

Fall 9-1-1993

## Index Pt. 1

Follow this and additional works at: <https://scholarlycommons.law.wlu.edu/wlulr>

---

### Recommended Citation

*Index Pt. 1*, 50 Wash. & Lee L. Rev. 1865 (1993), <https://scholarlycommons.law.wlu.edu/wlulr/vol50/iss4/21>

This Index is brought to you for free and open access by the Washington and Lee Law Review at Washington & Lee University School of Law Scholarly Commons. It has been accepted for inclusion in Washington and Lee Law Review by an authorized editor of Washington & Lee University School of Law Scholarly Commons. For more information, please contact [lawref@wlu.edu](mailto:lawref@wlu.edu).

# WASHINGTON AND LEE LAW REVIEW



## INDEX

Volume 50  
1993

SCHOOL OF LAW  
WASHINGTON AND LEE UNIVERSITY  
LEXINGTON, VIRGINIA

Copyright 1993  
by the School of Law  
Washington and Lee University

## ARTICLES, ESSAYS, NOTES &amp; COMMENTS

|   |  |      |
|---|--|------|
| Accounting and the New Corporate Law .....  | <i>Joel Seligman</i>   | 943  |
| Activist Shareholders, Corporate Directors, and Institutional<br>Investment: Some Lessons From the<br>Robber Barons .....                                       | <i>Allen D. Boyer</i>  | 977  |
| An Analysis of the Virginia Wills Act Formalities and the Need<br>for a Dispensing Power Statute in Virginia, Note.....   | <i>Kelly A. Hardin</i>   | 1145 |
| Children's Competence to Provide Informed Consent for<br>Mental Health Treatment .....  | <i>Richard E. Redding</i>                                      | 695  |
| Civil Justice Reform in the Fourth Circuit .....  | <i>Carl Tobias</i>   | 89   |
| The Clinton Tax Plan: The Tax Policy Pendulum Swings Back ....  | <i>John E. Chapoton</i>  | 449  |
| Communitarians, Contractarians, and the Crisis in Corporate Law .....   | <i>David Millon</i>  | 1373 |
| The Complexity and Legitimacy of Corporate Law .....  | <i>Eric W. Orts</i>  | 1565 |
| Confronting the Ethical Case Against the Ethical Case<br>for Constituency Rights.....   | <i>William W. Bratton</i>                                      | 1449 |
| The Constitutionality of State Allocation of Punitive<br>Damage Awards, Note.....   | <i>Paul F. Kirgis</i>  | 843  |
| Contracts and Communities in Corporation Law .....  | <i>William T. Allen</i>  | 1395 |
| <i>Cooper v. Dupnik</i> : Civil Liability for Unconstitutional<br>Interrogations, Note .....  | <i>Julie E. Hawkins</i>  | 1191 |
| Corporate Tax Policy for the Twenty-First Century:<br>Integration and Redeeming Social Value .....  | <i>Glenn E. Coven</i>  | 495  |
| The Curious Case of the Virginia Military Institute: An Essay on<br>the Judicial Function .....   | <i>Allan Ides</i>  | 35   |
| Disclosure of Environmental Liabilities Under the Securities Laws:<br>The Potential of Securities-Market-Based Incentives for<br>Pollution Control .....        | <i>Perry E. Wallace</i>  | 1093 |
| <i>Dewsnup v. Timm</i> and <i>Nobelman v. American Savings Bank</i> :<br>The Strip Down of Liens in Chapter 12 and<br>Chapter 13 Bankruptcies, Note.....        | <i>William E. Callahan, Jr.</i>                                | 405  |
| Erasing the Law: The Implications of Settlements Conditioned<br>Upon Vacatur or Reversal of Judgments, Note.....  | <i>Michael W. Loudenslager</i>                                 | 1229 |
| An Essay on VMI and Military Service: Yes, We Do Have<br>to Be Equal Together .....   | <i>Mary M. Cheh</i>  | 49   |
| The Ever-Changing Balance of Power in Interstate Water Pollution:<br>Do Affected States Have Anything to Say After<br><i>Arkansas v. Oklahoma?</i> , Note ..... | <i>Mary A. Stilts</i>  | 1341 |
| Fetal Tissue Research: Legal Regulation of<br>Human Fetal Tissue Transplantation .....  | <i>Gregory Gelfand &amp; Toby R. Levin</i>                     | 647  |
| Fiftieth Anniversary Congratulatory Note.....   | <i>Lewis F. Powell, Jr.</i>                                    | 3    |
| For the Criminal Practitioner.....  | <i>Carl Horn</i>   | 119  |
| The Future of Partnership Taxation.....   | <i>Edward J. Schnee</i>  | 517  |
| The Future of Transfer Taxation: Repeal, Restructuring<br>and Refinement, or Replacement .....  | <i>John E. Donaldson</i>                                       | 539  |
| In Defense of the Shareholder Wealth Maximization Norm:<br>A Reply to Professor Green .....   | <i>Stephen M. Bainbridge</i>                                   | 1423 |
| Groundwork of the Metaphysics of Corporate Law.....   | <i>Lawrence E. Mitchell</i>                                    | 1477 |
| In Critique of a Reductivist Conception and Examination of<br>"The Just Organization".....  | <i>Charles D. Watts, Jr.</i>                                   | 1515 |
| Individual Tax Reform for Fairness and Simplicity:<br>Let Economic Growth Fend for Itself .....   | <i>Martin J. McMahon, Jr.</i>                                  | 459  |
| Insurance Tax Policy and Health Care Reform:<br>Back to the Future....  | <i>Curt W. Fochtmann, Frank E. Plan, &amp; Thomas J. Minor</i> | 565  |
| It's Not Easy Being Easy: Advising Tax Return Positions .....   | <i>J. Timothy Philipps</i>                                     | 589  |

|  |  |      |
|--|--|------|
| The Just Organization: Creating and Maintaining Justice<br>in Work Environments.....   | <i>Karen L. Newman</i>                               | 1489 |
| Law and Order Comes to "Dodge City": Treasury's<br>New Return Preparer and IRS Practice Standards.....   | <i>Gwen Thayer Handelman</i>                         | 631  |
| Lawyers, Please Check Your First Amendment Rights at the Bar:<br>The Problem of State-Mandated Bar Dues and Compelled<br>Speech, Note .....    | <i>James B. Lake</i>                                 | 1833 |
| Modern Corporate Theory: Public Utility or Private Part?<br>A Comment on Professor Wolfe's Paper.....  | <i>Charles Yablon</i>                                | 1705 |
| The Modern Corporation: Private Agent or Public Actor?.....  | <i>Alan Wolfe</i>                                    | 1673 |
| New Approaches to Corporate Law.....   | <i>Lyman Johnson</i>                                 | 1713 |
| On the Frontier of Capitalism: Implementation of Humanomics<br>by Modern Publicly Held Corporations: A Critical<br>Assessment.....             | <i>Lewis D. Solomon</i>                              | 1625 |
| Physician-Patient Sexual Contact: The Battle Between the<br>State and the Medical Profession, Note.....  | <i>Tanya J. Dobash</i>                               | 1725 |
| Presidential Politics and Deficit Reduction:<br>The Landscape of Tax Policy in the 1980s and 1990s.....  | <i>Bernard M. Shapiro</i>                            | 441  |
| A Primer on Federal Facility Compliance with Environmental<br>Laws: Where Do We Go from Here?, Note.....                                       | <i>Nelson D. Cary</i>                                | 801  |
| The Revised Uniform Partnership Act Breakup Provisions:<br>Stability or Headache?, Note .....  | <i>Arnold M. Wensinger</i>                           | 905  |
| The Role of Sentencing Guideline Amendments in Reducing<br>Unwarranted Sentencing Disparity.....   | <i>William W. Wilkins, Jr. &amp; John R. Steer</i>   | 63   |
| Shareholders as Stakeholders: Changing Metaphors<br>of Corporate Governance.....   | <i>Ronald M. Green</i>                               | 1409 |
| Situation-Specific Fiduciary Duties for Corporate Directors:<br>Enforceable Obligations or Toothless Ideals?, Note .....                       | <i>Rima Fawal Hartman</i>                            | 1761 |
| A Socio-economic Approach to the Japanese<br>Corporate Governance Structure.....   | <i>Marleen A. O'Connor</i>                           | 1529 |
| Specific Personal Jurisdiction and the "Arise From or<br>Relate to" Requirement: What Does It Mean?, Note .....                                | <i>Mark M. Maloney</i>                               | 1265 |
| "Stalk Talk": A First Look at Anti-Stalking Legislation, Note.....   | <i>Robert N. Miller</i>                              | 1303 |
| Substantive Equal Protection Analysis Under <i>State v. Russell</i> ,<br>and the Potential Impact on the Criminal Justice<br>System, Note..... | <i>Jeffery A. Kruse</i>                              | 1791 |
| The Supreme Court's Literalism and the Definition<br>of "Security" in the State Courts<br>.....  | <i>Douglas M. Branson &amp; Karl Shumpei Okamoto</i> | 1043 |
| Thoughts Evoked by "Accounting and the New Corporate Law" .....  | <i>Ted J. Fjflis</i>                                 | 959  |
| Twelve Letters from Arthur L. Corbin to Robert Braucher<br>.....   | <i>annotated by Joseph M. Perillo</i>                | 755  |
| <i>United States v. Javino</i> : Reconsidering the Relationship of<br>Customary International Law to Domestic Law, Note .....                  | <i>Eric George Reeves</i>                            | 877  |
| The Virginia Military Institute and the Equal Protection Clause:<br>A Factual and Legal Introduction.....                                      | <i>Jon Allyn Soderberg</i>                           | 15   |
| The Warren Court and the Pursuit of Justice.....   | <i>Morton J. Horwitz</i>                             | 5    |
| What Difference Does It Make Whether Corporate Managers<br>Have Public Responsibilities? .....   | <i>William H. Simon</i>                              | 1697 |