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American Indian Law Review	35	Am. Indian L. Rev., No. 2, Pp.257-788, 2010-2011.
American University Journal of Gender, Social Policy &	19	Am. U. J. Gender Soc. Pol'y & L., No. 3, Pp. 765-1057, 2011.
the Law		
Brigham Young University Education and Law Journal	2011	BYU Educ. & L.J., No. 2, Pp. 177-736.
Cardozo Journal of International and Comparative Law	19	Cardozo J. Int'l & Comp. L., No. 3, Summer, 2011.
Case Western Reserve Journal of International Law	43	Case W. Res. J. Int'l L., No. 3, Pp.537-918, 2011.
Case Western Reserve Law Review	61	Case W. Res. L. Rev., No. 3, Spring, 2011.
Chicago-Kent Law Review	86	ChiKent. L. Rev., No. 3, Pp. 1019-1421, 2011.
Ecology Law Quarterly	38	Ecology L.Q., No. 2, Pp. 233-618, 2011.
Florida State University Business Review	*10	Fla. St. U. Bus. Rev., Supplement, Spring, 2011.
Florida State University Law Review	38	Fla. St. U. L. Rev., No. 3, Spring, 2011.
Freedom Center Journal	3	Freedom Center J., No. 1, Spring, 2011.
Georgetown Law Journal	99	Geo. L.J., No. 6, August, 2011.
Harvard Environmental Law Review	35	Harv. Envtl. L. Rev., No. 2, Pp. 263-566, 2011.
Hofstra Law Review	39	Hofstra L. Rev., No. 3, Spring, 2011.
IDEA: The Intellectual Property Law Review	51	IDEA, No. 3, Pp. 357-558, 2011.
IIC: International Review of Intellectual Property and	42	IIC: Int'l Rev. Intell. Prop. & Competition L., No. 6,
Competition Law		Pp. 627-756, 2011.
Journal of Business, Entrepreneurship & the Law	4	J. Bus. Entrepreneurship & L., No. 1, Fall, 2010.
Journal of Law & Economics	54	J.L. & Econ., No. 1, February, 2011.
Journal of Legal Education	61	J. Legal Educ., No. 1, August, 2011.
Journal of Transnational Law & Policy	20	J. Transnat'l L. & Pol'y, Pp. 1-156, 2010-2011.
Law and Critique	22	Law & Critique, No. 3, November, 2011.
Marquette Law Review	94	Marq. L. Rev., No. 4, Summer, 2011.
Michigan State Law Review	2010	Mich. St. L. Rev., No. 4, Winter.
Missouri Environmental Law and Policy Review	18	Mo. Envtl. L. & Pol'y Rev., No. 2, Spring, 2011.
Nebraska Law Review	89	Neb. L. Rev., No. 4, Pp. 587-1198, 2011.
New York University Journal of International Law and Politics	43	N.Y.U. J. Int'l L. & Pol., No. 4, Summer, 2011.
Oklahoma Law Review	63	Okla. L. Rev., No. 2, Winter, 2011.
Saint Louis University Law Journal	55	St. Louis U. L.J., No. 2, Winter, 2011.
Southern California Review of Law and Social Justice	20	S. Cal. Rev. L. & Soc. Just., No. 2, Spring, 2011.
Southern Illinois University Law Journal	35	S. Ill. U. L.J., Spring, 2011.
Tennessee Law Review	78	Tenn. L. Rev., No. 3, Spring, 2011.
Texas International Law Journal	46	Tex. Int'l L.J., No. 3, Summer, 2011.

\*Replaces & supersedes article published in Vol. 10 No. 1 Spring 2011.

-----

### ADMINISTRATIVE LAW

Freeman, Jody. The Obama Administration's national auto policy: lessons from the "car deal." 35 Harv. Envtl. L. Rev. 343-374 (2011).

Kilbert, Nathan. Case comment. (**Howmet Corp. v. EPA**, 614 F.3d 544, 2010.) 35 Harv. Envtl. L. Rev. 555-566 (2011).

Wilensky, Meredith. Note. The tailoring rule: exemplifying the vital role of regulatory agencies in environmental protection. 38 Ecology L.Q. 449-477 (2011).

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#### **ADMIRALTY**

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Saint Louis University Law Journal

Teaching Admiralty. Articles by Martin J. Davies, David W. Robertson, Joel K. Goldstein, Robert M. Jarvis, Robert Anderson IV, David J. Bederman, Frank L. Maraist, Thomas C. Galligan, Jr., Steven F. Friedell, Taylor Simpson-Wood, Craig H. Allen, Joseph C. Sweeney, Neal W. Settergren, Edward V. Cattell, Jr. and John D. Kimball. 55 St. Louis U. L.J. 483-664 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### AGRICULTURE LAW

Lesicko, Christine K. Note. Attempting to (de)regulate genetically modified crops: the Supreme Court overrules the injunction denying deregulation of Roundup Ready Alfalfa. (**Monsanto v. Geertson Seed Farms**, 130 S. Ct. 2743, 2010.) 18 Mo. Envtl. L. & Pol'y Rev. 351-377 (2011).

Murphy, Lori. Note. Enough rope: why **United States v. White Plume** was wrong on hemp and treaty rights, and what it could cost the Federal Government. 35 Am. Indian L. Rev. 767-788 (2010-2011).

#### ANIMAL LAW

Hill, Michael. Note. **United States v. Fullmer** and the Animal Enterprise Terrorism Act: "true threats" to advocacy. 61 Case W. Res. L. Rev. 981-1048 (2011).

#### ARTS AND ENTERTAINMENT

Coe, Samuel J, Note. The story of a character: establishing the limits of independent copyright protection for literary characters. 86 Chi.-Kent. L. Rev. 1305-1329 (2011).

Dahlberg, Brianna. Note. The orphan works problem: preserving access to the cultural history of disadvantaged groups. 20 S. Cal. Rev. L. & Soc. Just. 275-314 (2011).

Nestor, Brian P. Notice: albums are dead — sell singles. 4 J. Bus. Entrepreneurship & L. 221-241 (2010).

# BANKING AND FINANCE

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Cardozo Journal of International and Comparative Law

Bloink, Robert S. Does the Dodd-Frank Wall Street Reform Act rein in credit default swaps? An EU comparative analysis. 89 Neb. L. Rev. 587-633 (2011).

Boyack, Andrea J. Lessons in price stability from the U.S. real estate market collapse 2010 Mich. St. L. Rev. 925-1000.

Dawson, Victoria C. Reverse mortgage facilitators harvesting benefits while escaping fiduciary duties: who's really looking out for whom? 10 Fla. St. U. Bus. Rev. 117-188 (2011).

Treichel, Bonnie M. The quest for financial regulatory reform: will a uniform fiduciary standard guide the way? 4 J. Bus. Entrepreneurship & L. 151-180 (2010).

Victorson, Eric M. Note. **United States v. UBS AG**: has the United States successfully cracked the vault to Swiss banking secrecy? (**United States v. UBS AG**, 2009 WL 1612394, 2009.) 19 Cardozo J. Int'l & Comp. L. 815-849 (2011).

Woo, Sarah Pei. Regulatory bankruptcy: how bank regulation causes fire sales. 99 Geo. L.J. 1615-1669 (2011).

Symposium 2011: China's Asset Management Platforms & Cleantech Sector. Panel participation by Jillian Ashley, Gary Lazarus, Henry Levine, Andrew Worden, Mitchell Silk and Rebecca Perkins, discussants. 19 Cardozo J. Int'l & Comp. L. 525-591 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

# BANKRUPTCY LAW

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Texas International Law Journal

Howard, Seth. Does the automatic stay of the Bankruptcy Code trigger the Illinois Savings Statute?: why the Illinois Supreme Court needs to address the issue. 35 S. Ill. U. L.J. 433-452 (2011).

Woo, Sarah Pei. Regulatory bankruptcy: how bank regulation causes fire sales. 99 Geo. L.J. 1615-1669 (2011).

International Insolvency Symposium: The Priority Dilemma. Introduction by Jay Lawrence Westbrook; articles by Edward J. Janger, José M. Garrido, Ian Fletcher, Hon. Leif M. Clark, Karen Goldstein, Allan L. Gropper, John A.E. Pottow and Jay Lawrence Westbrook. 46 Tex. Int'l L.J. 431-622 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### **BIOGRAPHY**

Weinberger, Alan M. What's in a name?—the tale of Louis Wolfson's affirmed. 39 Hofstra L. Rev. 645-681 (2011).

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#### CIVIL RIGHTS AND DISCRIMINATION

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Freedom Center Journal

Best, Zachary W. Note. Derailing the schoolhouse-to-jailhouse track: Title VI and a new approach to disparate impact analysis on public education. 99 Geo. L.J. 1671-1715 (2011).

Brodin, Mark S. **Ricci v. Destefano**: the New Haven firefighters case & the triumph of white privilege. 20 S. Cal. Rev. L. & Soc. Just. 161-232 (2011).

Thacker, Annette. Student article. Helping students who can't help themselves: special education and the deliberate indifference standard for Title IX peer sexual harassment. 2011 BYU Educ. & L.J. 701-736.

#### **COMMERCIAL LAW**

Griffee, Ryan. Explaining adversarial boilerplate language in the battle of the forms: are consequential damages in the U.C.C. gap fillers a penalty default rule? 4 J. Bus. Entrepreneurship & L. 1-42 (2010).

#### COMMUNICATIONS LAW

Krattiger, John M. Comment. Sex-*cells*: evaluating punishments for teen "sexting" in Oklahoma and beyond. 63 Okla. L. Rev. 317-359 (2011).

Lucchi, Nicola. Access to network services and protection of constitutional rights: recognizing the essential role of Internet access for the freedom of expression. 19 Cardozo J. Int'l & Comp. L. 645-678 (2011).

Sronce, Cara R. Comment. The references of the twenty-first century: regulating employers' use of social networking sites as an applicant screening tool. 35 S. Ill. U. L.J. 499-516 (2011).

Watson, Kory R. Casenote. Unauthorized access to Web-based email: recovery under the Stored Communications Act after ... (Van Alstyne v. Elec. Scriptorium Ltd., 560 F.3d 199, 2009.) 35 S. Ill. U. L.J. 543-571 (2011).

#### COMPARATIVE AND FOREIGN LAW

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Cardozo Journal of International and Comparative Law Chicago-Kent Law Review Journal of Transnational Law & Policy

Aguilar, Daniel. Note. Groundwater reform in India: an equity and sustainability dilemma. 46 Tex. Int'l L.J. 623-653 (2011).

Bednarz, Tobias. Keyword advertising before the French Supreme Court and beyond — calm at last after turbulent times for Google and its advertising clients? 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 641-672 (2011).

Bhandar, Brenna. Plasticity and post-colonial recognition: 'owning, knowing and being.' 22 Law & Critique 227-249 (2011).

Bloink, Robert S. Does the Dodd-Frank Wall Street Reform Act rein in credit default swaps? An EU comparative analysis. 89 Neb. L. Rev. 587-633 (2011).

Cai, Hongbin, Hanming Fang and Lixin Colin Xu. Eat, drink, firms, government: an investigation of corruption from the entertainment and travel costs of Chinese firms. 54 J.L. & Econ. 55-78 (2011).

Carter, Caroline. Note. The right to vote for non-resident citizens: considered through the example of East Timor. 46 Tex. Int'l L.J. 655-674 (2011).

Escobar Andrae, Bernardita. Scientific productivity and gender performance under open and proprietary science systems: the case of Chile in recent years. 19 Am. U. J. Gender Soc. Pol'y & L. 799-823 (2011).

Goldscheid, Julie. Gender violence and work in the United States and South Africa: the parallel processes of legal and cultural change. 19 Am. U. J. Gender Soc. Pol'y & L. 921-958 (2011).

Hariani, Krishna and Anirudh Hariani. Analyzing "originality" in copyright law: transcending jurisdictional disparity. 51 IDEA 491-510 (2011).

Lebowitz, Michael J. Anti-war & anti-Gitmo: military expression and the dilemma of licensed professionals in uniform. 43 Case W. Res. J. Int'l L. 579-602 (2011).

Lovett, John A. Progressive property in action: the Land Reform (Scotland) Act of 2003. 89 Neb. L. Rev. 739-818 (2011).

Miller, Robert J., Lisa LeSage and Sebastián López Escarcena. The international law of discovery, indigenous peoples, and Chile. 89 Neb. L. Rev. 819-884 (2011).

Shadowen, Steve D., Keith B. Leffler and Joseph T. Lukens. Bringing market discipline to pharmaceutical product reformulations. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 698-725 (2011).

Simon, Jonathan. **George and Martha Barrock Lecture**. How should we punish murder? 94 Marq. L. Rev. 1241-1312 (2011).

Smit, Marius H. Underneath the radar: the impact of same-sex sexuality and secularism on education in South Africa. 2011 BYU Educ. & L.J. 513-546.

Sokhi-Bulley, Bal. Government(ality) by experts: human rights as governance. 22 Law & Critique 251-272 (2011).

Page 4 December 2, 2011

Song, Seagull Haiyan. Reevaluating fair use in China — a comparative copyright analysis of Chinese fair use legislation, the U.S. fair use doctrine, and the European fair dealing model. 51 IDEA 453-489 (2011).

Symposium on Medical Malpractice and Compensation in Global Perspective: Part I. Introduction by Ken Oliphant and Richard W. Wright; articles by Bernhard A. Koch, Colleen M. Flood, Bryan Thomas, Florence G'sell-Macrez, Geneviève Helleringer, Marc S. Stauch, Stephen Todd, Kinga Bączyk-Rozwadowska, L.C. Coetzee and Pieter Carstens. 86 Chi.-Kent. L. Rev. 1021-1301 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### CONFLICT OF LAWS

Waxman, Michael P. Wisconsin's antitrust law: outsourcing the legal standard. 94 Marq. L. Rev. 1173-1194 (2011).

### CONSTITUTIONAL LAW, GENERALLY

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Tennessee Law Review

Albert, Richard. The constitutional politics of presidential succession. 39 Hofstra L. Rev. 497-576 (2011).

Clermont, Woody R. Unshackling the Punishment Clause: a call for the end of convict slavery. 3 Freedom Center J. 1-34 (2011).

Hudson, Blake. Commerce in the commons: a unified theory of natural capital regulation under the Commerce Clause. 35 Harv. Envtl. L. Rev. 375-431 (2011).

Thro, William E. The heart of the constitutional enterprise: affirming equality and freedom in public education. 2011 BYU Educ. & L.J. 571-591.

Symposium: Article V Constitutional Convention. Foreword by Glenn Harlan Reynolds; primer by the Editors of the <u>Tennessee Law Review</u>; articles by Robert G. Natelson, Elizabeth Price Foley, Michael Stern, Mary Margaret Penrose, Randy E. Barnett, Timothy Lynch, Brannon P. Denning, Brooks R. Smith, Ann Bartow, Richard A. Epstein, David Lat and Zachary Shemtob; reply by Michael Stern; afterword by Sanford Levinson. 78 Tenn. L. Rev. 651-877 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

### CONSUMER PROTECTION LAW

Dawson, Victoria C. Reverse mortgage facilitators harvesting benefits while escaping fiduciary duties: who's really looking out for whom? 10 Fla. St. U. Bus. Rev. 117-188 (2011).

Moye, Jim. Let's put the fear in the FERA! Suggestions to make the Fraud Enforcement and Recovery Act of 2009 a strong fraud deterrent. 35 S. Ill. U. L.J. 421-432 (2011).

#### CONTRACTS

Drahozal, Christopher R. and Peter B. Rutledge. Contract and procedure. 94 Marq. L. Rev. 1103-1171 (2011).

Griffee, Ryan. Explaining adversarial boilerplate language in the battle of the forms: are consequential damages in the U.C.C. gap fillers a penalty default rule? 4 J. Bus. Entrepreneurship & L. 1-42 (2010).

Hunt, John Patrick. Taking bubbles seriously in contract law. 61 Case W. Res. L. Rev. 681-751 (2011).

Maxwell, Salina M. Comment. Keep your contract to yourself: attempting to balance the expectations of signatories in arbitration agreements with the freedom *from* contract rights of non-signatories. 2010 Mich. St. L. Rev. 1177-1207.

#### **CORPORATIONS**

Moncrieff, L.M. The Molotov milkshake: corporate social responsibility and the market. 22 Law & Critique 273-293 (2011).

Weinberger, Alan M. What's in a name?—the tale of Louis Wolfson's affirmed. 39 Hofstra L. Rev. 645-681 (2011).

#### CRIMINAL LAW AND PROCEDURE

Agan, Amanda Y. Sex offender registries: fear without function? 54 J.L. & Econ. 207-239 (2011).

Arensberg, Alex. Note. Are migratory birds extending environmental criminal liability? (**United States v. Apollo Energies, Inc.**, 611 F.3d 679, 2010.) 38 Ecology L.Q. 427-448 (2011).

Atkinson, L. Rush. The bilateral Fourth Amendment and the duties of law-abiding persons. 99 Geo. L.J. 1517-1566 (2011).

Chow, Samuel. Note. The **Kiyemba** paradox: creating a judicial framework to eradicate indefinite, unlawful executive detentions. (**Kiyemba v. Obama**, 555 F.3d 1022, 2009, *vacated*, 130 S. Ct. 1235, *reinstated on remand*, 605 F.3d 1046, 2010.) 19 Cardozo J. Int'l & Comp. L. 775-814 (2011).

Dearth, Megan H. Comment. Defending the "indefensible": replacing ethnocentrism with a Native American cultural defense. 35 Am. Indian L. Rev. 621-660 (2010-2011).

Doherty, Heather Noël. Note. Tipping the scale: is the Special Tribunal for Lebanon international enough to override state official immunity? 43 Case W. Res. J. Int'l L. 831-876 (2011).

Giridhar, Kavitha R. Note. Justice for all: protecting the translation rights of defendants in international war crime tribunals. 43 Case W. Res. J. Int'l L. 799-829 (2011).

Page 5 December 2, 2011

Grace, Danae VanSickle. Note. The sky is not falling: how the anticlimactic application of **Melendez-Diaz v. Massachusetts** to Oklahoma's laboratory report procedures allows room for improvement. (**Melendez-Diaz v. Massachusetts**, 129 S. Ct. 2527, 2009.) 63 Okla. L. Rev. 383-419 (2011).

Gutierrez, Philip S. Note. You have the right to [plead guilty]: how we can stop police interrogators from inducing false confessions. 20 S. Cal. Rev. L. & Soc. Just. 317-349 (2011).

Hardy, Laura L. Note. Ordering chaos at sea: preparing for Somali pirate attacks through pragmatic insurance policies. 55 St. Louis U. L.J. 665-692 (2011).

Krattiger, John M. Comment. Sex-*cells*: evaluating punishments for teen "sexting" in Oklahoma and beyond. 63 Okla. L. Rev. 317-359 (2011).

Larsen, Allison Orr. Bargaining inside the black box. 99 Geo. L.J. 1567-1612 (2011).

Lustig, Doreen. The nature of the Nazi state and the question of international criminal responsibility of corporate officials at Nuremberg: revisiting Franz Neumann's concept of Behemoth at the industrialist trials. 43 N.Y.U. J. Int'l L. & Pol. 965-1044 (2011).

Osuch, Daryl. Book note. (Reviewing Rob Warden and Steve Drizin, <u>True Stories of False Confessions</u>.) 3 Freedom Center J. 81-94 (2011).

Prescott, J.J. and Jonah E. Rockoff. Do sex offender registration and notification laws affect criminal behavior? 54 J.L. & Econ. 161-206 (2011).

Simon, Jonathan. **George and Martha Barrock Lecture**. How should we punish murder? 94 Marq. L. Rev. 1241-1312 (2011).

Stoddard, Bryan. Student article. **New Jersey v. T.L.O.**: school searches and the applicability of the exclusionary rule in juvenile delinquency and criminal proceedings. 2011 BYU Educ. & L.J. 667-700.

Turano, Laura C. Note. The gender dimension of transitional justice mechanisms. 43 N.Y.U. J. Int'l L. & Pol. 1045-1086 (2011).

### DISPUTE RESOLUTION

Drahozal, Christopher R. and Peter B. Rutledge. Contract and procedure. 94 Marq. L. Rev. 1103-1171 (2011).

Maxwell, Salina M. Comment. Keep your contract to yourself: attempting to balance the expectations of signatories in arbitration agreements with the freedom *from* contract rights of non-signatories. 2010 Mich. St. L. Rev. 1177-1207.

Roth, Bradley L. Note. A call for mediated solutions to Arctic region disputes. 19 Cardozo J. Int'l & Comp. L. 851-898 (2011).

Weil, Timothy A. Note. Devising a legislative solution to the reverse payment dilemma: how Congress can balance competition, innovation, and the public policy favoring the settlement of disputes without litigation. 55 St. Louis U. L.J. 741-771 (2011).

#### DOMESTIC RELATIONS

For more on this subject see the Tables of Contents of Indexed Law Reviews for:

Brigham Young University Education and Law Journal

Enis, Vickie. Comment. Yours, mine, ours? Renovating the antiquated apartheid in the law of property division in Native American divorce. 35 Am. Indian L. Rev. 661-694 (2010-2011).

Gallagher, Rachel J. Welfare reform's inadequate implementation of the Family Violence Option: exploring the dual oppression of poor domestic violence victims. 19 Am. U. J. Gender Soc. Pol'y & L. 987-1007 (2011).

Kubasek, Nancy, Christy Glass and Kate Cook. Amending the Defense of Marriage Act: a necessary step toward gaining full legal rights for same-sex couples. 19 Am. U. J. Gender Soc. Pol'y & L. 959-986 (2011).

Peter, Chelsea M. Note. From the border to the bench: the barriers to freedom for victims of domestic violence seeking asylum in the United States and why a favorable decision in the case of **R-A-** is necessary but not sufficient protection for future claimants. 55 St. Louis U. L.J. 693-712 (2011).

The Impact of Same-Sex Marriage on Education. Introduction by <u>BYU Education and Law Journal</u> Editorial Board; articles by A. Dean Byrd, Scott Ellis Ferrin, Allison Fetter-Harrott, Scott FitzGibbon, Ralph D. Mawdsley, Richard S. Myers, Richard Peterson, E. Vance Randall, Kevin Rogers, Richard Fossey, Charles J. Russo, David Schimmel, Marius H. Smit, Mark Strasser, William E. Thro and Lynn D. Wardle. 2011 BYU Educ. & L.J. 177-635.

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

# **ECONOMICS**

For more on this subject see the Tables of Contents of Indexed Law Reviews for:

Journal of Law & Economics

Driesen, David M. Two cheers for feasible regulation: a modest response to Masur and Posner. 35 Harv. Envtl. L. Rev. 313-341 (2011).

Friedman, Lawrence M. Law, economics, and society. 39 Hofstra L. Rev. 487-496 (2011).

#### **EDUCATION LAW**

For more on this subject see the Tables of Contents of Indexed Law Reviews for:

Brigham Young University Education and Law Journal

Best, Zachary W. Note. Derailing the schoolhouse-to-jailhouse track: Title VI and a new approach to disparate impact analysis on public education. 99 Geo. L.J. 1671-1715 (2011).

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Brunet, Thomas G. Comment. Widening the achievement gap: the 2010 D.C. teacher contract deprives D.C. charter school students of an adequate education. 19 Am. U. J. Gender Soc. Pol'y & L. 1031-1057 (2011).

Tang, Aaron Y. Broken systems, broken duties: a new theory for school finance litigation. 94 Marq. L. Rev. 1195-1239 (2011).

Wieselthier, Sarah Allison L. Note. Grooming dogs for the educational setting: the "IDEIA" behind service dogs in the public schools. 39 Hofstra L. Rev. 757-794 (2011).

#### **ELDER LAW**

Dawson, Victoria C. Reverse mortgage facilitators harvesting benefits while escaping fiduciary duties: who's really looking out for whom? 10 Fla. St. U. Bus. Rev. 117-188 (2011).

#### EMPLOYMENT PRACTICE

Mawdsley, Ralph D. Employment, sexual orientation, and religious beliefs: do religious educational institutions have a protected right to discriminate in the selection and discharge of employees? 2011 BYU Educ. & L.J. 279-302.

Moore, Kathryn L. The future of employment-based health insurance after the Patient Protection and Affordable Care Act. 89 Neb. L. Rev. 885-922 (2011).

Strassberg, Maura. An ethical rabbit hole: Model Rule 4.4, intentional interference with former employee non-disclosure agreements, and the threat of disqualification, part I. 89 Neb. L. Rev. 923-996 (2011).

#### **ENERGY AND UTILITIES LAW**

Peskoe, Ari. Student article. A challenge for federalism: achieving national goals in the electricity industry. 18 Mo. Envtl. L. & Pol'y Rev. 209-281 (2011).

Wiseman, Hannah. Expanding regional renewable governance. 35 Harv. Envtl. L. Rev. 477-540 (2011).

#### ENVIRONMENTAL LAW

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Ecology Law Quarterly Harvard Environmental Law Review Missouri Environmental Law and Policy Review

Paben, Jeanne Marie Zokovitch. Approaches to environmental justice: a case study of one community's victory. 20 S. Cal. Rev. L. & Soc. Just. 235-270 (2011).

Roth, Bradley L. Note. A call for mediated solutions to Arctic region disputes. 19 Cardozo J. Int'l & Comp. L. 851-898 (2011).

Strifling, David A. Environmental federalism and effective regulation of nanotechnology. 2010 Mich. St. L. Rev. 1129-1175.

China's Green Outbound Direct Investment Profile. Mitchell Silk, Rebecca Perkins, Henry Levine and Andrew Worden, discussants. 19 Cardozo J. Int'l & Comp. L. 561-591 (2011).

#### **EVIDENCE**

Brown, Robert A. Comment. The amended attorney-client privilege in Oklahoma: a misstep in the right direction. 63 Okla. L. Rev. 279-315 (2011).

Grace, Danae VanSickle. Note. The sky is not falling: how the anticlimactic application of **Melendez-Diaz v. Massachusetts** to Oklahoma's laboratory report procedures allows room for improvement. (**Melendez-Diaz v. Massachusetts**, 129 S. Ct. 2527, 2009.) 63 Okla. L. Rev. 383-419 (2011).

#### FIRST AMENDMENT

Carmella, Angela C. Symbolic religious expression on public property: implications for the integrity of religious associations. 38 Fla. St. U. L. Rev. 481-535 (2011).

Hill, Michael. Note. **United States v. Fullmer** and the Animal Enterprise Terrorism Act: "true threats" to advocacy. 61 Case W. Res. L. Rev. 981-1048 (2011).

Miller, Rachel A. Student article. Teacher Facebook speech: protected or not? 2011 BYU Educ. & L.J. 637-665.

Murphy, Elizabeth A. Note. Courts mistakenly cross-out memorials: why the Establishment Clause is not violated by roadside crosses. 39 Hofstra L. Rev. 723-755 (2011).

# FOOD AND DRUG LAW

Binski, Laura A. Note. Balancing policy tensions of the Vaccine Act in light of the Omnibus Autism Proceeding: are petitioners getting a fair shot at compensation? 39 Hofstra L. Rev. 683-721 (2011).

Frank-Jackson, Demetria D. The medical device federal preemption trilogy: salvaging due process for injured patients. 35 S. Ill. U. L.J. 453-497 (2011).

Macher, Jeffrey T., John W. Mayo and Jack A. Nickerson. Regulator heterogeneity and endogenous efforts to close the information asymmetry gap. 54 J.L. & Econ. 25-54 (2011).

Mason, Sara Atherton. Note. Dietary supplement regulation: a comparative study. 20 J. Transnat'l L. & Pol'y 103-127 (2010-2011).

Shadowen, Steve D., Keith B. Leffler and Joseph T. Lukens. Bringing market discipline to pharmaceutical product reformulations. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 698-725 (2011).

Page 7 December 2, 2011

Weil, Timothy A. Note. Devising a legislative solution to the reverse payment dilemma: how Congress can balance competition, innovation, and the public policy favoring the settlement of disputes without litigation. 55 St. Louis U. L.J. 741-771 (2011).

#### FOURTEENTH AMENDMENT

Bramante, Andrew. Note. Ending indefinite detention of non-citizens. 61 Case W. Res. L. Rev. 933-980 (2011).

Martinez-Molwane, Teresa. Book note. (Reviewing Ignacio M. García, White but Not Equal: Mexican Americans, Jury Discrimination and the Supreme Court.) 3 Freedom Center J. 71-80 (2011).

#### **GOVERNMENT CONTRACTS**

Moye, Jim. Let's put the fear in the FERA! Suggestions to make the Fraud Enforcement and Recovery Act of 2009 a strong fraud deterrent. 35 S. Ill. U. L.J. 421-432 (2011).

#### HEALTH LAW AND POLICY

Boutros, Nicole. Comment. Race to the cure: why gene patents pave the way for breast cancer research. 19 Am. U. J. Gender Soc. Pol'y & L. 1009-1030 (2011).

Moore, Kathryn L. The future of employment-based health insurance after the Patient Protection and Affordable Care Act. 89 Neb. L. Rev. 885-922 (2011).

# HOUSING LAW

Boyack, Andrea J. Lessons in price stability from the U.S. real estate market collapse 2010 Mich. St. L. Rev. 925-1000.

Dawson, Victoria C. Reverse mortgage facilitators harvesting benefits while escaping fiduciary duties: who's really looking out for whom? 10 Fla. St. U. Bus. Rev. 117-188 (2011).

Powers, Jamie M. Note. Oklahoma landlords beware: **Miller v. David Grace, Inc.** abandons *caveat emptor* in residential leases. (**Miller v. David Grace, Inc.**, 212 P.3d 1223, 2009.) 63 Okla. L. Rev. 361-382 (2011).

Schwemm, Robert G. Neighbor-on-neighbor harassment: does the Fair Housing Act make a federal case out of it? 61 Case W. Res. L. Rev. 865-931 (2011).

#### **HUMAN RIGHTS LAW**

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

American Indian Law Review Case Western Reserve Journal of International Law

Davis, Tessa. Note. Keeping the welcome mat rolled-up: social justice theorists' failure to embrace adverse possession as a redistributive tool. 20 J. Transnat'l L. & Pol'y 73-102 (2010-2011).

Friederichs, Nicole. A reason to revisit Maine's Indian claims settlement acts: the United Nations Declaration on the Rights of Indigenous Peoples. 35 Am. Indian L. Rev. 497-526 (2010-2011).

Sarkin, Jeremy and Amelia Cook. The human rights of the San (Bushmen) of Botswana — the clash of the rights of indigenous communities and their access to water with the rights of the state to environmental conservation and mineral resource exploitation. 20 J. Transnat'l L. & Pol'y 1-40 (2010-2011).

Satterthwaite, Margaret L. Indicators in crisis: rights-based humanitarian indicators in post-earthquake Haiti. 43 N.Y.U. J. Int'l L. & Pol. 865-964 (2011).

Sokhi-Bulley, Bal. Government(ality) by experts: human rights as governance. 22 Law & Critique 251-272 (2011).

Venzor, Tom. Comment. Protecting the unborn child: the current state of law concerning the so-called right to abortion and intervention by the Holy See. 89 Neb. L. Rev. 1132-1170 (2011).

Agora: Classic International Legal Maxims in a Modern World. Articles by George R. Lucas, Jr. and Laurie R. Blank. 43 Case W. Res. J. Int'l L. 677-738 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

IACHR Report on Indigenous and Tribal Peoples' Rights Over Their Ancestral Lands and Natural Resources: Norms and Jurisprudence of the Inter-American Human Rights System. Introduction by Taiawagi Helton; report by the Inter-American Commission on Human Rights. 35 Am. Indian L. Rev. 257-496 (2010-2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### IMMIGRATION LAW

Bramante, Andrew. Note. Ending indefinite detention of noncitizens. 61 Case W. Res. L. Rev. 933-980 (2011).

Davis, Tessa. Note. Lost in doctrine: particular social group, child soldiers, and the failure of U.S. asylum law to protect exploited children. 38 Fla. St. U. L. Rev. 653-677 (2011).

Dellinger, Marianne. Something is rotten in the state of Denmark: the deprivation of democratic rights by nation states not recognizing dual citizenship. 20 J. Transnat'l L. & Pol'y 41-72 (2010-2011).

Gallini, Brian R. and Elizabeth L. Young. Car stops, borders, and profiling: the hunt for undocumented (illegal?) immigrants in border towns. 89 Neb. L. Rev. 709-738 (2011).

Oulahan, Cain W. Comment. The American dream deferred: family separation and immigrant visa adjudications at U.S. consulates abroad. 94 Marq. L. Rev. 1351-1379 (2011).

Page 8 December 2, 2011

Peter, Chelsea M. Note. From the border to the bench: the barriers to freedom for victims of domestic violence seeking asylum in the United States and why a favorable decision in the case of **R-A-** is necessary but not sufficient protection for future claimants. 55 St. Louis U. L.J. 693-712 (2011).

Southam, Keith. Note. Who am I and who do you want me to be? Effectively defining a lesbian, gay, bisexual, and transgender social group in asylum applications. 86 Chi.-Kent. L. Rev. 1363-1387 (2011).

#### INDIAN AND ABORIGINAL LAW

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

American Indian Law Review

Bhandar, Brenna. Plasticity and post-colonial recognition: 'owning, knowing and being.' 22 Law & Critique 227-249 (2011).

Midler, Aaron H. Note. The spirit of NAGPRA: the native American Graves Protection and Repatriation Act and the regulation of culturally unidentifiable remains. 86 Chi.-Kent. L. Rev. 1331-1361 (2011).

Miller, Robert J., Lisa LeSage and Sebastián López Escarcena. The international law of discovery, indigenous peoples, and Chile. 89 Neb. L. Rev. 819-884 (2011).

#### INSURANCE LAW

Hardy, Laura L. Note. Ordering chaos at sea: preparing for Somali pirate attacks through pragmatic insurance policies. 55 St. Louis U. L.J. 665-692 (2011).

Monsour, Franklin G., Jr. STOLI and intent: the feeling's mutual, but it's starting not to matter anyway. 19 Cardozo J. Int'l & Comp. L. 679-731 (2011).

#### INTELLECTUAL PROPERTY LAW

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

American University Journal of Gender, Social Policy & the Law IDEA: The Intellectual Property Law Review IIC: International Review of Intellectual Property and Competition Law

Boutros, Nicole. Comment. Race to the cure: why gene patents pave the way for breast cancer research. 19 Am. U. J. Gender Soc. Pol'y & L. 1009-1030 (2011).

Burke, Lavonne. International media pirates: are they making the entertainment industry walk the plank? 4 J. Bus. Entrepreneurship & L. 67-91 (2010).

Coe, Samuel J, Note. The story of a character: establishing the limits of independent copyright protection for literary characters. 86 Chi.-Kent. L. Rev. 1305-1329 (2011).

Cunico, Christopher. An justice for...: an analysis of digital music, fair use and audience rights. 4 J. Bus. Entrepreneurship & L. 43-66 (2010).

Dahlberg, Brianna. Note. The orphan works problem: preserving access to the cultural history of disadvantaged groups. 20 S. Cal. Rev. L. & Soc. Just. 275-314 (2011).

Lucchi, Nicola. Access to network services and protection of constitutional rights: recognizing the essential role of Internet access for the freedom of expression. 19 Cardozo J. Int'l & Comp. L. 645-678 (2011).

Matthews, Jon. Renewing healthy competition: compulsory licenses and why abuses of the TRIPS Article 31 standards are most damaging to the United States healthcare industry. 4 J. Bus. Entrepreneurship & L. 119-150 (2010).

Schroeder, John R. Note. Should foreign sales exhaust U.S. patent rights post **Quanta**? 55 St. Louis U. L.J. 713-739 (2011).

Teichner, Caroline Ayres. Note. Markedly low: an argument to raise the burden of proof for patent false marking. 86 Chi.-Kent. L. Rev. 1389-1421 (2011).

Weil, Timothy A. Note. Devising a legislative solution to the reverse payment dilemma: how Congress can balance competition, innovation, and the public policy favoring the settlement of disputes without litigation. 55 St. Louis U. L.J. 741-771 (2011).

Yu, Peter K. The TRIPS enforcement dispute. 89 Neb. L. Rev. 1046-1131 (2011).

Symposium: Seventh Annual IP/Gender. Gender and Invention: Mapping the Connections. Introduction by Victoria Phillips; articles by Annette I. Kahler, Bernardita Escobar Andrae, Rayvon Fouché, Sharra Vostral, Shlomit Yanisky-Ravid and Dan L. Burk. 19 Am. U. J. Gender Soc. Pol'y & L. 765-919 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

### INTERNATIONAL LAW

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Case Western Reserve Journal of International Law New York University Journal of International Law and Politics Texas International Law Journal

Burke, Lavonne. International media pirates: are they making the entertainment industry walk the plank? 4 J. Bus. Entrepreneurship & L. 67-91 (2010).

Ibrahim, Abadir M. The Nile Basin Cooperative Framework Agreement: the beginning of the end of Egyptian hydropolitical hegemony. 18 Mo. Envtl. L. & Pol'y Rev. 282-313 (2011).

Page 9 December 2, 2011

Kazhdan, Daniel. Note. Precautionary pulp: **Pulp Mills** and the evolving dispute between international tribunals over the reach of the precautionary principle. **(Pulp Mills on the River Uruguay (Argentina v. Uruguay)**, 2010, http://www.icjcij.org/docket/files/135/15877.pdf.) 38 Ecology L.Q. 527-552 (2011).

Matthews, Jon. Renewing healthy competition: compulsory licenses and why abuses of the TRIPS Article 31 standards are most damaging to the United States healthcare industry. 4 J. Bus. Entrepreneurship & L. 119-150 (2010).

Yanisky-Ravid, Shlomit. Eligible patent matter—gender analysis of patent law: international and comparative perspectives. 19 Am. U. J. Gender Soc. Pol'y & L. 851-880 (2011).

International Insolvency Symposium: The Priority Dilemma. Introduction by Jay Lawrence Westbrook; articles by Edward J. Janger, José M. Garrido, Ian Fletcher, Hon. Leif M. Clark, Karen Goldstein, Allan L. Gropper, John A.E. Pottow and Jay Lawrence Westbrook. 46 Tex. Int'l L.J. 431-622 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### INTERNATIONAL TRADE

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Cardozo Journal of International and Comparative Law

Bejesky, Robert. Geopolitics, oil law reform, and commodity market expectations. 63 Okla. L. Rev. 193-277 (2011).

Brown, S. Denay. Note. Protecting the children: the need for a modern day balancing test to regulate child labor in international business. 20 J. Transnat'l L. & Pol'y 129-156 (2010-2011).

DeRenzo, Lesley N. Note of the Year. Stem cell tourism: the challenge and promise of international regulation of embryonic stem cell-based therapies. 43 Case W. Res. J. Int'l L. 877-918 (2011).

Jaconiah, Jacob. The parallel importation of trademarked goods in the framework of the Economic Partnership Agreement between the East African Community and the European Union. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 673-697 (2011).

Schroeder, John R. Note. Should foreign sales exhaust U.S. patent rights post **Quanta**? 55 St. Louis U. L.J. 713-739 (2011).

Smith, Tyler M. Note. Much needed reform in the realm of public morals: a proposed addition to the GATT Article XX(a) "public morals" framework, resulting from China—Audiovisual. (China—Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products, WT/DS363/R, 2009.) 19 Cardozo J. Int'l & Comp. L. 733-773 (2011).

Yu, Peter K. The TRIPS enforcement dispute. 89 Neb. L. Rev. 1046-1131 (2011).

Law relating to trade marks, unfair competition and misleading advertising. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 732-751 (2011).

Symposium 2011: China's Asset Management Platforms & Cleantech Sector. Panel participation by Jillian Ashley, Gary Lazarus, Henry Levine, Andrew Worden, Mitchell Silk and Rebecca Perkins, discussants. 19 Cardozo J. Int'l & Comp. L. 525-591 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### **JUDGES**

Appel, Peter A. Wilderness, the courts, and the effect of politics on judicial decisionmaking. 35 Harv. Envtl. L. Rev. 275-312 (2011).

Baye, Michael R. and Joshua D. Wright. Is antitrust too complicated for generalist judges? The impact of economic complexity and judicial training on appeals. 54 J.L. & Econ. 1-24 (2011).

Benforado, Adam. Color commentators of the Bench. 38 Fla. St. U. L. Rev. 451-479 (2011).

Dickinson, Gregory M. An empirical study of obstacle preemption in the Supreme Court. 89 Neb. L. Rev. 682-708 (2011).

Garoupa, Nuno and Maria A. Maldonado. The judiciary in political transitions: the critical role of U.S. constitutionalism in Latin America. 19 Cardozo J. Int'l & Comp. L. 593-644 (2011).

Rhodes, Charles W. "Rocky." Navigating the path of the Supreme appointment. 38 Fla. St. U. L. Rev. 537-595 (2011).

Robertson, David W. Our High Court of Admiralty and its sometimes peculiar relationship with Congress. 55 St. Louis U. L.J. 491-520 (2011).

Sykes, Hon. Diane S. Gender and judging. 94 Marq. L. Rev. 1381-1390 (2011).

#### JURISDICTION

Christensen, Grant. Creating bright-line rules for tribal court jurisdiction over non-Indians: the case of trespass to real property. 35 Am. Indian L. Rev. 527-574 (2010-2011).

Dickinson, Gregory M. An empirical study of obstacle preemption in the Supreme Court. 89 Neb. L. Rev. 682-708 (2011).

Michael, Kristin R. Note. What's in a label? FIFRA regulations and the preemption of state tort claims of label misrepresentation. (Indian Brand Farms, Inc. v. Novartis Crop Protection, Inc., 617 F.3d 207, 2010.) 18 Mo. Envtl. L. & Pol'y Rev. 314-331 (2011).

Page 10 December 2, 2011

Pathak, Radha A. Incorporated state law. 61 Case W. Res. L. Rev. 823-864 (2011).

Peskoe, Ari. Student article. A challenge for federalism: achieving national goals in the electricity industry. 18 Mo. Envtl. L. & Pol'y Rev. 209-281 (2011).

Sorensen, Ross J. Casenote. The Ninth Circuit forecloses a bullet sized hole in the PLCAA in ... (**Ileto v. Glock**, 565 F.3d 1126, 2009.) 35 S. Ill. U. L.J. 573-596 (2011).

#### **JURISPRUDENCE**

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Law and Critique

Hudson, Blake. Commerce in the commons: a unified theory of natural capital regulation under the Commerce Clause. 35 Harv. Envtl. L. Rev. 375-431 (2011).

#### **JUVENILES**

Brown, S. Denay. Note. Protecting the children: the need for a modern day balancing test to regulate child labor in international business. 20 J. Transnat'l L. & Pol'y 129-156 (2010-2011).

Byrd, A. Dean. Same-sex marriage and the schools: potential impact on children via sexuality education. 2011 BYU Educ. & L.J. 179-203.

Davis, Tessa. Note. Lost in doctrine: particular social group, child soldiers, and the failure of U.S. asylum law to protect exploited children. 38 Fla. St. U. L. Rev. 653-677 (2011).

Krattiger, John M. Comment. Sex-*cells*: evaluating punishments for teen "sexting" in Oklahoma and beyond. 63 Okla. L. Rev. 317-359 (2011).

Stoddard, Bryan. Student article. **New Jersey v. T.L.O.**: school searches and the applicability of the exclusionary rule in juvenile delinquency and criminal proceedings. 2011 BYU Educ. & L.J. 667-700.

#### LABOR LAW

Harned, Karen R., Georgine M. Kryda and Elizabeth A. Milito. Creating a workable legal standard for defining an independent contractor. 4 J. Bus. Entrepreneurship & L. 93-117 (2010).

Sronce, Cara R. Comment. The references of the twenty-first century: regulating employers' use of social networking sites as an applicant screening tool. 35 S. Ill. U. L.J. 499-516 (2011).

# LAND USE PLANNING

Schroetlin, Scott. Note. Hardship and the granting of zoning variances: a new test in light of ... (**Rousseau v. Zoning Board of Appeals**, 764 N.W.2d 130, 2009.) 89 Neb. L. Rev. 1171-1191 (2011).

#### LAW AND SOCIETY

For more on this subject see the Tables of Contents of Indexed Law Reviews for:

Southern California Review of Law and Social Justice

Best, Zachary W. Note. Derailing the schoolhouse-to-jailhouse track: Title VI and a new approach to disparate impact analysis on public education. 99 Geo. L.J. 1671-1715 (2011).

Bjørnskov, Christian. Combating corruption: on the interplay between institutional quality and social trust. 54 J.L. & Econ. 135-159 (2011).

Dearth, Megan H. Comment. Defending the "indefensible": replacing ethnocentrism with a Native American cultural defense. 35 Am. Indian L. Rev. 621-660 (2010-2011).

Friedman, Lawrence M. Law, economics, and society. 39 Hofstra L. Rev. 487-496 (2011).

Jenkins, Garry W. Who's afraid of philanthrocapitalism? 61 Case W. Res. L. Rev. 753-821 (2011).

Katz, Daniel Martin, et al. Reproduction of hierarchy? A social network analysis of the American law professoriate. 61 J. Legal Educ. 76-103 (2011).

Peterson, Richard. Examining context in the conflict over same-sex marriage and education: the relevance of substance, process and the people involved. 2011 BYU Educ. & L.J. 323-383.

Robertson, Cassandra Burke. Organizational management of conflicting professional identities. 43 Case W. Res. J. Int'l L. 603-623 (2011).

Causes, Consequences and Cures of Racial and Ethnic Disproportionality in Conviction and Incarceration Rates: A Panel Discussion. Janet Moore, moderator; Wayne McKenzie, Angelina Jackson, Steve Tolbert and Janaya Trotter, panelists. 3 Freedom Center J. 35-56 (2011).

#### LAW ENFORCEMENT AND CORRECTIONS

Atkinson, L. Rush. The bilateral Fourth Amendment and the duties of law-abiding persons. 99 Geo. L.J. 1517-1566 (2011).

Brown, Cynthia A. Divided loyalties: ethical challenges for America's law enforcement in post 9/11 America. 43 Case W. Res. J. Int'l L. 651-675 (2011).

Clermont, Woody R. Unshackling the Punishment Clause: a call for the end of convict slavery. 3 Freedom Center J. 1-34 (2011).

Gutierrez, Philip S. Note. You have the right to [plead guilty]: how we can stop police interrogators from inducing false confessions. 20 S. Cal. Rev. L. & Soc. Just. 317-349 (2011).

Page 11 December 2, 2011

Osuch, Daryl. Book note. (Reviewing Rob Warden and Steve Drizin, <u>True Stories of False Confessions</u>.) 3 Freedom Center J. 81-94 (2011).

Sandler, Todd, Daniel G. Arce and Walter Enders. An evaluation of Interpol's cooperative-based counterterrorism linkages. 54 J.L. & Econ. 79-110 (2011).

Causes, Consequences and Cures of Racial and Ethnic Disproportionality in Conviction and Incarceration Rates: A Panel Discussion. Janet Moore, moderator; Wayne McKenzie, Angelina Jackson, Steve Tolbert and Janaya Trotter, panelists. 3 Freedom Center J. 35-56 (2011).

#### LAW OF THE SEA

Roth, Bradley L. Note. A call for mediated solutions to Arctic region disputes. 19 Cardozo J. Int'l & Comp. L. 851-898 (2011).

#### LEGAL EDUCATION

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Journal of Legal Education Saint Louis University Law Journal

Boothe-Perry, Nicola A. Enforcement of law schools' non-academic honor codes: a necessary step towards professionalism? 89 Neb. L. Rev. 634-681 (2011).

Teaching Admiralty. Articles by Martin J. Davies, David W. Robertson, Joel K. Goldstein, Robert M. Jarvis, Robert Anderson IV, David J. Bederman, Frank L. Maraist, Thomas C. Galligan, Jr., Steven F. Friedell, Taylor Simpson-Wood, Craig H. Allen, Joseph C. Sweeney, Neal W. Settergren, Edward V. Cattell, Jr. and John D. Kimball. 55 St. Louis U. L.J. 483-664 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

### LEGAL HISTORY

Lustig, Doreen. The nature of the Nazi state and the question of international criminal responsibility of corporate officials at Nuremberg: revisiting Franz Neumann's concept of Behemoth at the industrialist trials. 43 N.Y.U. J. Int'l L. & Pol. 965-1044 (2011).

Natelson, Robert G. Proposing constitutional amendments by convention: rules governing the process. 78 Tenn. L. Rev. 693-750 (2011).

Sands, Philippe. **Klatsky Endowed Seminar in Human Rights Lecture**. The memory of justice: the unexpected place of Lviv in international law—a personal history. 43 Case W. Res. J. Int'l L. 739-758 (2011).

Tomlins, Christopher. Review essay — The consumption of history in the legal academy: science and synthesis, perils and prospects. (Reviewing Gordon S. Wood, Empire of Liberty: A History of the Early Republic, 1789-1815; Daniel Walker Howe, What Hath God Wrought: The Transformation of America, 1815-1848; Sean Wilentz, The Rise of American Democracy: Jefferson to Lincoln; Brian Balogh, A Government Out of Sight: The Mystery of National Authority in Nineteenth-Century America.) 61 J. Legal Educ. 139-165 (2011).

Why the Jews? A conversation between George Anastaplo and Simcha Brudno. 35 S. Ill. U. L.J. 401-419 (2011).

#### LEGAL PROFESSION

Brown, Robert A. Comment. The amended attorney-client privilege in Oklahoma: a misstep in the right direction. 63 Okla. L. Rev. 279-315 (2011).

Simon, Mitchell M. What's remorse got to do, got to do with it? Bar admission for those with youthful offenses. 2010 Mich. St. L. Rev. 1001-1045.

#### LEGISLATION

Wenger, Kristen L. Note. The Class Action Fairness Act of 2005: the limits of its text and the need for legislative clarification, not judicial interpretation. 38 Fla. St. U. L. Rev. 679-707 (2011).

# MEDICAL JURISPRUDENCE

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Chicago-Kent Law Review

Annas, George J. American vertigo: "dual use," prison physicians, research, and Guantánamo. 43 Case W. Res. J. Int'l L. 631-650 (2011).

Binski, Laura A. Note. Balancing policy tensions of the Vaccine Act in light of the Omnibus Autism Proceeding: are petitioners getting a fair shot at compensation? 39 Hofstra L. Rev. 683-721 (2011).

McBride, Grant. Comment. Medical malpractice insurance in Illinois: where we've been and where we're going after ... (**Lebron v. Gottlieb Memorial Hospital**, 930 N.E.2d 895, 2010.) 35 S. Ill. U. L.J. 517-541 (2011).

Self, Kimberly. Comment. Self-interested: protecting the cultural and religious privacy of Native Americans through promotion of property rights in biological materials. 35 Am. Indian L. Rev. 729-765 (2010-2011).

Page 12 December 2, 2011

Timm, Nicholas T. Comment. From damage caps to health courts: continuing progress in medical malpractice reform. 2010 Mich. St. L. Rev. 1209-1234.

Symposium on Medical Malpractice and Compensation in Global Perspective: Part I. Introduction by Ken Oliphant and Richard W. Wright; articles by Bernhard A. Koch, Colleen M. Flood, Bryan Thomas, Florence G'sell-Macrez, Geneviève Helleringer, Marc S. Stauch, Stephen Todd, Kinga Bączyk-Rozwadowska, L.C. Coetzee and Pieter Carstens. 86 Chi.-Kent. L. Rev. 1021-1301 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

### MILITARY, WAR AND PEACE

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Case Western Reserve Journal of International Law

Chow, Samuel. Note. The **Kiyemba** paradox: creating a judicial framework to eradicate indefinite, unlawful executive detentions. (**Kiyemba v. Obama**, 555 F.3d 1022, 2009, *vacated*, 130 S. Ct. 1235, *reinstated on remand*, 605 F.3d 1046, 2010.) 19 Cardozo J. Int'l & Comp. L. 775-814 (2011).

Davis, Tessa. Note. Lost in doctrine: particular social group, child soldiers, and the failure of U.S. asylum law to protect exploited children. 38 Fla. St. U. L. Rev. 653-677 (2011).

Agora: Classic International Legal Maxims in a Modern World. Articles by George R. Lucas, Jr. and Laurie R. Blank. 43 Case W. Res. J. Int'l L. 677-738 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

Divided Loyalties. Foreword by Michael J. Benza and David F. O'Brien; articles by David J.R. Frakt, Elizabeth L. Hillman, Michael J. Lebowitz, Cassandra Burke Robertson, Deborah D. Ascheim, MD, Andrea Gittleman, George J. Annas and Cynthia A. Brown. 43 Case W. Res. J. Int'l L. 537-675 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### MOTOR VEHICLES

Freeman, Jody. The Obama Administration's national auto policy: lessons from the "car deal." 35 Harv. Envtl. L. Rev. 343-374 (2011).

#### NATURAL RESOURCES LAW

For more on this subject see the Tables of Contents of Indexed Law Reviews for:

American Indian Law Review Ecology Law Quarterly

Tzankova, Zdravka, Dena Vallano and Erika Zavaleta. Can the ESA address the threats of atmospheric nitrogen deposition? Insights from the case of the Bay Checkerspot Butterfly. 35 Harv. Envtl. L. Rev. 433-475 (2011).

Annual Review of Environmental and Natural Resources Law. Foreword by Robert Infelise and Eric Biber; notes by Nell Green Nylen, Megan McQueeney, Sarah Axtell, Leah Rindner, Stephanie Brauer, Maya Waldron, Alex Arensberg, Meredith Wilensky, Emily Sangi and Daniel Kazhdan. 38 Ecology L.Q. 233-552 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

IACHR Report on Indigenous and Tribal Peoples' Rights Over Their Ancestral Lands and Natural Resources: Norms and Jurisprudence of the Inter-American Human Rights System. Introduction by Taiawagi Helton; report by the Inter-American Commission on Human Rights. 35 Am. Indian L. Rev. 257-496 (2010-2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### OIL, GAS, AND MINERAL LAW

Bejesky, Robert. Geopolitics, oil law reform, and commodity market expectations. 63 Okla. L. Rev. 193-277 (2011).

Rivero Gilbert, Jesica. Assessing the risks and benefits of hydraulic fracturing. 18 Mo. Envtl. L. & Pol'y Rev. 169-208 (2011).

#### **ORGANIZATIONS**

Jenkins, Garry W. Who's afraid of philanthrocapitalism? 61 Case W. Res. L. Rev. 753-821 (2011).

#### **POLITICS**

For more on this subject see the Tables of Contents of Indexed Law Reviews for:

Cardozo Journal of International and Comparative Law

Appel, Peter A. Wilderness, the courts, and the effect of politics on judicial decisionmaking. 35 Harv. Envtl. L. Rev. 275-312 (2011).

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Bjørnskov, Christian. Combating corruption: on the interplay between institutional quality and social trust. 54 J.L. & Econ. 135-159 (2011).

Carter, Caroline. Note. The right to vote for non-resident citizens: considered through the example of East Timor. 46 Tex. Int'l L.J. 655-674 (2011).

Garoupa, Nuno and Maria A. Maldonado. The judiciary in political transitions: the critical role of U.S. constitutionalism in Latin America. 19 Cardozo J. Int'l & Comp. L. 593-644 (2011).

Sobel, Russell S. and Christopher J. Coyne. Cointegrating institutions: the time-series properties of country institutional measures. 54 J.L. & Econ. 111-134 (2011).

Symposium 2011: China's Asset Management Platforms & Cleantech Sector. Panel participation by Jillian Ashley, Gary Lazarus, Henry Levine, Andrew Worden, Mitchell Silk and Rebecca Perkins, discussants. 19 Cardozo J. Int'l & Comp. L. 525-591 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

# PRACTICE AND PROCEDURE

Brown, Robert A. Comment. The amended attorney-client privilege in Oklahoma: a misstep in the right direction. 63 Okla. L. Rev. 279-315 (2011).

Feldman, Brad D. Note. An appeal for immediate appealability: applying the collateral order doctrine to orders denying appointed counsel in civil rights cases. 99 Geo. L.J. 1717-1744 (2011).

Frank-Jackson, Demetria D. The medical device federal preemption trilogy: salvaging due process for injured patients. 35 S. Ill. U. L.J. 453-497 (2011).

Teichner, Caroline Ayres. Note. Markedly low: an argument to raise the burden of proof for patent false marking. 86 Chi.-Kent. L. Rev. 1389-1421 (2011).

Wenger, Kristen L. Note. The Class Action Fairness Act of 2005: the limits of its text and the need for legislative clarification, not judicial interpretation. 38 Fla. St. U. L. Rev. 679-707 (2011).

#### PRESIDENT/EXECUTIVE DEPARTMENT

Albert, Richard. The constitutional politics of presidential succession. 39 Hofstra L. Rev. 497-576 (2011).

Hartz, Emily and Rasmus Ugilt. The problem of emergency in the American Supreme Court. 22 Law & Critique 295-316 (2011).

Rhodes, Charles W. "Rocky." Navigating the path of the Supreme appointment. 38 Fla. St. U. L. Rev. 537-595 (2011).

#### PRODUCTS LIABILITY

Frank-Jackson, Demetria D. The medical device federal preemption trilogy: salvaging due process for injured patients. 35 S. Ill. U. L.J. 453-497 (2011).

Michael, Kristin R. Note. What's in a label? FIFRA regulations and the preemption of state tort claims of label misrepresentation. (Indian Brand Farms, Inc. v. Novartis Crop Protection, Inc., 617 F.3d 207, 2010.) 18 Mo. Envtl. L. & Pol'y Rev. 314-331 (2011).

Watts, John L. Fairness and utility in products liability: balancing individual rights and social welfare. 38 Fla. St. U. L. Rev. 597-652 (2011).

#### PROFESSIONAL ETHICS

For more on this subject see the Tables of Contents of Indexed Law Reviews for:

Case Western Reserve Journal of International Law

Kruse, Katherine R. Engaged client-centered representation and the moral foundations of the lawyer-client relationship. 39 Hofstra L. Rev. 577-594 (2011).

Strassberg, Maura. An ethical rabbit hole: Model Rule 4.4, intentional interference with former employee non-disclosure agreements, and the threat of disqualification, part I. 89 Neb. L. Rev. 923-996 (2011).

Divided Loyalties. Foreword by Michael J. Benza and David F. O'Brien; articles by David J.R. Frakt, Elizabeth L. Hillman, Michael J. Lebowitz, Cassandra Burke Robertson, Deborah D. Ascheim, MD, Andrea Gittleman, George J. Annas and Cynthia A. Brown. 43 Case W. Res. J. Int'l L. 537-675 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

### PROPERTY—PERSONAL AND REAL

Bhandar, Brenna. Plasticity and post-colonial recognition: 'owning, knowing and being.' 22 Law & Critique 227-249 (2011).

Boyack, Andrea J. Lessons in price stability from the U.S. real estate market collapse 2010 Mich. St. L. Rev. 925-1000.

Davidson, Jered T. Comment. This land is your land, this land is my land? Why the **Cobell** settlement will not resolve Indian land fractionation. 35 Am. Indian L. Rev. 575-619 (2010-2011).

Davis, Tessa. Note. Keeping the welcome mat rolled-up: social justice theorists' failure to embrace adverse possession as a redistributive tool. 20 J. Transnat'l L. & Pol'y 73-102 (2010-2011).

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Lovett, John A. Progressive property in action: the Land Reform (Scotland) Act of 2003. 89 Neb. L. Rev. 739-818 (2011).

Merrill, Thomas W. **Melms v. Pabst Brewing Co.** and the doctrine of waste in American property law. [Includes photographs.] 94 Marq. L. Rev. 1055-1094 (2011).

Meystedt, Rachel S. Note. **Stop the Beach Renourishment**: why judicial takings may have meant taking a little too much. (**Stop the Beach Renourishment, Inc. v. Fla. Dept. of Envtl. Prot.**, 130 S. Ct. 2592, 2010.) 18 Mo. Envtl. L. & Pol'y Rev. 378-396 (2011).

Policicchio, Jared. Case comment. (Stop the Beach Renourishment, Inc. v. Florida Department of Environmental Protection, 130 S. Ct. 2592, 2010.) 35 Harv. Envtl. L. Rev. 541-554 (2011).

Rindner, Leah. Note. Forcing adaptation through the Rivers and Harbors Act. (**United States v. Milner**, 583 F.3d 1174, 2009.) 38 Ecology L.Q. 341-368 (2011).

Self, Kimberly. Comment. Self-interested: protecting the cultural and religious privacy of Native Americans through promotion of property rights in biological materials. 35 Am. Indian L. Rev. 729-765 (2010-2011).

Wiseman, Hannah. Expanding regional renewable governance. 35 Harv. Envtl. L. Rev. 477-540 (2011).

#### PSYCHOLOGY AND PSYCHIATRY

Voruz, Véronique. Culpability and the politics of love. 22 Law & Critique 205-226 (2011).

#### RELIGION

Carmella, Angela C. Symbolic religious expression on public property: implications for the integrity of religious associations. 38 Fla. St. U. L. Rev. 481-535 (2011).

Ferrin, Scott Ellis. Rights, religion, regard, contact: the common school ideal, a nurturing, safe and effective educational environment for all students. 2011 BYU Educ. & L.J. 205-236.

Mawdsley, Ralph D. Employment, sexual orientation, and religious beliefs: do religious educational institutions have a protected right to discriminate in the selection and discharge of employees? 2011 BYU Educ. & L.J. 279-302

Strasser, Mark. Parents, religious convictions, and public school curricula. 2011 BYU Educ. & L.J. 547-569

Venzor, Tom. Comment. Protecting the unborn child: the current state of law concerning the so-called right to abortion and intervention by the Holy See. 89 Neb. L. Rev. 1132-1170 (2011).

#### REMEDIES

Axtell, Sarah. Note. Reframing the judicial approach to injunctive relief for environmental plaintiffs in ... (Monsanto Co. v. Geertson Seed Farms, 130 S. Ct. 2743, 2010.) 38 Ecology L.Q. 317-340 (2011).

Lens, Jill Wieber. Punishing for the injury: tort law's influence in defining the constitutional limitations on punitive damage awards. 39 Hofstra L. Rev. 595-644 (2011).

McBride, Grant. Comment. Medical malpractice insurance in Illinois: where we've been and where we're going after ... (**Lebron v. Gottlieb Memorial Hospital**, 930 N.E.2d 895, 2010.) 35 S. Ill. U. L.J. 517-541 (2011).

Timm, Nicholas T. Comment. From damage caps to health courts: continuing progress in medical malpractice reform. 2010 Mich. St. L. Rev. 1209-1234.

Watson, Kory R. Casenote. Unauthorized access to Webbased e-mail: recovery under the Stored Communications Act after ... (Van Alstyne v. Elec. Scriptorium Ltd., 560 F.3d 199, 2009.) 35 S. Ill. U. L.J. 543-571 (2011).

#### SCIENCE AND TECHNOLOGY

Law relating to trade marks, unfair competition and misleading advertising. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 732-751 (2011).

Cunico, Christopher. An justice for...: an analysis of digital music, fair use and audience rights. 4 J. Bus. Entrepreneurship & L. 43-66 (2010).

DeRenzo, Lesley N. Note of the Year. Stem cell tourism: the challenge and promise of international regulation of embryonic stem cell-based therapies. 43 Case W. Res. J. Int'l L. 877-918 (2011).

Escobar Andrae, Bernardita. Scientific productivity and gender performance under open and proprietary science systems: the case of Chile in recent years. 19 Am. U. J. Gender Soc. Pol'y & L. 799-823 (2011).

Miller, Rachel A. Student article. Teacher Facebook speech: protected or not? 2011 BYU Educ. & L.J. 637-665.

Self, Kimberly. Comment. Self-interested: protecting the cultural and religious privacy of Native Americans through promotion of property rights in biological materials. 35 Am. Indian L. Rev. 729-765 (2010-2011).

Strifling, David A. Environmental federalism and effective regulation of nanotechnology. 2010 Mich. St. L. Rev. 1129-1175.

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#### SECURED TRANSACTIONS

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

Texas International Law Journal

International Insolvency Symposium: The Priority Dilemma. Introduction by Jay Lawrence Westbrook; articles by Edward J. Janger, José M. Garrido, Ian Fletcher, Hon. Leif M. Clark, Karen Goldstein, Allan L. Gropper, John A.E. Pottow and Jay Lawrence Westbrook. 46 Tex. Int'l L.J. 431-622 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### SECURITIES LAW

Bloink, Robert S. Does the Dodd-Frank Wall Street Reform Act rein in credit default swaps? An EU comparative analysis. 89 Neb. L. Rev. 587-633 (2011).

Higgins, Danielle Angott. Comment. Regulation S-K Item 402(s): regulating compensation incentive-based risk through mandatory disclosure. 61 Case W. Res. L. Rev. 1049-1079 (2011).

Odian, Elizabeth A. Note. **SEC v. Dorozhko**'s affirmative misrepresentation theory of insider trading: an improper means to a proper end. **(SEC v. Dorozhko**, 574 F.3d 42, 2009.) 94 Marq. L. Rev. 1313-1349 (2011).

Weinberger, Alan M. What's in a name?—the tale of Louis Wolfson's affirmed. 39 Hofstra L. Rev. 645-681 (2011).

#### SEXUALITY AND THE LAW

For more on this subject see the **Tables of Contents of Indexed Law Reviews** for:

American University Journal of Gender, Social Policy & the Law Brigham Young University Education and Law Journal

Agan, Amanda Y. Sex offender registries: fear without function? 54 J.L. & Econ. 207-239 (2011).

Prescott, J.J. and Jonah E. Rockoff. Do sex offender registration and notification laws affect criminal behavior? 54 J.L. & Econ. 161-206 (2011).

Southam, Keith. Note. Who am I and who do you want me to be? Effectively defining a lesbian, gay, bisexual, and transgender social group in asylum applications. 86 Chi.-Kent. L. Rev. 1363-1387 (2011).

Venzor, Tom. Comment. Protecting the unborn child: the current state of law concerning the so-called right to abortion and intervention by the Holy See. 89 Neb. L. Rev. 1132-1170 (2011).

Symposium: Seventh Annual IP/Gender. Gender and Invention: Mapping the Connections. Introduction by Victoria Phillips; articles by Annette I. Kahler, Bernardita Escobar Andrae, Rayvon Fouché, Sharra Vostral, Shlomit Yanisky-Ravid and Dan L. Burk. 19 Am. U. J. Gender Soc. Pol'y & L. 765-919 (2011).

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

The Impact of Same-Sex Marriage on Education. Introduction by <u>BYU Education and Law Journal</u> Editorial Board; articles by A. Dean Byrd, Scott Ellis Ferrin, Allison Fetter-Harrott, Scott FitzGibbon, Ralph D. Mawdsley, Richard S. Myers, Richard Peterson, E. Vance Randall, Kevin Rogers, Richard Fossey, Charles J. Russo, David Schimmel, Marius H. Smit, Mark Strasser, William E. Thro and Lynn D. Wardle. 2011 BYU Educ. & L.J. 177-635.

(For contents see the **Tables of Contents of Indexed Law Reviews** for this journal.)

#### SOCIAL WELFARE

Gallagher, Rachel J. Welfare reform's inadequate implementation of the Family Violence Option: exploring the dual oppression of poor domestic violence victims. 19 Am. U. J. Gender Soc. Pol'y & L. 987-1007 (2011).

#### **SPORTS**

Grose, Justin P. Comment. Time to bury the tomahawk chop: an attempt to reconcile the differing viewpoints of Native Americans and sports fans. 35 Am. Indian L. Rev. 695-728 (2010-2011).

Taconi, Brad. Third and extremely long: why the elimination of the BCS seems all but impossible. 4 J. Bus. Entrepreneurship & L. 181-220 (2010).

### TAXATION—FEDERAL INCOME

Lazar, Stuart. Schooling Congress: the current landscape of the tax treatment of higher education expenses and a framework for reform. 2010 Mich. St. L. Rev. 1047-1127.

Valentine, Paul. A lay word for a legal term: how the popular definition of charity has muddled the perception of the charitable deduction. 89 Neb. L. Rev. 997-1045 (2011).

#### TAXATION—TRANSNATIONAL

Victorson, Eric M. Note. **United States v. UBS AG**: has the United States successfully cracked the vault to Swiss banking secrecy? (**United States v. UBS AG**, 2009 WL 1612394, 2009.) 19 Cardozo J. Int'l & Comp. L. 815-849 (2011).

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#### **TORTS**

Christensen, Grant. Creating bright-line rules for tribal court jurisdiction over non-Indians: the case of trespass to real property. 35 Am. Indian L. Rev. 527-574 (2010-2011).

Howard, Seth. Does the automatic stay of the Bankruptcy Code trigger the Illinois Savings Statute?: why the Illinois Supreme Court needs to address the issue. 35 S. Ill. U. L.J. 433-452 (2011).

Lens, Jill Wieber. Punishing for the injury: tort law's influence in defining the constitutional limitations on punitive damage awards. 39 Hofstra L. Rev. 595-644 (2011).

Sangi, Emily. Note. The gap-filling role of nuisance in interstate air pollution. (North Carolina *ex rel*. Cooper v. Tenn. Valley Auth., 593 F. Supp. 2d 812, 2009, *rev'd and rem'd*, 615 F.3d 291, 2010.) 38 Ecology L.Q. 479-526 (2011).

Sorensen, Ross J. Casenote. The Ninth Circuit forecloses a bullet sized hole in the PLCAA in ... (**Ileto v. Glock**, 565 F.3d 1126, 2009.) 35 S. Ill. U. L.J. 573-596 (2011).

Vogt, Katherine E. Note. In closing the door to environmental public nuisance claims, did the Fourth Circuit leave a window cracked? (North Carolina *ex rel* Cooper v. Tenn. Valley Auth., 615 F.3d 291, 2010.) 18 Mo. Envtl. L. & Pol'y Rev. 332-350 (2011).

#### TRADE REGULATION

Baye, Michael R. and Joshua D. Wright. Is antitrust too complicated for generalist judges? The impact of economic complexity and judicial training on appeals. 54 J.L. & Econ. 1-24 (2011).

Taconi, Brad. Third and extremely long: why the elimination of the BCS seems all but impossible. 4 J. Bus. Entrepreneurship & L. 181-220 (2010).

Waxman, Michael P. Wisconsin's antitrust law: outsourcing the legal standard. 94 Marq. L. Rev. 1173-1194 (2011).

# WATER LAW

Aguilar, Daniel. Note. Groundwater reform in India: an equity and sustainability dilemma. 46 Tex. Int'l L.J. 623-653 (2011).

Ibrahim, Abadir M. The Nile Basin Cooperative Framework Agreement: the beginning of the end of Egyptian hydro-political hegemony. 18 Mo. Envtl. L. & Pol'y Rev. 282-313 (2011).

Rindner, Leah. Note. Forcing adaptation through the Rivers and Harbors Act. (**United States v. Milner**, 583 F.3d 1174, 2009.) 38 Ecology L.Q. 341-368 (2011).

Rivero Gilbert, Jesica. Assessing the risks and benefits of hydraulic fracturing. 18 Mo. Envtl. L. & Pol'y Rev. 169-208 (2011).

#### WOMEN

For more on this subject see the Tables of Contents of Indexed Law Reviews for:

American University Journal of Gender, Social Policy & the Law

Sykes, Hon. Diane S. Gender and judging. 94 Marq. L. Rev. 1381-1390 (2011).

Turano, Laura C. Note. The gender dimension of transitional justice mechanisms. 43 N.Y.U. J. Int'l L. & Pol. 1045-1086 (2011).

Symposium: Seventh Annual IP/Gender. Gender and Invention: Mapping the Connections. Introduction by Victoria Phillips; articles by Annette I. Kahler, Bernardita Escobar Andrae, Rayvon Fouché, Sharra Vostral, Shlomit Yanisky-Ravid and Dan L. Burk. 19 Am. U. J. Gender Soc. Pol'y & L. 765-919 (2011).

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#### TABLES OF CONTENTS OF INDEXED LAW REVIEWS

# 35 AMERICAN INDIAN LAW REVIEW, NO. 2, PP.257-788, 2010-2011.

2010-2011 Indian law writing competition winners. 35 Am. Indian L. Rev. unpaged (2010-2011).

 $2010\mbox{-}2011$  Peer Review Board. 35 Am. Indian L. Rev. unpaged (2010-2011).

Masterson, Crystal D., Editor-in-Chief. Appreciation and acknowledgements. 35 Am. Indian L. Rev. unpaged (2010-2011).

IACHR Report on Indigenous and Tribal Peoples' Rights Over Their Ancestral Lands and Natural Resources: Norms and Jurisprudence of the Inter-American Human Rights System. 35 Am. Indian L. Rev. 257-496 (2010-2011).

Helton, Taiawagi. Introduction to the IACHR Report on Indigenous and Tribal Peoples' Rights Over Their Ancestral Lands and Natural Resources: Norms and Jurisprudence of the Inter-American Human Rights System. 35 Am. Indian L. Rev. 257-262 (2010-2011).

Inter-American Commission on Human Rights. Indigenous and Tribal Peoples' Rights Over Their Ancestral Lands and Natural Resources: Norms and Jurisprudence of the Inter-American Human Rights System. 35 Am. Indian L. Rev. 263-496 (2010-2011).

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Friederichs, Nicole. A reason to revisit Maine's Indian claims settlement acts: the United Nations Declaration on the Rights of Indigenous Peoples. 35 Am. Indian L. Rev. 497-526 (2010-2011).

Christensen, Grant. Creating bright-line rules for tribal court jurisdiction over non-Indians: the case of trespass to real property. 35 Am. Indian L. Rev. 527-574 (2010-2011).

Davidson, Jered T. Comment. This land is your land, this land is my land? Why the **Cobell** settlement will not resolve Indian land fractionation. 35 Am. Indian L. Rev. 575-619 (2010-2011).

Dearth, Megan H. Comment. Defending the "indefensible": replacing ethnocentrism with a Native American cultural defense. 35 Am. Indian L. Rev. 621-660 (2010-2011).

Enis, Vickie. Comment. Yours, mine, ours? Renovating the antiquated apartheid in the law of property division in Native American divorce. 35 Am. Indian L. Rev. 661-694 (2010-2011).

Grose, Justin P. Comment. Time to bury the tomahawk chop: an attempt to reconcile the differing viewpoints of Native Americans and sports fans. 35 Am. Indian L. Rev. 695-728 (2010-2011).

Self, Kimberly. Comment. Self-interested: protecting the cultural and religious privacy of Native Americans through promotion of property rights in biological materials. 35 Am. Indian L. Rev. 729-765 (2010-2011).

Murphy, Lori. Note. Enough rope: why **United States v. White Plume** was wrong on hemp and treaty rights, and what it could cost the Federal Government. 35 Am. Indian L. Rev. 767-788 (2010-2011).

# 19 AMERICAN UNIVERSITY JOURNAL OF GENDER, SOCIAL POLICY & THE LAW, NO. 3, PP. 765-1057, 2011.

Symposium: Seventh Annual IP/Gender. Gender and Invention: Mapping the Connections. 19 Am. U. J. Gender Soc. Pol'y & L. 765-919 (2011).

Acknowledgment. 19 Am. U. J. Gender Soc. Pol'y & L. 765 (2011).

Phillips, Victoria. Introduction. 19 Am. U. J. Gender Soc. Pol'y & L. 767-772 (2011).

Kahler, Annette I. Examining exclusion in woman-inventor patenting: a comparison of educational trends and patent data in the era of Computer Engineer Barbie®. 19 Am. U. J. Gender Soc. Pol'y & L. 773-798 (2011).

Escobar Andrae, Bernardita. Scientific productivity and gender performance under open and proprietary science systems: the case of Chile in recent years. 19 Am. U. J. Gender Soc. Pol'y & L. 799-823 (2011).

Fouché, Rayvon and Sharra Vostral. "Selling" women: Lillian Gilbreth, gender translation, and intellectual property. 19 Am. U. J. Gender Soc. Pol'y & L. 825-850 (2011).

Yanisky-Ravid, Shlomit. Eligible patent matter—gender analysis of patent law: international and comparative perspectives. 19 Am. U. J. Gender Soc. Pol'y & L. 851-880 (2011).

Burk, Dan L. Do patents have gender? 19 Am. U. J. Gender Soc. Pol'y & L. 881-919 (2011).

Goldscheid, Julie. Gender violence and work in the United States and South Africa: the parallel processes of legal and cultural change. 19 Am. U. J. Gender Soc. Pol'y & L. 921-958 (2011).

Kubasek, Nancy, Christy Glass and Kate Cook. Amending the Defense of Marriage Act: a necessary step toward gaining full legal rights for same-sex couples. 19 Am. U. J. Gender Soc. Pol'y & L. 959-986 (2011).

Gallagher, Rachel J. Welfare reform's inadequate implementation of the Family Violence Option: exploring the dual oppression of poor domestic violence victims. 19 Am. U. J. Gender Soc. Pol'y & L. 987-1007 (2011).

Boutros, Nicole. Comment. Race to the cure: why gene patents pave the way for breast cancer research. 19 Am. U. J. Gender Soc. Pol'y & L. 1009-1030 (2011).

Brunet, Thomas G. Comment. Widening the achievement gap: the 2010 D.C. teacher contract deprives D.C. charter school students of an adequate education. 19 Am. U. J. Gender Soc. Pol'y & L. 1031-1057 (2011).

# 2011 BRIGHAM YOUNG UNIVERSITY EDUCATION AND LAW JOURNAL, NO. 2, PP. 177-736.

The Impact of Same-Sex Marriage on Education. 2011 BYU Educ. & L.J. 177-635.

<u>BYU Education and Law Journal</u> Editorial Board. Introduction to symposium issue: The Impact of Same-Sex Marriage on Education. 2011 BYU Educ. & L.J. 177.

Byrd, A. Dean. Same-sex marriage and the schools: potential impact on children via sexuality education. 2011 BYU Educ. & L.J. 179-203.

Ferrin, Scott Ellis. Rights, religion, regard, contact: the common school ideal, a nurturing, safe and effective educational environment for all students. 2011 BYU Educ. & L.J. 205-236.

Fetter-Harrott, Allison. Recognition of same-sex marriage and public schools: implications, challenges, and opportunities. 2011 BYU Educ. & L.J. 237-262.

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FitzGibbon, Scott. Education justice and the recognition of marriage. 2011 BYU Educ. & L.J. 263-278.

Mawdsley, Ralph D. Employment, sexual orientation, and religious beliefs: do religious educational institutions have a protected right to discriminate in the selection and discharge of employees? 2011 BYU Educ. & L.J. 279-302.

Myers, Richard S. Same-sex marriage, education, and parental rights. 2011 BYU Educ. & L.J. 303-322.

Peterson, Richard. Examining context in the conflict over samesex marriage and education: the relevance of substance, process and the people involved. 2011 BYU Educ. & L.J. 323-383.

Randall, E. Vance. Same-sex marriage and education: implications for schools, students, and parents. 2011 BYU Educ. & L.J. 385-421.

Rogers, Kevin and Richard Fossey. Same-sex marriage and the public school curriculum: can parents opt their children out of curricular discussions about sexual orientation and same-sex marriage? 2011 BYU Educ. & L.J. 423-470.

Russo, Charles J. Respect for me but not for thee: reflections on the impact of same-sex marriage on education. 2011 BYU Educ. & L.J. 471-494.

Schimmel, David. Studying the Massachusetts **Goodridge** decision on same-sex marriage as an antidote to mutual misunderstanding and a lesson in civics and law. 2011 BYU Educ. & L.J. 495-512.

Smit, Marius H. Underneath the radar: the impact of same-sex sexuality and secularism on education in South Africa. 2011 BYU Educ. & L.J. 513-546.

Strasser, Mark. Parents, religious convictions, and public school curricula. 2011 BYU Educ. & L.J. 547-569.

Thro, William E. The heart of the constitutional enterprise: affirming equality and freedom in public education. 2011 BYU Educ. & L.J. 571-591.

Wardle, Lynn D. The impacts on education of legalizing samesex marriage and lessons from abortion jurisprudence. 2011 BYU Educ. & L.J. 593-635.

Miller, Rachel A. Student article. Teacher Facebook speech: protected or not? 2011 BYU Educ. & L.J. 637-665.

Stoddard, Bryan. Student article. **New Jersey v. T.L.O.**: school searches and the applicability of the exclusionary rule in juvenile delinquency and criminal proceedings. 2011 BYU Educ. & L.J. 667-700.

Thacker, Annette. Student article. Helping students who can't help themselves: special education and the deliberate indifference standard for Title IX peer sexual harassment. 2011 BYU Educ. & L.J. 701-736.

# 19 CARDOZO JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW, NO. 3, SUMMER, 2011.

Symposium 2011: China's Asset Management Platforms & Cleantech Sector. 19 Cardozo J. Int'l & Comp. L. 525-591 (2011).

China's Asset Management Platforms. Jillian Ashley, Gary Lazarus, Henry Levine, Andrew Worden, discussants. 19 Cardozo J. Int'l & Comp. L. 525-560 (2011).

China's Green Outbound Direct Investment Profile. Mitchell Silk, Rebecca Perkins, Henry Levine and Andrew Worden, discussants. 19 Cardozo J. Int'l & Comp. L. 561-591 (2011).

Garoupa, Nuno and Maria A. Maldonado. The judiciary in political transitions: the critical role of U.S. constitutionalism in Latin America. 19 Cardozo J. Int'l & Comp. L. 593-644 (2011).

Lucchi, Nicola. Access to network services and protection of constitutional rights: recognizing the essential role of Internet access for the freedom of expression. 19 Cardozo J. Int'l & Comp. L. 645-678 (2011).

Monsour, Franklin G., Jr. STOLI and intent: the feeling's mutual, but it's starting not to matter anyway. 19 Cardozo J. Int'l & Comp. L. 679-731 (2011).

Smith, Tyler M. Note. Much needed reform in the realm of public morals: a proposed addition to the GATT Article XX(a) "public morals" framework, resulting from China—Audiovisual. (China—Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products, WT/DS363/R, 2009.) 19 Cardozo J. Int'l & Comp. L. 733-773 (2011).

Chow, Samuel. Note. The **Kiyemba** paradox: creating a judicial framework to eradicate indefinite, unlawful executive detentions. (**Kiyemba v. Obama**, 555 F.3d 1022, 2009, *vacated*, 130 S. Ct. 1235, *reinstated on remand*, 605 F.3d 1046, 2010.) 19 Cardozo J. Int'l & Comp. L. 775-814 (2011).

Victorson, Eric M. Note. **United States v. UBS AG**: has the United States successfully cracked the vault to Swiss banking secrecy? (**United States v. UBS AG**, 2009 WL 1612394, 2009.) 19 Cardozo J. Int'l & Comp. L. 815-849 (2011).

Roth, Bradley L. Note. A call for mediated solutions to Arctic region disputes. 19 Cardozo J. Int'l & Comp. L. 851-898 (2011).

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### 43 CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW, NO. 3, PP. 537-918, 2011.

Divided Loyalties. 43 Case W. Res. J. Int'l L. 537-675 (2011).

Benza, Michael J. and David F. O'Brien. Foreword: Divided Loyalties. 43 Case W. Res. J. Int'l L. 537-544 (2011).

#### **Lawyers Serving in the Military**

Frakt, David J.R. The myth of divided loyalties: defending detainees and the Constitution in the Guantánamo military commissions. 43 Case W. Res. J. Int'l L. 545-564 (2011).

Hillman, Elizabeth L. Mission creep in military lawyering. 43 Case W. Res. J. Int'l L. 565-577 (2011).

Lebowitz, Michael J. Anti-war & anti-Gitmo: military expression and the dilemma of licensed professionals in uniform. 43 Case W. Res. J. Int'l L. 579-602 (2011).

#### Medical/Mental Health Professionals Serving in the Military

Robertson, Cassandra Burke. Organizational management of conflicting professional identities. 43 Case W. Res. J. Int'l L. 603-623 (2011).

Ascheim, Deborah D., MD and Andrea Gittleman. Divided loyalties of health professionals: professional standards and military duty. 43 Case W. Res. J. Int'l L. 625-630 (2011).

#### Police and Corrections Officers Serving in the Military

Annas, George J. American vertigo: "dual use," prison physicians, research, and Guantánamo. 43 Case W. Res. J. Int'l L. 631-650 (2011).

Brown, Cynthia A. Divided loyalties: ethical challenges for America's law enforcement in post 9/11 America. 43 Case W. Res. J. Int'l L. 651-675 (2011).

Agora: Classic International Legal Maxims in a Modern World. 43 Case W. Res. J. Int'l L. 677-738 (2011).

Lucas, George R., Jr. "New rules for new wars" international law and just war doctrine for irregular war. 43 Case W. Res. J. Int'l L. 677-705 (2011).

Blank, Laurie R. A new twist on an old story: lawfare and the mixing of proportionalities. 43 Case W. Res. J. Int'l L. 707-738 (2011).

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Ball, Andrea R. Note. Equal accessibility for sign language under the Convention on the Rights of Persons with Disabilities. 43 Case W. Res. J. Int'l L. 759-798 (2011).

Giridhar, Kavitha R. Note. Justice for all: protecting the translation rights of defendants in international war crime tribunals. 43 Case W. Res. J. Int'l L. 799-829 (2011).

Doherty, Heather Noël. Note. Tipping the scale: is the Special Tribunal for Lebanon international enough to override state official immunity? 43 Case W. Res. J. Int'l L. 831-876 (2011).

DeRenzo, Lesley N. Note of the Year. Stem cell tourism: the challenge and promise of international regulation of embryonic stem cell-based therapies. 43 Case W. Res. J. Int'l L. 877-918 (2011).

# 61 CASE WESTERN RESERVE LAW REVIEW, NO. 3, SPRING, 2011.

Hunt, John Patrick. Taking bubbles seriously in contract law. 61 Case W. Res. L. Rev. 681-751 (2011).

Jenkins, Garry W. Who's afraid of philanthrocapitalism? 61 Case W. Res. L. Rev. 753-821 (2011).

Pathak, Radha A. Incorporated state law. 61 Case W. Res. L. Rev. 823-864 (2011).

Schwemm, Robert G. Neighbor-on-neighbor harassment: does the Fair Housing Act make a federal case out of it? 61 Case W. Res. L. Rev. 865-931 (2011).

Bramante, Andrew. Note. Ending indefinite detention of noncitizens. 61 Case W. Res. L. Rev. 933-980 (2011).

Hill, Michael. Note. **United States v. Fullmer** and the Animal Enterprise Terrorism Act: "true threats" to advocacy. 61 Case W. Res. L. Rev. 981-1048 (2011).

Higgins, Danielle Angott. Comment. Regulation S-K Item 402(s): regulating compensation incentive-based risk through mandatory disclosure. 61 Case W. Res. L. Rev. 1049-1079 (2011).

# 86 CHICAGO-KENT LAW REVIEW, NO. 3, PP. 1019-1421, 2011.

Symposium on Medical Malpractice and Compensation in Global Perspective: Part I. 86 Chi.-Kent. L. Rev. 1021-1301 (2011).

Oliphant, Ken and Richard W. Wright. Introduction. 86 Chi.-Kent. L. Rev. 1021-1025 (2011).

Koch, Bernhard A. Medical malpractice in Austria. 86 Chi.-Kent. L. Rev. 1027-1052 (2011).

Flood, Colleen M. and Bryan Thomas. Canadian medical malpractice law in 2011: missing the mark on patient safety. 86 Chi.-Kent. L. Rev. 1053-1092 (2011).

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G'sell-Macrez, Florence. Medical malpractice compensation in France, part I: the French rules on medical liability since the Patients' Rights Law of March 4, 2002. 86 Chi.-Kent. L. Rev. 1093-1123 (2011).

Helleringer, Geneviève. Medical malpractice and compensation in France, part II: compensation based on national solidarity. 86 Chi.-Kent. L. Rev. 1125-1138 (2011).

Stauch, Marc S. Medical malpractice and compensation in Germany. 86 Chi.-Kent. L. Rev. 1139-1168 (2011).

Todd, Stephen. Treatment injury in New Zealand. 86 Chi.-Kent. L. Rev. 1169-1216 (2011).

Bączyk-Rozwadowska, Kinga. Medical malpractice and compensation in Poland. 86 Chi.-Kent. L. Rev. 1217-1261 (2011).

Coetzee, L.C. and Pieter Carstens. Medical malpractice and compensation in South Africa. 86 Chi.-Kent. L. Rev. 1263-1301 (2011).

Coe, Samuel J, Note. The story of a character: establishing the limits of independent copyright protection for literary characters. 86 Chi.-Kent. L. Rev. 1305-1329 (2011).

Midler, Aaron H. Note. The spirit of NAGPRA: the native American Graves Protection and Repatriation Act and the regulation of culturally unidentifiable remains. 86 Chi.-Kent. L. Rev. 1331-1361 (2011).

Southam, Keith. Note. Who am I and who do you want me to be? Effectively defining a lesbian, gay, bisexual, and transgender social group in asylum applications. 86 Chi.-Kent. L. Rev. 1363-1387 (2011).

Teichner, Caroline Ayres. Note. Markedly low: an argument to raise the burden of proof for patent false marking. 86 Chi.-Kent. L. Rev. 1389-1421 (2011).

# 38 ECOLOGY LAW QUARTERLY, NO. 2, PP. 233-618, 2011.

Annual Review of Environmental and Natural Resources Law. 38 Ecology L.Q. 233-552 (2011).

Infelise, Robert and Eric Biber. Foreword. 38 Ecology L.Q. 233-239 (2011).

Nylen, Nell Green. Note. To achieve biodiversity goals, the new Forest Service planning rule needs effective mandates for best available science and adaptive management. (**Native Ecosystems Council v. Tidwell**, 599 F.3d 926, 2010.) 38 Ecology L.Q. 241-291 (2011).

McQueeney, Megan. Note. Baseline in the sand: Communities for a Better Environment v. South Coast Air Quality Management District. (Cmtys. For a Better Env't v. S. Coast Air Quality Mgmt. Dist., 226 P.3d 985, 2010.) 38 Ecology L.Q. 293-315 (2011).

Axtell, Sarah. Note. Reframing the judicial approach to injunctive relief for environmental plaintiffs in ... (**Monsanto Co. v. Geertson Seed Farms**, 130 S. Ct. 2743, 2010.) 38 Ecology L.O. 317-340 (2011).

Rindner, Leah. Note. Forcing adaptation through the Rivers and Harbors Act. (United States v. Milner, 583 F.3d 1174, 2009.) 38 Ecology L.Q. 341-368 (2011).

Brauer, Stephanie. Note. **Arizona Cattle Growers'** pyrrhic victory for critical habitat. (**Ariz. Cattle Growers' Ass'n v. Salazar**, 606 F.3d 1160, 2010.) 38 Ecology L.Q. 369-400 (2011).

Waldron, Maya. Note. A proposal to balance polluter and community intervention in CERCLA litigation. (**United States v. Aerojet Gen. Corp.**, 606 F.3d 1142, 2010.) 38 Ecology L.Q. 401-426 (2011).

Arensberg, Alex. Note. Are migratory birds extending environmental criminal liability? (**United States v. Apollo Energies, Inc.**, 611 F.3d 679, 2010.) 38 Ecology L.Q. 427-448 (2011).

Wilensky, Meredith. Note. The tailoring rule: exemplifying the vital role of regulatory agencies in environmental protection. 38 Ecology L.Q. 449-477 (2011).

Sangi, Emily. Note. The gap-filling role of nuisance in interstate air pollution. (North Carolina ex rel. Cooper v. Tenn. Valley Auth., 593 F. Supp. 2d 812, 2009, rev'd and rem'd, 615 F.3d 291, 2010.) 38 Ecology L.Q. 479-526 (2011).

Kazhdan, Daniel. Note. Precautionary pulp: **Pulp Mills** and the evolving dispute between international tribunals over the reach of the precautionary principle. (**Pulp Mills on the River Uruguay (Argentina v. Uruguay)**, 2010, http://www.icj-cij.org/docket/files/135/15877.pdf.) 38 Ecology L.Q. 527-552 (2011).

Ben-David, Michelle. Defining international environmental law. (Reviewing Daniel Bodansky, <u>The Art and Craft of International Environmental Law.</u>) 38 Ecology L.Q. 553-561 (2011).

Mandel, Daniel. Boldly precautionary: Douglas Kysar's Regulating from Nowhere. (Reviewing Douglas Kysar, Regulating from Nowhere: Environmental Law and the Search for Objectivity.) 38 Ecology L.Q. 563-570 (2011).

In brief. 38 Ecology L.Q. 571-618 (2011).

Page 21 December 2, 2011

# 10 FLORIDA STATE UNIVERSITY BUSINESS REVIEW, SUPPLEMENT, SPRING, 2011.

Dawson, Victoria C. Reverse mortgage facilitators harvesting benefits while escaping fiduciary duties: who's really looking out for whom? 10 Fla. St. U. Bus. Rev. 117-188 (2011).

# 38 FLORIDA STATE UNIVERSITY LAW REVIEW, NO. 3, SPRING, 2011.

Dedication to Professor Steven G. Gey, April 6, 1956 — June 9, 2011. [Includes photograph.] 38 Fla. St. U. L. Rev. unpaged (2011).

Wexler, Lesley. A tribute to Professor Steven Gey. 38 Fla. St. U. L. Rev. iii-v (2011).

Benforado, Adam. Color commentators of the Bench. 38 Fla. St. U. L. Rev. 451-479 (2011).

Carmella, Angela C. Symbolic religious expression on public property: implications for the integrity of religious associations. 38 Fla. St. U. L. Rev. 481-535 (2011).

Rhodes, Charles W. "Rocky." Navigating the path of the Supreme appointment. 38 Fla. St. U. L. Rev. 537-595 (2011).

Watts, John L. Fairness and utility in products liability: balancing individual rights and social welfare. 38 Fla. St. U. L. Rev. 597-652 (2011).

Davis, Tessa. Note. Lost in doctrine: particular social group, child soldiers, and the failure of U.S. asylum law to protect exploited children. 38 Fla. St. U. L. Rev. 653-677 (2011).

Wenger, Kristen L. Note. The Class Action Fairness Act of 2005: the limits of its text and the need for legislative clarification, not judicial interpretation. 38 Fla. St. U. L. Rev. 679-707 (2011).

### 3 FREEDOM CENTER JOURNAL, NO. 1, SPRING, 2011.

Clermont, Woody R. Unshackling the Punishment Clause: a call for the end of convict slavery. 3 Freedom Center J. 1-34 (2011).

Causes, Consequences and Cures of Racial and Ethnic Disproportionality in Conviction and Incarceration Rates: A Panel Discussion. Janet Moore, moderator; Wayne McKenzie, Angelina Jackson, Steve Tolbert and Janaya Trotter, panelists. 3 Freedom Center J. 35-56 (2011).

Chowdhury, Kaushiki. Book note. (Reviewing John Teharanian, Whitewashed: America's Invisible Middle Eastern Minority.) 3 Freedom Center J. 57-65 (2011).

Graves, Sean. Book note. (Reviewing Gwen Ifill, <u>The Breakthrough: Politics and Race in the Age of Obama</u>.) 3 Freedom Center J. 67-70 (2011).

Martinez-Molwane, Teresa. Book note. (Reviewing Ignacio M. García, White but Not Equal: Mexican Americans, Jury Discrimination and the Supreme Court.) 3 Freedom Center J. 71-80 (2011).

Osuch, Daryl. Book note. (Reviewing Rob Warden and Steve Drizin, <u>True Stories of False Confessions</u>.) 3 Freedom Center J. 81-94 (2011).

### 99 GEORGETOWN LAW JOURNAL, NO. 6, AUGUST, 2011.

Atkinson, L. Rush. The bilateral Fourth Amendment and the duties of law-abiding persons. 99 Geo. L.J. 1517-1566 (2011).

Larsen, Allison Orr. Bargaining inside the black box. 99 Geo. L.J. 1567-1612 (2011).

In memoriam: Sarah Pei Woo. 99 Geo. L.J. 1613 (2011).

Woo, Sarah Pei. Regulatory bankruptcy: how bank regulation causes fire sales. 99 Geo. L.J. 1615-1669 (2011).

Best, Zachary W. Note. Derailing the schoolhouse-to-jailhouse track: Title VI and a new approach to disparate impact analysis on public education. 99 Geo. L.J. 1671-1715 (2011).

Feldman, Brad D. Note. An appeal for immediate appealability: applying the collateral order doctrine to orders denying appointed counsel in civil rights cases. 99 Geo. L.J. 1717-1744 (2011).

General index, vol. 99. 99 Geo. L.J. 1745-1749 (2011).

# 35 HARVARD ENVIRONMENTAL LAW REVIEW, NO. 2, PP. 263-566, 2011.

Heinzerling, Lisa. New directions in environmental law: a climate of possibility. 35 Harv. Envtl. L. Rev. 263-273 (2011).

Appel, Peter A. Wilderness, the courts, and the effect of politics on judicial decisionmaking. 35 Harv. Envtl. L. Rev. 275-312 (2011).

Driesen, David M. Two cheers for feasible regulation: a modest response to Masur and Posner. 35 Harv. Envtl. L. Rev. 313-341 (2011).

Freeman, Jody. The Obama Administration's national auto policy: lessons from the "car deal." 35 Harv. Envtl. L. Rev. 343-374 (2011).

Hudson, Blake. Commerce in the commons: a unified theory of natural capital regulation under the Commerce Clause. 35 Harv. Envtl. L. Rev. 375-431 (2011).

Page 22 December 2, 2011

Tzankova, Zdravka, Dena Vallano and Erika Zavaleta. Can the ESA address the threats of atmospheric nitrogen deposition? Insights from the case of the Bay Checkerspot Butterfly. 35 Harv. Envtl. L. Rev. 433-475 (2011).

Wiseman, Hannah. Expanding regional renewable governance. 35 Harv. Envtl. L. Rev. 477-540 (2011).

Policicchio, Jared. Case comment. (Stop the Beach Renourishment, Inc. v. Florida Department of Environmental Protection, 130 S. Ct. 2592, 2010.) 35 Harv. Envtl. L. Rev. 541-554 (2011).

Kilbert, Nathan. Case comment. (**Howmet Corp. v. EPA**, 614 F.3d 544, 2010.) 35 Harv. Envtl. L. Rev. 555-566 (2011).

# 39 HOFSTRA LAW REVIEW, NO. 3, SPRING, 2011.

Friedman, Lawrence M. Law, economics, and society. 39 Hofstra L. Rev. 487-496 (2011).

Albert, Richard. The constitutional politics of presidential succession. 39 Hofstra L. Rev. 497-576 (2011).

Kruse, Katherine R. Engaged client-centered representation and the moral foundations of the lawyer-client relationship. 39 Hofstra L. Rev. 577-594 (2011).

Lens, Jill Wieber. Punishing for the injury: tort law's influence in defining the constitutional limitations on punitive damage awards. 39 Hofstra L. Rev. 595-644 (2011).

Weinberger, Alan M. What's in a name?—the tale of Louis Wolfson's affirmed. 39 Hofstra L. Rev. 645-681 (2011).

Binski, Laura A. Note. Balancing policy tensions of the Vaccine Act in light of the Omnibus Autism Proceeding: are petitioners getting a fair shot at compensation? 39 Hofstra L. Rev. 683-721 (2011).

Murphy, Elizabeth A. Note. Courts mistakenly cross-out memorials: why the Establishment Clause is not violated by roadside crosses. 39 Hofstra L. Rev. 723-755 (2011).

Wieselthier, Sarah Allison L. Note. Grooming dogs for the educational setting: the "IDEIA" behind service dogs in the public schools. 39 Hofstra L. Rev. 757-794 (2011).

# 51 IDEA: THE INTELLECTUAL PROPERTY LAW REVIEW, NO. 3, PP. 357-558, 2011.

Farrand, James, et al. "Reform" arrives in patent enforcement: the big picture. 51 IDEA 357-451 (2011).

Song, Seagull Haiyan. Reevaluating fair use in China — a comparative copyright analysis of Chinese fair use legislation, the U.S. fair use doctrine, and the European fair dealing model. 51 IDEA 453-489 (2011).

Hariani, Krishna and Anirudh Hariani. Analyzing "originality" in copyright law: transcending jurisdictional disparity. 51 IDEA 491-510 (2011).

Wang, Jessica. A brave new step: why the music industry should follow the Hulu model. 51 IDEA 511-558 (2011).

# 42 IIC: INTERNATIONAL REVIEW OF INTELLECTUAL PROPERTY AND COMPETITION LAW, NO. 6, PP. 627-756, 2011.

Burk, Dan L. From "first to invent" to "first to file" — changing lanes in U.S. patent procedure? 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 627-629 (2011).

Müller-Stoy, Tilman and Christopher Brückner. Supplementary protection certificates with negative duration? 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 629-640 (2011).

Bednarz, Tobias. Keyword advertising before the French Supreme Court and beyond — calm at last after turbulent times for Google and its advertising clients? 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 641-672 (2011).

Jaconiah, Jacob. The parallel importation of trademarked goods in the framework of the Economic Partnership Agreement between the East African Community and the European Union. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 673-697 (2011).

Shadowen, Steve D., Keith B. Leffler and Joseph T. Lukens. Bringing market discipline to pharmaceutical product reformulations. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 698-725 (2011).

#### **Decisions**

Patent law. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 726-730 (2011).

Copyright law. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 730-731 (2011).

Law relating to trade marks, unfair competition and misleading advertising. 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 732-751 (2011).

\*\*\*\*\*\*

Page 23 December 2, 2011

Janis, Mark D. Book review. (Reviewing <u>Patents and Technological Progress in a Globalized World: Liber Amicorum Joseph Straus</u>, edited by Wolrad Prinz zu Waldeck und Pyrmont, et al.) 42 IIC: Int'l Rev. Intell. Prop. & Competition L. 752-756 (2011).

# 4 JOURNAL OF BUSINESS, ENTREPRENEURSHIP & THE LAW, NO. 1, FALL, 2010.

Griffee, Ryan. Explaining adversarial boilerplate language in the battle of the forms: are consequential damages in the U.C.C. gap fillers a penalty default rule? 4 J. Bus. Entrepreneurship & L. 1-42 (2010).

Cunico, Christopher. An justice for...: an analysis of digital music, fair use and audience rights. 4 J. Bus. Entrepreneurship & L. 43-66 (2010).

Burke, Lavonne. International media pirates: are they making the entertainment industry walk the plank? 4 J. Bus. Entrepreneurship & L. 67-91 (2010).

Harned, Karen R., Georgine M. Kryda and Elizabeth A. Milito. Creating a workable legal standard for defining an independent contractor. 4 J. Bus. Entrepreneurship & L. 93-117 (2010).

Matthews, Jon. Renewing healthy competition: compulsory licenses and why abuses of the TRIPS Article 31 standards are most damaging to the United States healthcare industry. 4 J. Bus. Entrepreneurship & L. 119-150 (2010).

Treichel, Bonnie M. The quest for financial regulatory reform: will a uniform fiduciary standard guide the way? 4 J. Bus. Entrepreneurship & L. 151-180 (2010).

Taconi, Brad. Third and extremely long: why the elimination of the BCS seems all but impossible. 4 J. Bus. Entrepreneurship & L. 181-220 (2010).

Nestor, Brian P. Notice: albums are dead — sell singles. 4 J. Bus. Entrepreneurship & L. 221-241 (2010).

# 54 JOURNAL OF LAW & ECONOMICS, NO. 1, FEBRUARY, 2011.

Baye, Michael R. and Joshua D. Wright. Is antitrust too complicated for generalist judges? The impact of economic complexity and judicial training on appeals. 54 J.L. & Econ. 1-24 (2011).

Macher, Jeffrey T., John W. Mayo and Jack A. Nickerson. Regulator heterogeneity and endogenous efforts to close the information asymmetry gap. 54 J.L. & Econ. 25-54 (2011).

Cai, Hongbin, Hanming Fang and Lixin Colin Xu. Eat, drink, firms, government: an investigation of corruption from the entertainment and travel costs of Chinese firms. 54 J.L. & Econ. 55-78 (2011).

Sandler, Todd, Daniel G. Arce and Walter Enders. An evaluation of Interpol's cooperative-based counterterrorism linkages. 54 J.L. & Econ. 79-110 (2011).

Sobel, Russell S. and Christopher J. Coyne. Cointegrating institutions: the time-series properties of country institutional measures. 54 J.L. & Econ. 111-134 (2011).

Bjørnskov, Christian. Combating corruption: on the interplay between institutional quality and social trust. 54 J.L. & Econ. 135-159 (2011).

Prescott, J.J. and Jonah E. Rockoff. Do sex offender registration and notification laws affect criminal behavior? 54 J.L. & Econ. 161-206 (2011).

Agan, Amanda Y. Sex offender registries: fear without function? 54 J.L. & Econ. 207-239 (2011).

### 61 JOURNAL OF LEGAL EDUCATION, NO. 1, AUGUST, 2011.

Garth, Bryant G., Gowri Ramachandran and Molly Selvin. From the Editors. 61 J. Legal Educ. 1-3 (2011).

Kimball, Bruce A. Impoverishing "the greatest law school in the world": the financial collapse of Harvard Law School, 1895-1909. [Includes photographs.] 61 J. Legal Educ. 4-29 (2011).

Kimball, Bruce A. Before the paper chase: student culture at Harvard Law School, 1895-1915. [Includes photograph.] 61 J. Legal Educ. 30-66 (2011).

Washburn, Kevin K. Elena Kagan and the miracle at Harvard. 61 J. Legal Educ. 67-75 (2011).

Katz, Daniel Martin, et al. Reproduction of hierarchy? A social network analysis of the American law professoriate. 61 J. Legal Educ. 76-103 (2011).

Davis, Dena S. How to use the Fulbright program to internationalize your law school. 61 J. Legal Educ. 104-109 (2011).

Telman, D.A. Jeremy. Langdellian limericks. 61 J. Legal Educ. 110-138 (2011).

Tomlins, Christopher. Review essay — The consumption of history in the legal academy: science and synthesis, perils and prospects. (Reviewing Gordon S. Wood, Empire of Liberty: A History of the Early Republic, 1789-1815; Daniel Walker Howe, What Hath God Wrought: The Transformation of America, 1815-1848; Sean Wilentz, The Rise of American Democracy: Jefferson to Lincoln; Brian Balogh, A Government Out of Sight: The Mystery of National Authority in Nineteenth-Century America.) 61 J. Legal Educ. 139-165 (2011).

Page 24 December 2, 2011

Mandel, Joseph D. Book review. (Reviewing Amy Gajda, <u>The Trials of Academe: The New Era of Campus Litigation</u>.) 61 J. Legal Educ. 166-169 (2011).

# 20 JOURNAL OF TRANSNATIONAL LAW & POLICY, PP. 1-156, 2010-2011.

Sarkin, Jeremy and Amelia Cook. The human rights of the San (Bushmen) of Botswana — the clash of the rights of indigenous communities and their access to water with the rights of the state to environmental conservation and mineral resource exploitation. 20 J. Transnat'l L. & Pol'y 1-40 (2010-2011).

Dellinger, Marianne. Something is rotten in the state of Denmark: the deprivation of democratic rights by nation states not recognizing dual citizenship. 20 J. Transnat'l L. & Pol'y 41-72 (2010-2011).

Davis, Tessa. Note. Keeping the welcome mat rolled-up: social justice theorists' failure to embrace adverse possession as a redistributive tool. 20 J. Transnat'l L. & Pol'y 73-102 (2010-2011).

Mason, Sara Atherton. Note. Dietary supplement regulation: a comparative study. 20 J. Transnat'l L. & Pol'y 103-127 (2010-2011).

Brown, S. Denay. Note. Protecting the children: the need for a modern day balancing test to regulate child labor in international business. 20 J. Transnat'l L. & Pol'y 129-156 (2010-2011).

# 22 LAW AND CRITIQUE, NO. 3, NOVEMBER, 2011.

Voruz, Véronique. Culpability and the politics of love. 22 Law & Critique 205-226 (2011).

Bhandar, Brenna. Plasticity and post-colonial recognition: 'owning, knowing and being.' 22 Law & Critique 227-249 (2011).

Sokhi-Bulley, Bal. Government(ality) by experts: human rights as governance. 22 Law & Critique 251-272 (2011).

Moncrieff, L.M. The Molotov milkshake: corporate social responsibility and the market. 22 Law & Critique 273-293 (2011).

Hartz, Emily and Rasmus Ugilt. The problem of emergency in the American Supreme Court. 22 Law & Critique 295-316 (2011).

# 94 MARQUETTE LAW REVIEW, NO. 4, SUMMER, 2011.

Merrill, Thomas W. **Melms v. Pabst Brewing Co.** and the doctrine of waste in American property law. [Includes photographs.] 94 Marq. L. Rev. 1055-1094 (2011).

Posner, Richard A. Comment on Merrill on the law of waste. 94 Marq. L. Rev. 1095-1101 (2011).

Drahozal, Christopher R. and Peter B. Rutledge. Contract and procedure. 94 Marq. L. Rev. 1103-1171 (2011).

Waxman, Michael P. Wisconsin's antitrust law: outsourcing the legal standard. 94 Marq. L. Rev. 1173-1194 (2011).

Tang, Aaron Y. Broken systems, broken duties: a new theory for school finance litigation. 94 Marq. L. Rev. 1195-1239 (2011).

Simon, Jonathan. **George and Martha Barrock Lecture**. How should we punish murder? 94 Marq. L. Rev. 1241-1312 (2011).

Odian, Elizabeth A. Note. **SEC v. Dorozhko**'s affirmative misrepresentation theory of insider trading: an improper means to a proper end. (**SEC v. Dorozhko**, 574 F.3d 42, 2009.) 94 Marq. L. Rev. 1313-1349 (2011).

Oulahan, Cain W. Comment. The American dream deferred: family separation and immigrant visa adjudications at U.S. consulates abroad. 94 Marq. L. Rev. 1351-1379 (2011).

Sykes, Hon. Diane S. Gender and judging. 94 Marq. L. Rev. 1381-1390 (2011).

# 2010 MICHIGAN STATE LAW REVIEW, NO. 4, WINTER.

McCormick, Robert A. and Amy Christian McCormick. Professor Alvin L. Storrs, 1950-2010, in memoriam. 2010 Mich. St. L. Rev. 921-923.

Boyack, Andrea J. Lessons in price stability from the U.S. real estate market collapse 2010 Mich. St. L. Rev. 925-1000.

Simon, Mitchell M. What's remorse got to do, got to do with it? Bar admission for those with youthful offenses. 2010 Mich. St. L. Rev. 1001-1045.

Lazar, Stuart. Schooling Congress: the current landscape of the tax treatment of higher education expenses and a framework for reform. 2010 Mich. St. L. Rev. 1047-1127.

Strifling, David A. Environmental federalism and effective regulation of nanotechnology. 2010 Mich. St. L. Rev. 1129-1175.

Maxwell, Salina M. Comment. Keep your contract to yourself: attempting to balance the expectations of signatories in arbitration agreements with the freedom *from* contract rights of non-signatories. 2010 Mich. St. L. Rev. 1177-1207.

Timm, Nicholas T. Comment. From damage caps to health courts: continuing progress in medical malpractice reform. 2010 Mich. St. L. Rev. 1209-1234.

Page 25 December 2, 2011

### 18 MISSOURI ENVIRONMENTAL LAW AND POLICY REVIEW, NO. 2, SPRING, 2011.

Moorefield, Michael A. and Katherine E. Vogt. Editor's prospective. 18 Mo. Envtl. L. & Pol'y Rev. unpaged (2011).

Rivero Gilbert, Jesica. Assessing the risks and benefits of hydraulic fracturing. 18 Mo. Envtl. L. & Pol'y Rev. 169-208 (2011).

Peskoe, Ari. Student article. A challenge for federalism: achieving national goals in the electricity industry. 18 Mo. Envtl. L. & Pol'y Rev. 209-281 (2011).

Ibrahim, Abadir M. The Nile Basin Cooperative Framework Agreement: the beginning of the end of Egyptian hydro-political hegemony. 18 Mo. Envtl. L. & Pol'y Rev. 282-313 (2011).

Michael, Kristin R. Note. What's in a label? FIFRA regulations and the preemption of state tort claims of label misrepresentation. (**Indian Brand Farms, Inc. v. Novartis Crop Protection, Inc.**, 617 F.3d 207, 2010.) 18 Mo. Envtl. L. & Pol'y Rev. 314-331 (2011).

Vogt, Katherine E. Note. In closing the door to environmental public nuisance claims, did the Fourth Circuit leave a window cracked? (North Carolina *ex rel* Cooper v. Tenn. Valley Auth., 615 F.3d 291, 2010.) 18 Mo. Envtl. L. & Pol'y Rev. 332-350 (2011).

Lesicko, Christine K. Note. Attempting to (de)regulate genetically modified crops: the Supreme Court overrules the injunction denying deregulation of Roundup Ready Alfalfa. (**Monsanto v. Geertson Seed Farms**, 130 S. Ct. 2743, 2010.) 18 Mo. Envtl. L. & Pol'y Rev. 351-377 (2011).

Meystedt, Rachel S. Note. **Stop the Beach Renourishment**: why judicial takings may have meant taking a little too much. (**Stop the Beach Renourishment, Inc. v. Fla. Dept. of Envtl. Prot.**, 130 S. Ct. 2592, 2010.) 18 Mo. Envtl. L. & Pol'y Rev. 378-396 (2011).

Environmental law updates. 18 Mo. Envtl. L. & Pol'y Rev. 397-413 (2011).

# 89 NEBRASKA LAW REVIEW, NO. 4, PP. 587-1198, 2011.

Bloink, Robert S. Does the Dodd-Frank Wall Street Reform Act rein in credit default swaps? An EU comparative analysis. 89 Neb. L. Rev. 587-633 (2011).

Boothe-Perry, Nicola A. Enforcement of law schools' non-academic honor codes: a necessary step towards professionalism? 89 Neb. L. Rev. 634-681 (2011).

Dickinson, Gregory M. An empirical study of obstacle preemption in the Supreme Court. 89 Neb. L. Rev. 682-708 (2011).

Gallini, Brian R. and Elizabeth L. Young. Car stops, borders, and profiling: the hunt for undocumented (illegal?) immigrants in border towns. 89 Neb. L. Rev. 709-738 (2011).

Lovett, John A. Progressive property in action: the Land Reform (Scotland) Act of 2003. 89 Neb. L. Rev. 739-818 (2011).

Miller, Robert J., Lisa LeSage and Sebastián López Escarcena. The international law of discovery, indigenous peoples, and Chile. 89 Neb. L. Rev. 819-884 (2011).

Moore, Kathryn L. The future of employment-based health insurance after the Patient Protection and Affordable Care Act. 89 Neb. L. Rev. 885-922 (2011).

Strassberg, Maura. An ethical rabbit hole: Model Rule 4.4, intentional interference with former employee non-disclosure agreements, and the threat of disqualification, part I. 89 Neb. L. Rev. 923-996 (2011).

Valentine, Paul. A lay word for a legal term: how the popular definition of charity has muddled the perception of the charitable deduction. 89 Neb. L. Rev. 997-1045 (2011).

Yu, Peter K. The TRIPS enforcement dispute. 89 Neb. L. Rev. 1046-1131 (2011).

Venzor, Tom. Comment. Protecting the unborn child: the current state of law concerning the so-called right to abortion and intervention by the Holy See. 89 Neb. L. Rev. 1132-1170 (2011).

Schroetlin, Scott. Note. Hardship and the granting of zoning variances: a new test in light of ... (Rousseau v. Zoning Board of Appeals, 764 N.W.2d 130, 2009.) 89 Neb. L. Rev. 1171-1191 (2011).

Indices. 89 Neb. L. Rev. 1193-1198 (2011).

# 43 NEW YORK UNIVERSITY JOURNAL OF INTERNATIONAL LAW AND POLITICS, NO. 4, SUMMER, 2011.

Satterthwaite, Margaret L. Indicators in crisis: rights-based humanitarian indicators in post-earthquake Haiti. 43 N.Y.U. J. Int'l L. & Pol. 865-964 (2011).

Lustig, Doreen. The nature of the Nazi state and the question of international criminal responsibility of corporate officials at Nuremberg: revisiting Franz Neumann's concept of Behemoth at the industrialist trials. 43 N.Y.U. J. Int'l L. & Pol. 965-1044 (2011).

Turano, Laura C. Note. The gender dimension of transitional justice mechanisms. 43 N.Y.U. J. Int'l L. & Pol. 1045-1086 (2011).

Book annotations. 43 N.Y.U. J. Int'l L. & Pol. 1087-1136 (2011).

Page 26 December 2, 2011

# 63 OKLAHOMA LAW REVIEW, NO. 2, WINTER, 2011.

Bejesky, Robert. Geopolitics, oil law reform, and commodity market expectations. 63 Okla. L. Rev. 193-277 (2011).

Brown, Robert A. Comment. The amended attorney-client privilege in Oklahoma: a misstep in the right direction. 63 Okla. L. Rev. 279-315 (2011).

Krattiger, John M. Comment. Sex-*cells*: evaluating punishments for teen "sexting" in Oklahoma and beyond. 63 Okla. L. Rev. 317-359 (2011).

Powers, Jamie M. Note. Oklahoma landlords beware: **Miller v. David Grace, Inc.** abandons *caveat emptor* in residential leases. (**Miller v. David Grace, Inc.**, 212 P.3d 1223, 2009.) 63 Okla. L. Rev. 361-382 (2011).

Grace, Danae VanSickle. Note. The sky is not falling: how the anticlimactic application of **Melendez-Diaz v. Massachusetts** to Oklahoma's laboratory report procedures allows room for improvement. (**Melendez-Diaz v. Massachusetts**, 129 S. Ct. 2527, 2009.) 63 Okla. L. Rev. 383-419 (2011).

# 55 SAINT LOUIS UNIVERSITY LAW JOURNAL, NO. 2, WINTER, 2011.

Pitzer, Jennifer C. Editor's note. 55 St. Louis U. L.J. unpaged (2011).

Teaching Admiralty. 55 St. Louis U. L.J. 483-664 (2011).

Davies, Martin J. Teaching admiralty requires dismissing important subjects. 55 St. Louis U. L.J. 483-490 (2011).

Robertson, David W. Our High Court of Admiralty and its sometimes peculiar relationship with Congress. 55 St. Louis U. L.J. 491-520 (2011).

Goldstein, Joel K. Beyond the tide: beginning admiralty with **The Steamboat Magnolia**. 55 St. Louis U. L.J. 521-540 (2011).

Jarvis, Robert M. Teaching admiralty popularly. 55 St. Louis U. L.J. 541-548 (2011).

Anderson, Robert IV. Teaching and learning the law of boats. 55 St. Louis U. L.J. 549-557 (2011).

Bederman, David J. Guilty pleasures of teaching admiralty. 55 St. Louis U. L.J. 559-566 (2011).

Maraist, Frank L. Teaching maritime law: reflections of a near lifetime. 55 St. Louis U. L.J. 567-577 (2011).

Galligan, Thomas C., Jr. Teaching admiralty. 55 St. Louis U. L.J. 579-587 (2011).

Friedell, Steven F. The joy of teaching admiralty. 55 St. Louis U. L.J. 589-599 (2011).

Simpson-Wood, Taylor. One approach to teaching maritime law: the admiralty classroom as a stage. 55 St. Louis U. L.J. 601-620 (2011).

Allen, Craig H. Getting the "story" out: teaching admiralty at the University of Washington. 55 St. Louis U. L.J. 621-632 (2011).

Sweeney, Joseph C. Forty-five years of teaching admiralty law. 55 St. Louis U. L.J. 633-638 (2011).

Settergren, Neal W. Why admiralty should be studied in law school. 55 St. Louis U. L.J. 639-645 (2011).

Cattell, Edward V., Jr. Teaching admiralty as a part time job. 55 St. Louis U. L.J. 647-655 (2011).

Kimball, John D. Raise high the silver oar! Teaching admiralty law. 55 St. Louis U. L.J. 657-664 (2011).

Hardy, Laura L. Note. Ordering chaos at sea: preparing for Somali pirate attacks through pragmatic insurance policies. 55 St. Louis U. L.J. 665-692 (2011).

Peter, Chelsea M. Note. From the border to the bench: the barriers to freedom for victims of domestic violence seeking asylum in the United States and why a favorable decision in the case of **R-A-** is necessary but not sufficient protection for future claimants. 55 St. Louis U. L.J. 693-712 (2011).

Schroeder, John R. Note. Should foreign sales exhaust U.S. patent rights post **Quanta**? 55 St. Louis U. L.J. 713-739 (2011).

Weil, Timothy A. Note. Devising a legislative solution to the reverse payment dilemma: how Congress can balance competition, innovation, and the public policy favoring the settlement of disputes without litigation. 55 St. Louis U. L.J. 741-771 (2011).

# 20 SOUTHERN CALIFORNIA REVIEW OF LAW AND SOCIAL JUSTICE, NO. 2, SPRING, 2011.

Brodin, Mark S. **Ricci v. Destefano**: the New Haven firefighters case & the triumph of white privilege. 20 S. Cal. Rev. L. & Soc. Just. 161-232 (2011).

Paben, Jeanne Marie Zokovitch. Approaches to environmental justice: a case study of one community's victory. 20 S. Cal. Rev. L. & Soc. Just. 235-270 (2011).

Dahlberg, Brianna. Note. The orphan works problem: preserving access to the cultural history of disadvantaged groups. 20 S. Cal. Rev. L. & Soc. Just. 275-314 (2011).

Page 27 December 2, 2011

Gutierrez, Philip S. Note. You have the right to [plead guilty]: how we can stop police interrogators from inducing false confessions. 20 S. Cal. Rev. L. & Soc. Just. 317-349 (2011).

# 35 SOUTHERN ILLINOIS UNIVERSITY LAW JOURNAL, SPRING, 2011.

Why the Jews? A conversation between George Anastaplo and Simcha Brudno. 35 S. Ill. U. L.J. 401-419 (2011).

Moye, Jim. Let's put the fear in the FERA! Suggestions to make the Fraud Enforcement and Recovery Act of 2009 a strong fraud deterrent. 35 S. Ill. U. L.J. 421-432 (2011).

Howard, Seth. Does the automatic stay of the Bankruptcy Code trigger the Illinois Savings Statute?: why the Illinois Supreme Court needs to address the issue. 35 S. Ill. U. L.J. 433-452 (2011).

Frank-Jackson, Demetria D. The medical device federal preemption trilogy: salvaging due process for injured patients. 35 S. Ill. U. L.J. 453-497 (2011).

Sronce, Cara R. Comment. The references of the twenty-first century: regulating employers' use of social networking sites as an applicant screening tool. 35 S. Ill. U. L.J. 499-516 (2011).

McBride, Grant. Comment. Medical malpractice insurance in Illinois: where we've been and where we're going after ... (**Lebron v. Gottlieb Memorial Hospital**, 930 N.E.2d 895, 2010.) 35 S. Ill. U. L.J. 517-541 (2011).

Watson, Kory R. Casenote. Unauthorized access to Web-based email: recovery under the Stored Communications Act after ... (Van Alstyne v. Elec. Scriptorium Ltd., 560 F.3d 199, 2009.) 35 S. Ill. U. L.J. 543-571 (2011).

Sorensen, Ross J. Casenote. The Ninth Circuit forecloses a bullet sized hole in the PLCAA in ... (**Ileto v. Glock**, 565 F.3d 1126, 2009.) 35 S. Ill. U. L.J. 573-596 (2011).

# 78 TENNESSEE LAW REVIEW, NO. 3, SPRING, 2011.

Symposium: Article V Constitutional Convention. 78 Tenn. L. Rev. 651-877 (2011).

Reynolds, Glenn Harlan. Foreword: divine operating system? 78 Tenn. L. Rev. 651-661 (2011).

Editors of the <u>Tennessee Law Review</u>. Article V constitutional conventions: a primer. 78 Tenn. L. Rev. 663-692 (2011).

Natelson, Robert G. Proposing constitutional amendments by convention: rules governing the process. 78 Tenn. L. Rev. 693-750 (2011).

Foley, Elizabeth Price. Sovereignty, rebalanced: the Tea Party & constitutional amendments. 78 Tenn. L. Rev. 751-764 (2011).

Stern, Michael. Reopening the constitutional road to reform: toward a safeguarded Article V convention. 78 Tenn. L. Rev. 765-788 (2011).

Penrose, Mary Margaret. Conventional wisdom: acknowledging uncertainty in the unknown. 78 Tenn. L. Rev. 789-805 (2011).

Stern, Michael. A brief reply to Professor Penrose. 78 Tenn. L. Rev. 807-811 (2011).

Barnett, Randy E. The case for the Repeal Amendment. 78 Tenn. L. Rev. 813-822 (2011).

Lynch, Timothy. Amending Article V to make the constitutional amendment process itself less onerous. 78 Tenn. L. Rev. 823-830 (2011).

Denning, Brannon P. and Brooks R. Smith. The Truth-in-Legislation Amendment: an idea whose time has come. 78 Tenn. L. Rev. 831-837 (2011).

Bartow, Ann. An Equal Rights Amendment to make women human. 78 Tenn. L. Rev. 839-847 (2011).

Epstein, Richard A. Why we need term limits for Congress: four in the Senate, ten in the House. 78 Tenn. L. Rev. 849-857 (2011).

Lat, David and Zachary Shemtob. The execution should be televised: an amendment making executions public. 78 Tenn. L. Rev. 859-865 (2011).

Levinson, Sanford. Afterword: full of sound and fury but signifying relatively little? 78 Tenn. L. Rev. 867-877 (2011).

# 46 TEXAS INTERNATIONAL LAW JOURNAL, NO. 3, SUMMER, 2011.

International Insolvency Symposium: The Priority Dilemma. 46 Tex. Int'l L.J. 431-622 (2011).

Westbrook, Jay Lawrence. Introduction. 46 Tex. Int'l L.J. 437-439 (2011).

Janger, Edward J. Reciprocal comity. 46 Tex. Int'l L.J. 441-458 (2011).

Garrido, José M. No two snowflakes the same: the distributional question in international bankruptcies. 46 Tex. Int'l L.J. 459-488 (2011).

Page 28 December 2, 2011

Fletcher, Ian. "L'enfer, c'est les autres": evolving approaches to the treatment of security rights in cross-border insolvency. 46 Tex. Int'l L.J. 489-512 (2011).

Clark, Hon. Leif M. and Karen Goldstein. Sacred cows: how to care for secured creditors' rights in cross-border bankruptcies. 46 Tex. Int'l L.J. 513-558 (2011).

Gropper, Allan L. The payment of priority claims in cross-border insolvency. 46 Tex. Int'l L.J. 559-577 (2011).

Pottow, John A.E. A new role for secondary proceedings in international bankruptcies. 46 Tex. Int'l L.J. 579-599 (2011).

Westbrook, Jay Lawrence. Breaking away: local priorities and global assets. 46 Tex. Int'l L.J. 601-622 (2011).

Aguilar, Daniel. Note. Groundwater reform in India: an equity and sustainability dilemma. 46 Tex. Int'l L.J. 623-653 (2011).

Carter, Caroline. Note. The right to vote for non-resident citizens: considered through the example of East Timor. 46 Tex. Int'l L.J. 655-674 (2011).