. Note. Fixing the "undue hardship" hardship: solutions for the problem of discharging educational loans through bankruptcy. 70 U. Pitt. L. Rev. 217-232 (2008).

40 UNIVERSITY OF TOLEDO LAW REVIEW, NO. 1, FALL, 2008.

Gallacher, Ian. "Aux armes, citoyens!:" time for law schools to lead the movement for free and open access to the law. 40 U. Tol. L. Rev. 1-51 (2008).

Drennan, William A. Einstein's theory of taxation explains the nonqualified deferred compensation rules! 40 U. Tol. L. Rev. 53-103 (2008).

Todd, Adam G. Painting a moving train: adding "postmodern" to the taxonomy of law. 40 U. Tol. L. Rev. 105-144 (2008).

Dyson, Maurice R. When government is a passive participant in private discrimination: a critical look at white privilege & the tacit return to interposition in **PICS v. Seattle School District**. 40 U. Tol. L. Rev. 145-191 (2008).

Coletta, Jennifer. Comment. Tightening the belt on bus safety: the need for safety belts in motor coaches and school buses. 40 U. Tol. L. Rev. 193-223 (2008).

Neinas, Scott. Comment. A skinny shield is better: why Congress should propose a federal reporters' shield statute that narrowly defines journalists. 40 U. Tol. L. Rev. 225-246 (2008).

Oshima, Miyuki. Comment. The continuing uncertainty of collective bargaining for Department of Homeland Security employees. 40 U. Tol. L. Rev. 247-272 (2008).

94 VIRGINIA LAW REVIEW, NO. 8, DECEMBER, 2008.

Oliar, Dotan and Christopher Sprigman. There's no free laugh (anymore): the emergence of intellectual property norms and the transformation of stand-up comedy. 94 Va. L. Rev. 1787-1867 (2008).

Nash, Jonathan Remy. The uneasy case for transjurisdictional adjudication. 94 Va. L. Rev. 1869-1929 (2008).

Schauer, Frederick. Authority and authorities. 94 Va. L. Rev. 1931-1961 (2008).

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February 6, 2009

Sutton, Hon. Jeffrey S. **San Antonio Independent School District v. Rodriguez** and its aftermath. 94 Va. L. Rev. 1963-1986 (2008).

Montgomery, Liam J. Note. The unrealized promise of Section 1983 method-of-execution challenges. 94 Va. L. Rev. 1987-2033 (2008).

Index to volume 94. 94 Va. L. Rev. i-vii (2008).

2008 WISCONSIN LAW REVIEW, NO. 5, PP. 841-1048.

Pareja, Sergio. Taxation without liquidation: rethinking “ability to pay”. 2008 Wis. L. Rev. 841-897.

Sneirson, Judd F. Soft paternalism for close corporations: helping shareholders help themselves. 2008 Wis. L. Rev. 899-940.

Kopetsky, Brad A. Comment. Deutschland über alles: why German regulations need to conquer the divided U.S. renewable-energy framework to save clean tech (and the world). 2008 Wis. L. Rev. 941-986.

Costello, Danielle M. Comment. The right to make informed reproductive-health-care decisions regardless of age: maintaining focus on the “I” in “I want to be one less”. 2008 Wis. L. Rev. 987-1011.

Gist, Ryan. Note. Transactional pleading: a proportional approach to Rule 8 in the wake of ... (**Bell Atlantic Corp. v. Twombly**, 127 S. Ct. 1955, 2007.) 2008 Wis. L. Rev. 1013-1047.