

# Boston College Law Review

---

Volume 25  
Issue 5 *Number 5*

Article 7

---

9-1-1984

## INDEX TO VOLUME XXV

Follow this and additional works at: <https://lawdigitalcommons.bc.edu/bclr>

---

### Recommended Citation

*INDEX TO VOLUME XXV*, 25 B.C. L. Rev. 1139 (1984), <https://lawdigitalcommons.bc.edu/bclr/vol25/iss5/7>

This Index is brought to you for free and open access by the Law Journals at Digital Commons @ Boston College Law School. It has been accepted for inclusion in Boston College Law Review by an authorized editor of Digital Commons @ Boston College Law School. For more information, please contact [abraham.bauer@bc.edu](mailto:abraham.bauer@bc.edu).

# INDEX TO VOLUME XXV 1983-1984 CASE INDEX

Cases Cited	Pages	Cases Cited	Pages
Adams Express Co. v. Ohio State Auditor	651-52	Borman's, Inc. v. Allied Supermarkets	587-88
Adams v. Procter & Gamble Mfg. Co.	196-204	Brada Miller Freight System, Inc., <i>In re</i>	570-71, 578-86, 589
Afshar v. Department of State	630-31	Bradley v. Fisher	1043
Air Surrey Corporation	174-75	Briscoe v. LaHue	1029-58
Albemarle Paper Company v. Moody	208	Broadway Maintenance Corp. v. Rutgers	964-65, 966
Albrecht, Maguire & Co. v. General Plastics	16	Brotherhood of Railway Clerks v. REA Express, Inc.	563-574, 581-82, 589, 592
Alleluia Cushion Co.	172-75	Brown v. Board of Education	765
Allen v. Wright	800	Brown v. City of Guthrie	212
Altevogt v. Brinkoetter	969-71	Broyhill Co.	117-20
Alvia v. Cloninger	972-73	Bruckner Nursing Home	84-88, 91-97
American Party of Texas v. White	1123-24, 1135	Buchman Plumbing Co. v. Regents of University of Minnesota	965-66
American Tobacco Company v. Patterson	44, 46-48, 51, 56-72	Buckley v. Valeo	79, 82
Anchortank, Inc. v. NLRB	129	Bullock v. Carter	1122-23
Anderson v. Celebrezze	1117-19, 1126-38	Bundy v. Jackson	212-13, 220
Arizona v. Maricopa County Medical Association	386, 417-19	Butler Bros. v. McColgan	653
Arno v. Alcoholic Beverages Control Commission	866-67, 891	Butz v. Economon	1046
Arrington v. Merrill Lynch, Pierce, Fenner & Smith, Inc.	849, 856-59, 861, 862	Cady, Roberts & Co., <i>In re</i>	1061-62, 1067-71, 1073, 1075, 1079, 1081
ASARCO, Inc. v. Idaho State Tax Commission	654-55, 659-62, 664	Caldwell v. Sioux Falls Stock Yards Co.	504-05
Associated General Contractors v. California State Council of Carpenters	184-190	California Brewers Association v. Bryant	55-56
Ayers v. City Council of Los Angeles	491	California v. LaRue	438
Ball v. Mills	28-29	California Retail Liquor Dealers Association v. Midcal Aluminum	396
Banyard v. NLRB	173-75	Capital Bank v. Schuler	273-74
Barnes v. Costle	211-212	Carey v. Piphus	1002, 1008-09, 1011-13, 1021-23, 1024
Bass, Ratcliff & Gretton, Ltd. v. State Tax Commissioner	652	Carlson v. Green	1012-13
Beckman Cotton Company v. First National Bank of Atlanta	929-30	Carmi v. Metropolitan St. Louis Sewer District	233, 241
Bell v. Wolfish	428, 439, 445	Carrington v. Rash	1134
Berg Development Co. v. City of Missouri City	488	Chiarella v. United States	1063, 1071-73, 1076, 1079-81, 1084-85
Bigelow v. RKO Pictures	187	Chicago Bridge & Iron Co. v. Caterpillar Tractor Co.	672
Bildisco, <i>In re</i>	573-78, 588-89	Choate, Hall & Stewart v. SCA Services, Inc.	942
Bill Johnson's Restaurants, Inc. v. National Labor Relations Board	805-838	City of Los Angeles v. Lyons	765-803
Booster Lodge No. 405, International Association of Machinists & Aerospace Workers v. NLRB	149, 155-56, 158	City of Newport v. Fact Concerts, Inc.	1009-11, 1024-25
		Clark v. John Lamula Investors, Inc.	846-47
		Clements v. Fashing	1124-25, 1133-35, 1138

Cases Cited	Pages	Cases Cited	Pages
Climax Molybdenum Co., a Division of Amax Co., Inc.	133-34	Fibreboard Paper Products Corp. v. NLRB	121-22, 125-27, 597
Clyde Taylor	819-20	Figge v. Bergenthal	14
COAC, Inc. v. Kennedy Engineers	965	First Hartford Realty Corp. v. Corporate Property Investors	950
Comet Fast Freight, Inc.	169-76	First National Maintenance Corp. v. NLRB	121-27, 597-607, 740-41
Commissioner of Corrections v. Meyers	446	FJS Electronics v. Fidelity Bank	276-77
Committee for Public Education v. Nyquist	875-76	Flast v. Cohen	771, 772, 773
Committee for Public Education v. Regan	889	Franks v. Bowman Transportation Corp.	51-52, 67, 71
Commonwealth v. O'Neal	743, 761	Furman v. Georgia	750
Community Communications Co. v. City of Boulder	396	F.W. Woolworth Co. v. Taxation and Revenue Department of the State of New Mexico	655, 659-662, 664
Community Television of Southern California v. Gottfried	893-918	Gagnon v. Scorpelli	1101-02, 1116
Connecticut Board of Pardons v. Dumschat	1103, 1109	General Knit of California, Inc.	98, 100-03, 105-06
Container Corporation of America v. Franchise Tax Board	645-83	General Shoe Corp.	97, 100
Cort v. Ash	507-08	General Telephone Co. v. EEOC	199-202
Coulter, <i>In re</i>	7	Gertz v. Robert Welch, Inc.	1015
Cousins v. Wigoda	1126, 1128, 1135	Godfrey v. Georgia	757
Craven v. Craven	8	Goldfarb v. Virginia State Bar	383-85, 415-16, 418
Denver Rio Grande Western Railroad Co. v. United States	905-06, 909	Gonzales v. City of Peoria	799
Dirks v. SEC	1063, 1065-66, 1072-73, 1076-78, 1080-82, 1084-85	Greenholtz v. Nebraska Penal Inmates	1102-03, 1108-09, 1111
Donovan v. Bierwirth	29-30	Gregg v. Georgia	750-53, 759-60
Dresser Industries	96	Griesse v. Lang	14-15
Dunn v. Blumstein	1134	Griggs v. Allegheny	465
DuPuy v. Crucible Steel Co.	15-16	Griggs v. Duke Power Co.	46, 59, 61-62, 68-69, 71
Eastern R.R. Presidents Conference v. Noerr Motor Freight, Inc. (Noer-Pennington)	396-97, 413	Griswold v. Connecticut	435, 744
Edgar v. MITE Corporation	499-500, 509-514	Gwin v. Fountain	9
Edison California Stores, Inc. v. McColgan	653	Hall v. Geiger-Jones Co.	502-04
EEOC v. Wyoming	242-57	Hampton v. United States	356-57, 362, 367
E.I. duPont de Nemours and Co. v. NLRB	128-33	Hans Rees' Sons, Inc. v. North Carolina	654
Engel v. Vitale	890	Henson v. City of Dundee	211-220
Everson v. Board of Education	869, 872	Hewitt v. Helms	1087-94, 1097-98, 1100-01, 1104-16
Evra v. Swiss Bank (I, II)	286-302	Hialeah Hospital v. Raventos	942
Exxon Corp. v. Wisconsin Department of Revenue	658, 664	Highway Truck Drivers and Helpers Local 107 v. Cohen (Cohen I)	21, 22
Falzarama v. U.S.	957-58	Highway Truck Drivers and Helpers Local 107 v. Cohen (Cohen II)	21
Fashion Originators Guild v. Federal Trade Commission	400-01, 404	Hoch v. Duluth Brewing & Malting Co.	16
FCC v. National Citizens Committee for Broadcasting	900	Hodel v. Virginia Surface Mining and Reclamation Association, Inc.	244, 246-257
Federal United Corp. v. Havender	694-95, 708	Holbrook v. Pitt	958-60
Feminist Women's Health Center v. Mohammad	397, 412-13	Holdeman v. Sheldon	22-23
		Hollywood Ceramics Co.	97-106
		Hospital Building Co. v. Trustees of	

CASE INDEX

1141

Cases Cited	Pages	Cases Cited	Pages
Rex Hospital	395	Local Joint Executive Board v. Hotel Circle, Inc.	571-73, 587
Hospital and Service Employees Union, Service Employees International Union, Los Angeles, Calif. and Delta Airlines, Inc.	160-68	Local 60, United Brotherhood of Carpenters and Joiners of America v. NLRB	143
House & Falcon, Inc. v. Gonzalez	943	Local 80, Sheet Metal Workers International Association	182-83
H.R. Moch Co. v. Renselaer Water Co.	950-52	Local 814 International Brotherhood of Teamsters (Santini Brothers) v. NLRB	146
Hydro Conduit Corp.	111	Le Strange v. Consolidated Rail Corp.	230-242
Illinois State Board of Election v. Socialist Worker's Party	1124	Loretto v. Teleprompter Manhattan CATV Corp.	460-63, 471, 472-79, 481-87, 491-93
Imbler v. Pachtman	1006-07, 1015, 1026, 1038, 1044-45, 1049	Lucas v. Hamm	946
<i>In re</i> (See party name)		Lyons, City of Los Angeles v. Machinists, Local 1327 (Dalmo Victor)	765-803 148-58
International Brotherhood of Teamsters v. United States	46, 52-54, 56-57, 59, 62-64, 66-68	Maryland v. Wirtz	244
Investors Management Co., Inc., <i>In re</i>	1069	Materials Research Corp.	131
Jacob Associates v. Argonaut Ins. Co.	963-64	Marriott Corp.	121-27
Jacobson v. Massachusetts	745-46, 752	Martinez v. Socoma Companies, Inc.	953-56
Japan Line Ltd. v. County of Los Angeles	655, 662-64, 668, 672	Matthews v. Eldridge	1092, 1113-15
Jenness v. Fortson	1122-23	McCall v. Towne Square	943
Jennings v. Murdock	6-7	McClain v. Wagner Electric Corp.	203
J.I. Case Co. v. NLRB	546	McDonnell Douglas Corporation v. Green	204
Joint Council of Teamsters v. NLRB	142, 146	McLain v. Real Estate Board of New Orleans	395
Jones v. Bell Helicopter Co.	203	McLean Trucking Co. v. United States	905, 906, 909, 910, 915, 916
Jones v. Metropolitan Atlanta Rapid Transit Authority	230-242	Meachum v. Fano	1096, 1100, 1102, 1105-08, 1112
Jones v. North Carolina Prisoners' Union	439, 445	Merrick v. N.W. Halsey & Co.	505
Just's, Inc. v. Arrington Construction Company	967	Midland National Life Insurance Co.	97-106
Kaiser Aetna v. United States	470, 474	Midwest Piping and Supply Co., Inc.	84-89, 93-96
Karden v. National Gypsum Co.	1066-67	Migden v. Chase Manhattan Bank	280-82
Kary v. Kary	930	Miley v. Oppenheimer & Co., Inc.	854-56, 860-62
Kaufman's Bakery	106-11	Miller v. Bank of America	212, 220
Keel v. Titan Construction Co.	961	Miller v. WFLI Radio Incorporated	191-96
Kieffer-Stewart v. Joseph E. Seagram & Sons	401, 412	Milone v. English	21, 29
King v. National Industries, Inc.	934-40	Mobil Oil Corporation v. Commissioner of Taxes of Vermont	654, 656-59, 664
Klor's, Inc. v. Broadway-Hale Stores	401, 408-410	Mogensen v. Martz	971
Kramer v. Union Free District	1134	Monroe v. Pape	1001, 1007-09, 1023
Kusper v. Pontikes	1134	Montanye v. Haynes	1096, 1102, 1105-08, 1112
Larkin v. Grendel's Den, Inc.	865-892	Moorman Manufacturing Co. v. Bair	655-56
Lawrence v. Fox	933-34, 942		
Leija v. Materne Bros., Inc.	967		
Lemon v. Kurtzman	872-75, 876, 877-79, 880, 881, 882, 883, 885, 887, 890, 892		
Leroy v. Great Western United Corporation	521		

Cases Cited	Pages	Cases Cited	Pages
Morrissey v. Brewer	1099-1104, 1113, 1115-16	Pacific Telephone and Telegraph Co. v. NLRB	127-28, 133-38
Morrissey v. Curran	23	Palko v. Connecticut	428
Morrissey v. Segal	22	Paradiso v. Apex Investigators & Security Co., Inc.	949
Mosser v. Darrow	1077, 1079	Parker v. Brown	396-97
Mount Healthy City School District v. Doyle	210-11	Passavant Memorial Area Hospital	117-20
Mushroom Transportation Co. v. NLRB	129, 169	Patterson v. Greenwood School District 50	204-11
NAACP v. FCC	910	Paul v. Davis	744
NAACP v. FPC	899	Pell v. Procutier	439, 445
National Society of Professional Engineers v. United States	416, 418	Penn Central Transportation Co. v. New York	467-72, 474, 480-81
National Broadcasting Co. v. United States	898-99	Pennsylvania Coal Co. v. Mahon	466-68, 480
National League of Cities v. Usery	243-57	People v. Danielly	314-15
New York Central Securities Corp. v. United States	899	People ex rel. Resnick v. Curits & Davis	970-71
New York Dock Co. v. McCollum	15	People v. Lisnow	330-31
NLRB v. Allis-Chalmers Manufacturing Co.	148-57	People v. Wetmore	331
NLRB v. Amax Coal Co.	180, 183-84	People v. Wood	319-24, 336, 340
NLRB v. Bildisco	588-97, 603-08	Perry v. Housing Authority of City of Charlestown	958
NLRB v. Food Store Employees Union, Local 347	147-48	Perry Educational Association v. Perry Local Educator's Association	111-17
NLRB v. Fruit and Vegetable Packers, Local 760 (Tree Fruits)	168	Perry Local Educators' Association v. Hohlt	112
NLRB v. Gissel Packing Co.	147	Phelps Dodge Corp. v. NLRB	143, 147
NLRB v. Granite State Joint Board, Textile Workers Union of America, Local 1029	149, 151-52, 155-56, 158	Pierson v. Ray	1038, 1042-44, 1049, 1055-56
NLRB v. Interboro Contractors, Inc.	170, 814-15	Power Systems Inc.	820, 822
NLRB v. Jones & Laughlin Steel Corporation	544	Poullier v. Nacua Motors	271-74
NLRB v. J. Weingarten	128-38	Procutier v. Martinez	425, 443-44
NLRB v. Magnavox Co.	739-40	PruneYard Shopping Center v. Robins	470, 474, 481
NLRB v. Northern Metal Co.	169	Pullman-Standard, Inc. v. Swint	64
NLRB v. Robbins Tire & Rubber Co.	805, 807, 811-14, 818, 831	Quackenbush, <i>In re</i>	451
NLRB v. Safway Steel Scaffolds Company of Georgia	815	Quarles v. Phillip Morris, Inc.	50-51, 54
North Haven Board of Education v. Bell	220-30, 234-36, 238, 241	Quinlan, <i>In re</i>	451, 747
North Haven Board of Education v. Hufstedler	222	RCA Del Caribe, Inc.	84-96
Office of Communication of the United Church of Christ v. FCC	900	Redgrowicz v. Ohlendorf	952
Olim v. Wakinekona	1087-89, 1094-98, 1100-01, 1104, 1106-1113, 1115-16	Rizzo v. Goode	773-774, 779-780, 787-788, 790-92, 796, 798-99
Olmstead v. United States	435	Robinson v. McGovern	410
Olmstead v. United States	744, 758	Rochin v. California	375
O'Shea v. Littleton	772-74, 778-80, 787-88, 790-92, 796	Roe v. Wade	428, 435, 744
		Rolf v. Blyth, Eastman Dillon & Co., Inc. (Rolf II)	849-53, 855-56, 858, 859, 860, 861, 862
		San Joaquin Compress & Warehouse Co.	107-10
		Santa Fe Industries, Inc. v. Green	508-09, 697-99, 1080
		Saxbe v. Washington Post	444
		Saylor v. Saylor	944-45

CASE INDEX

1143

Cases Cited	Pages	Cases Cited	Pages
Scanlon v. Atascadero State Hospital	232-34		
Scarborough v. United States	337-38		
Scheuer v. Rhodes	1047-49		
Schlesinger v. Reservists Committee to Stop the War	774, 775		
Schmerber v. California	434		
Schmidt v. State	338		
School District of Abington Township v. Schemp	869-870, 873		
Scofield v. NLRB	149, 151-54, 156		
Scholendorff v. New York Hospital	433		
Seaver v. Ransom	936-38		
SEC v. Texas Gulf Sulphur Co.	1061, 1070-71		
Severns v. Wilmington Medical Center	441		
S.H. Adickes v. Kress & Co.	1011		
Shapiro v. Merrill, Lynch, Pierce, Fenner & Smith, Inc.	1060, 1070-71		
Shea Chemical Corporation	87		
Shepard v. NLRB	138-48		
Sherrman v. United States	355-56, 374		
Shopmen's Local 455 v. Kevin Steel Products, Inc.	561-63, 571-74, 581, 589		
Shopping Kart Food Market, Inc.	98, 100-03, 105-06		
Silver v. New York Stock Exchange	401-04, 405-07, 413-14, 419		
Singer v. Magnavox Co.	690, 693, 694, 699-701, 707-09, 711		
Smith v. Montgomery County Maryland	797-98		
Smith v. Wade	1001-1027		
Sorrells v. United States	355-56, 373		
Southeastern Community College v. Davis	903-04		
Southern Steamship Co. v. NLRB	909		
Southwestern Bell Telephone Co.	133-34		
Southwick v. Ace Auto Body Shop, Inc.	942-43		
Speed v. Transamerica	1066-67		
Stanley v. Georgia	435		
State v. Cohea	334, 344		
State v. Dobbs	344		
State ex rel. White v. Narick	423-24, 428-32, 447-48, 451		
State v. Felde	335-36		
State v. Gregory	325-27, 340		
State v. Heads	319-24, 336		
State v. Jensen	343		
State v. Spawr	338		
Stauffer v. Standard Brands, Inc.	696, 708-09		
Sterling v. Mayflower Hotel Corp.	692,		
		695-96, 700, 707-08, 712	
		Stone v. Graham	881
		Storer v. Brown	1123-24, 1130-32, 1135, 1137
		Stotlar v. Hester	972-73
		Superintendent of Belchertown State School v. Saikewicz	425, 430, 440-42, 449
		Superior Oil Co. v. Franchise Tax Board	653-54
		Tanzer v. International General Industries, Inc.	693, 700-01, 707, 710-12
		Tenney v. Brandhove	1005-06, 1024-25, 1040-41, 1049
		Telautograph Corp.	96
		Texas Department of Community Affairs v. Burdine	193, 195, 204, 209
		Textile Workers v. Lincoln Mills	546
		Thermofill, Inc.	174-75
		Trageser v. Libbie Rehabilitation Center, Inc.	232-37, 240-42
		Traveler's Health Association v. Virginia	506-07
		Trop v. Dulles	750
		Truck Drivers Local Union No. 449	176-84
		Truck Drivers Local 807 v. Bohack Corporation	568
		UMW Health & Retirement Fund v. Robinson	183-84
		Union Pacific Railway v. Botsford	433, 744, 745
		United Air Lines v. Evans	53-55, 56, 57, 59, 67
		United Mine Workers of America, Inc. v. Pennington	396-97, 413
		United States v. Alexandro	364, 375, 379-80
		United States v. Archer	357-58, 360, 361
		United States v. Cabrini Medical Center	233-34
		United States v. Causby	465, 469
		United States v. General Motors, Inc.	401, 403-04, 410, 411-12
		United States v. Jannotti	360, 361
		United States v. Kelley	365-68, 375-76, 377
		United States v. Krutschewski	341-42
		United States v. Myers	359-63, 369, 370, 375
		United States v. O'Brien	437-38, 455-56
		United States v. Richardson	774, 775
		United States v. Russell	356-57, 367, 375

United States v. Tindall	325-27, 341	Vredenburg v. Jones	10
United States v. Twigg	357-58,	Wade v. Haynes	1002
	360, 361, 375	Walz v. Tax Commission	870-72,
United States v. Williams	363, 377		873, 874, 887
United Steelworkers of America v.		Warth v. Seldin	775, 776
Sadlowski	75-84	WATCH v. FCC	917
United Steelworkers of America v.		Weinberger v. UOP, Inc.	687-94, 701-23
Usery	81, 83	Weiss v. York Hospital	407
United Steelworkers of America v.		Whalen v. Roe	436
Weber	61, 69	White v. Nicholls	1036
United Transportation Union v. Long		Widmar v. Vincent	889
Island Rail Road Co.	244, 247	Williams v. Rhodes	1119-1123, 1135, 1138
Vickers v. Hunley	1030-31	Wirtz v. Hotel, Motel & Club	
Vikingstad v. Baggot	938-39	Employees Union	81-83
Village of Skokie v. National Socialist		Wolff v. McDonnell	439
Party of America	438	Wolff v. McDonrey	1096, 1108, 1111
Virginia Academy of Clinical		Weissman v. CIA	633
Psychologists v. Blue Shield	407-08	Wright v. Enomoto	1102, 1105-06
Virginia Electric and Power Co. v.		Yick Wo v. Hopkins	884
NLRB	147	Young v. Valhi, Inc.	711
Visitine & Co. v. New York, Chicago &		Younger v. Harris	777, 778, 779,
St. Louis R. Co.	951, 953, 965		780, 793, 797, 798, 799
Vitek v. Jones	1096, 1103-04,	Zant v. Prevatte	423-24, 427, 429-30,
	1106, 1109-10, 1116		431, 447-49, 451, 454
Vogel v. Reed Supply Co.	960-61	Zigas v. Superior Court of San	
Von Holden v. Chapman	423-24,	Francisco	959-60
	427-28, 431, 447-52, 454		

# TOPICAL INDEX

ABSCAM, CORRUPTION		1036, 1050
Generally	351-81	1005-07,
Defenses	358-76	1015, 1022-23
ANTITRUST/SHERMAN ACT		
Hospital Staff Privileges		1033, 1038,
Generally	395-99	1042-44, 1052-53
Group Boycott Rule	399-421	1033,
BANKRUPTCY ACT		1040-41, 1052-53
Section 313	559-61, 571	1029-58
Inconsistency with Section 8(d) of		Private Witness
NLRA	557	1034
Labor Agreements as Executory		Prosecutorial
Contracts	551	1033, 1038,
		1044-45, 1052-54
		1046-48, 1055-57
		Section 1988
		1019
BANKRUPTCY CODE		COMMON LAW
Chapter 7	551-55	Section 1983
Chapter 11	539-40, 551-55,	Securities Regulation
	577, 578, 585-87	Liability for Nondisclosure
Labor Contracts	539-608	1060
Standards Governing Contract		COMMUNICATIONS LAW
Rejection	561-92	Broadcast Licenses
Tension Between the		Communications Act
Bankruptcy Code and Federal		Public Interest Standard
Labor Law (NLRA and RLA)	543-61	Federal Legislation
Section 365	558-60, 580-81, 588-89	FCC obligations under
Section 367	559	Rehabilitation Act
Section 1167	558	Hearing impaired
		License renewal
		906-10
BANKS AND BANKING		CONSTITUTIONAL LAW
Generally	259-303	Death Penalty
Electronic Funds Transfer (EFT)	259-60	Eighth Amendment
Eura	287-95	750-51
Failure to Transfer	284-95	Deterrence
Consumer Transactions	296-98	752-59
Commercial Transactions	298-303	Incapacitation
Failure to Transfer Funds	284-95	Retribution
Stop Payment, Right to	267-71	760
Cases	271-77	Right to Life
Standards for Provisions	283-84	Right to Privacy
UNPC	277-82, 295-303	744-45
		Hunger striking prisoners
		423-58
BROADCAST REGULATION		CONTRACTS
Generally	913	Generally
Fairness Doctrine	913	919-917
Marketplace Approach	913	Restatement (First) of Contracts
CIVIL RIGHTS (See DISCRIMINATION,		Section 133
TITLE VII)		924-25, 935,
Bivens Suit		937-40, 974-87
Punitive Damages	1012-13	Section 145
Civil Rights Act	1029, 1039, 1099	950-51
Section 1983		Restatement (Second) of Contracts
Generally	1001-27	Section 90
Common Law	1001-27	Section 302
Damages	1001, 1002,	Generally
	1007-10, 1020	922, 924-26,
Policy	1015, 1019	941, 973-94
Punitive Damages	1001-27	Application to Common Cases
Witness Immunity		991-94
Absolute	1046	Construction of
Common Law	1033-34,	Drafting History
		974-80
		Elements of
		980-90
		Failings of
		990
		Third Party Beneficiary Rules
		Common Law Rules
		926-41
		Categorization Test
		937-41
		Presumptions and Sufficiency
		of Evidence
		926-31
		Intent
		931-37



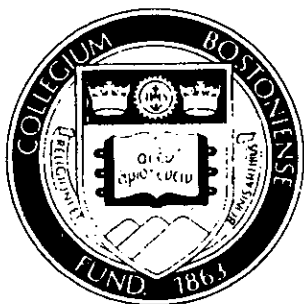
Current Trends	941-73	Civil Rights Act of 1964 — Title VII	
Construction Contracts	960-68	Burden of Production	191-96
Drafting Wills	946-48	Burden of Proof	191-96, 204-11
Employees, Shareholders, Partners	948-50	Consent Decree, Effect of Damages	196-204
Gift Cases	944-46	Private Enforcement	196-204
Government and Public Service Contracts	950-60	Sexual Harrassment	211-20
Promises to Pay Debt	942-44	Handicap Discrimination	230-42
CORPORATIONS		Interstate Commerce Clause	
Indemnification of Directors for Legal Expenses	14-19	Age Discrimination	243-57
Common law	14-16	Rehabilitation Act of 1973	230-42
Statutory	16-19	Tenth Amendment Immunity	
CRIMINAL LAW		Age Discrimination	243-48
Defense of PTSD	317-337	Title IX	
Applications at Trial Aside From Defense	328-337	Applicability in Employment Education Amendments — 1972	221-30
DAMAGES (See SECURITIES REGULATION)			220-30
Section 1983		ENTRAPMENT	
Punitive	1001-27	ABSCAM	351-81
DISCOVERY (See LABOR LAW)		Defense to ABSCAM	368-74
DISCRIMINATION		History of Defense	354-56
Employment		ERISA	
Section 703(h) of Title VII	44-72	Employee Indemnification	
Current Construction	56-70	Principles	33-36
Judicial Interpretation	50-56	Applicable Provisions	33
Legislative History	48-50	Indemnification of Fiduciaries	1-5, 24-33, 36-41
Seniority Systems, Generally	44-72	Applicable Provisions	2-5
Title VII, General Purpose	68-70	Based on Trust Principles	24-33
Title VII, Alternative Construction	70-72	Suggested Indemnification Guidelines	36-41
Handicapped Persons		Advancement of Litigation Expenses	38-39
Hearing Impaired (see COMMUNICATIONS LAW)		Management of Litigation	36-38
DISTRICT OF COLUMBIA SECURITIES ACT		Payment of Settlement Awards	40
Generally	522-23	Reimbursement of Litigation Expenses	39-40
DUE PROCESS		ESTABLISHMENT CLAUSE (See CONSTITUTIONAL LAW)	
Defense to ABSCAM	358-68, 374-76	Generally	865-92
Fifth Amendment	459-93	Standard of review	872-76
Liberty	1088, 1090-91, 1093-96, 1097, 1100-16	Excessive Entanglement	886-91
and Law Enforcement	356-59	Primary Effects	883-86
Prisoners' Rights	1087-1116	Secular Purpose	880-83
Procedural	1088, 1090, 1092-1116	FEDERAL COURTS	
Right of Hunger Striking Prisoners	426	Injunctive Relief	777-81
Section 1983		Public Law Litigation	765-803
Damages	1088-09, 1021-22	Separation of Powers	797-802
EMPLOYMENT DISCRIMINATION LAW		Standing	765-803
Age Discrimination in Employment Act of 1967	242-57	FEDERAL REGULATORY AGENCIES	
Age Discrimination		Federal Communications Commission (See COMMUNICATIONS LAW)	
Mandatory Retirement	248-51	FEDERALISM	
		Injunctions	777-81, 798-99

- Section 1983  
 Damages 1019  
 Standing 800-01
- FIRST AMENDMENT  
 and Hunger Striking Prisoners 423-25,  
 428, 431, 437-39  
 Balanced with State Interests 454-56  
 Punitive Damages 1015
- FREEDOM OF INFORMATION ACT  
 National Security Information  
 Disclosure  
 Judicial review procedures 619-22  
 National Security Exemption 617-19  
 Role of Executive Branch 622-28  
 Scope of Judicial Review 628-43
- HOSPITAL STAFF PRIVILEGES 387-95  
 Group Boycott Rule 399-421  
 Sherman Antitrust Act 395-99
- HUNGER STRIKES  
 Generally 423-58
- IMMUNITIES (See CIVIL RIGHTS)
- INJUNCTIONS (See FEDERAL COURTS)
- INDEMNIFICATION (See ERISA,  
 TRUSTS, PRIVATE FOUNDATIONS,  
 CORPORATIONS, UNIONS)
- JUDICIAL REVIEW  
 Freedom of Information Act 628-43
- LAW ENFORCEMENT  
 Entrapment, ABSCAM 351-81  
 Injunctions Against 797-99
- LABOR LAW  
 Antitrust Actions  
 Private Enforcement 184-90  
 Union Standing 184-90  
 Bargaining Stability  
 National Labor Relations Act,  
 Section 8(a)(2) 84-85, 87-92, 95  
 Bargaining Units  
 Employer Recognition of  
 Incumbent Unions 84-97  
 Concerted Activity  
 Unilateral Employee Action  
 National Labor Relations Act,  
 Section 7 169-76  
 Discovery Practices 805-838  
 Elections  
 Access to Interschool Mailing  
 System 111-17  
 Campaign Contributions 76-83  
 Campaign Misrepresentations  
 by Union and Employer 97-106  
 Incumbent Unions 84-97, 111-17  
 Irregularly Marked Ballots 106-11  
 Employee benefits  
 Seasonal, Part-time, Casual  
 Employees 176-84  
 Taft-Hartley Trusts 176-84  
 Enjoining State Actions 821-25  
 Federal Pre-emption 829-32  
 Equal Protection 112, 114  
 First Amendment 76-79, 83, 111-17  
 Free Speech 75-79, 83, 98, 111-17  
 Industrial Democracy 725-42  
 The NLRA Model 731-42  
 Labor-Management Reporting  
 and Disclosure Act  
 Bill of Rights 75-83  
 Right to Sue 75-76, 83  
 Majority Representation 84-97,  
 100, 111-17  
 National Labor Relations Act  
 Contract Termination by  
 Company in Bankruptcy 539-608  
 Section 7 of 127-38, 148-58, 169-76  
 Sections 8(b)(4) and 8(e) 138-48  
 Section 8(b)(1)(A) 148-58  
 Section 8(b)(4)(ii)(B) 158-68  
 Railway Labor Act  
 Contract Termination by  
 Company in Bankruptcy 539-608  
 Right of Assembly 75-79, 83  
 Secondary Boycotts and Coercive  
 Publicity 158-68  
 Unfair Labor Practice 805-38  
 Discovery Procedure Before the  
 NLRB 807-817  
 Federal Court Actions 817-18  
 State Court Actions 818-21  
 Unfair Labor Practices  
 Concerted Activity 127-38  
 Employee's Right to Union  
 Representation at  
 Investigatory Interviews 127-38  
 Employee Practices  
 Interference in Contests  
 Between Rival Unions 84-97  
 Employer Repudiation of Illegal  
 Conduct by Its Agents 117-20  
 Hot Cargo Remedies 138-48  
 Mutual Aid and Protection 127-38  
 National Labor Relations Act,  
 Sections 8(a)(5) and 8(d) 121-27  
 Reimbursement Orders 140-48  
 Subcontracting and Partial  
 Closing as Subjects of  
 Compulsory Collective  
 Bargaining 121-27  
 Union Membership Rules  
 Right to Resignation 148-58
- LAW AND PSYCHOLOGY  
 Post-Traumatic Stress Disorder  
 Treatment as Sentencing 339-40
- MEDICINE AND LAW/HEALTH CARE  
 Antitrust 399-421

Hospital Staff Privileges			
Generally	387-95		
MUNICIPALITIES			
Section 1983			
Punitive Damages	1009-10		
NATIONAL HOUSING ACT			
Generally	956-57		
NATIONAL LABOR RELATIONS ACT			
Contract Termination by			
Company in Bankruptcy	539-608		
Section 7	545		
Section 8(a)(1)	575, 577		
Section 8(a)(5)	575, 577, 590		
Section 8(d)	545, 557, 577, 591-92		
Section 301	546		
Section 365(a)	588-89		
Tension Between NLRA and the Bankruptcy Code	543-61		
POST-TRAUMATIC STRESS DISORDER (PTSD)			
Generally	305-47		
Description	308-17		
In Litigation	317-337		
Criminal Behavior	324-31		
Nonviolent Behavior	324-31		
Strategy and Tactics			
In Litigation	331-37		
Jury Selection	334-35		
Sentencing	335-44		
PRISONS			
Section 1983			
Damages	1001-27		
PRISONER'S RIGHTS (See CIVIL RIGHTS)			
First Amendment Right	437-39		
Hunger Strikes	423-58		
Interests of the State	440-58		
Other Constitutional Rights	439-40		
Privacy Right	423-37		
PRIVACY (See CONSTITUTIONAL LAW)			
Right of Hunger Striking Prisoner	423-31, 432-37		
Balanced with State Interests	447-56		
PRIVATE FOUNDATIONS			
Manager Indemnifications	10-14		
Under the Internal Revenue Code	10-13		
Legal Expenses	13-14		
PUNITIVE DAMAGES			
Section 1983	1001-27		
RAILWAY LABOR ACT			
Contract Termination by			
Company in Bankruptcy	539-608		
Tension Between the RLA and the Bankruptcy Act	545-47, 556, 559, 562-65		
RIGHT TO DIE	440-42, 456-58		
		RULE 10b-5 (See SECURITIES EXCHANGE ACT OF 1934 and SECURITIES REGULATION)	
		SECTION 1983 (See CIVIL RIGHTS)	
		SECURITIES ACT OF 1933	516-20
		SECURITIES EXCHANGE ACT OF 1934	
		Generally	520-21, 1059
		Rule 10b-5 (Section 10)	
		Generally	697-99, 1059-60, 1063, 1066-72, 1081
		Common Law Impact On	1060
		Duty to Disclose or Abstain	1061-62, 1066-72
		Insider Liability	1071-72, 1075, 1078-79
		Tippee Liability	1072-76, 1078
		SECURITIES LAW (See SECURITIES REGULATION)	
		District of Columbia Securities Act	522-23
		Dual Regulation by Federal and State Governments	495-538
		Federal Deregulation	525-27
		Securities Exchange Act of 1934	520-21
		Securities Act of 1933	516-520
		Securities Exchange Act of 1934	
		Rule 10b-5	697-99
		Small Business Incentive Act of 1980	523-24
		State Regulation	
		Congressional Recognition	515-24
		Duplication	527-33
		Freezeout Mergers in Delaware Law	
		Definition	685-87
		Entire Fairness Requirement	700-06, 712-17
		Rejection of Business Purpose Doctrine	700-01, 706-12
		Structuring Freezeout Mergers	717-22
		Judicial Recognition	501-14
		Preemption	499
		Uniformity	533-37
		SECURITIES REGULATION (See SECURITIES LAW)	
		Damages in Churning and Suitability Litigation	839-63
		Modified Rescissory Model	845-59
		Out of Pocket Model	845-48
		Quasi-Contractual Model	843-45
		SENIORITY SYSTEMS	
		Alternative Construction of Title VII	70-72
		General Purpose of Title VII	68-70
		Limitation of the Scope of Title VII	44-72
		Section 703(h) of Title VII	46-72

Current Construction	56-70		
Judicial Interpretation	50-56		
Legislative History	48-50		
SENTENCING			
Post-Traumatic Stress Disorder	335-44		
SEPARATION OF POWERS (See FEDERAL COURTS)			
SMALL BUSINESS INVESTMENT ACT OF 1980			
	523-24		
STANDING (See FEDERAL COURTS)			
TAKING OF PRIVATE PROPERTY, EMINENT DOMAIN			
Generally	459-93		
TECHNOLOGY			
Banking			
Stop payment	269-84		
State of the Art and Law	279-82		
and Society	260-67		
	260-64		
TITLE VII			
Section 703(h)			
Generally	46-70		
Alternative Construction			
Current Construction	56-70		
Bona Fide Clause	63-65		
Legislative History	65-68		
Prior Decisions	67-68		
Judicial Interpretation	50-56		
Legislative History	48-50		
Limits Imposed by Seniority Systems	44-72		
General Purpose	68-70		
TAXATION			
Unitary Taxation by States of Multinational Corporate Income			
Due Process Limitations	651-62,		
	665-68,		673-76
Foreign Commerce Clause Limitations			
	662-63,		668-70, 676-79
TORTS			
Respondent Superior			
Sexual Harrassment in Employment			211-20
TRUSTS			
General rule of Trustee			
Indemnification			5, 10
Applied to ERISA			24-33
Indemnification for Attorney's Fees			
			6-10
Effect of Exculpatory Provisions			
			9-10
Effect of Trustee's Good or Bad Faith			
			7-8
Standards Applied			
			6-10
UNIFORM COMMERCIAL CODE			
Generally	260,		273-74, 282
Banking			
Stop Payment	268-69,		283-84
Uniform New Payments Code			
			277-80, 282
UNIONS			
Indemnification of Union Officers for Legal Expenses			
			19-24
Labor-Management Reporting and Disclosure Act of 1959			
			19-23
Comparison with ERISA			
			19-20

# BOSTON COLLEGE LAW REVIEW



VOLUME XXV

1983-1984

COPYRIGHT © 1983, 1984, 1985  
BOSTON COLLEGE LAW SCHOOL  
NEWTON CENTRE, MASSACHUSETTS

# BOSTON COLLEGE LAW REVIEW

---

---

VOLUME XXV

---

---

## BOARD OF EDITORS

MICHAEL K. FEE  
*Editor in Chief*

WILLIAM P. GELNAW, JR.  
*Executive Editor*

STEPHANIE MILLER GREENE  
*Executive Editor*

JAMES M. KENNEDY  
*Executive Editor*

JOHN J. AROMANDO  
*Executive Editor-Annual  
Survey of Massachusetts Law*

LINDA A. OUELLETTE  
*Managing Editor for Production*

CHRISTOPHER R. VACCARO  
*Managing Editor for Finance  
and Articles Editor*

ROBERT L. MISKELL  
*Topics Editor*

MICHAEL P. MALLOY  
*Solicitations Editor  
and Articles Editor*

ANNE F. ACKENHUSEN  
*Citations Editor*

BARBARA ZICHT RICHMOND  
*Citations Editor*

### *Articles Editors*

JOHN S. BRENNAN  
LYMAN G. BULLARD, JR.  
JOEL R. CARPENTER  
RICHARD M. GRAF  
RICHARD E. HASSELBACH  
NANCY MAYER HUGHES

BRIAN J. KNEZ  
RICHARD J. MCCREADY  
PATRICK MCNAMARA  
MARY JEAN MOLTENBREY  
ANDREW D. SIRKIN  
JANE E. STILES

STEVEN C. SUNSHINE  
PATRIC M. VERRONE  
KRISTINA HANSEN WARDWELL  
LAUREN C. WEILBURG  
VALERIE WELCH  
TAMARA WOLFSON

## SECOND YEAR STAFF

TERRY I. BARCHENKO  
STEVEN N. BERK  
SUSANNA C. BURGETT  
SHARON R. CHARDAK  
THEAOSSEUS T. CLAYTON, JR.  
KIMBERLY COLLINS  
DAVID P. CURTIN  
CAROLYN E. DAVIS  
MARGUERITE M. DORN  
JOHN EVAN EDWARDS  
SCOTT A. FAUST  
THOMAS L. FINIGAN

ANNE T. FOLEY  
RONALD T. GERWATOWSKI  
ROBERT J. GILSON  
GEOFFREY E. HOBART  
JENNIFER L. JORGENSEN  
KENNETH LAMB  
RENÉE M. LANDERS  
MADELYN LEOPOLD  
EDWARD F. MAHONEY  
WALTER L. MARONEY  
MARIANNE T. MCCABE  
ANN P. MICHALIK

TRACY A. MINER  
JENNIFER A. PARKS  
ANDREA PETERSEN  
CYNTHIA R. PORTER  
TERESITA RODRIGUEZ  
ERICA ROSENBERG  
MICHAEL ROY  
ETTORE A. SANTUCCI  
LLOYD E. SELBST  
RICHARD K. STAVINSKI  
CYNTHIA TERZAKIS  
CONANT M. WEBB

---

---

ROSALIND F. KAPLAN  
*Administrative Assistant*

PETER A. DONOVAN  
*Faculty Advisor*

# TABLE OF CONTENTS TO VOLUME XXV

## TITLE INDEX TO CONTRIBUTED ARTICLES

INDEMNIFICATION OF FIDUCIARY AND EMPLOYEE LITIGATION COSTS UNDER ERISA .....	1
..... <i>John R. Cornell and James L. Little</i>	
INDUSTRIAL DEMOCRACY AND THE NATIONAL LABOR RELATIONS ACT: A PRELIMINARY INQUIRY .....	725
..... <i>Steven L. Willborn</i>	
LABOR CONTRACT REJECTION IN BANKRUPTCY: THE SUPREME COURT'S ATTACK ON LABOR IN <i>NLRB v. BILDISCO</i> .....	539
..... <i>David L. Gregory</i>	
PAYING THE PRICE FOR VIETNAM: POST-TRAUMATIC STRESS DISORDER AND CRIMINAL BEHAVIOR .....	365
..... <i>C. Peter Erlinder</i>	
PERFECTING THE THIRD PARTY BENEFICIARY STANDING RULE UNDER SECTION 302 OF THE RESTATEMENT (SECOND) OF CONTRACTS .....	919
..... <i>Harry G. Prince</i>	
REFLECTIONS ON DUAL REGULATION OF SECURITIES: A CASE AGAINST PREEMPTION .....	495
..... <i>Manning Gilbert Warren, III</i>	
THE DEATH PENALTY AS AN UNCONSTITUTIONAL DEPRIVATION OF LIFE AND THE RIGHT TO PRIVACY .....	743
..... <i>N. B. Smith</i>	
THE FINICKY COMPUTER, THE PAPERLESS TELEX AND THE FALLABLE SWISS: BANK TECHNOLOGY AND THE LAW .....	259
..... <i>Mark Budnitz</i>	

## AUTHOR INDEX TO CONTRIBUTED ARTICLES

<i>Budnitz, Mark</i> , THE FINICKY COMPUTER, THE PAPERLESS TELEX AND THE FALLABLE SWISS: BANK TECHNOLOGY AND THE LAW .....	259
<i>Cornell, John R. and Little, James L.</i> , INDEMNIFICATION OF FIDUCIARY AND EMPLOYEE LITIGATION COSTS UNDER ERISA .....	1
<i>Erlinder, C. Peter</i> , PAYING THE PRICE FOR VIETNAM: POST-TRAUMATIC STRESS DISORDER AND CRIMINAL BEHAVIOR .....	305
<i>Gregory, David L.</i> , LABOR CONTRACT REJECTION IN BANKRUPTCY: THE SUPREME COURT'S ATTACK ON LABOR IN <i>NLRB v. BILDISCO</i> .....	539
<i>Prince, Harry G.</i> , PERFECTING THE THIRD PARTY BENEFICIARY STANDING RULE UNDER SECTION 302 OF THE RESTATEMENT (SECOND) OF CONTRACTS .....	919
<i>Smith, N. B.</i> , THE DEATH PENALTY AS AN UNCONSTITUTIONAL DEPRIVATION OF LIFE AND THE RIGHT TO PRIVACY .....	743
<i>Warren, Manning Gilbert, III</i> , REFLECTIONS ON DUAL REGULATION OF SECURITIES: A CASE AGAINST PREEMPTION .....	495
<i>Willborn, Steven L.</i> , INDUSTRIAL DEMOCRACY AND THE NATIONAL LABOR RELATIONS ACT: A PRELIMINARY INQUIRY .....	725

## NOTES

Hospital Staff Privileges and the Group Boycott Rule .....	383
Measuring Damages in Suitability and Churning Actions Under Rule 10b-5.....	839
National Security Information Disclosure Under the FOIA: The Need for Effective Judicial Enforcement .....	611
Should a Hunger-Striking Prisoner Be Allowed to Die? .....	423
Standing and Injunctions: The Demise of Public Law Litigation and Other Effects of <i>Lyons</i> .....	765
The Abscam Investigation: Use and Abuse of Entrapment and Due Process Defenses .....	351
The NLRB's Discovery Practice and the Procedural Effect of <i>Bill Johnson's Restaurant v. National Labor Relations Board</i> .....	805

## CASENOTES

Delaware Improves Its Treatment of Freezeout Mergers: <i>Weinberger v. UOP, Inc.</i> .....	685
Expanding Title VII's Exemption for Seniority Systems: <i>American Tobacco Company v. Patterson</i> ..	44
New <i>Per Se</i> Taking Rule Short Circuits Cable Television Installations in New York: <i>Loretto v. Teleprompter Manhattan CATV Corporation</i> .....	459
Police Officer Witnesses Absolutely Immune from Section 1983 Liability: <i>Briscoe v. LaHue</i> .....	1029
Punitive Damages and the Use of Modern Common Law in Construing Section 1983: <i>Smith v. Wade</i> ..	1001
State Restrictions On Candidate Access to the Ballot In Presidential Elections: <i>Anderson v. Celebrezze</i> ..	1117
The Clarification of Tippee Liability Under Rule 10b-5: <i>Dirks v. SEC</i> .....	1059
The Establishment Clause and Church Veto of Liquor Licenses: <i>Larkin v. Grendel's Den, Inc.</i> ...	865
The Procedural Due Process Implications of Involuntary State Prisoner Transfers: <i>Hewitt v. Helms</i> and <i>Olim v. Wakinekona</i> .....	1087
The Public Interest Standard in the Communications Act and the Hearing Impaired: <i>Community Television of Southern California v. Gottfried</i> .....	893
The Supreme Court Upholds Worldwide Unitary Taxation by the States of Multinational Corporate Income: <i>Container Corporation of America v. Franchise Tax Board</i> .....	645

## SURVEY

1982-1983 ANNUAL SURVEY OF LABOR RELATIONS AND EMPLOYMENT DISCRIMINATION LAW ..	73
---	----

## INDEX TO VOLUME XXV

Case Index .....	1139
Topical Index .....	1145



# The latest in the law from BNA

---

## **Securities Regulation & Law Report**

---

When you need to keep up with rapidly changing financial market regulations, rely on BNA's *Securities Regulation & Law Report*. This weekly information service offers concise coverage of federal and state securities law and regulation; corporate governance and attorney responsibility; enforcement activities; commodity futures regulation; and accounting standards and practice.

## **Corporate Practice Series**

---

Designed for corporate lawyers, BNA's *Corporate Practice Series* is a time-saving service offering a series of portfolios, prepared by practitioners, treating specific areas of corporation law.

## **The Family Law Reporter**

---

Keep up with the rapidly expanding field of family law with BNA's *Family Law Reporter*. Each week, you'll get nationwide coverage of precedent-setting cases in divorce, alimony, child custody, juvenile court cases, and tax aspects of family law. Reference file includes full text of federal laws, selected state statutes, and a quick scan summary of state divorce codes.

## **Antitrust & Trade Regulation Report**

---

If you must stay abreast of significant antitrust and trade regulation developments, rely on BNA's *Antitrust & Trade Regulation Report*. You'll receive weekly notification of key federal, state, and local news. Coverage includes the Department of Justice, the Federal Trade Commission, state and federal courts, and private enforcement.

## **The United States Law Week**

---

For more than 50 years, *The United States Law Week* has been helping lawyers prepare briefs, argue points, and win cases. You can turn to this weekly information service for news and analysis of legal developments, precedent-setting cases, and full text of selected federal statutes. You'll also receive same-day notification of all Supreme Court decisions, in full text.

## **Media Law Reporter**

---

For the latest decisions affecting the full range of communications law issues—including interpretations of the First Amendment, copyrights, and FOIA, turn to BNA's *Media Law Reporter*. Weekly coverage includes full text and digests of federal and state media law decisions on both print and electronic communications.

**Call toll-free 800/372-1033**

(In Maryland: 800/352-1400; Washington, D.C.: 258-9401) or write for our free catalog.

---



The Bureau of National Affairs, Inc.  
Suite S-514  
1231 25th Street, N.W.  
Washington, D.C. 20037

# NEW! THE ESSENTIAL HANDBOOK, TAX STRATEGIES FOR SEPARATION AND DIVORCE

At last, **TAX STRATEGIES FOR SEPARATION AND DIVORCE** supplies the step-by-step guidance you need to handle even the most difficult tax situations involving separations and divorces!

Whether you're an experienced practitioner or a newcomer to the field, **TAX STRATEGIES FOR SEPARATION AND DIVORCE** provides the sure guidance you need.

- Full coverage of Installment Payments, Indirect Payments, and Child Support Payments!
- Discusses Alimony Trusts, Pension Benefit Allocations, Dependent Child Deduction, and Child Care Credit!
- Property Settlements versus Support Payments!
- Includes Valuable Checklists!
- Practitioner Points present specific, how-to guidance in many chapters!

**TAX STRATEGIES FOR SEPARATION AND DIVORCE** includes relevant provisions from the Domestic Relations Tax Reform Act of 1984—HR 4170—in an appendix which includes the Congressional Committee's Report. **TAX STRATEGIES FOR SEPARATION AND DIVORCE** is the essential handbook for anyone who handles separations and divorces.

## Keep Up With A Rapidly-Changing Area of Law!

While possible legislative change threatens to overturn current rules and introduce brand-new laws on both the state and national level, this outstanding book equips you to anticipate and analyze both local and national developments.

1984 edition. One looseleaf volume, approx. 526 pages, \$75 plus \$3.90 postage and handling.


### ORDER NOW!

Update your law library today!

Just call **TOLL-FREE:**  
**800-525-2474**

And request your 30-day evaluation of **TAX STRATEGIES FOR SEPARATION AND DIVORCE**. Call now! In Colorado, call collect: 475-7230, ext. 318.

**SHEPARD'S  
McGRAW-HILL**

 Shepard's/McGraw-Hill  
P.O. Box 1235  
Colorado Springs, CO 80901