

SUBJECT INDEX

Subject Categories

Administrative Law	1038
Agriculture	1038
Air Pollution	1039
Alternative Dispute Resolution	1039
Animal Rights Law	1040
Bankruptcy	1040
Book Reviews	1040
Canadian Law	1040
Capital Punishment	1041
Cases	1041
Child Custody	1041
Civil Rights	1041
Coastal Zone Management	1043
Commercial Law	1043
Common Law	1044
Conflicts of Law	1044
Constitutional Law	1044
Contracts	1050
Corporations	1051
Courts	1051
Criminal Law and Procedure	1052
Dedication	1056
Domestic Relations	1056
Education Law	1057
Employment Law	1058
Energy Law	1059
Environmental Law	1060
Ethics	1066
Evidence	1067
Family Law	1068
Federal Government	1069
Federalism	1069
Festschrift: Norman Williams, Jr.	1070
Fisheries	1070
Florida Law	1070
Food and Drug Law	1071
Health Law	1071
Housing Law	1072
Human Rights	1073
Immigration Law	1073

Index and Uniform Citations	1073
Insurance	1073
Intellectual Property	1073
International Law	1074
Interstate Compacts	1075
Judges	1075
Jurisdiction	1076
Jurisprudence	1077
Juvenile	1078
Labor Law	1079
Land Use and Planning	1080
Landlord Tenant Law	1083
Law and Economics	1083
Law and Society	1084
Law, Science, and Technology	1086
Legal Education	1087
Legal History	1088
Legal Professions	1089
Legislation	1091
Maine Law	1093
Mississippi Law	1093
National Security	1093
Native American Law	1094
Natural Resources	1094
New Hampshire Law	1096
New Jersey Law	1096
New York Law	1096
News Media	1096
Oil and Gas Law	1097
Oregon Law	1097
Politics	1097
Practice and Procedure	1097
Privacy	1098
Professional Responsibility	1099
Property	1099
Public Health and Welfare	1101
Public Interest	1101
Public Trust Doctrine	1102
Public Utilities	1102
Religion	1103
Remedies	1103
Reproductive Rights	1103

Securities	1103
Sexual Harassment	1104
Sexual Orientation	1104
Sports and Entertainment Law	1105
State and Local Government	1105
Symposium: A Fair Hearing	1106
Symposium: Biology, Behavior & The Criminal Law	1106
Symposium: Contemporary Perspectives on Civil Rights and Civil Liberties	1107
Symposium: Environmental Justice: Mobilizing for the 21st Century	1107
Symposium: Family Violence in America—Part I	1107
Symposium: Family Violence in America—Part II	1107
Symposium: Hydroelectric Power in New England	1108
Symposium: International Environmental Law: A Global View of the New Millennium	1108
Symposium: Labor and Employment Law	1108
Symposium: Lawyers as Storytellers & Storytellers as Lawyers: An Interdisciplinary Symposium Exploring the Use of Storytelling in the Practice of Law	1109
Symposium: Making Waves: A Celebration of 25 Years of Women at Vermont Law School	1109
Symposium: Papers from the Fourteenth Annual Environmental Law Conference	1109
Symposium: Perspectives on Lawyering	1109
Symposium: Quebec, Canada and First Nations: The Problem of Secession	1110
Symposium: Stewards of the Land: Indian Tribes, The Environment, and The Law	1110
Symposium: The Environmental Law of War	1110
Symposium: The Northern Forest Lands & The Law	1111
Symposium: The Revolution in State Constitutional Law	1111
Symposium: The Third Association of American Law Schools Workshop on International Law	1111
Symposium: Vermont's Civil Unions	1112
Taxation	1112
Telecommunications	1113
Texas Law	1113
The Jonathon B. Chase Paper	1113
The Sterry R. Waterman Lecture	1114
Torts	1114
Trade	1115
Transportation Law	1115
Tributes	1116
Vermont Law	1117
Vermont Law Review Service and Inspiration Award	1126

Water Law	1126
Wetlands Protection	1127
Wills, Trusts, and Estates	1127
Women and the Law	1127

Administrative Law

Congress, the Courts, and Regulatory Oversight After *Meyer v. Bush*: Should the Executive Office of the President Be Shielded from Congressional Sunshine?, Matule, Matthew J., 18:823

EPA Regulates Hazardous Air Pollutant Emissions From Publicly Owned Treatment Works: The POT NESHAP, Lucas, Mark, 24:1377

Extending Public Trust Duties to Vermont's Agencies: A Logical Interpretation of the Common Law Public Trust Doctrine, Fitzgerald, Donna Sheehan, 19:509

Hazardous Waste Cleanup: Trying to Keep the Sleeping Ogre Asleep, Van Tuyn, Peter, 14:247

Improving the Legal Response of Child Protective Service Agencies, Horowitz, Robert M., & Davidson, Howard A., 6:381

Legislative Review of Agency Rule-Making: Vermont's Antlerless Deer Hunting Regulation, Bashaw, John R., 11:105

Reining in the Unruly Horse: The Public Policy Test For Disallowing Tax Deductions, Deal, Cathryn V., 9:11

The Clean Air Act's Credible Evidence Rule: Achieving Greater Efficiency in Environmental Regulation, Langer, David, 23:673

The Food and Drug Administration's Power to Recall a Harmful Product and Other Remedial Actions: The Powerless Consumer, Forgays, Janice Alexander, 10:129

The Lawyer as Enlightened Citizen: Towards a New Regulatory Model in Environmental Law, Evans, Jill E., 24:229

The Proposed Administrative License Suspension Procedures in Vermont: How Much Process Are Drunken Drivers Due?, Norton, Stephen G., 11:75

The Quick and the Dead: Fish Entrainment, Entrapment, and the Implementation and Application of Section 316(b) of the Clean Water Act, May, James R., & van Rossum, Maya K., 20:373

The Vermont Department of Public Service's New Found Power Under Senate Bill 130: A Case of Conflicting Interests, Gottlieb, Ira, 12:517

Two for the Road: Administrative License Revocation and Multiple Punishments Under the Double Jeopardy Clause, Jean, Joseph D., 21:1259

Agriculture

Economic Implications of Wider Compensation for "Takings" or, What If Agricultural Policies Ruled the World, Runge, C. Ford, 17:723

Farmland Preservation in Vermont and the Creative Use of Land Trusts, Rice-Osterhoudt, Rebecca, 11:603

Government Regulation of the Pursuit of Knowledge: The Recombinant DNA Controversy, Berger, Richard G., 3:83

Inert Ingredients and Pesticide Registration Data Requirements: EPA's Complacency Compounds FIFRA's Inadequacies, Hogan, Kevin M., 15:265

The Effect of Act 250 on Prime Farmland in Vermont, Kaplan, Stephanie J., 6:437

Air Pollution

EPA Regulates Hazardous Air Pollutant Emissions From Publicly Owned Treatment Works: The POT NESHAP, Lucas, Mark, 24:1377

The Clean Air Act's Credible Evidence Rule: Achieving Greater Efficiency in Environmental Regulation, Langer, David, 23:673

Transportation Control Plans under the 1990 Clean Air Act as a Means for Reducing Carbon Dioxide Emissions, Donnellan, Michael T., 16:711

Alternative Dispute Resolution

Alternative Dispute Resolution, Substantive Doctrine, and Power, Tarpley, Joan R., 21:1107

Arbitration: An Antidote to New York's Medical Malpractice Crisis, O'Brien, Karen R., 11:577

Community Courts: Offering Alternative Dispute Resolution Within the Judicial System, Cratsley, John C., 3:1

Environmental Mediation and the Accountability Problem, Susskind, Lawrence, 6:1

Environmental Mediation—Another Piece for the Puzzle, McCrory, John P., 6:49

Lockouts in Evolutionary Perspective: The Changing Balance of Power in American Industrial Relations, Dolin, Susan L., 12:335

Mandatory Mediation of Custody Disputes: Criticism, Legislation, and Support, Vincent, Maggie, 20:255

Mediation: A New Remedy for Cases of Domestic Violence, Bethel, Charles A., & Singer, Linda R., 7:15

Superfund is Not Super Fun: Bringing Reg-Neg to Hanford, Carpenter, David G., 21:677

The Law and Politics of Paying Teachers Salary Step Increases Upon Expiration of a Collective Bargaining Agreement, May, James C., 20:753

The Negotiating Impasse in Labor Relations for Teachers, Freeman, R. Bruce, 5:39

The Theory and Practice of Mediation: A Reply to Professor Susskind, Stulberg, Joseph B., 6:85

The Vermont Labor Relations Board's Role in Grievance Proceedings: Let's Make this Process Work, Gottlieb, Ira, 12:429

Animal Rights Law

Hardly a Revolution—The Eligibility of Nonhuman Animals for Dignity-Rights in a Liberal Democracy, Wise, Steven M., 22:793

Solving the Pound Animal Controversy: A Proposed Amendment to the Animal Welfare Act, Whitney, Karen L., 15:369

Waste Not, Want Not: Can the Public Policy Doctrine Prohibit the Destruction of Property by Testamentary Direction, Sykas, Abigail J., 25:911

Bankruptcy

A Debtor's Choice of a "Chapter" Rehabilitation Proceeding Under the "Bankruptcy Act", Coogan, Peter F., 1:117

CERCLA Injunctive Orders in Chapter 11 Bankruptcy: Fresh Start or Free Ride for the Reorganized Debtor?, Shaftel, Michael I., 17:281

Vermont's New Debtor's Exemption Statute, Lynch, David W., 13:609

Book Reviews

Dangerous Territory, Vogel, Joan, 18:763

Environmental Literacy and International Law, Johnson, Vincent Robert, 17:801

Gilmore's New Book: Turning and Turning in the Widening Gyre, Teachout, Peter R., 2:229

The Moderate Rehnquist, Johnson, Vincent R., 17:267

The Philosophy Of Law: An Introduction. By Thomas Morawetz, Patterson, D.M., 7:273

Canadian Law

Divided Houses: Secession and Constitutional Faith in Canada and the United States, LaSelva, Samuel V., 23:771

Introduction, Brooks, Richard O., 23:699

Quebec, Canada and the First Nations: The Problem of Secession, Wroth, L. Kinvin, 23:709

Reference re: Secession of Quebec, Supreme Court of Canada, 23:721

The Cree Intervention in the Canadian Supreme Court Reference on Quebec Secession: A Subjective Assessment, Sheppard, Claude-Armand, 23:845

The Quebec Secession Reference and the Judicial Arbitration of Conflicting Narratives about Law, Democracy and Identity, Gaudreault-DesBiens, Jean Francois, 23:793

U.S. & Canadian Federalism: A Study in Contrast, Wingo, Harvey, 11:473

Capital Punishment

An "Eye for an Eye": Does God Sanction Capital Punishment?, Carnot, Kimberley H., 25:523

Death and His Lawyers: Why Joseph Spaziano Owes His Life to the Miami Herald—and Not to any Defense Lawyer or Judge, Mello, Michael, 20:19

"In the Years When Murder Wore the Mask of Law": Diary of a Capital Appeals Lawyer, Mello, Michael, 24:583

Postscript—Death and His Lawyers, Mello, Michael, 20:945

The Death Penalty for Drug Kingpins: Constitutional and International Implications, Pinkard, Eric, 24:1

The Non-Trial of the Century: Representations of the Unabomber, Mello, Michael, 24:417

To be or not to be: Opt-in Status Under the Antiterrorism and Effective Death Penalty Act, Stummer, Cristina, 25:603

Cases

Baker v. State, Vermont Supreme Court, 25:285

Reference re: Secession of Quebec, Supreme Court of Canada, 23:721

Child Custody

A Critical Look at Vermont's New Child Custody Law, Gomez, Jane E., 11:671

A Right to Treatment: Promoting the Interests of Minors in State Custody in Vermont, Terwilliger, Kurt, 15:227

Determining "Best Interests" of the Child in Divorce Custody Disputes: A Procedural Approach, Gottwik, Paula J., 9:311

Divorce Decree—Standard of Review For Issues of Custody, Visitation, Division of Property and Child Support—Palmer v. Palmer, 138 Vt. 412, 416 A.2d 143 (1980), Moore, Kathleen McDonnell, 5:425

Gender Bias Against Fathers in Custody? The Important Difference Between Outcome and Process, Cadwell, Leslie A., 18:215

Interstate Testimony by Child Protective Agency Workers in the Child Custody Context, Jones, P. Andrew, 21:633

Mandatory Mediation of Custody Disputes: Criticism, Legislation, and Support, Vincent, Maggie, 20:255

Civil Rights

A Proposal to Ban Sexual Orientation Discrimination in Private Employment in Vermont, Dillon, Judith Lillian, 15:435

AIDS and Informed Consent: Recognizing Partners As Surrogate Decision-Makers, Grabowski, Barbara J., 15:333

Beyond Dronenburg: Rethinking the Right to Privacy, Corti, Karen A., 11:299

Can You Get to Kings County from I-85? A Reevaluation of United Jewish Organizations v. Carey in Light of Shaw v. Reno, Wine, Bradley David, 19:843

Education for the Handicapped: A Senator's Perspective, Stafford, Robert T., 3:71

Employment Discrimination Law and the Need for Reform, Cooper, Christine Godsil, 16:183

Equality, Classifications, and Irrelevant Characteristics, Farrell, Robert C., 12:11

Exploring the Limits: Feminism and the Legal Regulation of Gay Male Pornography, Stychin, Carl F., 16:857

How Many Wrongs Does It Take to Make a Human Right?, Marecic, Charles, 22:201

Impassioning a Civil Rights Course, Bender, Leslie, & Braveman, Daan, 16:943

Joint Adoption: A Queer Option?, Unsigned, 15:197

Listening to Dr. Fiske: The Easy Case of Price Waterhouse v. Hopkins, Chamallas, Martha, 15:89

On Doing the Right Thing: Education Work in the Academy, Harris, Angela P., 15:125

"Out, Damned Spot; Out, I Say." The Persistence of Race in American Law, Redlich, Norman, 25:475

Racial Images of the "Criminal": A Cognitive Disorder, Novick, Sheldon M., 22:383

Reliance on State Law: Protecting the Rights of People with Mental Disabilities, Collins, Ronald K.L., 13:305

Repelling a Constitutional Battering Ram: The Fight to Keep Nonstudent Religious Worship Services out of Public Schools, Kravitz, Jason C., 19:643

Scholarly Discourse, Barnes, Robin C., 16:933

Sexual Harassment Between Peers Under Title VII and Title IX: Why Girls Just Can't Wait to be Working Women, LeClair, Laurie, 16:303

State v. Whitingham School Board: A Unique Employment Discrimination Loophole for Vermont Employers, Kreiling, Kenneth R., 6:119

The Academic Freedom Privilege: A Sword or a Shield?, Mobilia, Marcia Anne, 9:43

The Americans with Disabilities Act of 1990: Title I and Its Impact on Employment Decisions, Weatherspoon, Floyd D., 16:263

The Exhaustion Requirement Under Section 1983 in the Second Circuit, Moore, Kathleen McDonnell, 6:269

The Haitian Refugee Crisis and U.S. Immigration Law: The Extraterritorial Scope of Section 243(h) of the Immigration and Nationality Act, Hickey, Bridgette E., 18:173

The Implications of Inadequate Maternity Leave Policies Under Title VII, Lally-Green, Maureen E., 16:223

The Meaning of "Sex": Homosexual and Bisexual Harassment Under Title VII, Calleros, Charles R., 20:55

The Membership of Judges in Gender Discriminatory Private Clubs, Doane, Wayne, 12:459

The Moral Confusion of Affirmative Action Jurisprudence or When Will We learn to Bear the Shame of Guilt?, Day, Kate Nace, 16:777

The Reasonable Woman in Sexual Harassment Law and the Case for Subjectivity, Blackwood, Eileen M., 16:1005

The Right to "Equal Privileges and Immunities": A State's Version of "Equal Protection", Schuman, David, 13:221

The Second Circuit, Civil Rights Litigation, and Expanding Federal Jurisdiction, Wigton, Robert C., 15:301

The Use of Classifications Based on Gender and Marital Status in Insurance: Current Vermont Law, Rice-Osterhoudt, Rebecca, 11:685

Vermont Adults Only Communities and the Fair Housing Act, Hanson, Carl D., 14:161

Vermont's Voluntary Sterilization Statutes and the Rights of the Mentally Handicapped, Silverstein, Pamela H., 4:331

Workplace Discrimination: Truthfulness and the Moral Imagination, Calhoun, Emily, 16:137

Coastal Zone Management

Aquaculture and the Public Trust Doctrine: Accommodating Competing Uses of Coastal Waters in New England, Marston, Andrea, 21:335

The Interaction of the Public Trust and the "Takings" Doctrines: Protecting Wetlands and Critical Coastal Areas, Archer, Jack H., & Stone, Terrance H., 20:81

The West Coast of New England: A Case for the Inclusion of Lake Champlain in the Federal Coastal Zone Management Program, Straub, Michael J., 16:749

Commercial Law

Blinded by the Hype: Shifting the Burden When Manufacturers Engage in Direct to Consumer Advertising of Prescription Drugs, Tyler, Barbara J., & Cooper, Robert A., 21:1073

Environmental Issues and Concerns for Lenders, Kunzman, Steven A., 15:531

Government's Udder Disregard for a Consumer's Right to Information on RBST: Mandatory Labeling of Mild Products Should Be Allowed, Lennon, Kathleen, 22:433

Interstate Compacts in Commerce and Industry: A Proposal for "Common Markets Among States", Davis, Christi, & Branson, Douglas M., 23:133

Property Tax Exemptions for Nonprofit Organizations in Vermont, Copper, Thomas N., 6:217

Reining in the Unruly Horse: The Public Policy Test For Disallowing Tax Deductions,

Deal, Cathryn V., 9:11

Solid Waste Source Reduction and the Product Ban: A Commerce Clause Violation?,
Montroll, Kim Ingrid, 13:691

Specific Performance of Contracts For Sales Of Goods: Expansion Or Retrenchment
In The 1980's, Axelrod, Elliot, 7:249

The Food and Drug Administration's Power to Recall a Harmful Product and Other
Remedial Actions: The Powerless Consumer, Forgays, Janice Alexander, 10:129

The Relation of the Equitable Doctrine of Subrogation to Vermont's Strict Foreclosure
Law, Riedl, Keith, 7:71

The Sale of Business Doctrine: Landreth Adds New Life to the Anti-Fraud Provisions
of the Securities Act, O'Brien, John A., & Moye, John E., 11:1

The Waiver of Defenses by Guarantors in Guaranty Contracts and the Nonwaiver
Provisions of the Uniform Commercial Code, Collins, Michael B., 5:73

Trustee Process Against Earnings in Vermont, Richardson, Susanne, 5:133

Valuation of Business Inventory Under Vermont's Personal Property Tax: A Proposal
to Abolish the Existing System of April 1 Valuation and to Adopt Average
Valuation Appraisal, Cattani II, Louis J., 1:203

Vermont's Business Corporation Law: A Call for Much Needed Reform, Smiddy,
Linda O., 17:3

Common Law

Meditations on the Original: James Madison, Framer with Common Law
Intentions—Ramifications in the Contemporary Supreme Court, Bader, William
D., 20:5

The Common Law of Waterpower in New England, Brion, Denis J., 5:201

Conflicts of Law

A Suggested Approach to Choice-of-Law, Reese, Willis L.M., 14:1

Abandonment of Lex Loci Delicti? Toward a Functional Approach to Choice-of-Law
in Vermont, Fisher, Kenneth R., 2:133

Rule or Reason in Choice of Law: A Comment on Neumeier, Trautman, Donald T., 1:1

Constitutional Law

A Constitutional Analysis of Gubernatorial Succession Provisions in Vermont,
Kennedy, J. Patrick, 17:235

A Constitutional Right to a Healthful Environment, Brooks, Richard O., 16:1063

A Note from the Editors: A Vermont Law Review Milestone, a Landmark Case, and
a Vermont Election, Ross, David, & Rider, Heather, 25:1

Abortion Choice And The Law In Vermont: A Recent Study, Olmstead, Frank H., 7:281

Adequacy in Education: An Analysis of the Constitutional Standard in Vermont, Nelson, John A., 18:7

Against the Stream: An Introduction to the Vermont Law Review Symposium on the Revolution in State Constitutional Law, Teachout, Peter R., 13:13

An Act Relating to Civil Unions, Vermont Legislature, 25:347

An Analysis of the Constitutionality of the Vermont Hate Motivated Crimes Statute in Light of the United States Supreme Court's Decisions in *R.A.V. v. City of St. Paul* and *Wisconsin v. Mitchell*, FitzPatrick, Erik B., 18:771

An Automatic Standing Rule May Be Promulgated Under Article 11 of the Vermont Constitution, Norton, Stephen G., 10:459

An Essay on the Passive Virtue of *Baker v. State*, Kujovich, Gil, 25:93

And Now We Are Here on a Darkling Plain, Williams Jr., Norman, & Ernst, Holly, 13:635

Bail and the Dangerous Defendant: The Effect of Pray and Cyr on the Use of Preventive Conditions, Balsamo, Michael N., 2:217

Baker v. State, Vermont Supreme Court, 25:285

Beyond Baker: The Case for a Vermont Marriage, Coolidge, David Orgon, & Duncan, William C., 25:61

Beyond Dronenburg: Rethinking the Right to Privacy, Corti, Karen A., 11:299

Beyond Son of Sam: Simon & Schuster, Inc. v. New York State Crime Victims Board and a Constitutionally Valid Alternative to New York Executive Law Section 632-a, Tschor, Adam Robert, 17:321

Beyond Standing: Proposals for Congressional Response to Supreme Court "Standing" Decisions, Dumont, James, 13:675

Bieling v. Malloy and Equal Protection: What Does the Poll Tax Have to Do with Drivers' Licenses, Anyway?, Belcher, George K., 1:163

Billboard Blight: Is the Aesthetic Quality of Vermont's Landscape in Jeopardy After *Metromedia*?, Carson, David A., 9:341

But Why Not Marriage: An Essay on Vermont's Civil Unions Law, Same-Sex Marriage, and Separate But (Un)equal, Cox, Barbara J., 25:113

Can the NBA Punish Dennis Rodman? An Analysis of First Amendment Rights in Basketball, Dean, Karen Martin, 23:157

Can You Get to Kings County from I-85? A Reevaluation of United Jewish Organizations v. Carey in Light of *Shaw v. Reno*, Wine, Bradley David, 19:843

Casino Development in Atlantic City: Abuses and Remedies, Maxwell, Robert William, 10:383

Comment on the Right to Marital Privacy: A Postscript on *Griswold v. Connecticut*, Rockwell, Landon G., 2:69

Community and the Constitution: A Reassessment of the Roots of Immigration Law, Chan, Annie M., 21:491

Confusing Punishment with Custodial Care: The Troublesome Legacy of *Estelle v. Gamble*, Genty, Philip M., 21:379

Congress, the Courts, and Regulatory Oversight After *Meyer v. Bush*: Should the Executive Office of the President Be Shielded from Congressional Sunshine?, Matule, Matthew J., 18:823

Constitutionalism And The Rule Of Law: New Hampshire's Home Schooling Quandry, Stocklin-Enright, Brendan, 8:265

Constitutionality of Vermont's Criminal Statute on Imprisonment for Debt—*State v. Carpenter*, 138 Vt. 140, 412 A.2d 285 (1980), Diess, Wm. David, 6:317

Contributions of State Constitutional Law to the Third Century of American Federalism, Kaye, Judith S., 13:49

Custodial Interrogation in Vermont After *State v. Hohman*, Ross, Leonard R., 5:383

Daminozide and the New England Apple Crop: A National Definition of "Safe"?, Kamantauskas, Katrina C., 12:181

Divided Houses: Secession and Constitutional Faith in Canada and the United States, LaSelva, Samuel V., 23:771

Does Professional Licensing Conditioned Upon Mutual Reciprocity Violate the Commerce Clause?, Chase, Jonathon B., 10:223

Due Process and Vermont's Abuse Prevention Statute, Opel, Robert, 7:185

Economic Implications of Wider Compensation for "Takings" or, What If Agricultural Policies Ruled the World, Runge, C. Ford, 17:723

Education for the Handicapped: A Senator's Perspective, Stafford, Robert T., 3:71

Equality, Classifications, and Irrelevant Characteristics, Farrell, Robert C., 12:11

Expansion of Arrest Power: A Key to Effective Intervention, Lerman, Lisa G., 7:59

Federal Preemption of State and Local Rent Control Laws Through FIRREA: A Proposal to Protect Tenants and the RTC, Riley, William D., 16:969

Federalism and State Constitutions, Douglas III, Charles G., 13:127

For Today I'm Gay: The Unfinished Battle for Same-Sex Marriage in Vermont, Mello, Michael, 25:149

Forgotten Rights: Takings Claims and the International Emergency Economic Powers Act, Meezan, David M., 21:591

FRESPCH: Vanity Plates and the First Amendment, Medley, Laurie D., 25:879

Full Faith and Credit and the Recognition of Foreign Alimony Decrees in Vermont, Berger v. Berger, 138 Vt. 367, 417 A.2d 921 (1980), Livingston, Randall M., 6:539

Government's Udder Disregard for a Consumer's Right to Information on RBST: Mandatory Labeling of Mild Products Should Be Allowed, Lennon, Kathleen, 22:433

Greenmoss Builders v. Dun & Bradstreet, Blythe, David J., 10:205

Guardianship for the Adult: A Need for Due Process Protections in Vermont, Smiddy, Linda O., 4:95

Hardly a Revolution—The Eligibility of Nonhuman Animals for Dignity—Rights in a Liberal Democracy, Wise, Steven M., 22:793

Home Confinement as a Condition of Probation: A Proposal for Vermont, Sand, Robert L., 12:123

In Opposition to Amending the Vermont Constitution, Kujovich, Gil, 25:277

“In the Years When Murder Wore the Mask of Law”: Diary of a Capital Appeals Lawyer, Mello, Michael, 24:583

Interstate Compacts in Commerce and Industry: A Proposal for “Common Markets Among States”, Davis, Christi, & Branson, Douglas M., 23:133

Is All Privacy Created Equal?, Brennan, Annemarie, 20:815

It Works Fine in Europe, So Why Not Here? Comparative Law and Constitutional Federalism, Perales, Kathryn A., 23:885

Laaman v. Helgemoe: Degeneration, Recidivism and the Eighth Amendment, Reynes, Stephen A., 3:243

Legislative Control Over The Uranium Industry In Vermont: Flirting With Preemption, St. Amand, Lisa Anne, 7:315

Lessons from the Third World: Spirituality as the Source of Commitment to Affirmative Action, Burns, Michael M., 14:401

Living Without Principles: State v. Brunelle and the Vermont Supreme Court, Katims, Robert W., 13:347

“No Simple Disposition”: The Brigham Case and the Future of Local Control Over School Spending in Vermont, Teachout, Peter, 22:21

Nostalgia as Constitutional Doctrine: Legalizing Norman Rockwell’s America, Brown, Judith Olans, & Baumann, Phyllis Tropper, 15:49

Oregon’s Constitutional Renaissance: Federalism Revisited, Buttler, John H., 13:107

“Out, Damned Spot; Out, I Say.” The Persistence of Race in American Law, Redlich, Norman, 25:475

Parents’ “Pecuniary Injuries” for the Wrongful Death of an Adult Child: Where is the Love?, Joselson, Emily J., 12:57

Personal Jurisdiction: The Hidden Agendas in the Supreme Court Decisions, McDermott, John T., 10:1

Physician-Assisted Suicide: a “Right” Reserved for Only the Competent?, Dalbey Donahue, Joan W., 19:795

Post-Custody, Pre-Indictment Problems of Fundamental Fairness and Access to Counsel: Mississippi’s Opportunity, Whitten, Amy D., & Robertson, James L., 13:247

Precedential Defilade: A Reply to Dean Chase, Berman, Donald H., 10:247

Privacy and the Texas Constitution, Harrington, James C., 13:155

Privacy in the Burger Court: The Influence of Mr. Justice Black, Meiklejohn, Donald, 2:35

Professor Jones and the Constitution, Monaghan, Henry Paul, 4:87

Promissory Estoppel and "Property" in the Due Process Clause: Toward a Consistent Rationale, Richards III, Rowland, 20:847

Protecting Liberty Interests: Developments in Vermont's Mental Health Law as Federal Constitutional Protection Declines, Saxman, Anna, 9:265

Protecting the Media from Excessive Damages: The Nineteenth-Century Origins of Remitter and its Modern Application in Food Lion, Snyder, Brad, 24:299

Public Access to Pretrial Hearings, Kantor, Steven J., 6:415

Rediscovering Progressive Labor Politics: The Labor Law Implications of Federal Trace Commission v. Superior Court Trial Lawyers Association, Minda, Gary, 16:71

Regulation of Energy Developments in the Green Mountain National Forest: Is Vermont Law Preempted?, Storrow, Charles F., 7:97

Regulation of Investment Newsletter Publishers: The SEC's Power Reaches a New Lowe, Hall, Thomas J., 11:175

Relevant Conduct and the Impact of the Preponderance Standard of Proof Under the Federal Sentencing Guidelines: A Denial of Due Process, Greenwald, Lauren, 18:529

Reliance on State Law: Protecting the Rights of People with Mental Disabilities, Collins, Ronald K.L., 13:305

Repelling a Constitutional Battering Ram: The Fight to Keep Nonstudent Religious Worship Services out of Public Schools, Kravitz, Jason C., 19:643

Restoring Citizen Suits After Lujan v. Defenders of Wildlife: The Use of Cooperative Federalism to Induce Non-Article III Standing in State Courts, Grantham, William, 21:977

Restricting The Right To Bail: Vermont's New Constitutional Bail Amendment, DeTora, Alice E., 8:347

Running Smooth: A Perspective on Vermont's Article Eleven in Relation to the Fourth Amendment, Hubbard, Robert, 22:609

Solid Waste Source Reduction and the Product Ban: A Commerce Clause Violation?, Montroll, Kim Ingrid, 13:691

State Constitutional Law in Maine: At the Crossroads, Tinkle, Marshall J., 13:61

State Constitutional Law: An Attorney General's Perspective, Amestoy, Jeffrey L., 13:337

State Constitutions and the "Open Fields" Doctrine: A Historical-Definitional Analysis of the Scope of Protection Against Warrentless Searches of "Possessions", McCabe, Neil C., 13:179

State Courts in a Time of Federal Constitutional Change, Oakes, James L., 13:323

State Regulation Of Private Church Schools: An Examination of Vermont's Act 151, McCoy, Deborah S., 8:75

Students' Free Speech Rights in Public Schools: Content-Based Versus Public Forum Restrictions, Montroll, Andrew H., 13:493

Taking Risks: Executive Order 12,630 and Environmental Health and Safety Regulation, Engel, Kirsten, 14:213

Ted Kaczynski's Diary, Mello, Michael, & Perkins, Paul, 22:83

Telemedicine: Medical Treatment Via Telecommunications Will Save Lives, But Can Congress Answer the Call?, Matak, Joy Elizabeth, 22:231

The "Sibling State" Approach to the Vermont Constitution: Post-Arrest, Pre-Miranda Silence in Vermont, Gottlieb, Ira, & Weimer, Gregory A., 13:357

The Baker Case, Civil Unions, and the Recognition of our Common Humanity: An Introduction and a Speculation, Chambers, David, 25:5

The Brooding Omnipresence of Constitutional Law, Jones, Harry W., 4:1

The Constitutional Philosophy of Justice William H. Rehnquist, Kleven, Thomas, 8:1

The Cree Intervention in the Canadian Supreme Court Reference on Quebec Secession: A Subjective Assessment, Sheppard, Claude-Armand, 23:845

The Death Penalty for Drug Kingpins: Constitutional and International Implications, Pinkard, Eric, 24:1

The Indian Gaming Regulatory Act: A Forum for Conflict Among the Plenary Power of Congress, Tribal Sovereignty, and the Eleventh Amendment, Jones, Eric D., 18:127

The Lack of Privacy in Vermont, Monte, Suzanne M., 24:199

The Misnomer of Equality Under the Equal Access Act, Green, Steven, 14:369

The New Hampshire/Vermont Solid Waste Project: Is There a Solution?, Simpson, Aaron H., 20:1091

The New Inquisition: State Compulsion of Therapeutic Confessions, Nelson, William A., 20:951

The Proposed Administrative License Suspension Procedures in Vermont: How Much Process Are Drunken Drivers Due?, Norton, Stephen G., 11:75

The Psychological Conditions for a Socially Significant Free Press: Reconsidering the Hutchins Commission Report Fifty Years Later, Calvert, Clay, 22:493

The Public Trust Doctrine and Federal Condemnation: A Call for Recognition of a Federal Common Law, Malley Jr., J. Wallace, & Silverstein, Jeffrey M., 15:501

The Right to "Equal Privileges and Immunities": A State's Version of "Equal Protection", Schuman, David, 13:221

The Right to Bear Arms in the First State Bills of Rights: Pennsylvania, North Carolina, Vermont, and Massachusetts, Halbrook, Stephen P., 10:255

The Rights of the Biological Father: From Adoption and Custody to Surrogate Motherhood, Stanton, Elizabeth Rose, 12:87

The Road to Equal Educational Opportunity For Vermont Schoolchildren, Gensberg, Robert, 22:1

The Standard of Review in Equal Protection and Due Process Challenges to Vermont's Blue Laws, Murphy, Daniel, 6:173

The Surface Transportation Assistance Act: Federalism's Last Stand?, Scaramozza, James Michael, 11:203

The Takings Issue and the Due Process Clause: A Way Out of a Doctrinal Confusion, Echeverria, John D., & Dennis, Sharon, 17:695

The Thurgood Marshall Papers and the Quest for a Principled Theory of Tribal Sovereignty: Fueling the Fires of Tribal/State Conflict, Duthu, N. Bruce, 21:47

The Voice of the Little People—A Lost Value in Commercial Speech Analysis, Hunter, Robert C., 16:901

The White River Junction Manifesto, Williams Jr., Norman, et al., 9:193

Toward a Theory of State Constitutional Jurisprudence: A Judge's Thoughts, Mahady, Frank G., 13:145

Transferable Development Rights in Vermont: Is There a Taking Problem?, Van Tuyn, Peter, 13:715

Treating Tribes as States Under Federal Statutes in the Environmental Arena: Where Laws of Nature and Natural Law Collide, Monette, Richard A., 21:111

Twins Separated at Birth: A Comparative History of the Civil and Criminal Arising Under Jurisdiction of the Federal Courts and Some Proposals for Change, Zeigler, Donald H., 19:673

Two for the Road: Administrative License Revocation and Multiple Punishments Under the Double Jeopardy Clause, Jean, Joseph D., 21:1259

U.S. & Canadian Federalism: A Study in Contrast, Wingo, Harvey, 11:473

Vagueness and Overbreadth: The Constitutional Challenges to Vermont's Land Use and Development Law (Act 250), Hill, Shelley A., 5:329

Vermont Civil Unions: The New Language of Marriage, Johnson, Greg, 25:15

Vermont Rule of Evidence 807 and the Confrontation Clause, Marks, Carol, 10:497

Vermont's Blood Alcohol Test: Illegal Search and Seizure?, Goldberg, Richard A., 2:93

Vermont's Close Jail Execution: Physical Incarceration of the Wilful and Malicious Tortfeasor, Chapman III, S. Stacy, 3:165

Vermont's Efforts to Protect Mobile Home Park Tenants: Is there a Taking?, Ertel, Joanne M., 16:1027

Vermont's Misplaced Application of the Closely Regulated Industry Exception to the Warrant Requirement Under Article Eleven, Deshaies, Cheryl, 21:1201

Vermont's Public School Finance System: A Constitutional Analysis, Jankowski, Shari M., 12:239

Where Are South Carolina and the Supreme Court Taking Us?, Williams Jr., Norman, & Lyman, R. Jeffrey, 16:1111

Workplace Defamation: Public Policy, Compelled Self-Publication, and the Vermont Constitution, Blythe, David J., 16:341

Contracts

Baseball's Antitrust Exemption Repealed: An Analysis of the Effect on Salary Cap and Salary Taxation Provisions, Picher, Thomas C., 20:559

Promissory Estoppel and "Property" in the Due Process Clause: Toward a Consistent Rationale, Richards III, Rowland, 20:847

Specific Performance of Contracts For Sales Of Goods: Expansion Or Retrenchment In The 1980's, Axelrod, Elliot, 7:249

The Law and Politics of Paying Teachers Salary Step Increases Upon Expiration of a Collective Bargaining Agreement, May, James C., 20:753

The Waiver of Defenses by Guarantors in Guaranty Contracts and the Nonwaiver Provisions of the Uniform Commercial Code, Collins, Michael B., 5:73

Where No Minds Meet: Insurance Policy Interpretation and the Use of Drafting History, Prince III, John Randolph, 18:409

Corporations

Corporate Officer Liability Under RCRA: The Once-ler Should Have Been Found Personally Liable as a Corporate Officer of Thneed for Not Preventing the Environmental Damage Caused by the De-Truffeling of Those Truffula Trees, Keene, Mark L., 18:443

Subsidiary Conduct as a Basis for Long-Arm Jurisdiction Over a Parent Corporation in Vermont, Weatherly, Craig, 3:111

Vermont's Business Corporation Law: A Call for Much Needed Reform, Smiddy, Linda O., 17:3

Courts

A Farewell to Side Judges; Or, Are We Available?, Coutant, Richard H., 10:321

A Response to Statutory Obsolescence: The Nonprimacy of Statutes Act, Davies, Jack, 4:203

A Wrong Without a Remedy: Proposing a Recusal Procedure for Circuit Court Judges, Hutt, Jason, 22:627

Caseflow Management and Backlog Reduction: An Examination of Vermont's Superior Court Program, Smith, Saundra, & Connolly, Paul R. J., 9:247

Community Courts: Offering Alternative Dispute Resolution Within the Judicial System, Cratsley, John C., 3:1

Do All Judges Have to be Lawyers? Side Judges in Vermont: The Case of State v. Dunkerley, Henin, Larry D., 3:147

Hear No Evil, See No Evil: *In re Spencer* and the Twilight of Judicial Scrutiny in Vermont, Goss, James P.W., 14:501

Judicial Tenure in Vermont: Does Good Behavior Merit Retention?, McLean, David, 24:1321

Personal Jurisdiction: The Hidden Agendas in the Supreme Court Decisions, McDermott, John T., 10:1

Precedent and the Jewett Admonition, Soltan, Charles C., 10:447

Privacy in the Burger Court: The Influence of Mr. Justice Black, Meiklejohn, Donald, 2:35

Professor Jones and the Constitution, Monaghan, Henry Paul, 4:87

Prosecutorial Misconduct and Jury Challenges—Application of the Harmless Error Doctrine—*State v. Hohman*, 138 Vt. 502, 420 A.2d 852 (1980), Storrow, Charles F., 6:299

Public Access to Pretrial Hearings, Kantor, Steven J., 6:415

Public Access to Pretrial Hearings, Kantor, Steven J., 6:415

Putting Senator Davies in Context, Gilmore, Grant, 4:233

State Courts in a Time of Federal Constitutional Change, Oakes, James L., 13:323

The Brooding Omnipresence of Constitutional Law, Jones, Harry W., 4:1

The Dynamics of Tort Law: Court or Legislature?, Bischoff, Ralph F., 4:35

The Nonprimacy of Statutes Act: A Comment, Calabresi, Guido, 4:247

The Principle Problem: *State v. Jewett* and the New Judicial Federalism, Racette, Peter, 10:437

The Second Circuit, Civil Rights Litigation, and Expanding Federal Jurisdiction, Wigton, Robert C., 15:301

The Standard of Review in Equal Protection and Due Process Challenges to Vermont's Blue Laws, Murphy, Daniel, 6:173

The Vermont Supreme Court: "Guilty" of Judicial Legislating?, Scaramozza, James Michael, 11:661

Victimizing the Child Victim: Vermont Rule of Evidence 807 and Trauma in the Courtroom, Marks, Carol, 11:631

Voir Dire in New Hampshire: A Flawed Process, Smith, Lee, 25:575

Criminal Law and Procedure

A Counselor's Crisis: Protecting Witnesses' Privacy Rights in Sexual Assault Prosecutions, Burns, Cynthia, & McCoy, Phyllis R., 12:497

A Question of Competence: The Indigent Criminal Defendant's Right to Adequate and Competent Psychiatric Assistance After *Ake v. Oklahoma*, Schlossberg, Todd D., 14:121

Aggravated Assault—Authenticating Tape Recordings, Custodial Interrogation, and Psychiatrist-Patient Privilege—*State v. Mecier*, 138 Vt. 149, 412 A.2d 291 (1980), Opel, Robert H., 5:416

All's Note Fair in (Civil) War: Criminal Liability for Environmental Damage in Internal Armed Conflict, Bruch, Carl E., 25:695

An "Eye for an Eye": Does God Sanction Capital Punishment?, Carnot, Kimberley H., 25:523

An Analysis of the Constitutionality of the Vermont Hate Motivated Crimes Statute in Light of the United States Supreme Court's Decisions in *R.A.V. v. City of St. Paul* and *Wisconsin v. Mitchell*, FitzPatrick, Erik B., 18:771

An Automatic Standing Rule May Be Promulgated Under Article 11 of the Vermont Constitution, Norton, Stephen G., 10:459

An Examination of the "Exceptional Reasons" Jurisprudence of the Mandatory Detention Act: Title 18 U.S.C. Sections 3143, 3145(c), Rosen, Jonathan S., 19:19

Antinuclear Demonstrations and the Necessity Defense, Kessler, Michael L., 5:103

Bail and the Dangerous Defendant: The Effect of Pray and Cyr on the Use of Preventive Conditions, Balsamo, Michael N., 2:217

Beyond Son of Sam: Simon & Schuster, Inc. v. New York State Crime Victims Board and a Constitutionally Valid Alternative to New York Executive Law Section 632-a, Tschorn, Adam Robert, 17:321

Beyond the Juror's Ken: Battered Women, Walker, Lenore E., et al., 7:1

Biological Theories of Human Behavior: Admonitions of a Skeptic, Vogel, Joan, 22:425

Biology, Behavior, and Criminal Law: Seeking a Responsible Approach to an Inevitable Interchange, Goodenough, Oliver R., 22:263

Blackmailing for Mutual Good: A Reply to Russell Hardin, Block, Walter, 24:121

Can a Biological Inquiry Help Reduce Male Violence Against Women?, Hanna, Cheryl, 22:333

Chickenhawk! Evidence of a Complainant's Homosexuality Under Vermont's Rape Shield Law, Hill, Cindy Ellen, 22:711

Closing the Loophole: Vermont's Legislative Response to Stalking, Birmingham, Lisa Nolen, 18:477

Confusing Punishment with Custodial Care: The Troublesome Legacy of *Estelle v. Gamble*, Genty, Philip M., 21:379

Constitutionality of Vermont's Criminal Statute on Imprisonment for Debt—*State v. Carpenter*, 138 Vt. 140, 412 A.2d 285 (1980), Diess, Wm. David, 6:317

Criminal Law Reform in Vermont: The Proposal to Exclude Evidence of the Victim's Character in Forcible Rape Cases, Berger, Lawrence, 1:215

Cross-Examination of Psychiatric Witnesses Under the Vermont Patient's Privilege When the Issue of Insanity is Raised, Crucitti, James R., 3:191

Custodial Interrogation in Vermont After *State v. Hohman*, Ross, Leonard R., 5:383

Daring to Care While Tending to Justice: An Argument for the Reform of *Parents Patriae* and Vermont's Juvenile Justice Code, Tierney, J. Elizabeth, 17:595

Death and His Lawyers: Why Joseph Spaziano Owes His Life to the Miami Herald—and Not to any Defense Lawyer or Judge, Mello, Michael, 20:19

Distinguishing Rape: A Definitive Approach to Sexual Assault, Purdy, Linda A., 10:353

Do Sixteen and Seventeen Year Old Criminal Defendants in Vermont Need a *Guardian ad Litem?*, Bower, Anita, 5:361

Domestic Violence and Guns: Seizing Weapons Before the Court Has Made a Finding of Abuse, Kelly, Maria, 23:349

DWI and the Insanity Defense: A Reasoned Approach, Feigl, Mark, 20:161

Environmental Pollution and Crime, Masters, Roger D., 22:359

Exclusionary Rule—Irregularities of Prior Arrest Do Not Vitiate Governor's Extradition Warrant—*In re Saunders*, 138 Vt. 259, 415 A.2d 199 (1980), Parker, Laurie Stone, 5:434

Expansion of Arrest Power: A Key to Effective Intervention, Lerman, Lisa G., 7:59

Gender Differences in Biological and Sociological Predictors of Crime, Denno, Deborah W., 22:305

Hacking Vermont's Computer Crimes Statute, Tower, Julie A., 25:945

Home Confinement as a Condition of Probation: A Proposal for Vermont, Sand, Robert L., 12:123

"In the Years When Murder Wore the Mask of Law": Diary of a Capital Appeals Lawyer, Mello, Michael, 24:583

Insider Trading: The Current Move Toward Increasing Civil and Criminal Liability for an Ill-Defined Crime and the Need for a Definition, Baribeault Jr., Raymond L., 14:79

Judicial Review of Criminal Convictions Based on Circumstantial Evidence, Dunn, David N., 6:197

Laaman v. Helgemo: Degeneration, Recidivism and the Eighth Amendment, Reynes, Stephen A., 3:243

Lessening the Mens Rea Requirement for Hazardous Waste Violations, Ianelli, Judith , 16:419

Marking the Line Between Criminal Fraud and Commercial Misfortune: The Amendment of Vermont's Law of False Pretense, Proctor, Bruce N., 7:125

Post-Custody, Pre-Indictment Problems of Fundamental Fairness and Access to Counsel: Mississippi's Opportunity, Whitten, Amy D., & Robertson, James L., 13:247

Postscript—Death and His Lawyers, Mello, Michael, 20:945

Post-Traumatic Stress Disorder As An Insanity Defense In Vermont, Carroll, James, 9:69

Pragmatism and the Promise of Adjudication, Shutkin, William Andrew, 18:57

Precharge Diversion of the Youthful Offender in Vermont: Right to Counsel, Angres, Robert J., 1:143

Prelude to a Miss: A Cautionary Note Against Expanding DNA Databanks in the Face of Scientific Uncertainty, Deck, Jennifer Sue, 20:1057

Presumption of Intoxication—Vt. Stat. Ann. tit. 23, section 1204(a)(3) Creates a Permissive Inference and Not a Rebuttable Presumption as Previously Interpreted—*State v. Dacey*, 138 Vt. 491, 418 A.2d 856 (1980), McClintock, Lon T., 5:407

Prosecutorial Misconduct and Jury Challenges—Application of the Harmless Error Doctrine—*State v. Hohman*, 138 Vt. 502, 420 A.2d 852 (1980), Storror, Charles F., 6:299

Quantitative Justice: Have the Federal Sentencing Guidelines Forsaken Quality?, Legus, Carrie, 21:1145

Racial Images of the "Criminal": A Cognitive Disorder, Novick, Sheldon M., 22:383

Rape: Adding Insult to Injury, Purdy, Linda A., 11:361

Reciprocity and Criminal Justice: Using Epigenetics to Design a Program, Perry, John G., 22:407

Reciprocity and the Law, Badcock, Christopher, 22:295

Relevant Conduct and the Impact of the Preponderance Standard of Proof Under the Federal Sentencing Guidelines: A Denial of Due Process, Greenwald, Lauren, 18:529

Restricting The Right To Bail: Vermont's New Constitutional Bail Amendment, DeTora, Alice E., 8:347

Revising Vermont's Criminal Code, Stern, Barry Jeffery, 12:307

Running Smooth: A Perspective on Vermont's Article Eleven in Relation to the Fourth Amendment, Hubbard, Robert, 22:609

School Shootings and the Over-Reliance Upon Age in Choosing Criminal or Juvenile Court, Foster, Lynn, 24:537

State Constitutions and the "Open Fields" Doctrine: A Historical-Definitional Analysis of the Scope of Protection Against Warrentless Searches of "Possessions", McCabe, Neil C., 13:179

State v. Catsam: A Clarification of Evidentiary Standards in Vermont Child Sexual Abuse Cases, Katims, Robert W., 12:485

Ted Kaczynski's Diary, Mello, Michael, & Perkins, Paul, 22:83

Terrorism as Impermissible Political Violence: An International Law Framework, Greene, Kevin J., 16:461

The "Sibling State" Approach to the Vermont Constitution: Post-Arrest, Pre-Miranda Silence in Vermont, Gottlieb, Ira, & Weimer, Gregory A., 13:357

The Death Penalty for Drug Kingpins: Constitutional and International Implications, Pinkard, Eric, 24:1

The Need to Abolish Defenses to Crime: A Modest Proposal to Solve the Problem of Burden of Persuasion, Quigley, John, 14:335

The New Inquisition: State Compulsion of Therapeutic Confessions, Nelson, William A., 20:951

The Non-Trial of the Century: Representations of the Unabomber, Mello, Michael, 24:417

The Proposed Administrative License Suspension Procedures in Vermont: How Much Process Are Drunken Drivers Due?, Norton, Stephen G., 11:75

The Serious Young Offender Under Vermont's Juvenile Law: Beyond The Reach of Parens Patriae, Junger, Patricia D., 8:173

The Spousal Exemption for Criminal Rape Prosecution, Schwartz, Martin D., 7:33

To be or not to be: Opt-in Status Under the Antiterrorism and Effective Death Penalty Act, Stummer, Cristina, 25:603

Twins Separated at Birth: A Comparative History of the Civil and Criminal Arising Under Jurisdiction of the Federal Courts and Some Proposals for Change, Zeigler, Donald H., 19:673

Two for the Road: Administrative License Revocation and Multiple Punishments Under the Double Jeopardy Clause, Jean, Joseph D., 21:1259

Vermont's Blood Alcohol Test: Illegal Search and Seizure?, Goldberg, Richard A., 2:93

Vermont's Misplaced Application of the Closely Regulated Industry Exception to the Warrant Requirement Under Article Eleven, Deshaies, Cheryl, 21:1201

Victims' Rights: Vermont's New Law, Bowerman, Lauren, 11:695

Dedication

Jonathon Boyd Chase, *Vermont Law Review*, 13:1
Julien and Virginia Cornell Library, *Vermont Law Review*, 16:575

Domestic Relations

A Critical Look at Vermont's New Child Custody Law, Gomez, Jane E., 11:671

A Note from the Editors: A Vermont Law Review Milestone, a Landmark Case, and a Vermont Election, Ross, David, & Rider, Heather, 25:1

An Essay on the Passive Virtue of *Baker v. State*, Kujovich, Gil, 25:93

Balancing Children's Rights into the Divorce Decision, Vivaz, Dora Sybella, 13:531

Beyond Baker: The Case for a Vermont Marriage, Coolidge, David Orgon, & Duncan, William C., 25:61

Beyond the Juror's Ken: Battered Women, Walker, Lenore E., et al., 7:1

Breaking the Vicious Circle: The Lawyer's Role, Wesley, John P., 6:363

But Why Not Marriage: An Essay on Vermont's Civil Unions Law, Same-Sex Marriage, and Separate But (Un)equal, Cox, Barbara J., 25:113

Domestic Violence and Guns: Seizing Weapons Before the Court Has Made a Finding of Abuse, Kelly, Maria, 23:349

Due Process and Vermont's Abuse Prevention Statute, Opel, Robert, 7:185

Expansion of Arrest Power: A Key to Effective Intervention, Lerman, Lisa G., 7:59

For Today I'm Gay: The Unfinished Battle for Same-Sex Marriage in Vermont, Mello, Michael, 25:149

Gender Bias Against Fathers in Custody? The Important Difference Between Outcome and Process, Cadwell, Leslie A., 18:215

Improving the Legal Response of Child Protective Service Agencies, Horowitz, Robert M., & Davidson, Howard A., 6:381

In The Best Interests of the Child? The Misapplication of the UCCJA and the PKPA to Interstate Adoption Custody Disputes, Crawford, Melissa, 19:99

Interstate Testimony by Child Protective Agency Workers in the Child Custody Context, Jones, P. Andrew, 21:633

Introduction: Coping With Family Violence—Strategies and Tactics For the 1980's, Schechter, Lowell F., 6:325

Mandatory Mediation of Custody Disputes: Criticism, Legislation, and Support, Vincent, Maggie, 20:255

Mediation: A New Remedy for Cases of Domestic Violence, Bethel, Charles A., & Singer, Linda R., 7:15

Rethinking Vermont's Termination of Parental Rights Laws: Guidelines for a Comprehensive Termination of Parental Rights Statute, Zaves, Maryanne, 19:49

The "Civil" Prosecution of Child Abuse and Neglect, Besharov, Douglas J., 6:403

The Baker Case, Civil Unions, and the Recognition of our Common Humanity: An Introduction and a Speculation, Chambers, David, 25:5

The Rhetoric of Marriage, Achievement, and Power: An Analysis of Judicial Opinions Considering the Treatment of Professional Degrees as Marital Property, Keller, Susan Etta, 21:409

The Social Context of Domestic Violence: Implications For Prevention, Gil, David G., 6:339

The Spousal Exemption for Criminal Rape Prosecution, Schwartz, Martin D., 7:33

Vermont Civil Unions: The New Language of Marriage, Johnson, Greg, 25:15

Vermont's Children In Need of Care Or Supervision: Judicial Discretion Or Definition?, Shaw, J. David, 8:119

Visitation in the Domestic Violence Context: Problems and Recommendations, Besseney, Ilona M., 14:57

Education Law

Act 230: Cost Containment, Deregulation, and the Reform of Special Education in Vermont, Eaton, Gregory M., 17:195

Adequacy in Education: An Analysis of the Constitutional Standard in Vermont, Nelson, John A., 18:7

Constitutionalism And The Rule Of Law: New Hampshire's Home Schooling Quandry, Stocklin-Enright, Brendan, 8:265

Education for the Handicapped: A Senator's Perspective, Stafford, Robert T., 3:71

Lessons from the Third World: Spirituality as the Source of Commitment to Affirmative Action, Burns, Michael M., 14:401

"No Simple Disposition": The Brigham Case and the Future of Local Control Over School Spending in Vermont, Teachout, Peter, 22:21

On Doing the Right Thing: Education Work in the Academy, Harris, Angela P., 15:125

Private Schools in Vermont: The "Equivalency Exception" to Compulsory Public School Attendance—State v. LaBarge, Bristow, Claudia Horack, 2:205

Raising Revenue for an Adequate Education in New Hampshire, Brown Thunberg, Marcia A., 20:1001

Repelling a Constitutional Battering Ram: The Fight to Keep Nonstudent Religious Worship Services out of Public Schools, Kravitz, Jason C., 19:643

School Planning in New York During the 1950's, Williams Jr., Norman, & Yates, Anya, 20:647

Sexual Harassment Between Peers Under Title VII and Title IX: Why Girls Just Can't Wait to be Working Women, LeClair, Laurie, 16:303

State Regulation Of Private Church Schools: An Examination of Vermont's Act 151, McCoy, Deborah S., 8:75

Students' Free Speech Rights in Public Schools: Content-Based Versus Public Forum Restrictions, Montroll, Andrew H., 13:493

Taxing Vermonters for Education: Reform of the Property Tax, Duva, Linda D., 15:479

The Law and Politics of Paying Teachers Salary Step Increases Upon Expiration of a Collective Bargaining Agreement, May, James C., 20:753

The Misnomer of Equality Under the Equal Access Act, Green, Steven, 14:369

The Rhetoric of Marriage, Achievement, and Power: An Analysis of Judicial Opinions Considering the Treatment of Professional Degrees as Marital Property, Keller, Susan Etta, 21:409

The Road to Equal Educational Opportunity For Vermont Schoolchildren, Gensberg, Robert, 22:1

Vermont's Public School Finance System: A Constitutional Analysis, Jankowski, Shari M., 12:239

Employment Law

A Suggested Interpretation of Vermont's DR-107(A)(1): The Employment Attorney's Perspective on Contacting Employees of an Adverse Business Organization, Schaefer, Catherine L., 18:95

Dismissal of State Employees—The Requirement of Notice as an Element of Just Cause—*In re Yashko*, 138 Vt. 364, 415 A.2d 1322 (1980), Seder, Lauren, 5:444

Employment Discrimination Law and the Need for Reform, Cooper, Christine Godsil, 16:183

Retaliatory Discharge And Vermont's Need For An Exception To The "Rule", Landry, Philip J., 9:151

State v. Whitingham School Board: A Unique Employment Discrimination Loophole for Vermont Employers, Kreiling, Kenneth R., 6:119

The Americans with Disabilities Act of 1990: Title I and Its Impact on Employment Decisions, Weatherspoon, Floyd D., 16:263

The Classroom as Shop Floor: Images of Work and the Study of Labor Law, Cicero, C. John, 20:117

The Creation of Employment Terms to Govern Public Employees in the Interim Between Collective Bargaining Agreements—Vermont State Employees Ass'n v. State, Travis, Tod, 3:229

The General Duty Clause of the Vermont Occupational Safety & Health Act, Fletcher Jr., Robert E., 4:305

The Implications of Inadequate Maternity Leave Policies Under Title VII, Lally-Green, Maureen E., 16:223

The Law and Politics of Paying Teachers Salary Step Increases Upon Expiration of a Collective Bargaining Agreement, May, James C., 20:753

The Negotiating Impasse in Labor Relations for Teachers, Freeman, R. Bruce, 5:39

Toward Justice in the Workplace, Kennedy, Edward M., 16:1

Workplace Defamation: Public Policy, Compelled Self-Publication, and the Vermont Constitution, Blythe, David J., 16:341

Workplace Discrimination: Truthfulness and the Moral Imagination, Calhoun, Emily, 16:137

Energy Law

Commercial Power Reactors for Defense Purposes: Tritium Production and the United States' Disregard for Longstanding Non-Proliferation Policy and International Integrity, Barnes, Christopher G., 23:201

Hydropower in New England: An Introduction, Ehrenfeld, John R., 5:189

International Nuclear Safety: The Case of the Chernobyl Nuclear Power Station, Marples, David R., & Cerullo, Tatyana E., 24:1209

Introduction to Symposium: Hydroelectric Power in New England, Dycus, J. Stephen, & Lapping, Mark B., 5:185

Legislative Control Over The Uranium Industry In Vermont: Flirting With Preemption, St. Amand, Lisa Anne, 7:315

Low-Level Radioactive Waste Disposal Policy in Vermont: An Assessment of Act 296, Wilson, Craig Prescott, 16:639

Regulation of Energy Developments in the Green Mountain National Forest: Is Vermont Law Preempted?, Storrow, Charles F., 7:97

Resurgence of the River Treasure: Jefferson PUD and a Comprehensive Plan for Hydroelectric Power, Handy, Seth, 20:201

Small Hydropower Development and the Environment: A Survey of State and Federal Law, Scotch, Benson D., 5:251

The Common Law of Waterpower in New England, Brion, Denis J., 5:201

The Need For Exacting Legislation Regulating The Shipment Of Radioactive Wastes In Vermont, Cawley, Rick, 8:407

The Role of the Federal Energy Regulatory Commission in Licensing Small Hydroelectric Projects, Debevoise, Thomas M., 5:279

Yucca Mountain and Reversing the Irreversible: The Need for Monitored Retrievable Storage in a Permanent Repository, Ross, David P., 25:815**Environmental Law**

A Constitutional Right to a Healthful Environment, Brooks, Richard O., 16:1063

A Proposal for Improving Vermont's Statutory Requirements for Planned Unit Development, Fedun, Michael, 14:591

A Response to Low-Level Radioactive Waste Disposal Policy in Vermont: An Assessment of Act 296, Greenberg, John, 16:1169

Acceptance of Sustainable Use Within the CITES Community, Hickey, Michael J., 23:861

Act 250's "Necessary Wildlife Habitat" Definition: How Much Wildlife Does it Embrace?, Perella, Joseph R., 12:531

After Lucas: No More Wetland Takings?, Disheroon, Fred R., 17:683

All's Note Fair in (Civil) War: Criminal Liability for Environmental Damage in Internal Armed Conflict, Bruch, Carl E., 25:695

An Introduction to the Vermont Law Review Section on Developments and Issues in Environmental Law, Brooks, Richard O., 13:627

And Now We Have Four Systems—, Williams Jr., Norman, 12:1

Application of the Mootness Doctrine to Citizen Suits Under the Clean Water Act After Gwaltney of Smithfield v. Chesapeake Bay Foundation, Inc.: Polluters Can't Escape the Controversy, Silverstein, Jeffrey M., 14:273

Aquaculture and the Public Trust Doctrine: Accommodating Competing Uses of Coastal Waters in New England, Marston, Andrea, 21:335

Balancing the Interests and Maximizing Rights in Environmental Justice, Yang, Tseming, 23:529

Beyond Standing: Proposals for Congressional Response to Supreme Court "Standing" Decisions, Dumont, James, 13:675

CERCLA Injunctive Orders in Chapter 11 Bankruptcy: Fresh Start or Free Ride for the Reorganized Debtor?, Shaftel, Michael I., 17:281

Chester, Pennsylvania—Was It a Classic Example of Environmental Justice?, Hill, Barry E., 23:479

Commentary on Professor Tarlock's Paper: The Influence of International Environmental Law on United States Pollution Control Law, Jarman, M. Casey, & McLaughlin, Richard, 21:793

Commercial Power Reactors for Defense Purposes: Tritium Production and the United States' Disregard for Longstanding Non-Proliferation Policy and International Integrity, Barnes, Christopher G., 23:201

Corporate Officer Liability Under RCRA: The Once-let Should Have Been Found Personally Liable as a Corporate Officer of Thneed for Not Preventing the

Environmental Damage Caused by the De-Truffuling of Those Truffula Trees, Keene, Mark L., 18:443

Cyber Warfare and the Environment, Arkin, William M., 25:779

Daminozide and the New England Apple Crop: A National Definition of "Safe"?, Kamantauskas, Katrina C., 12:181

Ecological Health and the Northern Forest, Trombulak, Stephen C., 19:283

Enhancing The Vermont Townscape: Design Review, Creswell, Nancy J., 7:363

Environmental Issues and Concerns for Lenders, Kunzman, Steven A., 15:531

Environmental Justice and Environmental Quality Benefits: The Oldest, Most Pernicious Struggle and Hope for Burdened Communities, Swantson, Samara F., 23:545

Environmental Law of War, Hourcle, Laurent R., 25:653

Environmental Literacy and International Law, Johnson, Vincent Robert, 17:801

Environmental Mediation and the Accountability Problem, Susskind, Lawrence, 6:1

Environmental Mediation—Another Piece for the Puzzle, McCrory, John P., 6:49

Environmental Pollution and Crime, Masters, Roger D., 22:359

EPA Regulates Hazardous Air Pollutant Emissions From Publicly Owned Treatment Works: The POT NESHAP, Lucas, Mark, 24:1377

Examining the Role of Potentially Responsible Parties in Assessing Natural Resource Damages, Bentley, Jason, 23:431

Filtration Avoidance Under the Safe Drinking Water Act, Messina, Edward J., 19:557

Formal Enforcement of Act 250, Bashaw, John R., 10:469

Green Finance: Problems and Solutions Concerning Alternative Environmental Debt Exchanges, Kublicki, Nicolas M., 18:313

Hardly a Revolution—The Eligibility of Nonhuman Animals for Dignity-Rights in a Liberal Democracy, Wise, Steven M., 22:793

Hazardous Waste Cleanup: Trying to Keep the Sleeping Ogre Asleep, Van Tuyn, Peter, 14:247

Hear No Evil, See No Evil: In re Spencer and the Twilight of Judicial Scrutiny in Vermont, Goss, James P.W., 14:501

Highway Construction on the New York State Forest Preserve: Permissible Limits and Arbitrary Restrictions, Racette, Peter, 10:179

Hydropower and Wetlands: Can Vermont Use Its Wetlands Rules to Place Conditions on Federal Hydroelectric Licenses?, Stafford, Robin, 22:678

Impact of Economic and Financial Policies on the Development of Small-Scale Hydroelectric Facilities in New England, Lynch, Daniel R., & Kirshen, Paul H., 5:295

In re Quechee Lakes Corporation: Mitigating Aesthetic Environmental Damage or an Eyesore on Act 250 Land Use Protections?, Granger, Robert C., 16:541

Inert Ingredients and Pesticide Registration Data Requirements: EPA's Complacency Compounds FIFRA's Inadequacies, Hogan, Kevin M., 15:265

Integrating International and U.S. Law: Environmental and Related Problems: An Introduction, Nafzinger, James A.R., 21:755

International Nuclear Safety: The Case of the Chernobyl Nuclear Power Station, Marples, David R., & Cerullo, Tatyana E., 24:1209

Introduction, Duthu, N. Bruce, 21:3

Introduction, *Vermont Law Review*, 17:645

Introduction: Reflections of a Former Hebrew, Novick, Sheldon M., 23:451

Large Development Meets Act 250: Does Phasing Make a Monster or Tame It?, Henrie, Michelle, 23:393

Leaving the Scene: Aesthetic Considerations in Act 250, Jackson, Andrew MacLeod, 4:163

Legal Barriers to the Restoration of Aquatic Systems and the Utilization of Adaptive Management, Coleman, Warren T., 23:177

Legislative Review of Agency Rule-Making: Vermont's Antlerless Deer Hunting Regulation, Bashaw, John R., 11:105

Lessening the Mens Rea Requirement for Hazardous Waste Violations, Ianelli, Judith , 16:419

Leveling the Playing Field through Environmental Justice, Bullard, Robert D., 23:453

Litigating the Crossroads Between Sweet Home and Daubert, Jensen, Brandon, 24:169

Low-Level Radioactive Waste Disposal Policy in Vermont: An Assessment of Act 296, Wilson, Craig Prescott, 16:639

Maine's Commercial Whitewater Outfitter Laws: "Maximizing Competition" or Destroying It?, Abbott, John W., 11:233

Managing the Northern Forest: Lessons from the West, Huffman, James L., 19:477

Methods and Motives for Imposing Strict Liability on Parties Hiring Independent Contractors to Transport Hazardous Materials in the State of Florida, Dobson, Kenneth P., 24:1297

Moving Beyond the Body Count and Toward Compliance: Legislative Options for Encouraging Environmental Self-Analysis, Marty, Kirk F., 20:495

Native American Collaboration in Cultural Resource Protection in the Columbia River Gorge National Scenic Area, Rogers, Krinstine Olson, 17:741

Nuclear War: Still the Gravest Threat to the Environment, Dycus, Stephen, 25:753

Of Wilderness and Commerce: A Historical Overview of the Northern Forest, Blackmer, Stephen D., 19:263

Other Lessons from the Northwest, Whitelaw, Ed, 19:493

Party Status and Standing Under Vermont's Land Use and Development Law (Act 250), Healey, William V., 2:163

Planning Law In The 1980's: What Do We Know About It?, Williams Jr., Norman, 7:205

Plugging the Leak in Underground Storage Tanks: The 1984 RCRA Amendments, Commons, Geoffrey, 11:267

Protecting Common Property Resources Through the Marketplace: Individual Transferable Quotas for Surf Clams and Ocean Quahogs, Marvin, Katharine A., 16:1127

Protecting the Salmon: An Implied Right of Habitat Protection in the Stevens Treaties, and its Impact on the Columbia River Basin, Anderson, Ivy, 24:143

Regulation of Energy Developments in the Green Mountain National Forest: Is Vermont Law Preempted?, Storrow, Charles F., 7:97

Regulatory Takings: Coherent Concept or Logical Contradiction?, Bromley, Daniel W., 17:647

Restoring Citizen Suits After *Lujan v. Defenders of Wildlife*: The Use of Cooperative Federalism to Induce Non-Article III Standing in State Courts, Grantham, William, 21:977

Resurgence of the River Treasure: Jefferson PUD and a Comprehensive Plan for Hydroelectric Power, Handy, Seth, 20:201

Reweaving the Landscape: The Institutional Challenges of Ecosystem Management for Lands in Private Ownership, Breckenridge, Lee P., 19:363

Selecting Remedies at Superfund Sites: How Should "Clean" Be Determined?, Padgett, Casey Scott, 18:361

Slowing the Rush to Burn: The Need to Revise Federal Municipal Solid Waste Policy to Prioritize Recycling over Incineration, Irwin, Thomas F., 19:891

Small Hydropower Development and the Environment: A Survey of State and Federal Law, Scotch, Benson D., 5:251

Solid Waste Source Reduction and the Product Ban: A Commerce Clause Violation?, Montroll, Kim Ingrid, 13:691

Streamflow Policy in Vermont: Managing Conflicting Demands on the State's Waters, McLean, Joseph S., 19:191

Successor Landowner Liability Under the Vermont Hazardous Waste Act of 1985, Kelly, George W., 10:487

Superfund is Not Super Fun: Bringing Reg-Neg to Hanford, Carpenter, David G., 21:677

Sustainable Development in the Global Economy: New Systems in Environmental Management, Monsma, David, 24:1245

Sustaining the Development of International Trade and Environmental Law, Brand, Ronald A., 21:823

Taking Risks: Executive Order 12,630 and Environmental Health and Safety Regulation, Engel, Kirsten, 14:213

"Tanks for the Memories": Abandoning Caveat Emptor for the Transfers of Residential Property Contaminated with Petroleum from Leaking Underground Storage Tanks, Polonsky, Alex, 22:979

The "Malling" of Vermont: Can the "Growth Center" Designation Save the Traditional Village from Suburban Sprawl?, Jay, Jessica E., 21:929

The Adirondack Park and the Northern Forest: An Essay on Preservation and Conservation, Halper, Louise A., 19:335

The Battle of Lake Champlain—Interstate Pollution and the Inadequacy of the Judicial Process: Vermont v. New York, Giandomenico, Frederick C., 1:175

The Clean Air Act's Credible Evidence Rule: Achieving Greater Efficiency in Environmental Regulation, Langer, David, 23:673

The Coming Fresh Water Crisis: International Legal and Institutional Responses, McCaffrey, Stephen, 21:803

The Departments of Commerce and Interior: Bifurcating an Evolutionary Significant Unit under the Endangered Species Act, Hulesserian, Tanya A., 23:605

The Effect of Act 250 on Prime Farmland in Vermont, Kaplan, Stephanie J., 6:437

The Empire State SLAPPs Back: New York's Legislative Response to SLAPP Suits, McBride, Jr., Edward W., 17:925

The Environmental Challenge: What We Must Do to Survive, Gore, Al, 14:549

The Environmental Effects of Nuclear Weapons and the 1996 World Court Opinion, Matheson, Michael J., 25:773

The Equitable Solution to Superfund Liability: Creating a Viable Allocation Procedure for Businesses at Superfund Sites, McCrory, Martin A., 23:59

The Global Facility and the Search for Financial Strategies to Foster Sustainable Development, Miller, Alan S., 24:1229

The Green Alternative to Classical Liberal Property Theory, Frazier, Terry W., 20:299

The Hazardous Waste Wars: An Examination of the Origins and Major Battles to Date, with Suggestions for Ending the Wars, Bridgers, William David, 17:821

The Hidden Value of a Dime: How a Federal Bottle Bill Can Benefit the Country, Godush, Brett, 25:855

The Indian Country Environmental Justice Clinic: From Vision to Reality, Suagee, Dean B., 23:567

The Influence of International Environmental Law on United States Pollution Control Law, Tarlock, A. Dan, 21:759

The Interaction of the Public Trust and the "Takings" Doctrines: Protecting Wetlands and Critical Coastal Areas, Archer, Jack H., & Stone, Terrance H., 20:81

The Lawyer as Enlightened Citizen: Towards a New Regulatory Model in Environmental Law, Evans, Jill E., 24:229

The Logic and Limits of Public Information Mandates Under Federal Hazardous Waste Law: A Policy Analysis, Blomquist, Robert F., 14:559

The National Park Service Organic Act and Section 7(A)(1) of the Endangered Species Act: Prioritizing Recreation and Endangered Species Preservation in the National Parks, Hudson, Eric, 22:953

The Need For Exacting Legislation Regulating The Shipment Of Radioactive Wastes In Vermont, Cawley, Rick, 8:407

The New Hampshire/Vermont Solid Waste Project: Is There a Solution?, Simpson, Aaron H., 20:1091

The Precautionary Principle in Marine Fisheries Conservation and the U.S. Sustainable Fisheries Act of 1966, Territo, Michele, 24:1351

The Quick and the Dead: Fish Entrainment, Entrapment, and the Implementation and Application of Section 316(b) of the Clean Water Act, May, James R., & van Rossum, Maya K., 20:373

The Role of the Federal Energy Regulatory Commission in Licensing Small Hydroelectric Projects, Debevoise, Thomas M., 5:279

The Takings Issue and the Due Process Clause: A Way Out of a Doctrinal Confusion, Echeverria, John D., & Dennis, Sharon, 17:695

The Theory and Practice of Mediation: A Reply to Professor Susskind, Stulberg, Joseph B., 6:85

The Thurgood Marshall Papers and the Quest for a Principled Theory of Tribal Sovereignty: Fueling the Fires of Tribal/State Conflict, Duthu, N. Bruce, 21:47

The Tribal Property Right to Wildlife Capital (Part II): Asserting a Sovereign Servitude to Protect Habitat of Imperiled Species, Wood, Mary Christina, 25:355

The United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks: An Analysis of International Environmental Law and the Conference's Final Agreement, Brown, Howard L., 21:547

The West Coast of New England: A Case for the Inclusion of Lake Champlain in the Federal Coastal Zone Management Program, Straub, Michael J., 16:749

The WTI Risk Assessment: The Need for Effective Public Participation, Schannauer, Ashley N., 24:31

Timber Taxes: A Critique of the Northern Forest Lands Council's Tax Recommendations, Milne, Janet E., 19:423

Toxic Substance Safety Statute Violations: Should Vermont Adopt the Negligence Per Se With Excuse Doctrine?, DePey, Diane A., 10:151

Transportation Control Plans under the 1990 Clean Air Act as a Means for Reducing Carbon Dioxide Emissions, Donnellan, Michael T., 16:711

Treating Tribes as States Under Federal Statutes in the Environmental Arena: Where Laws of Nature and Natural Law Collide, Monette, Richard A., 21:111

Tribal Court Jurisprudence: A Snapshot from the Field, Pommersheim, Frank, 21:7

Tribal Environmental Policy in an Era of Self-Determination: The Roles of Ethics, Economics, and Traditional Ecological Knowledge, Tsosie, Rebecca, 21:225

Tribal Voices in Historic Preservation: Sacred Landscapes, Cross-Cultural Bridges, and Common Ground, Suagee, Dean B., 21:145

Vermont's New Groundwater Law, Commons, Geoffrey, 10:479

Wading Through the Rhetoric of the Telecommunications Act of 1996: Uncertainty of Local Zoning Authority Over Wireless Telecommunications Tower Siting, Tan, Gregory, 22:461

Wal-Mart in Vermont—The Case Against Sprawl, Roper, William E., & Humstone, Elizabeth, 22:755

Waste Trade and Disposal in the Americas: The Need for and Benefits of a Regional Response, Poulakidas, Dean M., 21:873

Wetland Protection and Section 404 of the Federal Water Pollution Control Act Amendments of 1972: A Corps of Engineers Renaissance, Ablard, Charles D., & O'Neill, Brian Boru, 1:51

Where Are South Carolina and the Supreme Court Taking Us?, Williams Jr., Norman, & Lyman, R. Jeffrey, 16:1111

Wild Lands and System Values: Our Legal Accountability to Wilderness, Foster, Leann, 22:917

Yucca Mountain and Reversing the Irreversible: The Need for Monitored Retrievable Storage in a Permanent Repository, Ross, David P., 25:815

Ethics

An "Eye for an Eye": Does God Sanction Capital Punishment?, Carnot, Kimberley H., 25:523

Biological Theories of Human Behavior: Admonitions of a Skeptic, Vogel, Joan, 22:425

Biology, Behavior, and Criminal Law: Seeking a Responsible Approach to an Inevitable Interchange, Goodenough, Oliver R., 22:263

Can a Biological Inquiry Help Reduce Male Violence Against Women?, Hanna, Cheryl, 22:333

Curran v. Bosze: Toward a Clear Standard for Authorizing Kidney and Bone Marrow Transplants between Minor Siblings, Korins, Janet B., 16:499

Environmental Pollution and Crime, Masters, Roger D., 22:359

From Gender Difference to Feminist Solidarity: Using Carol Gilligan and an Ethic of Care in Law, Bender, Leslie, 15:1

Gender Differences in Biological and Sociological Predictors of Crime, Denno, Deborah W., 22:305

Hardly a Revolution—The Eligibility of Nonhuman Animals for Dignity-Rights in a Liberal Democracy, Wise, Steven M., 22:793

"In the Years When Murder Wore the Mask of Law": Diary of a Capital Appeals Lawyer, Mello, Michael, 24:583

Jews, Christians, Lawyers, and Money, Shaffer, Thomas L., 25:451

Physician-Assisted Suicide: a "Right" Reserved for Only the Competent?, Dalbey Donahue, Joan W., 19:795

Racial Images of the "Criminal": A Cognitive Disorder, Novick, Sheldon M., 22:383

Symptoms Exposed When Legalists Engage in Moral Discourse: Reflections on the Difficulties of Talking Ethics, Elkins, James R., 17:353

Ted Kaczynski's Diary, Mello, Michael, & Perkins, Paul, 22:83

The Moral Confusion of Affirmative Action Jurisprudence or When Will We learn to Bear the Shame of Guilt?, Day, Kate Nace, 16:777

The Non-Trial of the Century: Representations of the Unabomber, Mello, Michael, 24:417

Tribal Environmental Policy in an Era of Self-Determination: The Roles of Ethics, Economics, and Traditional Ecological Knowledge, Tsosie, Rebecca, 21:225

Wild Lands and System Values: Our Legal Accountability to Wilderness, Foster, Leann, 22:917

Workplace Discrimination: Truthfulness and the Moral Imagination, Calhoun, Emily, 16:137

Evidence

A Counselor's Crisis: Protecting Witnesses' Privacy Rights in Sexual Assault Prosecutions, Burns, Cynthia, & McCoy, Phyllis R., 12:497

Aggravated Assault—Authenticating Tape Recordings, Custodial Interrogation, and Psychiatrist-Patient Privilege—*State v. Mecier*, 138 Vt. 149, 412 A.2d 291 (1980), Opel, Robert H., 5:416

Alternative Dispute Resolution, Substantive Doctrine, and Power, Tarpley, Joan R., 21:1107

Chickenhawk! Evidence of a Complainant's Homosexuality Under Vermont's Rape Shield Law, Hill, Cindy Ellen, 22:711

Criminal Law Reform in Vermont: The Proposal to Exclude Evidence of the Victim's Character in Forcible Rape Cases, Berger, Lawrence, 1:215

Cross-Examination of Psychiatric Witnesses Under the Vermont Patient's Privilege When the Issue of Insanity is Raised, Crucitti, James R., 3:191

Exclusionary Rule—Irregularities of Prior Arrest Do Not Vitiate Governor's Extradition Warrant—*In re Saunders*, 138 Vt. 259, 415 A.2d 199 (1980), Parker, Laurie Stone, 5:434

Expert and Opinion Evidence in Vermont: Developments, Profiles, and Emerging Concerns for Reliability of Scientific Evidence, Kreiling, Kenneth R., 17:109

Hypnotic Memories of Childhood Sexual Abuse: An Argument for Liberal Admissibility in Civil Cases, Lustberg, Lori B., 22:655

Judicial Review of Criminal Convictions Based on Circumstantial Evidence, Dunn, David N., 6:197

Living Without Principles: *State v. Brunelle* and the Vermont Supreme Court, Katims, Robert W., 13:347

Prelude to a Miss: A Cautionary Note Against Expanding DNA Databanks in the Face of Scientific Uncertainty, Deck, Jennifer Sue, 20:1057

Relevant Conduct and the Impact of the Preponderance Standard of Proof Under the Federal Sentencing Guidelines: A Denial of Due Process, Greenwald, Lauren, 18:529

State v. Catsam: A Clarification of Evidentiary Standards in Vermont Child Sexual Abuse Cases, Katims, Robert W., 12:485

Ted Kaczynski's Diary, Mello, Michael, & Perkins, Paul, 22:83

The Academic Freedom Privilege: A Sword or a Shield?, Mobilia, Marcia Anne, 9:43

Vermont Rule of Evidence 807 and the Confrontation Clause, Marks, Carol, 10:497

Victimizing the Child Victim: Vermont Rule of Evidence 807 and Trauma in the Courtroom, Marks, Carol, 11:631

Family Law

Abortion Choice And The Law In Vermont: A Recent Study, Olmstead, Frank H., 7:281

Balancing Children's Rights into the Divorce Decision, Vivaz, Dora Sybella, 13:531

Comment on the Right to Marital Privacy: A Postscript on *Griswold v. Connecticut*, Rockwell, Landon G., 2:69

Curran v. Bosze: Toward a Clear Standard for Authorizing Kidney and Bone Marrow Transplants between Minor Siblings, Korins, Janet B., 16:499

Determining "Best Interests" of the Child in Divorce Custody Disputes: A Procedural Approach, Gottwik, Paula J., 9:311

Divorce Decree—Standard of Review For Issues of Custody, Visitation, Division of Property and Child Support—Palmer v. Palmer, 138 Vt. 412, 416 A.2d 143 (1980), Moore, Kathleen McDonnell, 5:425

Full Faith and Credit and the Recognition of Foreign Alimony Decrees in Vermont, Berger v. Berger, 138 Vt. 367, 417 A.2d 921 (1980), Livingston, Randall M., 6:539

Gender Bias Against Fathers in Custody? The Important Difference Between Outcome and Process, Cadwell, Leslie A., 18:215

Grandparents' Statutory Right to Petition for Visitation: Vermont and the National Framework, Collins, Timothy, 10:55

In The Best Interests of the Child? The Misapplication of the UCCJA and the PKPA to Interstate Adoption Custody Disputes, Crawford, Melissa, 19:99

Interstate Testimony by Child Protective Agency Workers in the Child Custody Context, Jones, P. Andrew, 21:633

Introduction: Coping With Family Violence—Strategies and Tactics For the 1980's, Schechter, Lowell F., 6:325

Joint Adoption: A Queer Option?, Unsigned, 15:197

Juvenile Proceedings: Changed Circumstances—The Procedural Obstacle to Termination of Parental Rights, Meub III, William H., 2:191

Mandatory Mediation of Custody Disputes: Criticism, Legislation, and Support, Vincent, Maggie, 20:255

Rethinking Vermont's Termination of Parental Rights Laws: Guidelines for a Comprehensive Termination of Parental Rights Statute, Zaves, Maryanne, 19:49

The "Civil" Prosecution of Child Abuse and Neglect, Besharov, Douglas J., 6:403

The Rhetoric of Marriage, Achievement, and Power: An Analysis of Judicial Opinions Considering the Treatment of Professional Degrees as Marital Property, Keller, Susan Etta, 21:409

The Rights of the Biological Father: From Adoption and Custody to Surrogate Motherhood, Stanton, Elizabeth Rose, 12:87

The Social Context of Domestic Violence: Implications For Prevention, Gil, David G., 6:339

Federal Government

Are We An Over-Regulated Society?, Hufstedler, Shirley M., 8:55

Cyber Warfare and the Environment, Arkin, William M., 25:779

Innovation and Institution: Rethinking the Economics of U.S. Science and Technology Policy, Frischmann, Brett, 24:347

National Labor Relations Board Control of Union Discipline and the Myth of Nonintervention, Hartley, Roger C., 16:11

Nuclear War: Still the Gravest Threat to the Environment, Dycus, Stephen, 25:753

Regulation of Investment Newsletter Publishers: The SEC's Power Reaches a New Lowe, Hall, Thomas J., 11:175

Slowing the Rush to Burn: The Need to Revise Federal Municipal Solid Waste Policy to Prioritize Recycling over Incineration, Irwin, Thomas F., 19:891

Taking Risks: Executive Order 12,630 and Environmental Health and Safety Regulation, Engel, Kirsten, 14:213

The Departments of Commerce and Interior: Bifurcating an Evolutionary Significant Unit under the Endangered Species Act, Hulesserian, Tanya A., 23:605

The Totten Doctrine and Its Poisoned Progeny, Flynn, Sean C., 25:793

Federalism

Contributions of State Constitutional Law to the Third Century of American Federalism, Kaye, Judith S., 13:49

Federalism and State Constitutions, Douglas III, Charles G., 13:127

It Works Fine in Europe, So Why Not Here? Comparative Law and Constitutional Federalism, Perales, Kathryn A., 23:885

Oregon's Constitutional Renaissance: Federalism Revisited, Buttler, John H., 13:107

Restoring Citizen Suits After *Lujan v. Defenders of Wildlife*: The Use of Cooperative Federalism to Induce Non-Article III Standing in State Courts, Grantham, William, 21:977

State Courts in a Time of Federal Constitutional Change, Oakes, James L., 13:323

The Principle Problem: State v. Jewett and the New Judicial Federalism, Racette, Peter, 10:437

The Surface Transportation Assistance Act: Federalism's Last Stand?, Scaramozza, James Michael, 11:203

Treating Tribes as States Under Federal Statutes in the Environmental Arena: Where Laws of Nature and Natural Law Collide, Monette, Richard A., 21:111

U.S. & Canadian Federalism: A Study in Contrast, Wingo, Harvey, 11:473

Festschrift: Norman Williams, Jr.

At the Fusion of Horizons: Incommensurability and the Public Interest, Williams, Joan Chalmers, 20:625

Is This Legal Realism?, Williams, Jr., Norman, & Yates, Anya, 20:737

Legal Realism, Norman Williams, and Vermont's Act 250, Brooks, Richard O., 20:699

Norman Williams Festschrift Introduction, Dycus, Stephen, 20:619

Norman Williams, Exclusionary Zoning, and the Mount Laurel Doctrine: Making the Theory Fit the Facts, Payne, John M., 20:665

Norman Williams, Jr. and Legal Realism, Merriam, Dwight H., 20:723

Planning and the Law, Mandelker, Daniel R., 20:657

School Planning in New York During the 1950's, Williams Jr., Norman, & Yates, Anya, 20:647

The Background of Mount Laurel I, Williams, Jr., Norman, & Yates, Anya, 20:687

Fisheries

Aquaculture and the Public Trust Doctrine: Accommodating Competing Uses of Coastal Waters in New England, Marston, Andrea, 21:335

The Precautionary Principle in Marine Fisheries Conservation and the U.S. Sustainable Fisheries Act of 1966, Territo, Michele, 24:1351

The United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks: An Analysis of International Environmental Law and the Conference's Final Agreement, Brown, Howard L., 21:547

Florida Law

Death and His Lawyers: Why Joseph Spaziano Owes His Life to the Miami Herald—and Not to any Defense Lawyer or Judge, Mello, Michael, 20:19

Methods and Motives for Imposing Strict Liability on Parties Hiring Independent Contractors to Transport Hazardous Materials in the State of Florida, Dobson, Kenneth P., 24:1297

Food and Drug Law

Blinded by the Hype: Shifting the Burden When Manufacturers Engage in Direct to Consumer Advertising of Prescription Drugs, Tyler, Barbara J., & Cooper, Robert A., 21:1073

Daminozide and the New England Apple Crop: A National Definition of "Safe"?, Kamantauskas, Katrina C., 12:181

Government Regulation of the Pursuit of Knowledge: The Recombinant DNA Controversy, Berger, Richard G., 3:83

Government's Udder Disregard for a Consumer's Right to Information on RBST: Mandatory Labeling of Milk Products Should Be Allowed, Lennon, Kathleen, 22:433

Inert Ingredients and Pesticide Registration Data Requirements: EPA's Complacency Compounds FIFRA's Inadequacies, Hogan, Kevin M., 15:265

Moving Beyond Risk in Assessing Technological Artifacts: The Case of Recombinant Bovine Somatotropin, Beiswenger, John, 16:667

The Food and Drug Administration's Power to Recall a Harmful Product and Other Remedial Actions: The Powerless Consumer, Forgays, Janice Alexander, 10:129

Health Law

A Question of Competence: The Indigent Criminal Defendant's Right to Adequate and Competent Psychiatric Assistance After *Ake v. Oklahoma*, Schlossberg, Todd D., 14:121

A Right to Treatment: Promoting the Interests of Minors in State Custody in Vermont, Terwilliger, Kurt, 15:227

AIDS and Informed Consent: Recognizing Partners As Surrogate Decision-Makers, Grabowski, Barbara J., 15:333

Arbitration: An Antidote to New York's Medical Malpractice Crisis, O'Brien, Karen R., 11:577

Blinded by the Hype: Shifting the Burden When Manufacturers Engage in Direct to Consumer Advertising of Prescription Drugs, Tyler, Barbara J., & Cooper, Robert A., 21:1073

Curran v. Bosze: Toward a Clear Standard for Authorizing Kidney and Bone Marrow Transplants between Minor Siblings, Korins, Janet B., 16:499

Decisions for the Dying: An Empirical Study of Physicians' Responses to Advance Directives, Zinberg, Joel M., 13:445

Extending a Psychotherapist's Duty to Warn Beyond Protecting Life: Who Should Lock the Barn Door?, Krikorian, Priscilla Dodakian, 11:353

Group Homes and Deinstitutionalization: The Legislative Response to Exclusionary Zoning, Adler, Steven A., 6:509

Guardianship for the Adult: A Need for Due Process Protections in Vermont, Smiddy, Linda O., 4:95

Medical Breakthroughs in Human Fetal Tissue Transplantation: Time to Reevaluate Legislative Restrictions on Fetal Research, Ferenc, Neal D., 13:373

Medical Malpractice, Contract or Tort: The Vermont Statute of Frauds, Mochalski, Jeffrey C., 10:99

Patenting Transgenic Animals: When the Cat's Away, the Mice Will Play, Jones, Terri A., 17:875

Physician-Assisted Suicide: a "Right" Reserved for Only the Competent?, Dalbey Donahue, Joan W., 19:795

Protecting Liberty Interests: Developments in Vermont's Mental Health Law as Federal Constitutional Protection Declines, Saxman, Anna, 9:265

Reliance on State Law: Protecting the Rights of People with Mental Disabilities, Collins, Ronald K.L., 13:305

Standard of Care, Duty, and Causation in Failure to Warn Actions Against Mental Health Professionals, Michak, George A., 11:343

Target Defendants and Tort Law Reform: A Perspective on Medical Malpractice and Municipal Liability, Michak, George A., 11:535

Telemedicine: Medical Treatment Via Telecommunications Will Save Lives, But Can Congress Answer the Call?, Mata, Joy Elizabeth, 22:231

Vermont's Voluntary Sterilization Statutes and the Rights of the Mentally Handicapped, Silverstein, Pamela H., 4:331

Historic Preservation

Native American Collaboration in Cultural Resource Protection in the Columbia River Gorge National Scenic Area, Rogers, Krinstine Olson, 17:741

Tribal Voices in Historic Preservation: Sacred Landscapes, Cross-Cultural Bridges, and Common Ground, Suagee, Dean B., 21:145

Housing Law

Group Homes and Deinstitutionalization: The Legislative Response to Exclusionary Zoning, Adler, Steven A., 6:509

Keeping Faith: Fiduciary Obligations in Property Owners Associations, Natelson, Robert G., 11:421

On from Mount Laurel: Guidelines on the "Regional General Welfare", Williams, Norman, Jr., 1:23

Security of Tenure for the Residential Tenant: An Analysis and Recommendations, Sullivan, Paul, 21:1015

Vermont Adults Only Communities and the Fair Housing Act, Hanson, Carl D., 14:161

Human Rights

Hardly a Revolution—The Eligibility of Nonhuman Animals for Dignity-Rights in a Liberal Democracy, Wise, Steven M., 22:793

How Many Wrongs Does It Take to Make a Human Right?, Marecic, Charles, 22:201

Immigration Law

Community and the Constitution: A Reassessment of the Roots of Immigration Law, Chan, Annie M., 21:491

The Haitian Refugee Crisis and U.S. Immigration Law: The Extraterritorial Scope of Section 243(h) of the Immigration and Nationality Act, Hickey, Bridgette E., 18:173

Index and Uniform Citations

Cumulative Index, Volumes 1-18, *Vermont Law Review*, 18:885

Cumulative Index, Volumes 1-25, *Vermont Law Review*, 25:983

Foreword, Allen, Frederic W., 14:315

Uniform Vermont Citations: The Green Book, Field, Andrew J. & Montroll, Andrew H., 14:317

1994-1995 Annual Index, *Vermont Law Review*, 19:911

1995-1996 Annual Index, *Vermont Law Review*, 20:1137

1996-1997 Annual Index, *Vermont Law Review*, 21:1309

1997-1998 Annual Index, *Vermont Law Review*, 22:1011

Insurance

Target Defendants and Tort Law Reform: A Perspective on Medical Malpractice and Municipal Liability, Michak, George A., 11:535

The Use of Classifications Based on Gender and Marital Status in Insurance: Current Vermont Law, Rice-Osterhoudt, Rebecca, 11:685

Where No Minds Meet: Insurance Policy Interpretation and the Use of Drafting History, Prince III, John Randolph, 18:409

Intellectual Property

Patenting Transgenic Animals: When the Cat's Away, the Mice Will Play, Jones, Terri A., 17:875

International Law

All's Note Fair in (Civil) War: Criminal Liability for Environmental Damage in Internal Armed Conflict, Bruch, Carl E., 25:695

Commentary on Professor Tarlock's Paper: The Influence of International Environmental Law on United States Pollution Control Law, Jarman, M. Casey, & McLaughlin, Richard, 21:793

Commercial Power Reactors for Defense Purposes: Tritium Production and the United States' Disregard for Longstanding Non-Proliferation Policy and International Integrity, Barnes, Christopher G., 23:201

Cyber Warfare and the Environment, Arkin, William M., 25:779

Divided Houses: Secession and Constitutional Faith in Canada and the United States, LaSelva, Samuel V., 23:771

Environmental Law of War, Hourcle, Laurent R., 25:653

Environmental Literacy and International Law, Johnson, Vincent Robert, 17:801

Green Finance: Problems and Solutions Concerning Alternative Environmental Debt Exchanges, Kublicki, Nicolas M., 18:313

How Many Wrongs Does It Take to Make a Human Right?, Marecic, Charles, 22:201

Human Rights and the Environment: Facing a New World Order, Mondale, Walter F., 16:449

Integrating International and U.S. Law: Environmental and Related Problems: An Introduction, Nafzinger, James A.R., 21:755

International Nuclear Safety: The Case of the Chernobyl Nuclear Power Station, Marples, David R., & Cerullo, Tatyana E., 24:1209

Introduction, Brooks, Richard O., 23:699

It Works Fine in Europe, So Why Not Here? Comparative Law and Constitutional Federalism, Perales, Kathryn A., 23:885

Nuclear War: Still the Gravest Threat to the Environment, Dycus, Stephen, 25:753

Preserving Gypsy Culture through Romani Law in America, Kanwar, Joy, 24:1265

Quebec, Canada and the First Nations: The Problem of Secession, Wroth, L. Kinvin, 23:709

Reference re: Secession of Quebec, Supreme Court of Canada, 23:721

Sustainable Development in the Global Economy: New Systems in Environmental Management, Monsma, David, 24:1245

Sustaining the Development of International Trade and Environmental Law, Brand, Ronald A., 21:823

Terrorism as Impermissible Political Violence: An International Law Framework, Greene, Kevin J., 16:461

The Coming Fresh Water Crisis: International Legal and Institutional Responses, McCaffrey, Stephen, 21:803

The Cree Intervention in the Canadian Supreme Court Reference on Quebec Secession: A Subjective Assessment, Sheppard, Claude-Armand, 23:845

The Death Penalty for Drug Kingpins: Constitutional and International Implications, Pinkard, Eric, 24:1

The Environmental Effects of Nuclear Weapons and the 1996 World Court Opinion, Matheson, Michael J., 25:773

The Global Facility and the Search for Financial Strategies to Foster Sustainable Development, Miller, Alan S., 24:1229

The Haitian Refugee Crisis and U.S. Immigration Law: The Extraterritorial Scope of Section 243(h) of the Immigration and Nationality Act, Hickey, Bridgette E., 18:173

The Influence of International Environmental Law on United States Pollution Control Law, Tarlock, A. Dan, 21:759

The Quebec Secession Reference and the Judicial Arbitration of Conflicting Narratives about Law, Democracy and Identity, Gaudreault-DesBiens, Jean Francois, 23:793

The United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks: An Analysis of International Environmental Law and the Conference's Final Agreement, Brown, Howard L., 21:547

Waste Trade and Disposal in the Americas: The Need for and Benefits of a Regional Response, Poulakidas, Dean M., 21:873

Interstate Compacts

Interstate Compacts in Commerce and Industry: A Proposal for "Common Markets Among States", Davis, Christi, & Branson, Douglas M., 23:133

The New Hampshire/Vermont Solid Waste Project: Is There a Solution?, Simpson, Aaron H., 20:1091

Judges

A Farewell to Side Judges; Or, Are We Available?, Coutant, Richard H., 10:321

A Tribute To Chief Justice Albert Wilkins Barney, Billings Jr., Franklin S., 8:203

A Wrong Without a Remedy: Proposing a Recusal Procedure for Circuit Court Judges, Hutt, Jason, 22:627

Climbing the Beanstalk: Justice Holmes and The Search for Reconciliation, Royle, Maria C., 22:559

Do All Judges Have to be Lawyers? Side Judges in Vermont: The Case of State v. Dunkerley, Henin, Larry D., 3:147

In Honor Of Albert W. Barney, Easton Jr., John J., 8:209

Judge Albert W. Coffrin, Hoff, Philip H., 18:3

Judge Albert W. Coffrin, Holden, James S., 18:1

Judge Edward J. Costello, Allen, Frederic W., 18:5

Judge Sterry R. Waterman, Oakes, James L., 9:1

Judicial Tenure in Vermont: Does Good Behavior Merit Retention?, McLean, David, 24:1321

Privacy in the Burger Court: The Influence of Mr. Justice Black, Meiklejohn, Donald, 2:35

Respect for Law and Man: The Tort Law of Chief Justice Frank Rowe Kenison, Owen, David G., 11:389

Sterry R. Waterman—An Appreciation, Debevoise, Thomas M., 9:7

The Constitutional Philosophy of Justice William H. Rehnquist, Kleven, Thomas, 8:1

The Jurisprudence of Levi Woodbury, Bader, William D., et al., 18:261

The Membership of Judges in Gender Discriminatory Private Clubs, Doane, Wayne, 12:459

The Moderate Rehnquist, Johnson, Vincent R., 17:267

The Uncommon Man—A Tribute to Judge Frank G. Mahady, Hudson, Paul F., 17:1

Thomas Lawlor Hayes, Hill, William C., 13:7

Jurisdiction

A Suggested Approach to Choice-of-Law, Reese, Willis L.M., 14:1

Developing a Unified Approach to Pendent and Ancillary Jurisdiction: A Merger Made in Heaven, Krikorian, Priscilla Dodakian, 11:505

Full Faith and Credit and the Recognition of Foreign Alimony Decrees in Vermont, Berger v. Berger, 138 Vt. 367, 417 A.2d 921 (1980), Livingston, Randall M., 6:539

In The Best Interests of the Child? The Misapplication of the UCCJA and the PKPA to Interstate Adoption Custody Disputes, Crawford, Melissa, 19:99

Jurisdiction Over Adjudications Involving the Abenaki Indians of Vermont, Doremus, Christine A., 10:417

Personal Jurisdiction: The Hidden Agendas in the Supreme Court Decisions, McDermott, John T., 10:1

Restoring Citizen Suits After Lujan v. Defenders of Wildlife: The Use of Cooperative Federalism to Induce Non-Article III Standing in State Courts, Grantham, William, 21:977

Subsidiary Conduct as a Basis for Long-Arm Jurisdiction Over a Parent Corporation in Vermont, Weatherly, Craig, 3:111

The Exhaustion Requirement Under Section 1983 in the Second Circuit, Moore, Kathleen McDonnell, 6:269

The Second Circuit, Civil Rights Litigation, and Expanding Federal Jurisdiction, Wigton, Robert C., 15:301

Vermont's Mootness Doctrine, Smiddy, James D., 4:257

Jurisprudence

An Analysis of the Doctrines and Goals of Feminist Legal Theory and Their Constitutional Implications, Storey, Anne-Marie Leath, 19:137

At the Fusion of Horizons: Incommensurability and the Public Interest, Williams, Joan Chalmers, 20:625

Climbing the Beanstalk: Justice Holmes and The Search for Reconciliation, Royle, Maria C., 22:559

From Gender Difference to Feminist Solidarity: Using Carol Gilligan and an Ethic of Care in Law, Bender, Leslie, 15:1

Introduction: Reflections of a Former Hebrew, Novick, Sheldon M., 23:451

Is This Legal Realism?, Williams, Jr., Norman, & Yates, Anya, 20:737

“Lady” Justice: Power and Image in Feminist Jurisprudence, Buker, Eloise A., 15:69

Langdell’s Concept of Law as Science: The Beginning of Anti-Formalism in American Legal Theory, Speziale, Marcia, 5:1

Lawyering in the State of Nature: Instinct and Automaticity in Legal Problem Solving, Weinstein, Ian, 23:1

Legal Realism, Norman Williams, and Vermont’s Act 250, Brooks, Richard O., 20:699

Lessons from the Third World: Spirituality as the Source of Commitment to Affirmative Action, Burns, Michael M., 14:401

Liberalism Within the Limits of the Reasonable Alone: Developments of John Rawls’ Political Philosophy, its Political Positivism, and the Limits on its Applicability, Lake, Peter F., 19:603

Meditations on the Original: James Madison, Framer with Common Law Intentions—Ramifications in the Contemporary Supreme Court, Bader, William D., 20:5

Norman Williams, Exclusionary Zoning, and the Mount Laurel Doctrine: Making the Theory Fit the Facts, Payne, John M., 20:665

Norman Williams, Jr. and Legal Realism, Merriam, Dwight H., 20:723

Nostalgia as Constitutional Doctrine: Legalizing Norman Rockwell’s America, Brown, Judith Olans, & Baumann, Phyllis Tropper, 15:49

Orwellian Lawspeak Infiltrates Legal Education, Austin, Arthur, 19:1

Personal Jurisdiction: The Hidden Agendas in the Supreme Court Decisions, McDermott, John T., 10:1

Planning and the Law, Mandelker, Daniel R., 20:657

Pragmatism and the Promise of Adjudication, Shutkin, William Andrew, 18:57

Some Thoughts on Blackstone, Precedent, and Originalism, Bader, William D., 19:5

Symptoms Exposed When Legalists Engage in Moral Discourse: Reflections on the Difficulties of Talking Ethics, Elkins, James R., 17:353

The Background of Mount Laurel I, Williams, Jr., Norman, & Yates, Anya, 20:687

The Constitutional Philosophy of Justice William H. Rehnquist, Kleven, Thomas, 8:1

The Jurisprudence of Levi Woodbury, Bader, William D., et al., 18:261

The New "Tokenism", Fineman, Martha Albertson, 23:289

The Philosophy Of Law: An Introduction. By Thomas Morawetz, Patterson, D.M., 7:273

The Thurgood Marshall Papers and the Quest for a Principled Theory of Tribal Sovereignty: Fueling the Fires of Tribal/State Conflict, Duthu, N. Bruce, 21:47

Toward a Theory of State Constitutional Jurisprudence: A Judge's Thoughts, Mahady, Frank G., 13:145

Tribal Court Jurisprudence: A Snapshot from the Field, Pommersheim, Frank, 21:7

Juvenile

A Critical Look at Vermont's New Child Custody Law, Gomez, Jane E., 11:671

A Right to Treatment: Promoting the Interests of Minors in State Custody in Vermont, Terwilliger, Kurt, 15:227

Balancing Children's Rights into the Divorce Decision, Vivaz, Dora Sybella, 13:531

Curran v. Bosze: Toward a Clear Standard for Authorizing Kidney and Bone Marrow Transplants between Minor Siblings, Korins, Janet B., 16:499

Daring to Care While Tending to Justice: An Argument for the Reform of *Parents Patriae* and Vermont's Juvenile Justice Code, Tierney, J. Elizabeth, 17:595

Determining "Best Interests" of the Child in Divorce Custody Disputes: A Procedural Approach, Gottwik, Paula J., 9:311

Do Sixteen and Seventeen Year Old Criminal Defendants in Vermont Need a *Guardian ad Litem?*, Bower, Anita, 5:361

Estate Planning for the Family with a Disabled Child, Webster, Allen D., & Riley, Douglas K., 14:529

Grandparents' Statutory Right to Petition for Visitation: Vermont and the National Framework, Collins, Timothy, 10:55

Improving the Legal Response of Child Protective Service Agencies, Horowitz, Robert M., & Davidson, Howard A., 6:381

In The Best Interests of the Child? The Misapplication of the UCCJA and the PKPA to Interstate Adoption Custody Disputes, Crawford, Melissa, 19:99

Interstate Testimony by Child Protective Agency Workers in the Child Custody Context, Jones, P. Andrew, 21:633

Joint Adoption: A Queer Option?, Unsigned, 15:197

Juvenile Proceedings: Changed Circumstances—The Procedural Obstacle to Termination of Parental Rights, Meub III, William H., 2:191

Precharge Diversion of the Youthful Offender in Vermont: Right to Counsel, Angres, Robert J., 1:143

Private Schools in Vermont: The "Equivalency Exception" to Compulsory Public School Attendance—*State v. LaBarge*, Bristow, Claudia Horack, 2:205

Rethinking Vermont's Termination of Parental Rights Laws: Guidelines for a Comprehensive Termination of Parental Rights Statute, Zaves, Maryanne, 19:49

School Shootings and the Over-Reliance Upon Age in Choosing Criminal or Juvenile Court, Foster, Lynn, 24:537

State v. Catsam: A Clarification of Evidentiary Standards in Vermont Child Sexual Abuse Cases, Katims, Robert W., 12:485

Students' Free Speech Rights in Public Schools: Content-Based Versus Public Forum Restrictions, Montroll, Andrew H., 13:493

The "Civil" Prosecution of Child Abuse and Neglect, Besharov, Douglas J., 6:403

The Appointment of Guardians by Will: A Comparison of Vermont's Statutory Provisions with the Provisions of the Uniform Probate Code, Grossman, Daniel F., 4:275

The Rights of the Biological Father: From Adoption and Custody to Surrogate Motherhood, Stanton, Elizabeth Rose, 12:87

The Serious Young Offender Under Vermont's Juvenile Law: Beyond The Reach of *Parentis Patriae*, Junger, Patricia D., 8:173

Vermont's Children In Need of Care Or Supervision: Judicial Discretion Or Definition?, Shaw, J. David, 8:119

Vermont's Voluntary Sterilization Statutes and the Rights of the Mentally Handicapped, Silverstein, Pamela H., 4:331

Victimizing the Child Victim: Vermont Rule of Evidence 807 and Trauma in the Courtroom, Marks, Carol, 11:631

Labor Law

A Proposal to Ban Sexual Orientation Discrimination in Private Employment in Vermont, Dillon, Judith Lillian, 15:435

Baseball's Antitrust Exemption Repealed: An Analysis of the Effect on Salary Cap and Salary Taxation Provisions, Picher, Thomas C., 20:559

Dismissal of State Employees—The Requirement of Notice as an Element of Just Cause—*In re Yashko*, 138 Vt. 364, 415 A.2d 1322 (1980), Seder, Lauren, 5:444

Jar Wars in the Green Mountain State: Vermont's Drug Use Testing Act Has the Potential to Be the Best in the Nation, Field, Andrew J., 13:593

Listening to Dr. Fiske: The Easy Case of *Price Waterhouse v. Hopkins*, Chamallas, Martha, 15:89

Lockouts in Evolutionary Perspective: The Changing Balance of Power in American Industrial Relations, Dolin, Susan L., 12:335

Maternity Leave for Vermonters: The Good News and the Bad News, Vivaz, Dora Sybella, 14:179

National Labor Relations Board Control of Union Discipline and the Myth of Nonintervention, Hartley, Roger C., 16:11

Rediscovering Progressive Labor Politics: The Labor Law Implications of Federal
Trace Commission v. Superior Court Trial Lawyers Association, Minda, Gary,
16:71

Reopening and Modifying Awards in Vermont Workers' Compensation Cases,
Levine, Matthew I., 9:289

Retaliatory Discharge And Vermont's Need For An Exception To The "Rule", Landry,
Philip J., 9:151

State v. Whitingham School Board: A Unique Employment Discrimination Loophole
for Vermont Employers, Kreiling, Kenneth R., 6:119

The Academic Freedom Privilege: A Sword or a Shield?, Mobilia, Marcia Anne, 9:43

The Classroom as Shop Floor: Images of Work and the Study of Labor Law, Cicero,
C. John, 20:117

The Compensability Of Mental Injuries Under Vermont's Workers' Compensation
Act, Heintzelman, Peter Mark, 8:145

The Creation of Employment Terms to Govern Public Employees in the Interim
Between Collective Bargaining Agreements—Vermont State Employees Ass'n
v. State, Travis, Tod, 3:229

The General Duty Clause of the Vermont Occupational Safety & Health Act, Fletcher
Jr., Robert E., 4:305

The Law and Politics of Paying Teachers Salary Step Increases Upon Expiration of a
Collective Bargaining Agreement, May, James C., 20:753

The Negotiating Impasse in Labor Relations for Teachers, Freeman, R. Bruce, 5:39

The Vermont Labor Relations Board's Role in Grievance Proceedings: Let's Make this
Process Work, Gottlieb, Ira, 12:429

Toward Justice in the Workplace, Kennedy, Edward M., 16:1

Land Use and Planning

A Proposal for Improving Vermont's Statutory Requirements for Planned Unit
Development, Fedun, Michael, 14:591

Acceptance of Sustainable Use Within the CITES Community, Hickey, Michael J.,
23:861

Act 250's "Necessary Wildlife Habitat" Definition: How Much Wildlife Does it
Embrace?, Perella, Joseph R., 12:531

After Lucas: No More Wetland Takings?, Disheroon, Fred R., 17:683

And Now We Are Here on a Darkling Plain, Williams Jr., Norman, & Ernst, Holly,
13:635

And Now We Have Four Systems—, Williams Jr., Norman, 12:1

Billboard Blight: Is the Aesthetic Quality of Vermont's Landscape in Jeopardy After
Metromedia?, Carson, David A., 9:341

Casino Development in Atlantic City: Abuses and Remedies, Maxwell, Robert
William, 10:383

Changing Vermont's Current Use Appraisal Program to Provide Property Tax Incentives for Conservation Easements, Ceglowski, Susan M., 17:165

Enhancing The Vermont Townscape: Design Review, Creswell, Nancy J., 7:363

Environmental Mediation and the Accountability Problem, Susskind, Lawrence, 6:1

Farmland Preservation in Vermont and the Creative Use of Land Trusts, Rice-Osterhoudt, Rebecca, 11:603

Fence Viewers And Division Fences In Vermont: New Expectations, Di Stefano, Mark J., 8:433

Forgotten Rights: Takings Claims and the International Emergency Economic Powers Act, Meezan, David M., 21:591

Formal Enforcement of Act 250, Bashaw, John R., 10:469

Group Homes and Deinstitutionalization: The Legislative Response to Exclusionary Zoning, Adler, Steven A., 6:509

Hear No Evil, See No Evil: In re Spencer and the Twilight of Judicial Scrutiny in Vermont, Goss, James P.W., 14:501

Highway Construction on the New York State Forest Preserve: Permissible Limits and Arbitrary Restrictions, Racette, Peter, 10:179

Impact of Economic and Financial Policies on the Development of Small-Scale Hydroelectric Facilities in New England, Lynch, Daniel R., & Kirshen, Paul H., 5:295

In re Quechee Lakes Corporation: Mitigating Aesthetic Environmental Damage or an Eyesore on Act 250 Land Use Protections?, Granger, Robert C., 16:541

Introduction to Symposium: Hydroelectric Power in New England, Dycus, J. Stephen, & Lapping, Mark B., 5:185

Large Development Meets Act 250: Does Phasing Make a Monster or Tame It?, Henrie, Michelle, 23:393

Leaving the Scene: Aesthetic Considerations in Act 250, Jackson, Andrew MacLeod, 4:163

Legal Realism, Norman Williams, and Vermont's Act 250, Brooks, Richard O., 20:699

Norman Williams, Exclusionary Zoning, and the Mount Laurel Doctrine: Making the Theory Fit the Facts, Payne, John M., 20:665

Norman Williams, Jr. and Legal Realism, Merriam, Dwight H., 20:723

On from Mount Laurel: Guidelines on the "Regional General Welfare", Williams, Norman, Jr., 1:23

Party Status and Standing Under Vermont's Land Use and Development Law (Act 250), Healey, William V., 2:163

Planning and the Law, Mandelker, Daniel R., 20:657

Planning Law In The 1980's: What Do We Know About It?, Williams Jr., Norman, 7:205

Regulatory Takings: Coherent Concept or Logical Contradiction?, Bromley, Daniel W., 17:647

Reweaving the Landscape: The Institutional Challenges of Ecosystem Management for Lands in Private Ownership, Breckenridge, Lee P., 19:363

School Planning in New York During the 1950's, Williams Jr., Norman, & Yates, Anya, 20:647

Selecting Remedies at Superfund Sites: How Should "Clean" Be Determined?, Padgett, Casey Scott, 18:361

The "Malling" of Vermont: Can the "Growth Center" Designation Save the Traditional Village from Suburban Sprawl?, Jay, Jessica E., 21:929

The Adirondack Park and the Northern Forest: An Essay on Preservation and Conservation, Halper, Louise A., 19:335

The Background of Mount Laurel I, Williams, Jr., Norman, & Yates, Anya, 20:687

The Effect of Act 250 on Prime Farmland in Vermont, Kaplan, Stephanie J., 6:437

The Interaction of the Public Trust and the "Takings" Doctrines: Protecting Wetlands and Critical Coastal Areas, Archer, Jack H., & Stone, Terrance H., 20:81

The National Park Service Organic Act and Section 7(A)(1) of the Endangered Species Act: Prioritizing Recreation and Endangered Species Preservation in the National Parks, Hudson, Eric, 22:953

The Public Trust Doctrine and Federal Condemnation: A Call for Recognition of a Federal Common Law, Malley Jr., J. Wallace, & Silverstein, Jeffrey M., 15:501

The Quick of the Matter: The Proposition of Takings Litigation Under the Save Our Springs Ordinance, Friend, Gregory S., 25:545

The Takings Issue and the Due Process Clause: A Way Out of a Doctrinal Confusion, Echeverria, John D., & Dennis, Sharon, 17:695

The White River Junction Manifesto, Williams Jr., Norman, et al., 9:193

Transferable Development Rights in Vermont: Is There a Taking Problem?, Van Tuyn, Peter, 13:715

Vagueness and Overbreadth: The Constitutional Challenges to Vermont's Land Use and Development Law (Act 250), Hill, Shelley A., 5:329

Vermont Law Governing Standing in Zoning Appeals: An Argument for Expansion, Gomez, Jane E., 12:217

Vermont's Efforts to Protect Mobile Home Park Tenants: Is there a Taking?, Ertel, Joanne M., 16:1027

Wading Through the Rhetoric of the Telecommunications Act of 1996: Uncertainty of Local Zoning Authority Over Wireless Telecommunications Tower Siting, Tan, Gregory, 22:461

Wading Through the Rhetoric of the Telecommunications Act of 1996: Uncertainty of Local Zoning Authority Over Wireless Telecommunications Tower Siting, Tan, Gregory, 22:461

Wal-Mart in Vermont—The Case Against Sprawl, Roper, William E., & Humstone, Elizabeth, 22:755

Where Are South Carolina and the Supreme Court Taking Us?, Williams Jr., Norman, & Lyman, R. Jeffrey, 16:1111

Wild Lands and System Values: Our Legal Accountability to Wilderness, Foster, Leann, 22:917

You Can't Touch This: A Discussion of the Perils of *Phillips v. Washington Legal Foundation* and the Detrimental Effect to Individuals of Expanding the Definition of Property Without Proper Consideration, Goldstein, Nick, 24:1183

Zoning Variance Administration In Vermont, Donovan, Michael D., 8:371

Zoning—Right of Town to Deny State Agency a Zoning Permit—Vermont Division of State Buildings v. Town of Castleton Board of Adjustment, 138 Vt. 250, 415 A.2d 188 (1980), Adler, Steven A., 6:309

Landlord Tenant Law

Alternative Dispute Resolution, Substantive Doctrine, and Power, Tarpley, Joan R., 21:1107

Federal Preemption of State and Local Rent Control Laws Through FIRREA: A Proposal to Protect Tenants and the RTC, Riley, William D., 16:969

Security of Tenure for the Residential Tenant: An Analysis and Recommendations, Sullivan, Paul, 21:1015

Law and Economics

Blackmailing for Mutual Good: A Reply to Russell Hardin, Block, Walter, 24:121

Economic Implications of Wider Compensation for "Takings" or, What If Agricultural Policies Ruled the World, Runge, C. Ford, 17:723

Efficient But Not Equitable: The Problem With Using the Law and Economics Paradigm to Interpret Sexual Harassment in the Work Place, Lester, Toni, 22:519

Forgotten Rights: Takings Claims and the International Emergency Economic Powers Act, Meezan, David M., 21:591

Green Finance: Problems and Solutions Concerning Alternative Environmental Debt Exchanges, Kublicki, Nicolas M., 18:313

Impact of Economic and Financial Policies on the Development of Small-Scale Hydroelectric Facilities in New England, Lynch, Daniel R., & Kirshen, Paul H., 5:295

Innovation and Institution: Rethinking the Economics of U.S. Science and Technology Policy, Frischmann, Brett, 24:347

Interface Between Developers of Small Hydro Projects and Utilities, Greenman, Frederic E., 5:313

Interstate Compacts in Commerce and Industry: A Proposal for "Common Markets Among States", Davis, Christi, & Branson, Douglas M., 23:133

Jews, Christians, Lawyers, and Money, Shaffer, Thomas L., 25:451

Maine's Commercial Whitewater Outfitter Laws: "Maximizing Competition" or Destroying It?, Abbott, John W., 11:233

Protecting Common Property Resources Through the Marketplace: Individual Transferable Quotas for Surf Clams and Ocean Quahogs, Marvin, Katharine A., 16:1127

Sustainable Development in the Global Economy: New Systems in Environmental Management, Monsma, David, 24:1245

The Equitable Solution to Superfund Liability: Creating a Viable Allocation Procedure for Businesses at Superfund Sites, McCrory, Martin A., 23:59

The Global Facility and the Search for Financial Strategies to Foster Sustainable Development, Miller, Alan S., 24:1229

The Hidden Value of a Dime: How a Federal Bottle Bill Can Benefit the Country, Godush, Brett, 25:855

Tribal Environmental Policy in an Era of Self-Determination: The Roles of Ethics, Economics, and Traditional Ecological Knowledge, Tsosie, Rebecca, 21:225

Law and Society

A Constitutional Right to a Healthful Environment, Brooks, Richard O., 16:1063

A Crisis in Confidence: Municipal Officials under Fire, Markowitz, Deborah L., 16:579

“A Plague of Lawyers”?: Law and the Public Interest, Oakes, James L., 2:1

An Analysis of the Doctrines and Goals of Feminist Legal Theory and Their Constitutional Implications, Storey, Anne-Marie Leath, 19:137

An Examination of the “Exceptional Reasons” Jurisprudence of the Mandatory Detention Act: Title 18 U.S.C. Sections 3143, 3145(c), Rosen, Jonathan S., 19:19

Are We An Over-Regulated Society?, Hufstedler, Shirley M., 8:55

Balancing the Interests and Maximizing Rights in Environmental Justice, Yang, Tseming, 23:529

Biological Theories of Human Behavior: Admonitions of a Skeptic, Vogel, Joan, 22:425

Biology, Behavior, and Criminal Law: Seeking a Responsible Approach to an Inevitable Interchange, Goodenough, Oliver R., 22:263

Biology, Behavior, and Criminal Law: Seeking a Responsible Approach to an Inevitable Interchange, Goodenough, Oliver R., 22:263

Breaking the Vicious Circle: The Lawyer’s Role, Wesley, John P., 6:363

Can a Biological Inquiry Help Reduce Male Violence Against Women?, Hanna, Cheryl, 22:333

Challenges American Lawyers Will Confront in the Twenty-First Century, Drinan, S.J., Robert F., 22:257

Chester, Pennsylvania—Was It a Classic Example of Environmental Justice?, Hill, Barry E., 23:479

Decisions for the Dying: An Empirical Study of Physicians’ Responses to Advance Directives, Zinberg, Joel M., 13:445

Efficient But Not Equitable: The Problem With Using the Law and Economics Paradigm to Interpret Sexual Harassment in the Work Place, Lester, Toni, 22:519

Environmental Justice and Environmental Quality Benefits: The Oldest, Most Pernicious Struggle and Hope for Burdened Communities, Swantson, Samara F., 23:545

Environmental Pollution and Crime, Masters, Roger D., 22:359

FRESPCH: Vanity Plates and the First Amendment, Medley, Laurie D., 25:879

Gender Differences in Biological and Sociological Predictors of Crime, Denno, Deborah W., 22:305

Human Rights and the Environment: Facing a New World Order, Mondale, Walter F., 16:449

Impassioning a Civil Rights Course, Bender, Leslie, & Braveman, Daan, 16:943

Inauguration of Dean L. Kinvin Wroth: The Law as a Public Profession, Wroth, L. Kinvin, 21:375

Interface Between Developers of Small Hydro Projects and Utilities, Greenman, Frederic E., 5:313

Legal Education in Vermont, Kempner, Maximilian W., 21:1

Leveling the Playing Field through Environmental Justice, Bullard, Robert D., 23:453

Liberalism Within the Limits of the Reasonable Alone: Developments of John Rawls' Political Philosophy, its Political Positivism, and the Limits on its Applicability, Lake, Peter F., 19:603

Nostalgia as Constitutional Doctrine: Legalizing Norman Rockwell's America, Brown, Judith Olans, & Baumann, Phyllis Tropper, 15:49

Orwellian Lawspeak Infiltrates Legal Education, Austin, Arthur, 19:1

"Out, Damned Spot; Out, I Say." The Persistence of Race in American Law, Redlich, Norman, 25:475

Pathologizing Professional Life: Psych-Literary Case Stories, Elkins, James R., 18:581

Physician-Assisted Suicide: a "Right" Reserved for Only the Competent?, Dalbey Donahue, Joan W., 19:795

Preserving Gypsy Culture through Romani Law in America, Kanwar, Joy, 24:1265

Racial Images of the "Criminal": A Cognitive Disorder, Novick, Sheldon M., 22:383

Reciprocity and Criminal Justice: Using Epigenetics to Design a Program, Perry, John G., 22:407

Reciprocity and the Law, Badcock, Christopher, 22:295

Scholarly Discourse, Barnes, Robin C., 16:933

Solving the Pound Animal Controversy: A Proposed Amendment to the Animal Welfare Act, Whitney, Karen L., 15:369

Some Off-the-Cuff Remarks About Lawyers as Storytellers, Donovan, Jeremiah, 18:751

The Black Panther Party's Narratives of Resistance, Papke, David Ray, 18:645

The Law of the Jubilee in Modern Perspective, Ledewitz, Bruce, & Taylor, Robert D., 22:157

The Narrative Construction of Legal Reality, Sherwin, Richard K., 18:681

The Quebec Secession Reference and the Judicial Arbitration of Conflicting Narratives about Law, Democracy and Identity, Gaudreault-DesBiens, Jean Francois, 23:793

The Reasonable Woman in Sexual Harassment Law and the Case for Subjectivity, Blackwood, Eileen M., 16:1005

The Social Context of Domestic Violence: Implications For Prevention, Gil, David G., 6:339

The WTI Risk Assessment: The Need for Effective Public Participation, Schannauer, Ashley N., 24:31

Tribal Voices in Historic Preservation: Sacred Landscapes, Cross-Cultural Bridges, and Common Ground, Suagee, Dean B., 21:145

Vermont Task Force Report on Gender Bias in the Legal System: Introduction and Executive Summary, Vermont Task Force, 15:395

Waste Not, Want Not: Can the Public Policy Doctrine Prohibit the Destruction of Property by Testamentary Direction, Sykas, Abigail J., 25:911

Workplace Discrimination: Truthfulness and the Moral Imagination, Calhoun, Emily, 16:137

Law, Science, and Technology

An Emerging Consensus: Reproductive Technology and the Law, Dolgin, Janet L., 23:225

Ecological Health and the Northern Forest, Trombulak, Stephen C., 19:283

Expert and Opinion Evidence in Vermont: Developments, Profiles, and Emerging Concerns for Reliability of Scientific Evidence, Kreiling, Kenneth R., 17:109

Filtration Avoidance Under the Safe Drinking Water Act, Messina, Edward J., 19:557

Government Regulation of the Pursuit of Knowledge: The Recombinant DNA Controversy, Berger, Richard G., 3:83

Hacking Vermont's Computer Crimes Statute, Tower, Julie A., 25:945

Innovation and Institution: Rethinking the Economics of U.S. Science and Technology Policy, Frischmann, Brett, 24:347

Medical Breakthroughs in Human Fetal Tissue Transplantation: Time to Reevaluate Legislative Restrictions on Fetal Research, Ferenc, Neal D., 13:373

Moving Beyond Risk in Assessing Technological Artifacts: The Case of Recombinant Bovine Somatotropin, Beiswenger, John, 16:667

Patenting Transgenic Animals: When the Cat's Away, the Mice Will Play, Jones, Terri A., 17:875

Slowing the Rush to Burn: The Need to Revise Federal Municipal Solid Waste Policy to Prioritize Recycling over Incineration, Irwin, Thomas F., 19:891

Solving the Pound Animal Controversy: A Proposed Amendment to the Animal Welfare Act, Whitney, Karen L., 15:369

The WTI Risk Assessment: The Need for Effective Public Participation, Schannauer, Ashley N., 24:31

Yucca Mountain and Reversing the Irreversible: The Need for Monitored Retrievable Storage in a Permanent Repository, Ross, David P., 25:815

Legal Education

Acting and Legal Education, Maxwell, James, 17:533

Challenges American Lawyers Will Confront in the Twenty-First Century, Drinan, S.J., Robert F., 22:257

Collaboration in Law Practice: A Satisfying and Productive Process for a Diverse Profession, Bryant, Susan, 17:459

Healing the Breach: Harmonizing Legal Practice and Education, Meltsner, Michael, 11:377

Impassioning a Civil Rights Course, Bender, Leslie, & Braverman, Daan, 16:943

Inauguration of Dean L. Kinvin Wroth: The Law as a Public Profession, Wroth, L. Kinvin, 21:375

Introduction, Brooks, Richard O., 23:699

Langdell's Concept of Law as Science: The Beginning of Anti-Formalism in American Legal Theory, Speziale, Marcia, 5:1

Lawyering in the State of Nature: Instinct and Automaticity in Legal Problem Solving, Weinstein, Ian, 23:1

Legal Education in Vermont, Kempner, Maximilian W., 21:1

Orwellian Lawspeak Infiltrates Legal Education, Austin, Arthur, 19:1

Pathologizing Professional Life: Psych-Literary Case Stories, Elkins, James R., 18:581

Scholarly Discourse, Barnes, Robin C., 16:933

Some Off-the-Cuff Remarks About Lawyers as Storytellers, Donovan, Jeremiah, 18:751

Stumbling Blocks and Stepping Stones: Newcomers' Guide to Perilous Terrain in Law School, Schwartz, Lois, & Homer, Suzanne, 15:165

Surviving Legal De-Education: An Outsider's Guide, Scales, Ann C., 15:139

Symptoms Exposed When Legalists Engage in Moral Discourse: Reflections on the Difficulties of Talking Ethics, Elkins, James R., 17:353

The Bike Tour Leader's Dilemma: Talking About Supervision, Meltsner, Michael, et al., 13:399

The Classroom as Shop Floor: Images of Work and the Study of Labor Law, Cicero, C. John, 20:117

The Gender Gap in the Law School Classroom-Beyond Survival, Bean, Kathleen S., 14:23

The Indian Country Environmental Justice Clinic: From Vision to Reality, Suagee, Dean B., 23:567

The Narrative Construction of Legal Reality, Sherwin, Richard K., 18:681

Vermont Law School's New General Practice Program: An Introduction, Chase, Jonathon B., 11:373

Webster and Rhetoric: Reading Again Benét's The Devil and Daniel Webster, McKenna, James, 17:425

25 Years of Women Making Waves at Vermont Law School, Smiddy, Linda O., 23:285

Legal History

"A Plague of Lawyers"? Law and the Public Interest, Oakes, James L., 2:1

Against the Stream: An Introduction to the Vermont Law Review Symposium on the Revolution in State Constitutional Law, Teachout, Peter R., 13:13

Antinuclear Demonstrations and the Necessity Defense, Kessler, Michael L., 5:103

Community and the Constitution: A Reassessment of the Roots of Immigration Law, Chan, Annie M., 21:491

Environmental Law of War, Hourcle, Laurent R., 25:653

Gilmore's New Book: Turning and Turning in the Widening Gyre, Teachout, Peter R., 2:229

Langdell's Concept of Law as Science: The Beginning of Anti-Formalism in American Legal Theory, Speziale, Marcia, 5:1

Liberalism Within the Limits of the Reasonable Alone: Developments of John Rawls' Political Philosophy, its Political Positivism, and the Limits on its Applicability, Lake, Peter F., 19:603

Lockouts in Evolutionary Perspective: The Changing Balance of Power in American Industrial Relations, Dolin, Susan L., 12:335

Meditations on the Original: James Madison, Framer with Common Law Intentions—Ramifications in the Contemporary Supreme Court, Bader, William D., 20:5

Norman Williams, Exclusionary Zoning, and the Mount Laurel Doctrine: Making the Theory Fit the Facts, Payne, John M., 20:665

Not Quite a State of Nature: Derivations of Early Vermont Law, Gillies, Paul, 23:99

Of Wilderness and Commerce: A Historical Overview of the Northern Forest, Blackmer, Stephen D., 19:263

"Out, Damned Spot; Out, I Say." The Persistence of Race in American Law, Redlich, Norman, 25:475

Preserving Gypsy Culture through Romani Law in America, Kanwar, Joy, 24:1265

Privacy in the Burger Court: The Influence of Mr. Justice Black, Meiklejohn, Donald, 2:35

Professor Jones and the Constitution, Monaghan, Henry Paul, 4:87

Protecting the Media from Excessive Damages: The Nineteenth-Century Origins of Remitter and its Modern Application in Food Lion, Snyder, Brad, 24:299

Putting Senator Davies in Context, Gilmore, Grant, 4:233

School Planning in New York During the 1950's, Williams Jr., Norman, & Yates, Anya, 20:647

Some Thoughts on Blackstone, Precedent, and Originalism, Bader, William D., 19:5

State Constitutions and the "Open Fields" Doctrine: A Historical-Definitional Analysis of the Scope of Protection Against Warrentless Searches of "Possessions", McCabe, Neil C., 13:179

The Background of Mount Laurel I, Williams, Jr., Norman, & Yates, Anya, 20:687

The Black Panther Party's Narratives of Resistance, Papke, David Ray, 18:645

The Brooding Omnipresence of Constitutional Law, Jones, Harry W., 4:1

The Common Law of Waterpower in New England, Brion, Denis J., 5:201

The Exhaustion Requirement Under Section 1983 in the Second Circuit, Moore, Kathleen McDonnell, 6:269

The Hazardous Waste Wars: An Examination of the Origins and Major Battles to Date, with Suggestions for Ending the Wars, Bridgers, William David, 17:821

The Jurisprudence of Levi Woodbury, Bader, William D., et al., 18:261

The Moderate Rehnquist, Johnson, Vincent R., 17:267

The New Inquisition: State Compulsion of Therapeutic Confessions, Nelson, William A., 20:951

The Psychological Conditions for a Socially Significant Free Press: Reconsidering the Hutchins Commission Report Fifty Years Later, Calvert, Clay, 22:493

The Right to Bear Arms in the First State Bills of Rights: Pennsylvania, North Carolina, Vermont, and Massachusetts, Halbrook, Stephen P., 10:255

Twins Separated at Birth: A Comparative History of the Civil and Criminal Arising Under Jurisdiction of the Federal Courts and Some Proposals for Change, Zeigler, Donald H., 19:673

U.S. & Canadian Federalism: A Study in Contrast, Wingo, Harvey, 11:473

Vermont's Law of Promises Running With the Land: Formal Restraints on a Practical Doctrine, Livingston, Randall M., 6:437

Waste Not, Want Not: Can the Public Policy Doctrine Prohibit the Destruction of Property by Testamentary Direction, Sykas, Abigail J., 25:911

Webster and Rhetoric: Reading Again Benét's *The Devil and Daniel Webster*, McKenna, James, 17:425

Will the "Increasing Weight of History" Crush the Vermont Abenaki's Chances for Federal Acknowledgment?, Hatfield, Meredith, 23:649

25 Years of Women Making Waves at Vermont Law School, Smiddy, Linda O., 23:285

Legal Professions

Breaking the Vicious Circle: The Lawyer's Role, Wesley, John P., 6:363

Challenges American Lawyers Will Confront in the Twenty-First Century, Drinan, S.J., Robert F., 22:257

Collaboration in Law Practice: A Satisfying and Productive Process for a Diverse Profession, Bryant, Susan, 17:459

Dangerous Territory, Vogel, Joan, 18:763

“Desperate for Love”: Cinematic Influences upon a Defendant’s Closing Argument to a Jury, Meyer, Philip N., 18:721

Does Professional Licensing Conditioned Upon Mutual Reciprocity Violate the Commerce Clause?, Chase, Jonathon B., 10:223

Healing the Breach: Harmonizing Legal Practice and Education, Meltsner, Michael, 11:377

In re New England Telephone and Telegraph Company: The Scope of Authority of Counsel for the Public in Utility Rate Cases, Zamore, Peter H., 4:141

“In the Years When Murder Wore the Mask of Law”: Diary of a Capital Appeals Lawyer, Mello, Michael, 24:583

Inauguration of Dean L. Kinvin Wroth: The Law as a Public Profession, Wroth, L. Kinvin, 21:375

Jews, Christians, Lawyers, and Money, Shaffer, Thomas L., 25:451

Judicial Tenure in Vermont: Does Good Behavior Merit Retention?, McLean, David, 24:1321

Lawyering in the State of Nature: Instinct and Automaticity in Legal Problem Solving, Weinstein, Ian, 23:1

Legal Education in Vermont, Kempner, Maximilian W., 21:1

Pathologizing Professional Life: Psych-Literary Case Stories, Elkins, James R., 18:581

Pragmatism and the Promise of Adjudication, Shutkin, William Andrew, 18:57

Precedential Defilade: A Reply to Dean Chase, Berman, Donald H., 10:247

Russo v. Griffin: The Death of Vermont’s Locality Rule in Legal Malpractice, Cowles, David R., 12:295

Some Off-the-Cuff Remarks About Lawyers as Storytellers, Donovan, Jeremiah, 18:751

Symptoms Exposed When Legalists Engage in Moral Discourse: Reflections on the Difficulties of Talking Ethics, Elkins, James R., 17:353

The Bike Tour Leader’s Dilemma: Talking About Supervision, Meltsner, Michael, et al., 13:399

The Black Panther Party’s Narratives of Resistance, Papke, David Ray, 18:645

The Care/Equality Paradox for Women Lawyers, Harrington, Mona, 23:297

The Lawyer as Enlightened Citizen: Towards a New Regulatory Model in Environmental Law, Evans, Jill E., 24:229

The Narrative Construction of Legal Reality, Sherwin, Richard K., 18:681

The Non-Trial of the Century: Representations of the Unabomber, Mello, Michael, 24:417

The Regulation Of The Practice Of Law, Practice And Procedure, And Court Administration In Vermont—Judicial Or Legislative Power?, Dooley III, John A., 8:211

Vermont Task Force Report on Gender Bias in the Legal System: Introduction and Executive Summary, Vermont Task Force, 15:395

Webster and Rhetoric: Reading Again Benét's *The Devil and Daniel Webster*, McKenna, James, 17:425

Will You Please Be Quiet, Please? Lawyers Listening to the Call of Stories, Meyer, Philip N., 18:567

Women Lawyers in Celluloid, Rewrapped, Shapiro, Carole, 23:303

Work in Progress: The Vermont Rules of Professional Conduct, Taylor, A. Jeffry, 20:901

Legislation

A Critical Look at Vermont's New Child Custody Law, Gomez, Jane E., 11:671

A Critique of the Vermont Securities Act: Is Vermont's "Blue Sky" Really Grey?, Seelagy, Scott K., 11:131

A Response to Low-Level Radioactive Waste Disposal Policy in Vermont: An Assessment of Act 296, Greenberg, John, 16:1169

A Response to Statutory Obsolescence: The Nonprimacy of Statutes Act, Davies, Jack, 4:203

Act 230: Cost Containment, Deregulation, and the Reform of Special Education in Vermont, Eaton, Gregory M., 17:195

An Act Relating to Civil Unions, Vermont Legislature, 25:347

An Examination of the "Exceptional Reasons" Jurisprudence of the Mandatory Detention Act: Title 18 U.S.C. Sections 3143, 3145(c), Rosen, Jonathan S., 19:19

Application of the Mootness Doctrine to Citizen Suits Under the Clean Water Act After *Gwaltney of Smithfield v. Chesapeake Bay Foundation, Inc.*: Polluters Can't Escape the Controversy, Silverstein, Jeffrey M., 14:273

Beyond Standing: Proposals for Congressional Response to Supreme Court "Standing" Decisions, Dumont, James, 13:675

CERCLA Injunctive Orders in Chapter 11 Bankruptcy: Fresh Start or Free Ride for the Reorganized Debtor?, Shaftel, Michael I., 17:281

Distinguishing Rape: A Definitive Approach to Sexual Assault, Purdy, Linda A., 10:353

Due Process and Vermont's Abuse Prevention Statute, Opel, Robert, 7:185

Duty to Aid the Endangered Act: The Impact and Potential of the Vermont Approach, McClintock, Lon T., 7:143

Filtration Avoidance Under the Safe Drinking Water Act, Messina, Edward J., 19:557

Formal Enforcement of Act 250, Bashaw, John R., 10:469

Government Regulation of the Pursuit of Knowledge: The Recombinant DNA Controversy, Berger, Richard G., 3:83

Hacking Vermont's Computer Crimes Statute, Tower, Julie A., 25:945

In Opposition to Amending the Vermont Constitution, Kujovich, Gil, 25:277

Inert Ingredients and Pesticide Registration Data Requirements: EPA's Complacency
Compounds FIFRA's Inadequacies, Hogan, Kevin M., 15:265

Jar Wars in the Green Mountain State: Vermont's Drug Use Testing Act Has the
Potential to Be the Best in the Nation, Field, Andrew J., 13:593

Legislative Control Over The Uranium Industry In Vermont: Flirting With
Preemption, St. Amand, Lisa Anne, 7:315

Low-Level Radioactive Waste Disposal Policy in Vermont: An Assessment of Act
296, Wilson, Craig Prescott, 16:639

Medical Breakthroughs in Human Fetal Tissue Transplantation: Time to Reevaluate
Legislative Restrictions on Fetal Research, Ferenc, Neal D., 13:373

Moving Beyond the Body Count and Toward Compliance: Legislative Options for
Encouraging Environmental Self-Analysis, Marty, Kirk F., 20:495

Plugging the Leak in Underground Storage Tanks: The 1984 RCRA Amendments,
Commons, Geoffrey, 11:267

Protecting Liberty Interests: Developments in Vermont's Mental Health Law as
Federal Constitutional Protection Declines, Saxman, Anna, 9:265

Putting Senator Davies in Context, Gilmore, Grant, 4:233

Revising Vermont's Criminal Code, Stern, Barry Jeffery, 12:307

Solid Waste Source Reduction and the Product Ban: A Commerce Clause Violation?,
Montroll, Kim Ingrid, 13:691

State Regulation Of Private Church Schools: An Examination of Vermont's Act 151,
McCoy, Deborah S., 8:75

Successor Landowner Liability Under the Vermont Hazardous Waste Act of 1985,
Kelly, George W., 10:487

The Clean Air Act's Credible Evidence Rule: Achieving Greater Efficiency in
Environmental Regulation, Langer, David, 23:673

The Departments of Commerce and Interior: Bifurcating an Evolutionary Significant
Unit under the Endangered Species Act, Hulesserian, Tanya A., 23:605

The Dynamics of Tort Law: Court or Legislature?, Bischoff, Ralph F., 4:35

The Misnomer of Equality Under the Equal Access Act, Green, Steven, 14:369

The National Park Service Organic Act and Section 7(A)(1) of the Endangered Species
Act: Prioritizing Recreation and Endangered Species Preservation in the National
Parks, Hudson, Eric, 22:953

The Nonprimacy of Statutes Act: A Comment, Calabresi, Guido, 4:247

The Precautionary Principle in Marine Fisheries Conservation and the U.S. Sustainable
Fisheries Act of 1966, Territo, Michele, 24:1351

The Quick and the Dead: Fish Entrainment, Entrapment, and the Implementation and
Application of Section 316(b) of the Clean Water Act, May, James R., & van
Rossum, Maya K., 20:373

The Quick of the Matter: The Proposition of Takings Litigation Under the Save Our
Springs Ordinance, Friend, Gregory S., 25:545

The Regulation of Campaign Financing in Vermont: More Loophole than Law, Deiss, Wm. David, 6:237

The Sale of Business Doctrine: Landreth Adds New Life to the Anti-Fraud Provisions of the Securities Act, O'Brien, John A., & Moye, John E., 11:1

The Serious Young Offender Under Vermont's Juvenile Law: Beyond The Reach of *Parrens Patriae*, Junger, Patricia D., 8:173

The Surface Transportation Assistance Act: Federalism's Last Stand?, Scaramozza, James Michael, 11:203

The Vermont Department of Public Service's New Found Power Under Senate Bill 130: A Case of Conflicting Interests, Gottlieb, Ira, 12:517

The Vermont Supreme Court: "Guilty" of Judicial Legislating?, Scaramozza, James Michael, 11:661

To be or not to be: Opt-in Status Under the Antiterrorism and Effective Death Penalty Act, Stummer, Cristina, 25:603

Vermont's New Debtor's Exemption Statute, Lynch, David W., 13:609

Vermont's New Groundwater Law, Commons, Geoffrey, 10:479

Victims' Rights: Vermont's New Law, Bowerman, Lauren, 11:695

Maine Law

Maine's Commercial Whitewater Outfitter Laws: "Maximizing Competition" or Destroying It?, Abbott, John W., 11:233

State Constitutional Law in Maine: At the Crossroads, Tinkle, Marshall J., 13:61

Mississippi Law

Post-Custody, Pre-Indictment Problems of Fundamental Fairness and Access to Counsel: Mississippi's Opportunity, Whitten, Amy D., & Robertson, James L., 13:247

National Security

All's Note Fair in (Civil) War: Criminal Liability for Environmental Damage in Internal Armed Conflict, Bruch, Carl E., 25:695

Cyber Warfare and the Environment, Arkin, William M., 25:779

Environmental Law of War, Hourcle, Laurent R., 25:653

Nuclear War: Still the Gravest Threat to the Environment, Dycus, Stephen, 25:753

The Environmental Effects of Nuclear Weapons and the 1996 World Court Opinion, Matheson, Michael J., 25:773

The Totten Doctrine and Its Poisoned Progeny, Flynn, Sean C., 25:793

Native American Law

Aboriginal Title: Abenaki Indian Land Claim in Vermont, Lucido II, Robert O., 16:611

Introduction, Duthu, N. Bruce, 21:3

Jurisdiction Over Adjudications Involving the Abenaki Indians of Vermont, Doremus, Christine A., 10:417

Native American Collaboration in Cultural Resource Protection in the Columbia River Gorge National Scenic Area, Rogers, Krinstine Olson, 17:741

Protecting the Salmon: An Implied Right of Habitat Protection in the Stevens Treaties, and its Impact on the Columbia River Basin, Anderson, Ivy, 24:143

Quebec, Canada and the First Nations: The Problem of Secession, Wroth, L. Kinvin, 23:709

The Indian Country Environmental Justice Clinic: From Vision to Reality, Suagee, Dean B., 23:567

The Indian Gaming Regulatory Act: A Forum for Conflict Among the Plenary Power of Congress, Tribal Sovereignty, and the Eleventh Amendment, Jones, Eric D., 18:127

The Thurgood Marshall Papers and the Quest for a Principled Theory of Tribal Sovereignty: Fueling the Fires of Tribal/State Conflict, Duthu, N. Bruce, 21:47

The Tribal Property Right to Wildlife Capital (Part II): Asserting a Sovereign Servitude to Protect Habitat of Imperiled Species, Wood, Mary Christina, 25:355

Treating Tribes as States Under Federal Statutes in the Environmental Arena: Where Laws of Nature and Natural Law Collide, Monette, Richard A., 21:111

Tribal Court Jurisprudence: A Snapshot from the Field, Pommersheim, Frank, 21:7

Tribal Environmental Policy in an Era of Self-Determination: The Roles of Ethics, Economics, and Traditional Ecological Knowledge, Tsosie, Rebecca, 21:225

Tribal Voices in Historic Preservation: Sacred Landscapes, Cross-Cultural Bridges, and Common Ground, Suagee, Dean B., 21:145

Will the "Increasing Weight of History" Crush the Vermont Abenaki's Chances for Federal Acknowledgment?, Hatfield, Meredith, 23:649

Natural Resources

Acceptance of Sustainable Use Within the CITES Community, Hickey, Michael J., 23:861

Act 250's "Necessary Wildlife Habitat" Definition: How Much Wildlife Does it Embrace?, Perella, Joseph R., 12:531

Aquaculture and the Public Trust Doctrine: Accommodating Competing Uses of Coastal Waters in New England, Marston, Andrea, 21:335

Ecological Health and the Northern Forest, Trombulak, Stephen C., 19:283

Examining the Role of Potentially Responsible Parties in Assessing Natural Resource Damages, Bentley, Jason, 23:431

Farmland Preservation in Vermont and the Creative Use of Land Trusts, Rice-Osterhoudt, Rebecca, 11:603

Introduction, Duthu, N. Bruce, 21:3

Legislative Review of Agency Rule-Making: Vermont's Antlerless Deer Hunting Regulation, Bashaw, John R., 11:105

Litigating the Crossroads Between Sweet Home and Daubert, Jensen, Brandon, 24:169

Maine's Commercial Whitewater Outfitter Laws: "Maximizing Competition" or Destroying It?, Abbott, John W., 11:233

Managing the Northern Forest: Lessons from the West, Huffman, James L., 19:477

Native American Collaboration in Cultural Resource Protection in the Columbia River Gorge National Scenic Area, Rogers, Krinstine Olson, 17:741

Of Wilderness and Commerce: A Historical Overview of the Northern Forest, Blackmer, Stephen D., 19:263

Other Lessons from the Northwest, Whitelaw, Ed, 19:493

Protecting the Salmon: An Implied Right of Habitat Protection in the Stevens Treaties, and its Impact on the Columbia River Basin, Anderson, Ivy, 24:143

Regulation of Energy Developments in the Green Mountain National Forest: Is Vermont Law Preempted?, Storrow, Charles F., 7:97

Reweaving the Landscape: The Institutional Challenges of Ecosystem Management for Lands in Private Ownership, Breckenridge, Lee P., 19:363

The Adirondack Park and the Northern Forest: An Essay on Preservation and Conservation, Halper, Louise A., 19:335

The Coming Fresh Water Crisis: International Legal and Institutional Responses, McCaffrey, Stephen, 21:803

The Hidden Value of a Dime: How a Federal Bottle Bill Can Benefit the Country, Godush, Brett, 25:855

The National Park Service Organic Act and Section 7(A)(1) of the Endangered Species Act: Prioritizing Recreation and Endangered Species Preservation in the National Parks, Hudson, Eric, 22:953

The Precautionary Principle in Marine Fisheries Conservation and the U.S. Sustainable Fisheries Act of 1966, Territo, Michele, 24:1351

The Tribal Property Right to Wildlife Capital (Part II): Asserting a Sovereign Servitude to Protect Habitat of Imperiled Species, Wood, Mary Christina, 25:355

Timber Taxes: A Critique of the Northern Forest Lands Council's Tax Recommendations, Milne, Janet E., 19:423

Wetland Protection and Section 404 of the Federal Water Pollution Control Act Amendments of 1972: A Corps of Engineers Renaissance, Ablard, Charles D., & O'Neill, Brian Boru, 1:51

Wild Lands and System Values: Our Legal Accountability to Wilderness, Foster, Leann, 22:917

Yucca Mountain and Reversing the Irreversible: The Need for Monitored Retrievable Storage in a Permanent Repository, Ross, David P., 25:815

New Hampshire Law

Ancient New England Highways: The Hanover "Greenways" Controversy, Sutton, Edward D., 9:373

Constitutionalism And The Rule Of Law: New Hampshire's Home Schooling Quandry, Stocklin-Enright, Brendan, 8:265

Raising Revenue for an Adequate Education in New Hampshire, Brown Thunberg, Marcia A., 20:1001

The New Hampshire/Vermont Solid Waste Project: Is There a Solution?, Simpson, Aaron H., 20:1091

Voir Dire in New Hampshire: A Flawed Process, Smith, Lee, 25:575

New Jersey Law

Norman Williams, Exclusionary Zoning, and the Mount Laurel Doctrine: Making the Theory Fit the Facts, Payne, John M., 20:665

The Background of Mount Laurel I, Williams, Jr., Norman, & Yates, Anya, 20:687

New York Law

Arbitration: An Antidote to New York's Medical Malpractice Crisis, O'Brien, Karen R., 11:577

Beyond Son of Sam: Simon & Schuster, Inc. v. New York State Crime Victims Board and a Constitutionally Valid Alternative to New York Executive Law Section 632-a, Tschorn, Adam Robert, 17:321

Highway Construction on the New York State Forest Preserve: Permissible Limits and Arbitrary Restrictions, Racette, Peter, 10:179

School Planning in New York During the 1950's, Williams Jr., Norman, & Yates, Anya, 20:647

The Empire State SLAPPs Back: New York's Legislative Response to SLAPP Suits, McBride, Jr., Edward W., 17:925

News Media

Death and His Lawyers: Why Joseph Spaziano Owes His Life to the Miami Herald—and Not to any Defense Lawyer or Judge, Mello, Michael, 20:19

Postscript—Death and His Lawyers, Mello, Michael, 20:945

Protecting the Media from Excessive Damages: The Nineteenth-Century Origins of Remitter and its Modern Application in *Food Lion*, Snyder, Brad, 24:299

Regulation of Investment Newsletter Publishers: The SEC's Power Reaches a New Lowe, Hall, Thomas J., 11:175

The Psychological Conditions for a Socially Significant Free Press: Reconsidering the Hutchins Commission Report Fifty Years Later, Calvert, Clay, 22:493

The Remedies Available to Candidates Who Are Defamed by Television or Radio Commercials of Opponents, Albert, James A., 11:33

Oil and Gas Law

Plugging the Leak in Underground Storage Tanks: The 1984 RCRA Amendments, Commons, Geoffrey, 11:267

Oregon Law

Oregon's Constitutional Renaissance: Federalism Revisited, Buttler, John H., 13:107

Politics

A Crisis in Confidence: Municipal Officials under Fire, Markowitz, Deborah L., 16:579

Liberalism Within the Limits of the Reasonable Alone: Developments of John Rawls' Political Philosophy, its Political Positivism, and the Limits on its Applicability, Lake, Peter F., 19:603

Rediscovering Progressive Labor Politics: The Labor Law Implications of Federal Trace Commission v. Superior Court Trial Lawyers Association, Minda, Gary, 16:71

Terrorism as Impermissible Political Violence: An International Law Framework, Greene, Kevin J., 16:461

The Environmental Challenge: What We Must Do to Survive, Gore, Al, 14:549

The Regulation of Campaign Financing in Vermont: More Loophole than Law, Deiss, Wm. David, 6:237

The Remedies Available to Candidates Who Are Defamed by Television or Radio Commercials of Opponents, Albert, James A., 11:33

Practice and Procedure

A Problem of Post-Judgment Executions in Vermont—Sheriffs' Liability, Graham, Felicia B., 2:117

A Suggested Interpretation of Vermont's DR-107(A)(1): The Employment Attorney's Perspective on Contacting Employees of an Adverse Business Organization, Schaefer, Catherine L., 18:95

A Wrong Without a Remedy: Proposing a Recusal Procedure for Circuit Court Judges, Hutt, Jason, 22:627

Beyond Standing: Proposals for Congressional Response to Supreme Court "Standing" Decisions, Dumont, James, 13:675

Collaboration in Law Practice: A Satisfying and Productive Process for a Diverse Profession, Bryant, Susan, 17:459

Developing a Unified Approach to Pendent and Ancillary Jurisdiction: A Merger Made in Heaven, Krikorian, Priscilla Dodakian, 11:505

Expert and Opinion Evidence in Vermont: Developments, Profiles, and Emerging Concerns for Reliability of Scientific Evidence, Kreiling, Kenneth R., 17:109

Lessening the Mens Rea Requirement for Hazardous Waste Violations, Ianelli, Judith, 16:419

Party Status and Standing Under Vermont's Land Use and Development Law (Act 250), Healey, William V., 2:163

People Who Live In Glass Houses Should Not Build In Vermont: The Need For A Statute of Limitations For Architects, Thomas, Charlotte E., 9:101

The Appointment of Guardians by Will: A Comparison of Vermont's Statutory Provisions with the Provisions of the Uniform Probate Code, Grossman, Daniel F., 4:275

The Need to Abolish Defenses to Crime: A Modest Proposal to Solve the Problem of Burden of Persuasion, Quigley, John, 14:335

The Regulation Of The Practice Of Law, Practice And Procedure, And Court Administration In Vermont—Judicial Or Legislative Power?, Dooley III, John A., 8:211

The Totten Doctrine and Its Poisoned Progeny, Flynn, Sean C., 25:793

To be or not to be: Opt-in Status Under the Antiterrorism and Effective Death Penalty Act, Stummer, Cristina, 25:603

Voir Dire in New Hampshire: A Flawed Process, Smith, Lee, 25:575

Privacy

Beyond Dronenburg: Rethinking the Right to Privacy, Corti, Karen A., 11:299

Comment on the Right to Marital Privacy: A Postscript on *Griswold v. Connecticut*, Rockwell, Landon G., 2:69

Is All Privacy Created Equal?, Brennan, Annemarie, 20:815

Privacy and the Texas Constitution, Harrington, James C., 13:155

Privacy in the Burger Court: The Influence of Mr. Justice Black, Meiklejohn, Donald, 2:35

The Lack of Privacy in Vermont, Monte, Suzanne M., 24:199

Professional Responsibility

Decisions for the Dying: An Empirical Study of Physicians' Responses to Advance Directives, Zinberg, Joel M., 13:445

Russo v. Griffin: The Death of Vermont's Locality Rule in Legal Malpractice, Cowles, David R., 12:295

The Regulation Of The Practice Of Law, Practice And Procedure, And Court Administration In Vermont—Judicial Or Legislative Power?, Dooley III, John A., 8:211

Work in Progress: The Vermont Rules of Professional Conduct, Taylor, A. Jeffry, 20:901

Property

Aboriginal Title: Abenaki Indian Land Claim in Vermont, Lucido II, Robert O., 16:611

Ancient New England Highways: The Hanover "Greenways" Controversy, Sutton, Edward D., 9:373

And Now We Are Here on a Darkling Plain, Williams Jr., Norman, & Ernst, Holly, 13:635

And Now We Have Four Systems—, Williams Jr., Norman, 12:1

Casino Development in Atlantic City: Abuses and Remedies, Maxwell, Robert William, 10:383

Changing Vermont's Current Use Appraisal Program to Provide Property Tax Incentives for Conservation Easements, Ceglowksi, Susan M., 17:165

Danger in Vermont Backyards: An Argument for Swimming Pool Barrier Regulations in Vermont, Killegrew, Patricia A., 22:173

Economic Implications of Wider Compensation for "Takings" or, What If Agricultural Policies Ruled the World, Runge, C. Ford, 17:723

Estate Planning for the Family with a Disabled Child, Webster, Allen D., & Riley, Douglas K., 14:529

Farmland Preservation in Vermont and the Creative Use of Land Trusts, Rice-Osterhoudt, Rebecca, 11:603

Fence Viewers And Division Fences In Vermont: New Expectations, Di Stefano, Mark J., 8:433

Forgotten Rights: Takings Claims and the International Emergency Economic Powers Act, Meezan, David M., 21:591

Groundwater Rights in Vermont: Drinkwine v. State, Sahl, John P., 4:189

Haner v. Bruce: Failure to Accord to the Present Realities of the Real Estate Recording System, Ellis, William F., 12:283

Hazardous Waste Cleanup: Trying to Keep the Sleeping Ogre Asleep, Van Tuyn, Peter, 14:247

Keeping Faith: Fiduciary Obligations in Property Owners Associations, Natelson, Robert G., 11:421

Marking the Line Between Criminal Fraud and Commercial Misfortune: The Amendment of Vermont's Law of False Pretense, Proctor, Bruce N., 7:125

Nonpossessory Prejudgment Attachments of Real and Personal Property in Vermont, Koch Jr., William T., 3:217

On from Mount Laurel: Guidelines on the "Regional General Welfare", Williams, Norman, Jr., 1:23

Other Lessons from the Northwest, Whitelaw, Ed, 19:493

Planning Law In The 1980's: What Do We Know About It?, Williams Jr., Norman, 7:205

Promissory Estoppel and "Property" in the Due Process Clause: Toward a Consistent Rationale, Richards III, Rowland, 20:847

Property Tax Exemptions for Nonprofit Organizations in Vermont, Copper, Thomas N., 6:217

Protecting Common Property Resources Through the Marketplace: Individual Transferable Quotas for Surf Clams and Ocean Quahogs, Marvin, Katharine A., 16:1127

Recreational Rights In Public Water Overlying Private Property, Hatch, Marcia L., 8:301

Regulatory Takings: Coherent Concept or Logical Contradiction?, Bromley, Daniel W., 17:647

Reweaving the Landscape: The Institutional Challenges of Ecosystem Management for Lands in Private Ownership, Breckenridge, Lee P., 19:363

Security of Tenure for the Residential Tenant: An Analysis and Recommendations, Sullivan, Paul, 21:1015

Successor Landowner Liability Under the Vermont Hazardous Waste Act of 1985, Kelly, George W., 10:487

Taking Risks: Executive Order 12,630 and Environmental Health and Safety Regulation, Engel, Kirsten, 14:213

"Tanks for the Memories": Abandoning Caveat Emptor for the Transfers of Residential Property Contaminated with Petroleum from Leaking Underground Storage Tanks, Polonsky, Alex, 22:979

Taxation of Preservation Interests as Property in Vermont, Clark, Kenneth A., 5:161

The Effect of Act 250 on Prime Farmland in Vermont, Kaplan, Stephanie J., 6:437

The Green Alternative to Classical Liberal Property Theory, Frazier, Terry W., 20:299

The Public Trust Doctrine and Federal Condemnation: A Call for Recognition of a Federal Common Law, Malley Jr., J. Wallace, & Silverstein, Jeffrey M., 15:501

The Quick of the Matter: The Proposition of Takings Litigation Under the Save Our Springs Ordinance, Friend, Gregory S., 25:545

The Rhetoric of Marriage, Achievement, and Power: An Analysis of Judicial Opinions Considering the Treatment of Professional Degrees as Marital Property, Keller, Susan Etta, 21:409

The Takings Issue and the Due Process Clause: A Way Out of a Doctrinal Confusion, Echeverria, John D., & Dennis, Sharon, 17:695

The Tribal Property Right to Wildlife Capital (Part II): Asserting a Sovereign Servitude to Protect Habitat of Imperiled Species, Wood, Mary Christina, 25:355

The White River Junction Manifesto, Williams Jr., Norman, et al., 9:193

Valuation of Business Inventory Under Vermont's Personal Property Tax: A Proposal to Abolish the Existing System of April 1 Valuation and to Adopt Average Valuation Appraisal, Cattani II, Louis J., 1:203

Vermont Law Governing Standing in Zoning Appeals: An Argument for Expansion, Gomez, Jane E., 12:217

Vermont's Law of Promises Running With the Land: Formal Restraints on a Practical Doctrine, Livingston, Randall M., 6:437

You Can't Touch This: A Discussion of the Perils of Phillips v. Washington Legal Foundation and the Detrimental Effect to Individuals of Expanding the Definition of Property Without Proper Consideration, Goldstein, Nick, 24:1183

Zoning Variance Administration In Vermont, Donovan, Michael D., 8:371

Zoning—Right of Town to Deny State Agency a Zoning Permit—Vermont Division of State Buildings v. Town of Castleton Board of Adjustment, 138 Vt. 250, 415 A.2d 188 (1980), Adler, Steven A., 6:309

Public Health and Welfare

Moving Beyond Risk in Assessing Technological Artifacts: The Case of Recombinant Bovine Somatotropin, Beiswenger, John, 16:667

Slowing the Rush to Burn: The Need to Revise Federal Municipal Solid Waste Policy to Prioritize Recycling over Incineration, Irwin, Thomas F., 19:891

The Empire State SLAPPs Back: New York's Legislative Response to SLAPP Suits, McBride, Jr., Edward W., 17:925

The Environmental Challenge: What We Must Do to Survive, Gore, Al, 14:549

The Logic and Limits of Public Information Mandates Under Federal Hazardous Waste Law: A Policy Analysis, Blomquist, Robert F., 14:559

Public Interest

"A Plague of Lawyers"? Law and the Public Interest, Oakes, James L., 2:1

Application of the Mootness Doctrine to Citizen Suits Under the Clean Water Act After Gwaltney of Smithfield v. Chesapeake Bay Foundation, Inc.: Polluters Can't Escape the Controversy, Silverstein, Jeffrey M., 14:273

At the Fusion of Horizons: Incommensurability and the Public Interest, Williams, Joan Chalmers, 20:625

In re New England Telephone and Telegraph Company: The Scope of Authority of Counsel for the Public in Utility Rate Cases, Zamore, Peter H., 4:141

Interface Between Developers of Small Hydro Projects and Utilities, Greenman, Frederic E., 5:313

The Environmental Challenge: What We Must Do to Survive, Gore, Al, 14:549

The Logic and Limits of Public Information Mandates Under Federal Hazardous Waste Law: A Policy Analysis, Blomquist, Robert F., 14:559

Public Trust Doctrine

Aquaculture and the Public Trust Doctrine: Accommodating Competing Uses of Coastal Waters in New England, Marston, Andrea, 21:335

Extending Public Trust Duties to Vermont's Agencies: A Logical Interpretation of the Common Law Public Trust Doctrine, Fitzgerald, Donna Sheehan, 19:509

Recreational Rights In Public Water Overlying Private Property, Hatch, Marcia L., 8:301

The Interaction of the Public Trust and the "Takings" Doctrines: Protecting Wetlands and Critical Coastal Areas, Archer, Jack H., & Stone, Terrance H., 20:81

The Public Trust Doctrine and Federal Condemnation: A Call for Recognition of a Federal Common Law, Malley Jr., J. Wallace, & Silverstein, Jeffrey M., 15:501

Public Utilities

Commercial Power Reactors for Defense Purposes: Tritium Production and the United States' Disregard for Longstanding Non-Proliferation Policy and International Integrity, Barnes, Christopher G., 23:201

Impact of Economic and Financial Policies on the Development of Small-Scale Hydroelectric Facilities in New England, Lynch, Daniel R., & Kirshen, Paul H., 5:295

In re New England Telephone and Telegraph Company: The Scope of Authority of Counsel for the Public in Utility Rate Cases, Zamore, Peter H., 4:141

Interface Between Developers of Small Hydro Projects and Utilities, Greenman, Frederic E., 5:313

Introduction to Symposium: Hydroelectric Power in New England, Dycus, J. Stephen, & Lapping, Mark B., 5:185

Resurgence of the River Treasure: Jefferson PUD and a Comprehensive Plan for Hydroelectric Power, Handy, Seth, 20:201

The Role of the Federal Energy Regulatory Commission in Licensing Small Hydroelectric Projects, Debevoise, Thomas M., 5:279

The Vermont Department of Public Service's New Found Power Under Senate Bill 130: A Case of Conflicting Interests, Gottlieb, Ira, 12:517

Religion

An "Eye for an Eye": Does God Sanction Capital Punishment?, Carnot, Kimberley H., 25:523

Introduction: Reflections of a Former Hebrew, Novick, Sheldon M., 23:451

Jews, Christians, Lawyers, and Money, Shaffer, Thomas L., 25:451

Repelling a Constitutional Battering Ram: The Fight to Keep Nonstudent Religious Worship Services out of Public Schools, Kravitz, Jason C., 19:643

The Law of the Jubilee in Modern Perspective, Ledewitz, Bruce, & Taylor, Robert D., 22:157

Remedies

A Problem of Post-Judgment Executions in Vermont—Sheriffs' Liability, Graham, Felicia B., 2:117

Mediation: A New Remedy for Cases of Domestic Violence, Bethel, Charles A., & Singer, Linda R., 7:15

Nonpossessory Prejudgment Attachments of Real and Personal Property in Vermont, Koch Jr., William T., 3:217

The Remedies Available to Candidates Who Are Defamed by Television or Radio Commercials of Opponents, Albert, James A., 11:33

Trustee Process Against Earnings in Vermont, Richardson, Susanne, 5:133

Vermont's Close Jail Execution: Physical Incarceration of the Wilful and Malicious Tortfeasor, Chapman III, S. Stacy, 3:165

Reproductive Rights

An Emerging Consensus: Reproductive Technology and the Law, Dolgin, Janet L., 23:225

Is All Privacy Created Equal?, Brennan, Annemarie, 20:815

Medical Breakthroughs in Human Fetal Tissue Transplantation: Time to Reevaluate Legislative Restrictions on Fetal Research, Ferenc, Neal D., 13:373

The Rights of the Biological Father: From Adoption and Custody to Surrogate Motherhood, Stanton, Elizabeth Rose, 12:87

Securities

A Critique of the Vermont Securities Act: Is Vermont's "Blue Sky" Really Grey?, Seelagy, Scott K., 11:131

Insider Trading: The Current Move Toward Increasing Civil and Criminal Liability for an Ill-Defined Crime and the Need for a Definition, Baribeault Jr., Raymond L., 14:79

Regulation of Investment Newsletter Publishers: The SEC's Power Reaches a New Lowe, Hall, Thomas J., 11:175

The Battle Against Insider Trading: Are We Paying Too High A Price For Too Little Gain?, DiRussso, Francis Christian, 14:457

The Sale of Business Doctrine: Landreth Adds New Life to the Anti-Fraud Provisions of the Securities Act, O'Brien, John A., & Moye, John E., 11:1

Sexual Harassment

A Proposal to Ban Sexual Orientation Discrimination in Private Employment in Vermont, Dillon, Judith Lillian, 15:435

Efficient But Not Equitable: The Problem With Using the Law and Economics Paradigm to Interpret Sexual Harassment in the Work Place, Lester, Toni, 22:519

Sexual Harassment Between Peers Under Title VII and Title IX: Why Girls Just Can't Wait to be Working Women, LeClair, Laurie, 16:303

The Reasonable Woman in Sexual Harassment Law and the Case for Subjectivity, Blackwood, Eileen M., 16:1005

Sexual Orientation

A Note from the Editors: A Vermont Law Review Milestone, a Landmark Case, and a Vermont Election, Ross, David, & Rider, Heather, 25:1

A Proposal to Ban Sexual Orientation Discrimination in Private Employment in Vermont, Dillon, Judith Lillian, 15:435

AIDS and Informed Consent: Recognizing Partners As Surrogate Decision-Makers, Grabowski, Barbara J., 15:333

An Essay on the Passive Virtue of Baker v. State, Kujovich, Gil, 25:93

Beyond Baker: The Case for a Vermont Marriage, Coolidge, David Orgon, & Duncan, William C., 25:61

But Why Not Marriage: An Essay on Vermont's Civil Unions Law, Same-Sex Marriage, and Separate But (Un)equal, Cox, Barbara J., 25:113

Exploring the Limits: Feminism and the Legal Regulation of Gay Male Pornography, Stychin, Carl F., 16:857

For Today I'm Gay: The Unfinished Battle for Same-Sex Marriage in Vermont, Mello, Michael, 25:149

Joint Adoption: A Queer Option?, Unsigned, 15:197

The Baker Case, Civil Unions, and the Recognition of our Common Humanity: An Introduction and a Speculation, Chambers, David, 25:5

The Meaning of "Sex": Homosexual and Bisexual Harassment Under Title VII, Calleros, Charles R., 20:55
Vermont Civil Unions: The New Language of Marriage, Johnson, Greg, 25:15

Sports and Entertainment Law

Assumption of Risk After *Sunday v. Stratton Corporation*: The Vermont Sports Injury Liability Statute and Injured Skiers, Manby, C. Robert, 3:129
Baseball's Antitrust Exemption Repealed: An Analysis of the Effect on Salary Cap and Salary Taxation Provisions, Picher, Thomas C., 20:559
Blowing the Whistle on the NFL's New Instant Replay Rule: Visual Evidence and a Recommended "Appellate" Model, Guggenheim, Jack Acheizer, 24:567
Can the NBA Punish Dennis Rodman? An Analysis of First Amendment Rights in Basketball, Dean, Karen Martin, 23:157

State and Local Government

"No Simple Disposition": The Brigham Case and the Future of Local Control Over School Spending in Vermont, Teachout, Peter, 22:21
A Constitutional Analysis of Gubernatorial Succession Provisions in Vermont, Kennedy, J. Patrick, 17:235
A Crisis in Confidence: Municipal Officials under Fire, Markowitz, Deborah L., 16:579
Against the Stream: An Introduction to the Vermont Law Review Symposium on the Revolution in State Constitutional Law, Teachout, Peter R., 13:13
Ancient New England Highways: The Hanover "Greenways" Controversy, Sutton, Edward D., 9:373
Are We An Over-Regulated Society?, Hufstedler, Shirley M., 8:55
Chester, Pennsylvania—Was It a Classic Example of Environmental Justice?, Hill, Barry E., 23:479
Contributions of State Constitutional Law to the Third Century of American Federalism, Kaye, Judith S., 13:49
Federalism and State Constitutions, Douglas III, Charles G., 13:127
Large Development Meets Act 250: Does Phasing Make a Monster or Tame It?, Henrie, Michelle, 23:393
Oregon's Constitutional Renaissance: Federalism Revisited, Buttler, John H., 13:107
State Constitutional Law in Maine: At the Crossroads, Tinkle, Marshall J., 13:61
State Constitutional Law: An Attorney General's Perspective, Amestoy, Jeffrey L., 13:337
Target Defendants and Tort Law Reform: A Perspective on Medical Malpractice and Municipal Liability, Michak, George A., 11:535

The "Malling" of Vermont: Can the "Growth Center" Designation Save the Traditional Village from Suburban Sprawl?, Jay, Jessica E., 21:929

The Indian Gaming Regulatory Act: A Forum for Conflict Among the Plenary Power of Congress, Tribal Sovereignty, and the Eleventh Amendment, Jones, Eric D., 18:127

The Quick of the Matter: The Proposition of Takings Litigation Under the Save Our Springs Ordinance, Friend, Gregory S., 25:545

The Right to "Equal Privileges and Immunities": A State's Version of "Equal Protection", Schuman, David, 13:221

The Road to Equal Educational Opportunity For Vermont Schoolchildren, Gensberg, Robert, 22:1

Symposium: A Fair Hearing

From Gender Difference to Feminist Solidarity: Using Carol Gilligan and an Ethic of Care in Law, Bender, Leslie, 15:1

"Lady" Justice: Power and Image in Feminist Jurisprudence, Buker, Eloise A., 15:69

Listening to Dr. Fiske: The Easy Case of *Price Waterhouse v. Hopkins*, Chamallas, Martha, 15:89

Nostalgia as Constitutional Doctrine: Legalizing Norman Rockwell's America, Brown, Judith Olans, & Baumann, Phyllis Tropper, 15:49

On Doing the Right Thing: Education Work in the Academy, Harris, Angela P., 15:125

Stumbling Blocks and Stepping Stones: Newcomers' Guide to Perilous Terrain in Law School, Schwartz, Lois, & Homer, Suzanne, 15:165

Surviving Legal De-Education: An Outsider's Guide, Scales, Ann C., 15:139

Symposium: Biology, Behavior & The Criminal Law

Biological Theories of Human Behavior: Admonitions of a Skeptic, Vogel, Joan, 22:425

Biology, Behavior, and Criminal Law: Seeking a Responsible Approach to an Inevitable Interchange, Goodenough, Oliver R., 22:263

Can a Biological Inquiry Help Reduce Male Violence Against Women?, Hanna, Cheryl, 22:333

Environmental Pollution and Crime, Masters, Roger D., 22:359

Gender Differences in Biological and Sociological Predictors of Crime, Denno, Deborah W., 22:305

Racial Images of the "Criminal": A Cognitive Disorder, Novick, Sheldon M., 22:383

Reciprocity and Criminal Justice: Using Epigenetics to Design a Program, Perry, John G., 22:407

Reciprocity and the Law, Badcock, Christopher, 22:295

Symposium: Contemporary Perspectives on Civil Rights and Civil Liberties

Exploring the Limits: Feminism and the Legal Regulation of Gay Male Pornography, Stychin, Carl F., 16:857

Impassioning a Civil Rights Course, Bender, Leslie, & Braveman, Daan, 16:943

Scholarly Discourse, Barnes, Robin C., 16:933

The Moral Confusion of Affirmative Action Jurisprudence or When Will We learn to Bear the Shame of Guilt?, Day, Kate Nace, 16:777

The Voice of the Little People—A Lost Value in Commercial Speech Analysis, Hunter, Robert C., 16:901

Symposium: Environmental Justice: Mobilizing for the 21st Century

Balancing the Interests and Maximizing Rights in Environmental Justice, Yang, Tseming, 23:529

Chester, Pennsylvania—Was It a Classic Example of Environmental Justice?, Hill, Barry E., 23:479

Environmental Justice and Environmental Quality Benefits: The Oldest, Most Pernicious Struggle and Hope for Burdened Communities, Swantson, Samara F., 23:545

Introduction: Reflections of a Former Hebrew, Novick, Sheldon M., 23:451

Leveling the Playing Field through Environmental Justice, Bullard, Robert D., 23:453

The Indian Country Environmental Justice Clinic: From Vision to Reality, Suagee, Dean B., 23:567

Symposium: Family Violence in America—Part I

Breaking the Vicious Circle: The Lawyer's Role, Wesley, John P., 6:363

Improving the Legal Response of Child Protective Service Agencies, Horowitz, Robert M., & Davidson, Howard A., 6:381

Introduction: Coping With Family Violence—Strategies and Tactics For the 1980's, Schechter, Lowell F., 6:325

The "Civil" Prosecution of Child Abuse and Neglect, Besharov, Douglas J., 6:403

The Social Context of Domestic Violence: Implications For Prevention, Gil, David G., 6:339

Symposium: Family Violence in America—Part II

Beyond the Juror's Ken: Battered Women, Walker, Lenore E., et al., 7:1

Expansion of Arrest Power: A Key to Effective Intervention, Lerman, Lisa G., 7:59

Mediation: A New Remedy for Cases of Domestic Violence, Bethel, Charles A., & Singer, Linda R., 7:15

The Spousal Exemption for Criminal Rape Prosecution, Schwartz, Martin D., 7:33

Symposium: Hydroelectric Power in New England

Hydropower in New England: An Introduction, Ehrenfeld, John R., 5:189

Introduction to Symposium: Hydroelectric Power in New England, Dycus, J. Stephen, & Lapping, Mark B., 5:185

Small Hydropower Development and the Environment: A Survey of State and Federal Law, Scotch, Benson D., 5:251

The Common Law of Waterpower in New England, Brion, Denis J., 5:201

The Role of the Federal Energy Regulatory Commission in Licensing Small Hydroelectric Projects, Debevoise, Thomas M., 5:279

Symposium: International Environmental Law: A Global View of the New Millennium

International Nuclear Safety: The Case of the Chernobyl Nuclear Power Station, Marples, David R., & Cerullo, Tatyana E., 24:1209

Note from the Editors, Cerullo, Tatyana E., & Idzelis, Rima, 24:1207

Sustainable Development in the Global Economy: New Systems in Environmental Management, Monsma, David, 24:1245

The Global Facility and the Search for Financial Strategies to Foster Sustainable Development, Miller, Alan S., 24:1229

Symposium: Labor and Employment Law

Employment Discrimination Law and the Need for Reform, Cooper, Christine Godsil, 16:183

National Labor Relations Board Control of Union Discipline and the Myth of Nonintervention, Hartley, Roger C., 16:11

Rediscovering Progressive Labor Politics: The Labor Law Implications of Federal Trace Commission v. Superior Court Trial Lawyers Association, Minda, Gary, 16:71

The Americans with Disabilities Act of 1990: Title I and Its Impact on Employment Decisions, Weatherspoon, Floyd D., 16:263

The Implications of Inadequate Maternity Leave Policies Under Title VII, Lally-Green, Maureen E., 16:223

Toward Justice in the Workplace, Kennedy, Edward M., 16:1

Workplace Discrimination: Truthfulness and the Moral Imagination, Calhoun, Emily, 16:137

Symposium: Lawyers as Storytellers & Storytellers as Lawyers: An Interdisciplinary Symposium Exploring the Use of Storytelling in the Practice of Law

“Desperate for Love”: Cinematic Influences upon a Defendant’s Closing Argument to a Jury, Meyer, Philip N., 18:721

Pathologizing Professional Life: Psych-Literary Case Stories, Elkins, James R., 18:581

Some Off-the-Cuff Remarks About Lawyers as Storytellers, Donovan, Jeremiah, 18:751

The Black Panther Party’s Narratives of Resistance, Papke, David Ray, 18:645

The Narrative Construction of Legal Reality, Sherwin, Richard K., 18:681

Will You Please Be Quiet, Please? Lawyers Listening to the Call of Stories, Meyer, Philip N., 18:567

Symposium: Making Waves: A Celebration of 25 Years of Women at Vermont Law School

Introduction, Barnes, Erin, & Dean, Karen Martin, 23:283

The Care/Equality Paradox for Women Lawyers, Harrington, Mona, 23:297

The New “Tokenism”, Fineman, Martha Albertson, 23:289

Women Lawyers in Celluloid, Rewrapped, Shapiro, Carole, 23:303

25 Years of Women Making Waves at Vermont Law School, Smiddy, Linda O., 23:285

Symposium: Papers from the Fourteenth Annual Environmental Law Conference

After Lucas: No More Wetland Takings?, Disheroon, Fred R., 17:683

Economic Implications of Wider Compensation for “Takings” or, What If Agricultural Policies Ruled the World, Runge, C. Ford, 17:723

Introduction, Vermont Law Review, 17:645

Native American Collaboration in Cultural Resource Protection in the Columbia River Gorge National Scenic Area, Rogers, Krinstine Olson, 17:741

Regulatory Takings: Coherent Concept or Logical Contradiction?, Bromley, Daniel W., 17:647

The Takings Issue and the Due Process Clause: A Way Out of a Doctrinal Confusion, Echeverria, John D., & Dennis, Sharon, 17:695

Symposium: Perspectives on Lawyering

Collaboration in Law Practice: A Satisfying and Productive Process for a Diverse Profession, Bryant, Susan, 17:459

Symptoms Exposed When Legalists Engage in Moral Discourse: Reflections on the Difficulties of Talking Ethics, Elkins, James R., 17:353

Webster and Rhetoric: Reading Again Benét's The Devil and Daniel Webster, McKenna, James, 17:425

Symposium: Quebec, Canada and First Nations: The Problem of Secession

Divided Houses: Secession and Constitutional Faith in Canada and the United States, LaSelva, Samuel V., 23:771

Introduction, Brooks, Richard O., 23:699

Quebec, Canada and the First Nations: The Problem of Secession, Wroth, L. Kinvin, 23:709

Reference re: Secession of Quebec, Supreme Court of Canada, 23:721

The Cree Intervention in the Canadian Supreme Court Reference on Quebec Secession: A Subjective Assessment, Sheppard, Claude-Armand, 23:845

The Quebec Secession Reference and the Judicial Arbitration of Conflicting Narratives about Law, Democracy and Identity, Gaudreault-DesBiens, Jean Francois, 23:793

Symposium: Stewards of the Land: Indian Tribes, The Environment, and The Law

Introduction, Duthu, N. Bruce, 21:3

The Thurgood Marshall Papers and the Quest for a Principled Theory of Tribal Sovereignty: Fueling the Fires of Tribal/State Conflict, Duthu, N. Bruce, 21:47

Treating Tribes as States Under Federal Statutes in the Environmental Arena: Where Laws of Nature and Natural Law Collide, Monette, Richard A., 21:111

Tribal Court Jurisprudence: A Snapshot from the Field, Pommersheim, Frank, 21:7

Tribal Environmental Policy in an Era of Self-Determination: The Roles of Ethics, Economics, and Traditional Ecological Knowledge, Tsosie, Rebecca, 21:225

Tribal Voices in Historic Preservation: Sacred Landscapes, Cross-Cultural Bridges, and Common Ground, Suagee, Dean B., 21:145

Symposium: The Environmental Law of War

A Note from the Editors: An Introduction to Vermont Law Review's Symposium on the Environmental Law of War, Flynn, Sean C., 25:649

All's Note Fair in (Civil) War: Criminal Liability for Environmental Damage in Internal Armed Conflict, Bruch, Carl E., 25:695

Cyber Warfare and the Environment, Arkin, William M., 25:779

Environmental Law of War, Hourcle, Laurent R., 25:653

Nuclear War: Still the Gravest Threat to the Environment, Dycus, Stephen, 25:753

**The Environmental Effects of Nuclear Weapons and the 1996 World Court Opinion,
Matheson, Michael J., 25:773**

Symposium: The Northern Forest Lands & The Law

**Ecological Health and the Northern Forest, Trombulak, Stephen C., 19:283
Of Wilderness and Commerce: A Historical Overview of the Northern Forest,
Blackmer, Stephen D., 19:263**

Symposium: The Revolution in State Constitutional Law

**Against the Stream: An Introduction to the Vermont Law Review Symposium on the
Revolution in State Constitutional Law, Teachout, Peter R., 13:13**

**Contributions of State Constitutional Law to the Third Century of American
Federalism, Kaye, Judith S., 13:49**

Federalism and State Constitutions, Douglas III, Charles G., 13:127

Oregon's Constitutional Renaissance: Federalism Revisited, Buttler, John H., 13:107

**Post-Custody, Pre-Indictment Problems of Fundamental Fairness and Access to
Counsel: Mississippi's Opportunity, Whitten, Amy D., & Robertson, James L.,
13:247**

Privacy and the Texas Constitution, Harrington, James C., 13:155

**Reliance on State Law: Protecting the Rights of People with Mental Disabilities,
Collins, Ronald K.L., 13:305**

Remarks of William J. Brennan, Jr., Brennan Jr., William J., 13:11

State Constitutional Law in Maine: At the Crossroads, Tinkle, Marshall J., 13:61

**State Constitutional Law: An Attorney General's Perspective, Amestoy, Jeffrey L.,
13:337**

**State Constitutions and the "Open Fields" Doctrine: A Historical-Definitional Analysis
of the Scope of Protection Against Warrentless Searches of "Possessions",
McCabe, Neil C., 13:179**

State Courts in a Time of Federal Constitutional Change, Oakes, James L., 13:323

**The Right to "Equal Privileges and Immunities": A State's Version of "Equal
Protection", Schuman, David, 13:221**

**Toward a Theory of State Constitutional Jurisprudence: A Judge's Thoughts, Mahady,
Frank G., 13:145**

**Symposium: The Third Association of American Law Schools Workshop on
International Law**

**Commentary on Professor Tarlock's Paper: The Influence of International
Environmental Law on United States Pollution Control Law, Jarman, M. Casey,
& McLaughlin, Richard, 21:793**

Integrating International and U.S. Law: Environmental and Related Problems: An Introduction, Nafzinger, James A.R., 21:755

Sustaining the Development of International Trade and Environmental Law, Brand, Ronald A., 21:823

The Coming Fresh Water Crisis: International Legal and Institutional Responses, McCaffrey, Stephen, 21:803

The Influence of International Environmental Law on United States Pollution Control Law, Tarlock, A. Dan, 21:759

Symposium: Vermont's Civil Unions

A Note from the Editors: A Vermont Law Review Milestone, a Landmark Case, and a Vermont Election, Ross, David, & Rider, Heather, 25:1

An Act Relating to Civil Unions, Vermont Legislature, 25:347

An Essay on the Passive Virtue of *Baker v. State*, Kujovich, Gil, 25:93

Baker v. State, Vermont Supreme Court, 25:285

Beyond *Baker*: The Case for a Vermont Marriage, Coolidge, David Orgon, & Duncan, William C., 25:61

But Why Not Marriage: An Essay on Vermont's Civil Unions Law, Same-Sex Marriage, and Separate But (Un)equal, Cox, Barbara J., 25:113

For Today I'm Gay: The Unfinished Battle for Same-Sex Marriage in Vermont, Mello, Michael, 25:149

In Opposition to Amending the Vermont Constitution, Kujovich, Gil, 25:277

The Baker Case, Civil Unions, and the Recognition of our Common Humanity: An Introduction and a Speculation, Chambers, David, 25:5

Vermont Civil Unions: The New Language of Marriage, Johnson, Greg, 25:15

Taxation

Baseball's Antitrust Exemption Repealed: An Analysis of the Effect on Salary Cap and Salary Taxation Provisions, Picher, Thomas C., 20:559

Bieling v. Malloy and Equal Protection: What Does the Poll Tax Have to Do with Drivers' Licenses, Anyway?, Belcher, George K., 1:163

Changing Vermont's Current Use Appraisal Program to Provide Property Tax Incentives for Conservation Easements, Cegloski, Susan M., 17:165

Property Tax Exemptions for Nonprofit Organizations in Vermont, Copper, Thomas N., 6:217

Reining in the Unruly Horse: The Public Policy Test For Disallowing Tax Deductions, Deal, Cathryn V., 9:11

Taxation of Preservation Interests as Property in Vermont, Clark, Kenneth A., 5:161

Taxing Vermonters for Education: Reform of the Property Tax, Duva, Linda D., 15:479

Timber Taxes: A Critique of the Northern Forest Lands Council's Tax Recommendations, Milne, Janet E., 19:423

Valuation of Business Inventory Under Vermont's Personal Property Tax: A Proposal to Abolish the Existing System of April 1 Valuation and to Adopt Average Valuation Appraisal, Cattani II, Louis J., 1:203

Telecommunications

Telemedicine: Medical Treatment Via Telecommunications Will Save Lives, But Can Congress Answer the Call?, Matak, Joy Elizabeth, 22:231

Wading Through the Rhetoric of the Telecommunications Act of 1996: Uncertainty of Local Zoning Authority Over Wireless Telecommunications Tower Siting, Tan, Gregory, 22:461

Texas Law

Privacy and the Texas Constitution, Harrington, James C., 13:155

The Quick of the Matter: The Proposition of Takings Litigation Under the Save Our Springs Ordinance, Friend, Gregory S., 25:545

The Jonathon B. Chase Paper

A Suggested Interpretation of Vermont's DR-107(A)(1): The Employment Attorney's Perspective on Contacting Employees of an Adverse Business Organization, Schaefer, Catherine L., 18:95

An "Eye for an Eye": Does God Sanction Capital Punishment?, Carnot, Kimberley H., 25:523

Climbing the Beanstalk: Justice Holmes and The Search for Reconciliation, Royle, Maria C., 22:559

In re Quechee Lakes Corporation: Mitigating Aesthetic Environmental Damage or an Eyesore on Act 250 Land Use Protections?, Granger, Robert C., 16:541

Preserving Gypsy Culture through Romani Law in America, Kanwar, Joy, 24:1265

Quantitative Justice: Have the Federal Sentencing Guidelines Forsaken Quality?, Legus, Carrie, 21:1145

Raising Revenue for an Adequate Education in New Hampshire, Brown Thunberg, Marcia A., 20:1001

The Departments of Commerce and Interior: Bifurcating an Evolutionary Significant Unit under the Endangered Species Act, Hulessarian, Tanya A., 23:605

Visitation in the Domestic Violence Context: Problems and Recommendations, Besseneyey, Ilona M., 14:57

The Sterry R. Waterman Lecture

Challenges American Lawyers Will Confront in the Twenty-First Century, Drinan, S.J., Robert F., 22:257

Healing the Breach: Harmonizing Legal Practice and Education, Meltsner, Michael, 11:377

Introduction to the Sterry R. Waterman Lectures, Dycus, Stephen, 25:449

Jews, Christians, Lawyers, and Money, Shaffer, Thomas L., 25:451

"Out, Damned Spot; Out, I Say." The Persistence of Race in American Law, Redlich, Norman, 25:475

Torts

Abandonment of Lex Loci Delicti? Toward a Functional Approach to Choice-of-Law in Vermont, Fisher, Kenneth R., 2:133

Arbitration: An Antidote to New York's Medical Malpractice Crisis, O'Brien, Karen R., 11:577

Assumption of Risk After *Sunday v. Stratton Corporation*: The Vermont Sports Injury Liability Statute and Injured Skiers, Manby, C. Robert, 3:129

Danger in Vermont Backyards: An Argument for Swimming Pool Barrier Regulations in Vermont, Killegrew, Patricia A., 22:173

Duty to Aid the Endangered Act: The Impact and Potential of the Vermont Approach, McClintock, Lon T., 7:143

Expanding Loss of Consortium in Vermont: Developing a New Doctrine, Ellis, William F., 12:157

Extending a Psychotherapist's Duty to Warn Beyond Protecting Life: Who Should Lock the Barn Door?, Krikorian, Priscilla Dodakian, 11:353

Greenmoss Builders v. Dun & Bradstreet, Blythe, David J., 10:205

Medical Malpractice, Contract or Tort: The Vermont Statute of Frauds, Mochalski, Jeffrey C., 10:99

Methods and Motives for Imposing Strict Liability on Parties Hiring Independent Contractors to Transport Hazardous Materials in the State of Florida, Dobson, Kenneth P., 24:1297

No Contribution Among Joint Tortfeasors: The Rule That Has Fooled The Courts And Foiled The Vermont Legislature, Righter, Mark, 7:337

Parents' "Pecuniary Injuries" for the Wrongful Death of an Adult Child: Where is the Love?, Joselson, Emily J., 12:57

People Who Live In Glass Houses Should Not Build In Vermont: The Need For A Statute of Limitations For Architects, Thomas, Charlotte E., 9:101

Protecting the Media from Excessive Damages: The Nineteenth-Century Origins of Remitter and its Modern Application in *Food Lion*, Snyder, Brad, 24:299

Reopening and Modifying Awards in Vermont Workers' Compensation Cases, Levine, Matthew I., 9:289

Respect for Law and Man: The Tort Law of Chief Justice Frank Rowe Kenison, Owen, David G., 11:389

Rule or Reason in Choice of Law: A Comment on Neumeier, Trautman, Donald T., 1:1

Russo v. Griffin: The Death of Vermont's Locality Rule in Legal Malpractice, Cowles, David R., 12:295

Standard of Care, Duty, and Causation in Failure to Warn Actions Against Mental Health Professionals, Michak, George A., 11:343

Target Defendants and Tort Law Reform: A Perspective on Medical Malpractice and Municipal Liability, Michak, George A., 11:535

The Battle of Lake Champlain—Interstate Pollution and the Inadequacy of the Judicial Process: Vermont v. New York, Giandomenico, Frederick C., 1:175

The Compensability Of Mental Injuries Under Vermont's Workers' Compensation Act, Heintzelman, Peter Mark, 8:145

The Dynamics of Tort Law: Court or Legislature?, Bischoff, Ralph F., 4:35

The Remedies Available to Candidates Who Are Defamed by Television or Radio Commercials of Opponents, Albert, James A., 11:33

Toxic Substance Safety Statute Violations: Should Vermont Adopt the Negligence Per Se With Excuse Doctrine?, DePey, Diane A., 10:151

Workplace Defamation: Public Policy, Compelled Self-Publication, and the Vermont Constitution, Blythe, David J., 16:341

Trade

Commentary on Professor Tarlock's Paper: The Influence of International Environmental Law on United States Pollution Control Law, Jarman, M. Casey, & McLaughlin, Richard, 21:793

Integrating International and U.S. Law: Environmental and Related Problems: An Introduction, Nafzinger, James A.R., 21:755

Sustaining the Development of International Trade and Environmental Law, Brand, Ronald A., 21:823

The Influence of International Environmental Law on United States Pollution Control Law, Tarlock, A. Dan, 21:759

Transportation Law

Ancient New England Highways: The Hanover "Greenways" Controversy, Sutton, Edward D., 9:373

FRESPCH: Vanity Plates and the First Amendment, Medley, Laurie D., 25:879

Highway Construction on the New York State Forest Preserve: Permissible Limits and Arbitrary Restrictions, Racette, Peter, 10:179

Methods and Motives for Imposing Strict Liability on Parties Hiring Independent Contractors to Transport Hazardous Materials in the State of Florida, Dobson, Kenneth P., 24:1297

The Need For Exacting Legislation Regulating The Shipment Of Radioactive Wastes In Vermont, Cawley, Rick, 8:407

The Surface Transportation Assistance Act: Federalism's Last Stand?, Scaramozza, James Michael, 11:203

Transportation Control Plans under the 1990 Clean Air Act as a Means for Reducing Carbon Dioxide Emissions, Donnellan, Michael T., 16:711

Tributes

A Thought on Mollie, Asplan, Trish, 21:737

A Tribute To Chief Justice Albert Wilkins Barney, Billings Jr., Franklin S., 8:203

Biker Beattie, Wright, Steve E., 21:741

Editors' Tribute to the Past Members of the Vermont Law Review, Vermont Law Review, 20:893

In Honor Of Albert W. Barney, Easton Jr., John J., 8:209

Jonathon Boyd Chase, Vermont Law Review, 13:1

Judge Albert W. Coffrin, Hoff, Philip H., 18:3

Judge Albert W. Coffrin, Holden, James S., 18:1

Judge Edward J. Costello, Allen, Frederic W., 18:5

Judge Sterry R. Waterman, Oakes, James L., 9:1

Norman Williams Festschrift Introduction, Dycus, Stephen, 20:619

Remembering Mollie H. Beattie, Clinton, William J., 21:753

Remembering Thomas DeBevoise and His Contributions to Vermont Law School, McCrory, John P., 19:595

Remembering Thomas M. DeBevoise, Rockefeller, Laurance S., 19:589

Respect for Law and Man: The Tort Law of Chief Justice Frank Rowe Kenison, Owen, David G., 11:389

She Runs with Wolves, Parenteau, Pat, 21:743

Sterry R. Waterman—An Appreciation, DeBevoise, Thomas M., 9:7

The Uncommon Man—A Tribute to Judge Frank G. Mahady, Hudson, Paul F., 17:1

Thomas Lawlor Hayes, Hill, William C., 13:7

Thomas M. DeBevoise, DeBevoise Ostby, Anne, 19:599

Tom DeBevoise, Redlich, Norman, & Kempner, Maximilian W., 19:593

Tribute to Mollie H. Beattie, Babbitt, Bruce, 21:751

Tribute to Mollie H. Beattie, Leahy, Patrick, 21:735

Tribute to Thomas DeBevoise, Oakes, James L., 19:591

Vermont Law

A Constitutional Analysis of Gubernatorial Succession Provisions in Vermont, Kennedy, J. Patrick, 17:235

A Crisis in Confidence: Municipal Officials under Fire, Markowitz, Deborah L., 16:579

A Critical Look at Vermont's New Child Custody Law, Gomez, Jane E., 11:671

A Critique of the Vermont Securities Act: Is Vermont's "Blue Sky" Really Grey?, Seelagy, Scott K., 11:131

A Farewell to Side Judges; Or, Are We Available?, Coutant, Richard H., 10:321

A Note from the Editors: A Vermont Law Review Milestone, a Landmark Case, and a Vermont Election, Ross, David, & Rider, Heather, 25:1

A Problem of Post-Judgment Executions in Vermont—Sheriffs' Liability, Graham, Felicia B., 2:117

A Proposal for Improving Vermont's Statutory Requirements for Planned Unit Development, Fedun, Michael, 14:591

A Proposal to Ban Sexual Orientation Discrimination in Private Employment in Vermont, Dillon, Judith Lillian, 15:435

A Response to Low-Level Radioactive Waste Disposal Policy in Vermont: An Assessment of Act 296, Greenberg, John, 16:1169

A Response to Statutory Obsolescence: The Nonprimacy of Statutes Act, Davies, Jack, 4:203

A Right to Treatment: Promoting the Interests of Minors in State Custody in Vermont, Terwilliger, Kurt, 15:227

A Suggested Interpretation of Vermont's DR-107(A)(1): The Employment Attorney's Perspective on Contacting Employees of an Adverse Business Organization, Schaefer, Catherine L., 18:95

A Tribute To Chief Justice Albert Wilkins Barney, Billings Jr., Franklin S., 8:203

Abandonment of Lex Loci Delicti? Toward a Functional Approach to Choice-of-Law in Vermont, Fisher, Kenneth R., 2:133

Aboriginal Title: Abenaki Indian Land Claim in Vermont, Lucido II, Robert O., 16:611

Abortion Choice And The Law In Vermont: A Recent Study, Olmstead, Frank H., 7:281

Act 230: Cost Containment, Deregulation, and the Reform of Special Education in Vermont, Eaton, Gregory M., 17:195

Act 250's "Necessary Wildlife Habitat" Definition: How Much Wildlife Does it Embrace?, Perella, Joseph R., 12:531

Adequacy in Education: An Analysis of the Constitutional Standard in Vermont, Nelson, John A., 18:7

An Act Relating to Civil Unions, Vermont Legislature, 25:347

An Analysis of the Constitutionality of the Vermont Hate Motivated Crimes Statute in Light of the United States Supreme Court's Decisions in *R.A.V. v. City of St. Paul and Wisconsin v. Mitchell*, FitzPatrick, Erik B., 18:771

An Automatic Standing Rule May Be Promulgated Under Article 11 of the Vermont Constitution, Norton, Stephen G., 10:459

An Essay on the Passive Virtue of *Baker v. State*, Kujovich, Gil, 25:93

Antinuclear Demonstrations and the Necessity Defense, Kessler, Michael L., 5:103

Assumption of Risk After *Sunday v. Stratton Corporation*: The Vermont Sports Injury Liability Statute and Injured Skiers, Manby, C. Robert, 3:129

Bail and the Dangerous Defendant: The Effect of Pray and Cyr on the Use of Preventive Conditions, Balsamo, Michael N., 2:217

Baker v. State, Vermont Supreme Court, 25:285

Beyond *Baker*: The Case for a Vermont Marriage, Coolidge, David Orgon, & Duncan, William C., 25:61

Bieling v. Malloy and Equal Protection: What Does the Poll Tax Have to Do with Drivers' Licenses, Anyway?, Belcher, George K., 1:163

Billboard Blight: Is the Aesthetic Quality of Vermont's Landscape in Jeopardy After *Metromedia*?, Carson, David A., 9:341

But Why Not Marriage: An Essay on Vermont's Civil Unions Law, Same-Sex Marriage, and Separate But (Un)equal, Cox, Barbara J., 25:113

Caseflow Management and Backlog Reduction: An Examination of Vermont's Superior Court Program, Smith, Saundra, & Connolly, Paul R. J., 9:247

Changing Vermont's Current Use Appraisal Program to Provide Property Tax Incentives for Conservation Easements, Ceglowski, Susan M., 17:165

Chickenhawk! Evidence of a Complainant's Homosexuality Under Vermont's Rape Shield Law, Hill, Cindy Ellen, 22:711

Closing the Loophole: Vermont's Legislative Response to Stalking, Birmingham, Lisa Nolen, 18:477

Constitutionality of Vermont's Criminal Statute on Imprisonment for Debt—*State v. Carpenter*, 138 Vt. 140, 412 A.2d 285 (1980), Diess, Wm. David, 6:317

Criminal Law Reform in Vermont: The Proposal to Exclude Evidence of the Victim's Character in Forcible Rape Cases, Berger, Lawrence, 1:215

Cross-Examination of Psychiatric Witnesses Under the Vermont Patient's Privilege When the Issue of Insanity is Raised, Crucitti, James R., 3:191

Custodial Interrogation in Vermont After *State v. Hohman*, Ross, Leonard R., 5:383

Danger in Vermont Backyards: An Argument for Swimming Pool Barrier Regulations in Vermont, Killebrew, Patricia A., 22:173

Daring to Care While Tending to Justice: An Argument for the Reform of *Parents Patriae* and Vermont's Juvenile Justice Code, Tierney, J. Elizabeth, 17:595

Determining "Best Interests" of the Child in Divorce Custody Disputes: A Procedural Approach, Gottwik, Paula J., 9:311

Dismissal of State Employees—The Requirement of Notice as an Element of Just Cause—*In re Yashko*, 138 Vt. 364, 415 A.2d 1322 (1980), Seder, Lauren, 5:444

Divorce Decree—Standard of Review For Issues of Custody, Visitation, Division of Property and Child Support—*Palmer v. Palmer*, 138 Vt. 412, 416 A.2d 143 (1980), Moore, Kathleen McDonnell, 5:425

Do All Judges Have to be Lawyers? Side Judges in Vermont: The Case of State v. Dunkerley, Henin, Larry D., 3:147

Do Sixteen and Seventeen Year Old Criminal Defendants in Vermont Need a Guardian ad Litem?, Bower, Anita, 5:361

Due Process and Vermont's Abuse Prevention Statute, Opel, Robert, 7:185

Duty to Aid the Endangered Act: The Impact and Potential of the Vermont Approach, McClintock, Lon T., 7:143

DWI and the Insanity Defense: A Reasoned Approach, Feigl, Mark, 20:161

Enhancing The Vermont Townscape: Design Review, Creswell, Nancy J., 7:363

Exclusionary Rule—Irregularities of Prior Arrest Do Not Vitiate Governor's Extradition Warrant—*In re Saunders*, 138 Vt. 259, 415 A.2d 199 (1980), Parker, Laurie Stone, 5:434

Expanding Loss of Consortium in Vermont: Developing a New Doctrine, Ellis, William F., 12:157

Expert and Opinion Evidence in Vermont: Developments, Profiles, and Emerging Concerns for Reliability of Scientific Evidence, Kreiling, Kenneth R., 17:109

Extending a Psychotherapist's Duty to Warn Beyond Protecting Life: Who Should Lock the Barn Door?, Krikorian, Priscilla Dodakian, 11:353

Extending Public Trust Duties to Vermont's Agencies: A Logical Interpretation of the Common Law Public Trust Doctrine, Fitzgerald, Donna Sheehan, 19:509

Farmland Preservation in Vermont and the Creative Use of Land Trusts, Rice-Osterhoudt, Rebecca, 11:603

Fence Viewers And Division Fences In Vermont: New Expectations, Di Stefano, Mark J., 8:433

For Today I'm Gay: The Unfinished Battle for Same-Sex Marriage in Vermont, Mello, Michael, 25:149

Formal Enforcement of Act 250, Bashaw, John R., 10:469

FRESPCH: Vanity Plates and the First Amendment, Medley, Laurie D., 25:879

Full Faith and Credit and the Recognition of Foreign Alimony Decrees in Vermont, Berger v. Berger, 138 Vt. 367, 417 A.2d 921 (1980), Livingston, Randall M., 6:539

Gender Bias Against Fathers in Custody? The Important Difference Between Outcome and Process, Cadwell, Leslie A., 18:215

Government's Udder Disregard for a Consumer's Right to Information on RBST: Mandatory Labeling of Mild Products Should Be Allowed, Lennon, Kathleen, 22:433

Grandparents' Statutory Right to Petition for Visitation: Vermont and the National Framework, Collins, Timothy, 10:55

Greenmoss Builders v. Dun & Bradstreet, Blythe, David J., 10:205

Groundwater Rights in Vermont: Drinkwine v. State, Sahl, John P., 4:189

Guardianship for the Adult: A Need for Due Process Protections in Vermont, Smiddy, Linda O., 4:95

Hacking Vermont's Computer Crimes Statute, Tower, Julie A., 25:945

Haner v. Bruce: Failure to Accord to the Present Realities of the Real Estate Recording System, Ellis, William F., 12:283

Hazardous Waste Cleanup: Trying to Keep the Sleeping Ogre Asleep, Van Tuyn, Peter, 14:247

Hear No Evil, See No Evil: In re Spencer and the Twilight of Judicial Scrutiny in Vermont, Goss, James P.W., 14:501

Home Confinement as a Condition of Probation: A Proposal for Vermont, Sand, Robert L., 12:123

In Honor Of Albert W. Barney, Easton Jr., John J., 8:209

In Opposition to Amending the Vermont Constitution, Kujovich, Gil, 25:277

In re Quechee Lakes Corporation: Mitigating Aesthetic Environmental Damage or an Eyesore on Act 250 Land Use Protections?, Granger, Robert C., 16:541

Jar Wars in the Green Mountain State: Vermont's Drug Use Testing Act Has the Potential to Be the Best in the Nation, Field, Andrew J., 13:593

Judge Albert W. Coffrin, Hoff, Philip H., 18:3

Judge Albert W. Coffrin, Holden, James S., 18:1

Judge Edward J. Costello, Allen, Frederic W., 18:5

Judge Sterry R. Waterman, Oakes, James L., 9:1

Judicial Review of Criminal Convictions Based on Circumstantial Evidence, Dunn, David N., 6:197

Judicial Tenure in Vermont: Does Good Behavior Merit Retention?, McLean, David, 24:1321

Jurisdiction Over Adjudications Involving the Abenaki Indians of Vermont, Doremus, Christine A., 10:417

Juvenile Proceedings: Changed Circumstances—The Procedural Obstacle to Termination of Parental Rights, Meub III, William H., 2:191

Large Development Meets Act 250: Does Phasing Make a Monster or Tame It?, Henrie, Michelle, 23:393

Leaving the Scene: Aesthetic Considerations in Act 250, Jackson, Andrew MacLeod, 4:163

Legal Realism, Norman Williams, and Vermont's Act 250, Brooks, Richard O., 20:699

Legislative Control Over The Uranium Industry In Vermont: Flirting With Preemption, St. Amand, Lisa Anne, 7:315

Legislative Review of Agency Rule-Making: Vermont's Antlerless Deer Hunting Regulation, Bashaw, John R., 11:105

Living Without Principles: *State v. Brunelle* and the Vermont Supreme Court, Katims, Robert W., 13:347

Low-Level Radioactive Waste Disposal Policy in Vermont: An Assessment of Act 296, Wilson, Craig Prescott, 16:639

Marking the Line Between Criminal Fraud and Commercial Misfortune: The Amendment of Vermont's Law of False Pretense, Proctor, Bruce N., 7:125

Maternity Leave for Vermonters: The Good News and the Bad News, Vivaz, Dora Sybella, 14:179

Medical Malpractice, Contract or Tort: The Vermont Statute of Frauds, Mochalski, Jeffrey C., 10:99

No Contribution Among Joint Tortfeasors: The Rule That Has Fooled The Courts And Foiled The Vermont Legislature, Righter, Mark, 7:337

"No Simple Disposition": The Brigham Case and the Future of Local Control Over School Spending in Vermont, Teachout, Peter, 22:21

Nonpossessory Prejudgment Attachments of Real and Personal Property in Vermont, Koch Jr., William T., 3:217

Not Quite a State of Nature: Derivations of Early Vermont Law, Gillies, Paul, 23:99

"One for the Road"—The Reliability of Retrograde Extrapolation and the Implications for Vermont Statutes, Abbott, Ellen J., 16:395

Parents' "Pecuniary Injuries" for the Wrongful Death of an Adult Child: Where is the Love?, Joselson, Emily J., 12:57

Party Status and Standing Under Vermont's Land Use and Development Law (Act 250), Healey, William V., 2:163

People Who Live In Glass Houses Should Not Build In Vermont: The Need For A Statute of Limitations For Architects, Thomas, Charlotte E., 9:101

Post-Traumatic Stress Disorder As An Insanity Defense In Vermont, Carroll, James, 9:69

Precedent and the Jewett Admonition, Soltan, Charles C., 10:447

Precharge Diversion of the Youthful Offender in Vermont: Right to Counsel, Angres, Robert J., 1:143

Presumption of Intoxication—Vt. Stat. Ann. tit. 23, section 1204(a)(3) Creates a Permissive Inference and Not a Rebuttable Presumption as Previously Interpreted—*State v. Dacey*, 138 Vt. 491, 418 A.2d 856 (1980), McClintock, Lon T., 5:407

Private Schools in Vermont: The "Equivalency Exception" to Compulsory Public School Attendance—*State v. LaBarge*, Bristow, Claudia Horack, 2:205

Property Tax Exemptions for Nonprofit Organizations in Vermont, Copper, Thomas N., 6:217

Prosecutorial Misconduct and Jury Challenges—Application of the Harmless Error Doctrine—*State v. Hohman*, 138 Vt. 502, 420 A.2d 852 (1980), Storrow, Charles F., 6:299

Protecting Liberty Interests: Developments in Vermont's Mental Health Law as Federal Constitutional Protection Declines, Saxman, Anna, 9:265

Public Access to Pretrial Hearings, Kantor, Steven J., 6:415

Rape: Adding Insult to Injury, Purdy, Linda A., 11:361

Recreational Rights In Public Water Overlying Private Property, Hatch, Marcia L., 8:301

Regulation of Energy Developments in the Green Mountain National Forest: Is Vermont Law Preempted?, Storrow, Charles F., 7:97

Reopening and Modifying Awards in Vermont Workers' Compensation Cases, Levine, Matthew I., 9:289

Restricting The Right To Bail: Vermont's New Constitutional Bail Amendment, DeTora, Alice E., 8:347

Retaliatory Discharge And Vermont's Need For An Exception To The "Rule", Landry, Philip J., 9:151

Rethinking Vermont's Termination of Parental Rights Laws: Guidelines for a Comprehensive Termination of Parental Rights Statute, Zaves, Maryanne, 19:49

Revising Vermont's Criminal Code, Stern, Barry Jeffery, 12:307

Running Smooth: A Perspective on Vermont's Article Eleven in Relation to the Fourth Amendment, Hubbard, Robert, 22:609

Russo v. Griffin: The Death of Vermont's Locality Rule in Legal Malpractice, Cowles, David R., 12:295

Standard of Care, Duty, and Causation in Failure to Warn Actions Against Mental Health Professionals, Michak, George A., 11:343

State Constitutional Law: An Attorney General's Perspective, Amestoy, Jeffrey L., 13:337

State Courts in a Time of Federal Constitutional Change, Oakes, James L., 13:323

State Regulation Of Private Church Schools: An Examination of Vermont's Act 151, McCoy, Deborah S., 8:75

State v. Catsam: A Clarification of Evidentiary Standards in Vermont Child Sexual Abuse Cases, Katims, Robert W., 12:485

State v. Whitingham School Board: A Unique Employment Discrimination Loophole for Vermont Employers, Kreiling, Kenneth R., 6:119

Sterry R. Waterman—An Appreciation, Debevoise, Thomas M., 9:7

Streamflow Policy in Vermont: Managing Conflicting Demands on the State's Waters, McLean, Joseph S., 19:191

Subsidiary Conduct as a Basis for Long-Arm Jurisdiction Over a Parent Corporation in Vermont, Weatherly, Craig, 3:111

Successor Landowner Liability Under the Vermont Hazardous Waste Act of 1985, Kelly, George W., 10:487

Taxation of Preservation Interests as Property in Vermont, Clark, Kenneth A., 5:161

Taxing Vermonters for Education: Reform of the Property Tax, Duva, Linda D., 15:479

The "Malling" of Vermont: Can the "Growth Center" Designation Save the Traditional Village from Suburban Sprawl?, Jay, Jessica E., 21:929

The "Sibling State" Approach to the Vermont Constitution: Post-Arrest, Pre-Miranda Silence in Vermont, Gottlieb, Ira, & Weimer, Gregory A., 13:357

The Appointment of Guardians by Will: A Comparison of Vermont's Statutory Provisions with the Provisions of the Uniform Probate Code, Grossman, Daniel F., 4:275

The Baker Case, Civil Unions, and the Recognition of our Common Humanity: An Introduction and a Speculation, Chambers, David, 25:5

The Compensability Of Mental Injuries Under Vermont's Workers' Compensation Act, Heintzelman, Peter Mark, 8:145

The Creation of Employment Terms to Govern Public Employees in the Interim Between Collective Bargaining Agreements—Vermont State Employees Ass'n v. State, Travis, Tod, 3:229

The Effect of Act 250 on Prime Farmland in Vermont, Kaplan, Stephanie J., 6:437

The General Duty Clause of the Vermont Occupational Safety & Health Act, Fletcher Jr., Robert E., 4:305

The Lack of Privacy in Vermont, Monte, Suzanne M., 24:199

The Need For Exacting Legislation Regulating The Shipment Of Radioactive Wastes In Vermont, Cawley, Rick, 8:407

The Negotiating Impasse in Labor Relations for Teachers, Freeman, R. Bruce, 5:39

The New Hampshire/Vermont Solid Waste Project: Is There a Solution?, Simpson, Aaron H., 20:1091

The New Inquisition: State Compulsion of Therapeutic Confessions, Nelson, William A., 20:951

The Principle Problem: *State v. Jewett* and the New Judicial Federalism, Racette, Peter, 10:437

The Proposed Administrative License Suspension Procedures in Vermont: How Much Process Are Drunken Drivers Due?, Norton, Stephen G., 11:75

The Regulation of Campaign Financing in Vermont: More Loophole than Law, Deiss, Wm. David, 6:237

The Regulation Of The Practice Of Law, Practice And Procedure, And Court Administration In Vermont—Judicial Or Legislative Power?, Dooley III, John A., 8:211

The Relation of the Equitable Doctrine of Subrogation to Vermont's Strict Foreclosure Law, Riedl, Keith, 7:71

The Right to Bear Arms in the First State Bills of Rights: Pennsylvania, North Carolina, Vermont, and Massachusetts, Halbrook, Stephen P., 10:255

The Road to Equal Educational Opportunity For Vermont Schoolchildren, Gensberg, Robert, 22:1

The Serious Young Offender Under Vermont's Juvenile Law: Beyond The Reach of *Parens Patriae*, Junger, Patricia D., 8:173

The Standard of Review in Equal Protection and Due Process Challenges to Vermont's Blue Laws, Murphy, Daniel, 6:173

The Uncommon Man—A Tribute to Judge Frank G. Mahady, Hudson, Paul F., 17:1

The Use of Classifications Based on Gender and Marital Status in Insurance: Current Vermont Law, Rice-Osterhoudt, Rebecca, 11:685

The Vermont Department of Public Service's New Found Power Under Senate Bill 130: A Case of Conflicting Interests, Gottlieb, Ira, 12:517

The Vermont Labor Relations Board's Role in Grievance Proceedings: Let's Make this Process Work, Gottlieb, Ira, 12:429

The Vermont Supreme Court: "Guilty" of Judicial Legislating?, Scaramozza, James Michael, 11:661

The West Coast of New England: A Case for the Inclusion of Lake Champlain in the Federal Coastal Zone Management Program, Straub, Michael J., 16:749

Thomas Lawlor Hayes, Hill, William C., 13:7

Toward a Theory of State Constitutional Jurisprudence: A Judge's Thoughts, Mahady, Frank G., 13:145

Toxic Substance Safety Statute Violations: Should Vermont Adopt the Negligence Per Se With Excuse Doctrine?, DePey, Diane A., 10:151

Transferable Development Rights in Vermont: Is There a Taking Problem?, Van Tuyn, Peter, 13:715

Trustee Process Against Earnings in Vermont, Richardson, Susanne, 5:133

Vagueness and Overbreadth: The Constitutional Challenges to Vermont's Land Use and Development Law (Act 250), Hill, Shelley A., 5:329

Valuation of Business Inventory Under Vermont's Personal Property Tax: A Proposal to Abolish the Existing System of April 1 Valuation and to Adopt Average Valuation Appraisal, Cattani II, Louis J., 1:203

Vermont Adults Only Communities and the Fair Housing Act, Hanson, Carl D., 14:161

Vermont Civil Unions: The New Language of Marriage, Johnson, Greg, 25:15

Vermont Law Governing Standing in Zoning Appeals: An Argument for Expansion, Gomez, Jane E., 12:217

Vermont Law Review Celebrates Twenty Years, Teachout, Mary Miles, 20:1

Vermont Law School's New General Practice Program: An Introduction, Chase, Jonathon B., 11:373

Vermont Rule of Evidence 807 and the Confrontation Clause, Marks, Carol, 10:497

Vermont Task Force Report on Gender Bias in the Legal System: Introduction and Executive Summary, Vermont Task Force, 15:395

Vermont's Blood Alcohol Test: Illegal Search and Seizure?, Goldberg, Richard A., 2:93

Vermont's Business Corporation Law: A Call for Much Needed Reform, Smiddy, Linda O., 17:3

Vermont's Children In Need of Care Or Supervision: Judicial Discretion Or Definition?, Shaw, J. David, 8:119

Vermont's Close Jail Execution: Physical Incarceration of the Wilful and Malicious Tortfeasor, Chapman III, S. Stacy, 3:165

Vermont's Efforts to Protect Mobile Home Park Tenants: Is there a Taking?, Ertel, Joanne M., 16:1027

Vermont's Law of Promises Running With the Land: Formal Restraints on a Practical Doctrine, Livingston, Randall M., 6:437

Vermont's Misplaced Application of the Closely Regulated Industry Exception to the Warrant Requirement Under Article Eleven, Deshaies, Cheryl, 21:1201

Vermont's Mootness Doctrine, Smiddy, James D., 4:257

Vermont's New Debtor's Exemption Statute, Lynch, David W., 13:609

Vermont's New Groundwater Law, Commons, Geoffrey, 10:479

Vermont's Public School Finance System: A Constitutional Analysis, Jankowski, Shari M., 12:239

Vermont's Voluntary Sterilization Statutes and the Rights of the Mentally Handicapped, Silverstein, Pamela H., 4:331

Victimizing the Child Victim: Vermont Rule of Evidence 807 and Trauma in the Courtroom, Marks, Carol, 11:631

Victims' Rights: Vermont's New Law, Bowerman, Lauren, 11:695

Visitation in the Domestic Violence Context: Problems and Recommendations, Besseney, Ilona M., 14:57

Wal-Mart in Vermont—The Case Against Sprawl, Roper, William E., & Humstone, Elizabeth, 22:755

Will the "Increasing Weight of History" Crush the Vermont Abenaki's Chances for Federal Acknowledgment?, Hatfield, Meredith, 23:649

Work in Progress: The Vermont Rules of Professional Conduct, Taylor, A. Jeffry, 20:901

Workplace Defamation: Public Policy, Compelled Self-Publication, and the Vermont Constitution, Blythe, David J., 16:341

Zoning Variance Administration In Vermont, Donovan, Michael D., 8:371

Zoning—Right of Town to Deny State Agency a Zoning Permit—Vermont Division of State Buildings v. Town of Castleton Board of Adjustment, 138 Vt. 250, 415 A.2d 188 (1980), Adler, Steven A., 6:309

25 Years of Women Making Waves at Vermont Law School, Smiddy, Linda O., 23:285

Vermont Law Review Service and Inspiration Award

1998 Recipient—Cindy Ellen Hill, *Vermont Law Review*, 22:709
1999 Recipient—Gregory Packan, *Vermont Law Review*, 23:697
2000 Recipient—Bernard S. Carrey, *Vermont Law Review*, 24:1205
2001 Recipient—John R. Edwards, *Vermont Law Review*, 25:853

Water Law

After Lucas: No More Wetland Takings?, Disheroon, Fred R., 17:683
Application of the Mootness Doctrine to Citizen Suits Under the Clean Water Act
 After Gwaltney of Smithfield v. Chesapeake Bay Foundation, Inc.: Polluters
 Can't Escape the Controversy, Silverstein, Jeffrey M., 14:273
Filtration Avoidance Under the Safe Drinking Water Act, Messina, Edward J., 19:557
Groundwater Rights in Vermont: Drinkwine v. State, Sahl, John P., 4:189
Hydropower and Wetlands: Can Vermont Use Its Wetlands Rules to Place Conditions
 on Federal Hydroelectric Licenses?, Stafford, Robin, 22:678
Hydropower in New England: An Introduction, Ehrenfeld, John R., 5:189
Impact of Economic and Financial Policies on the Development of Small-Scale
 Hydroelectric Facilities in New England, Lynch, Daniel R., & Kirshen, Paul H.,
 5:295
Interface Between Developers of Small Hydro Projects and Utilities, Greenman,
 Frederic E., 5:313
Introduction to Symposium: Hydroelectric Power in New England, Dycus, J. Stephen,
 & Lapping, Mark B., 5:185
Legal Barriers to the Restoration of Aquatic Systems and the Utilization of Adaptive
 Management, Coleman, Warren T., 23:177
Recreational Rights In Public Water Overlying Private Property, Hatch, Marcia L.,
 8:301
Resurgence of the River Treasure: Jefferson PUD and a Comprehensive Plan for
 Hydroelectric Power, Handy, Seth, 20:201
Small Hydropower Development and the Environment: A Survey of State and Federal
 Law, Scotch, Benson D., 5:251
Streamflow Policy in Vermont: Managing Conflicting Demands on the State's Waters,
 McLean, Joseph S., 19:191
The Battle of Lake Champlain—Interstate Pollution and the Inadequacy of the Judicial
 Process: Vermont v. New York, Giandomenico, Frederick C., 1:175
The Coming Fresh Water Crisis: International Legal and Institutional Responses,
 McCaffrey, Stephen, 21:803
The Common Law of Waterpower in New England, Brion, Denis J., 5:201

The Quick and the Dead: Fish Entrainment, Entrapment, and the Implementation and Application of Section 316(b) of the Clean Water Act, May, James R., & van Rossum, Maya K., 20:373

The Quick of the Matter: The Proposition of Takings Litigation Under the Save Our Springs Ordinance, Friend, Gregory S., 25:545

The Role of the Federal Energy Regulatory Commission in Licensing Small Hydroelectric Projects, Debevoise, Thomas M., 5:279

The West Coast of New England: A Case for the Inclusion of Lake Champlain in the Federal Coastal Zone Management Program, Straub, Michael J., 16:749

Vermont's New Groundwater Law, Commons, Geoffrey, 10:479

Wetland Protection and Section 404 of the Federal Water Pollution Control Act Amendments of 1972: A Corps of Engineers Renaissance, Ablard, Charles D., & O'Neill, Brian Boru, 1:51

Wetlands Protection

After Lucas: No More Wetland Takings?, Disheroon, Fred R., 17:683

The Interaction of the Public Trust and the "Takings" Doctrines: Protecting Wetlands and Critical Coastal Areas, Archer, Jack H., & Stone, Terrance H., 20:81

Wetland Protection and Section 404 of the Federal Water Pollution Control Act Amendments of 1972: A Corps of Engineers Renaissance, Ablard, Charles D., & O'Neill, Brian Boru, 1:51

Wills, Trusts, and Estates

Estate Planning for the Family with a Disabled Child, Webster, Allen D., & Riley, Douglas K., 14:529

The Appointment of Guardians by Will: A Comparison of Vermont's Statutory Provisions with the Provisions of the Uniform Probate Code, Grossman, Daniel F., 4:275

Waste Not, Want Not: Can the Public Policy Doctrine Prohibit the Destruction of Property by Testamentary Direction, Sykas, Abigail J., 25:911

Women and the Law

A Counselor's Crisis: Protecting Witnesses' Privacy Rights in Sexual Assault Prosecutions, Burns, Cynthia, & McCoy, Phyllis R., 12:497

Abortion Choice And The Law In Vermont: A Recent Study, Olmstead, Frank H., 7:281

An Analysis of the Doctrines and Goals of Feminist Legal Theory and Their Constitutional Implications, Storey, Anne-Marie Leath, 19:137

An Emerging Consensus: Reproductive Technology and the Law, Dolgin, Janet L., 23:225

Beyond the Juror's Ken: Battered Women, Walker, Lenore E., et al., 7:1

Can a Biological Inquiry Help Reduce Male Violence Against Women?, Hanna, Cheryl, 22:333

Chickenhawk! Evidence of a Complainant's Homosexuality Under Vermont's Rape Shield Law, Hill, Cindy Ellen, 22:711

Closing the Loophole: Vermont's Legislative Response to Stalking, Birmingham, Lisa Nolen, 18:477

Criminal Law Reform in Vermont: The Proposal to Exclude Evidence of the Victim's Character in Forcible Rape Cases, Berger, Lawrence, 1:215

Distinguishing Rape: A Definitive Approach to Sexual Assault, Purdy, Linda A., 10:353

Domestic Violence and Guns: Seizing Weapons Before the Court Has Made a Finding of Abuse, Kelly, Maria, 23:349

Efficient But Not Equitable: The Problem With Using the Law and Economics Paradigm to Interpret Sexual Harassment in the Work Place, Lester, Toni, 22:519

Exploring the Limits: Feminism and the Legal Regulation of Gay Male Pornography, Stychin, Carl F., 16:857

From Gender Difference to Feminist Solidarity: Using Carol Gilligan and an Ethis of Care in Law, Bender, Leslie, 15:1

Gender Differences in Biological and Sociological Predictors of Crime, Denno, Deborah W., 22:305

Introduction, Barnes, Erin, & Dean, Karen Martin, 23:283

Introduction: Coping With Family Violence—Strategies and Tactics For the 1980's, Schechter, Lowell F., 6:325

"Lady" Justice: Power and Image in Feminist Jurisprudence, Bunker, Eloise A., 15:69

Listening to Dr. Fiske: The Easy Case of *Price Waterhouse v. Hopkins*, Chamallas, Martha, 15:89

Maternity Leave for Vermonters: The Good News and the Bad News, Vivaz, Dora Sybella, 14:179

On Doing the Right Thing: Education Work in the Academy, Harris, Angela P., 15:125

Rape: Adding Insult to Injury, Purdy, Linda A., 11:361

Sexual Harassment Between Peers Under Title VII and Title IX: Why Girls Just Can't Wait to be Working Women, LeClair, Laurie, 16:303

Stumbling Blocks and Stepping Stones: Newcomers' Guide to Perilous Terrain in Law School, Schwartz, Lois, & Homer, Suzanne, 15:165

Surviving Legal De-Education: An Outsider's Guide, Scales, Ann C., 15:139

The Care/Equality Paradox for Women Lawyers, Harrington, Mona, 23:297

The Gender Gap in the Law School Classroom—Beyond Survival, Bean, Kathleen S., 14:23

The Implications of Inadequate Maternity Leave Policies Under Title VII, Lally-Green, Maureen E., 16:223

The Membership of Judges in Gender Discriminatory Private Clubs, Doane, Wayne, 12:459

The New "Tokenism", Fineman, Martha Albertson, 23:289

The Reasonable Woman in Sexual Harassment Law and the Case for Subjectivity, Blackwood, Eileen M., 16:1005

The Rhetoric of Marriage, Achievement, and Power: An Analysis of Judicial Opinions Considering the Treatment of Professional Degrees as Marital Property, Keller, Susan Etta, 21:409

The Spousal Exemption for Criminal Rape Prosecution, Schwartz, Martin D., 7:33

Vermont Task Force Report on Gender Bias in the Legal System: Introduction and Executive Summary, Vermont Task Force, 15:395

Visitation in the Domestic Violence Context: Problems and Recommendations, Bessenyey, Ilona M., 14:57

Women Lawyers in Celluloid, Rewrapped, Shapiro, Carole, 23:303

25 Years of Women Making Waves at Vermont Law School, Smiddy, Linda O., 23:285

