Index to Volume 30

DePaul College of Law

Follow this and additional works at: https://via.library.depaul.edu/law-review

Recommended Citation
DePaul College of Law, Index to Volume 30, 30 DePaul L. Rev. 1045 (1981)
Available at: https://via.library.depaul.edu/law-review/vol30/iss4/12

This Index is brought to you for free and open access by the College of Law at Via Sapientiae. It has been accepted for inclusion in DePaul Law Review by an authorized editor of Via Sapientiae. For more information, please contact wsulliv6@depaul.edu, c.mcclure@depaul.edu.
INDEX TO VOLUME 30

I. Table of Articles (By Author) .............. 1045
II. Table of Articles (By Title) .............. 1046
III. Case Commentary .......................... 1046
IV. Student Works (Comments) ............... 1046
V. Student Works (Notes) ..................... 1046
VI. Student Works (Recent Cases) .......... 1047
VII. Books Reviewed .......................... 1047
VIII. Subject Index ........................... 1049

**TABLE OF ARTICLES (BY AUTHOR)**

<table>
<thead>
<tr>
<th>Author</th>
<th>Title</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bauer, The Honorable William J.</td>
<td>Foreword to the Illinois Issue</td>
<td>30:2:i</td>
</tr>
<tr>
<td>Bernardi, Frederick A.</td>
<td>The Exclusionary Rule: Is a Good Faith Standard Needed to Preserve a Liberal Interpretation of the Fourth Amendment?</td>
<td>51</td>
</tr>
<tr>
<td>Burton, Duane</td>
<td>Reducing the High Cost of Patent Litigation: A Practical Guide</td>
<td>857</td>
</tr>
<tr>
<td>Carmean, Charles H.</td>
<td>Hutchinson v. Proxmire and the Neglected Fair Comment Defense: An Alternative to &quot;Actual Malice&quot;</td>
<td>1</td>
</tr>
<tr>
<td>Gholz, Charles L.</td>
<td>Collateral Estoppel Effect of Decisions by the Board of Patent Interferences</td>
<td>789</td>
</tr>
<tr>
<td>Holmes, William C.</td>
<td>FTC Regulation of Unfair or Deceptive Advertising: Current Status of the Law</td>
<td>555</td>
</tr>
<tr>
<td>Hulbert, Bradley J.</td>
<td>Secret Prior Art and the Duty of Disclosure</td>
<td>819</td>
</tr>
<tr>
<td>Kinzie, Harry E. III and Nyhan, Thomas D.</td>
<td>Workers' Compensation: A System in Need</td>
<td>347</td>
</tr>
<tr>
<td>Levin, Murray S.</td>
<td>Withholding Consent to Assignment: The Changing Rights of the Commercial Landlord</td>
<td>109</td>
</tr>
<tr>
<td>Murphy, James P.</td>
<td>Evolution of the Duty of Care: Some Thoughts</td>
<td>147</td>
</tr>
<tr>
<td>Nyhan, Thomas D. and Kinzie, Harry E. III</td>
<td>Workers' Compensation: A System in Need</td>
<td>347</td>
</tr>
<tr>
<td>Peters, Scott J. and Vitullo, Louis P.</td>
<td>Intergovernmental Cooperation and the Municipal Insurance Crisis</td>
<td>325</td>
</tr>
<tr>
<td>Vernon, George</td>
<td>The Illinois Code of Professional Responsibility: A New Blueprint for Disciplinary Enforcement</td>
<td>365</td>
</tr>
<tr>
<td>Vitullo, Louis P. and Peters, Scott J.</td>
<td>Intergovernmental Cooperation and the Municipal Insurance Crisis</td>
<td>325</td>
</tr>
</tbody>
</table>
TABLE OF ARTICLES (BY TITLE)

Collateral Estoppel: Effect of Decisions by the Board of Patent Interferences. Charles L. Ghols .................................................... 789


Evolution of the Duty of Care: Some Thoughts. James P. Murphy 147

The Exclusionary Rule: Is a Good Faith Standard Necessary to Preserve a Liberal Interpretation of the Fourth Amendment? Frederick A. Bernardi 51

Foreword to the Illinois Law Issue. The Honorable William J. Bauer 30:2:i

FTC Regulation of Unfair or Deceptive Advertising: Current Status of the Law. William C. Holmes 555

Hutchinson v. Proxmire and the Neglected Fair Comment Defensive: An Alternative to "Actual Malice". Charles H. Carman 1


Intergovernmental Cooperation and the Municipal Insurance Crisis. Louis P. Vitullo and Scott J. Peters 325


Reducing the High Cost of Patent Litigation: A Practical Guide. Duane Burton 857


Withholding Consent to Assignment: The Changing Rights of the Commercial Landlord. Murray S. Levin 109

Workers' Compensation: A System in Need. Harry E. Kinzie III and Thomas D. Nyhan 347

CASE COMMENTARY

Does an Illinois Entrepreneur Have a Duty to Provide a Reasonably Safe Means of Ingress and Egress to Its Business Premises or Has This Well-Established Rule of Law Become a Mere Exception? Robert S. Minez 403

COMMENTS

The Iran Cases—Executive Intervention in Private Litigation 623

NOTES


The Application of Section 1983 to the Violation of Federal Statutory Rights—Maine v. Thiboutot 651

Arrest Warrants Required for Arrests Within the Home—Payton v. New York 207

Ban on Communication with Potential and Actual Class Members Voided as Unconstitutional—Bernard v. Gulf Oil Co. 917


"CONDITIONAL" Res Ipsa Loquitur in Illinois Medical Malpractice Law: Proof of a Rare Occurrence as a Basis for Liability—Spidle v. Steward .......................... 413

Constitutional Procedure for the Imposition of the Death Penalty—Godfrey v. Georgia .................................................................................................................. 721

Court Sanctioned Circumvention of the Fourth Amendment—United States v. Payner .......................................................... 763

A Departure From Benevolent Neutrality—Decker v. O’Donnell .......................... 739


An Equitable Extension of the Pares Patriae Doctrine—Puerto Rico v. Snap .......................... 1025

The Exclusionary Rule: Impeachment Exception Broadened to Include Statements First Elicited Upon Cross-Examination—United States v. Havens .......................... 225

Exclusive Judicial Power to Regulate Appellate Practice and Procedure People v. Cox .................................................................................................................. 969

Extending the Patent Monopoly to Unpatented Nonstaple Goods—Dawson Chemical Co. v. Rohm & Haas Co. .......................................................... 875

The Federal Courts’ Authority to Assess Attorneys’ Fees Directly Against Counsel—Roadway Express, Inc. v. Piper .......................................................... 669

Limiting Interstate Commerce Clause Scrutiny—Reeves, Inc. v. Stake .......................... 685

A No-Strike Clause Can Serve as Valid Consideration in Tenured Public School Teachers’ Contracts—Bond v. Board of Education .......................... 441

Rule 10b-5 and Non-Traditional Insiders: The Supreme Court Continues its Retrenchment Trend—Chiarella v. United States .................................................................. 181

State Takeover Statutes Under Attack: Casualties in the Battle for Corporate Control—MITE Corp. v. Dixon ........................................................................ 989

Tax Increment Financing: A New Source of Funds for Community Redevelopment in Illinois—People ex rel. City of Canton v. Crouch .......................................................... 459


RECENT CASES

Elliott v. Willis—Loss of Consortium Recoverable in Wrongful Death Action .......................... 543

Lynch v. Board of Education—Teacher’s Apparent Authority Renders School District Liable for Negligence .......................... 537

Palmateer v. International Harvester Co.—Retaliatory Discharge of an Employee for Refusing to Obstruct Justice Held Actionable .......................... 527

Pashinian v. Haritonoff—Premises Liability for Illinois Landowners Reaffirmed .......................... 521

BOOKS REVIEWED

Judicial Review and the National Political Process: A Functional Reconsideration of the Role of the Supreme Court .......................... 781

Neighborhood Government in Chicago’s 44th Ward .......................... 549
SUBJECT INDEX

A

ADMINISTRATIVE AGENCIES

FTC Regulation of Unfair or Deceptive Advertising: Current Status of the Law ........................................... 555

ATTORNEYS

The Application of Section 1983 to the Violation of Federal Statutory Rights—Maine v. Thiboutot ........ 651
The Federal Court's Authority to Assess Attorney's Fees Directly Against Counsel—Roadway Express, Inc. v. Piper .................. 669
The Illinois Code of Professional Responsibility: A New Blueprint for Disciplinary Enforcement ................... 365

C

COMMUNICATIONS

FTC Regulation of Unfair or Deceptive Advertising: Current Status of the Law ........................................... 555

CONSTITUTIONAL LAW

Arrest Warrants Required for Arrests Within the Home—Payton v. New York .................................................. 207
Ban on Communication with Potential and Actual Classmembers Voided as Unconstitutional—Bernard v. Gulf Oil Co. .... 917
Book Review: Choper: Judicial Review and the National Political Process: A Functional Reconsideration of the Role of the Supreme Court .......................................................... 781
Constitutional Procedure for the Imposition of the Death Penalty—Godfrey v. Georgia ...................... 721
Court Sanctioned Circumvention of the Fourth Amendment—United States v. Payner ......................... 763
A Departure From Benevolent Neutrality—Decker v. O'Donnell .... 739
Equal Protection of the Law Under the Federal and Illinois Constitutions: A Contrast in Unequal Treatment .................................................. 263
An Equitable Extension of the Pains Patriae Doctrine—Puerto Rico v. Snapp .................................................. 1025
The Exclusionary Rule: Impeachment Exception Broadened to Include Statements First Elicited Upon Cross-Examination—United States v. Havens .............. 225
The Exclusionary Rule: Is a Good Faith Standard Needed to Preserve a Liberal Interpretation of the Fourth Amendment? .................. 51
Hutchinson v. Proxmire and the Neglected Fair Comment Defense: An Alternative to “Actual Malice” ... 1
The Iran Cases—Executive Intervention in Private Litigation ........ 623
Limiting Interstate Commerce Clause Scrutiny—Reeves, Inc. v. Piper .................................................. 685
Tax Increment Financing: A New Source of Funds for Community Redevelopment in Illinois—People ex rel. City of Canton v. Crouch . 459

CONTRACTS

Palmateer v. International Harvester Co.—Retaliatory Discharge of an
### CRIMINAL LAW

- Arrests Warrants Required for Arrests Within the Home—Payton v. New York .................................. 207
- Court Sanctioned Circumvention of the Fourth Amendment—United States v. Payner .......................... 763
- The Exclusionary Rule: Impeachment Exception Broadened to Include Statements First Elicited Upon Cross-Examination—United States v. Havens ............................................. 225
- The Exclusionary Rule: Is a Good Faith Standard Needed to Preserve a Liberal Interpretation of the Fourth Amendment? .......... 51

### DISCRIMINATION


### EMPLOYMENT

- A Departure From Benevolent Neutrality—Decker v. O'Donnell .... 739
- Lynch v. Board of Education—Teacher's Apparent Authority Renders School District Liable for Negligence ........................................ 537
- Palnateer v. International Harvester Co.—Retaliatory Discharge of an Employee for Refusing to Obstruct Justice Held Actionable .......... 527
- Workers' Compensation: A System in Need .......................... 347

### EVIDENCE

- "Conditional" Res Ipsa Loquitur in Illinois Medical Malpractice Law: Proof of a Rare Occurrence as a Basis for Liability—Spidle v. Stewart ........................................ 413
- Court Sanctioned Circumvention of the Fourth Amendment—United States v. Payner .......................... 763
- The Exclusionary Rule: Impeachment Exception Broadened to Include Statements First Elicited Upon Cross-Examination—United States v. Havens ............................................. 225
- The Exclusionary Rule: Is a Good Faith Standard Needed to Preserve a Liberal Interpretation of the Fourth Amendment? .......... 51

### EDUCATION

- Lynch v. Board of Education—Teacher's Apparent Authority Renders School District Liable for Negligence ..................... 537
- A No-Strike Clause Can Serve as Valid Consideration in Tenured Public School Teachers' Contracts—Bond v. Board of Education ............................................. 441
### 1983: A New Hope of Recovery for Strip Search Victims—Owens v. City of Independence

The Federal Courts’ Authority to Assess Attorneys’ Fees Directly Against Counsel—Roadway Express, Inc. v. Piper

The Iran Cases—Executive Intervention in Private Litigation

---

### INSURANCE

Intergovernmental Cooperation and the Municipal Insurance Crisis

### INTERNATIONAL LAW

The Iran Cases—Executive Intervention in Private Litigation

### JUDICIAL REVIEW

Book Review: Choper: Judicial Review and the National Political Process: A Functional Reconsideration of the Role of the Supreme Court

Exclusive Judicial Power to Regulate Appellate Practice & Procedure—People v. Cox

Limiting Interstate Commerce Clause Scrutiny—Reeves, Inc. v. Stake

### LABOR

A No-Strike Clause Can Serve as Valid Consideration in Tenured Public School Teachers’ Contracts—Bond v. Board of Education

Workers’ Compensation: A System in Need

### LANDLORD-TENANT

Withholding Consent to Assignment: The Changing Rights of the Commercial Landlord

### MALPRACTICE


“Conditional” Res Ipsa Loquitur in Illinois Medical Malpractice Law: Proof of a Rare Occurrence as a Basis for Liability—Spidle v. Steward

### MUNICIPAL LAW


Intergovernmental Cooperation and the Municipal Insurance Crisis

Tax Increment Financing: A New Source of Funds for Community Redevelopment in Illinois—People ex rel. City of Canton v. Crouch

### PATENTS

Collateral Estoppel Effect of Decisions by the Board of Patent Interferences

Extending the Patent Monopoly to Unpatented Nonstaple Goods—Dawson Chemical Corp. v. Rohm & Haas Co.

Reducing the High Cost of Patent Litigation: A Practical Guide

Secret Prior Art and the Duty of Disclosure

### PRODUCTS LIABILITY

Caveat Venditor: Failure to Heed Instructions Is Not a Defense to Illi-
nois Products Liability Actions—
Thomas v. Kaiser Agricultural
Chemicals .......................... 477

PROPERTY

Does an Illinois Entrepreneur Have a
Duty to Provide a Reasonably Safe
Means of Ingress and Egress to Its
Business Premises or Has This
Well-Established Rule of Law Be-
come a Mere Exception? ............ 403
Pashinian v. Haritonoff—Premises
Liability for Illinois Landowners
Reaffirmed .......................... 521
Withholding Consent to Assignment:
The Changing Rights of the Com-
mercial Landlord .................... 109

REMEDIES

The Application of Section 1983 to
the Violation of Federal Statutory
Rights—Maine v. Thiboutot ......... 651
Elimination of Municipal Good
Faith as a Defense Under Section
1983: A New Hope of Recovery for
Strip Search Victims—Owen v.
City of Independence ............ 243
Elliot v. Willis—Loss of Consortium
Recoverable in Wrongful Death
Action ............................. 543
Workers’ Compensation: A System in
Need ............................... 347

SECURITIES

Rule 10b-5 and Non-Traditional In-
siders: The Supreme Court Con-
tinues its Retrenchment Trend—
Chiarella v. United States ....... 181
State Takeover Statutes Under At-
tack—Casualties in the Battle for
Corporate Control—MITE Corp.
v. Dixon ........................... 989

TAXATION

Tax Increment Financing: A New
Source of Funds for Community
Redevelopment in Illinois—People
ex rel. City of Canton v. Crouch .. 459