

**CONTENTS**

**ESSAYS AND ARTICLES CELEBRATING  
THE 50TH ANNIVERSARY OF THE *ARIZONA LAW REVIEW***

	PAGE
DEAN'S WELCOME	<i>Toni M. Massaro</i> 1
FOREWORD	<i>Charles E. Ares</i> 11
<b>ESSAYS</b>	
REFLECTIONS ON ARIZONA'S JUDICIAL SELECTION PROCESS	<i>Sandra Day O'Connor &amp; Ronnell Andersen Jones</i> 15
BEYOND THE SUPERMAJORITY: POST-ADOPTION RATIFICATION OF THE EQUALITY AMENDMENTS	<i>Gabriel J. Chin &amp; Anjali Abraham</i> 25
UNDERTAKINGS AND SPECIAL RELATIONSHIPS IN CLAIMS FOR NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS	<i>Dan B. Dobbs</i> 49
ENTREPRENEURS ON HORSEBACK: REFLECTIONS ON THE ORGANIZATION OF LAW	<i>Darian M. Ibrahim &amp; D. Gordon Smith</i> 71
FROM H <sub>2</sub> O TO CO <sub>2</sub> : LESSONS OF WATER RIGHTS FOR CARBON TRADING	<i>Carol M. Rose</i> 91
SAME QUESTIONS, DIFFERENT ANSWERS: A COMPARATIVE LOOK AT INTERNATIONAL AND STATE AND LOCAL TAXATION	<i>John A. Swain</i> 111



## ARTICLES

- THE VOICE OF THE INDIAN CHILD:  
STRENGTHENING THE INDIAN CHILD  
WELFARE ACT THROUGH CHILDREN'S  
PARTICIPATION *Barbara Atwood* 127
- TOLERATING CONFUSION ABOUT CONFUSION:  
TRADEMARK POLICIES AND FAIR USE *Graeme W. Austin* 157
- COWBOY CONTRACTS: THE ARIZONA SUPREME  
COURT'S GRAND TRADITION OF  
TRANSACTIONAL FAIRNESS *Jean Braucher* 191
- LEAKY FLOORS: STATE LAW BELOW FEDERAL  
CONSTITUTIONAL LIMITS  
*Marc L. Miller & Ronald F. Wright* 227
- ANTITRUST VERTICAL MYOPIA: THE ALLURE OF  
HIGH PRICES *Barak Y. Orbach* 261
- THE ORGANIZED BAR AND THE COLLABORATIVE  
LAW MOVEMENT: A STUDY IN  
PROFESSIONAL CHANGE *Ted Schneyer* 289

## NOTES

- PROOF OF TAX DEFICIENCY—THE SILENT ELEMENT  
IN FALSE STATEMENTS CHARGES? *Jennifer Gibbons* 337

## ARIZONA CASE NOTES

- STATE FARM INSURANCE COS. V. PREMIER  
MANUFACTURED SYSTEMS, INC.*: SEVERAL-  
ONLY COMPARATIVE FAULT APPLIES TO  
STRICT PRODUCTS LIABILITY *Megan Heald* 365

