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Holistic ideas about health and disease fundamentally challenge those of orthodox medicine. Because state scope of practice and disciplinary rules reflect the norms of medical orthodoxy, holistic providers, and physicians offering holistic treatments, face considerable legal risks. This article argues that existing legal rules unduly inhibit alternative and complementary medicine as an integrated component of mainstream health care, and unfairly discriminate against physicians who utilize holistic therapies. The article further argues that heightened standards of care, the duty to refer, and access-to-treatment laws can more meaningfully regulate these therapies. Finally, the article proposes ways in which third-party reimbursement schemes can incorporate alternative and complementary medicine.

At Hanford, the United States produced the plutonium that fueled the Trinity test (the first atomic explosion in history), the bomb dropped on Nagasaki, and thousands of warheads during the Cold War. The production of plutonium resulted in release of billions of gallons of radioactive and chemical waste which contaminated over a thousand sites at Hanford. The United States Department of Energy's (USDOE's) cleanup of Hanford is the largest single environmental restoration challenge facing the United States and is the model for the restoration of contaminated sites throughout the USDOE's Nuclear Weapons Complex. This article details Hanford's contamination, the legal framework governing the cleanup, and the critical issues that must be addressed for the Hanford cleanup to succeed.

Recent revisions to the Uniform Probate Code would simplify will formalities and give courts greater discretion to validate defectively executed wills. The revisers predict that those reforms would eliminate the injustice resulting from courts' inability to excuse "harmless errors" in will execution due to the supposed judicial tradition of requiring strict compliance with formalities. Professor Leslie argues that the reforms are misguided to the extent that they assume that courts liberated from the strict compliance doctrine will seek primarily to effectuate testators' intentions. Rather, she argues, courts traditionally have imposed upon testators a moral duty to prefer closest relatives or dependents over others, and have implemented that duty through the manipulation of doctrine, sometimes even while asserting that their primary objective is to effectuate intent. If courts are indeed significantly more ambivalent about effectuating intent than is generally acknowledged, then the proposed reforms will do little to achieve the reformers' desired result—the validation of a greater number of documents intended to be wills. Rather, courts will simply find other means for implementing the moral norms that have traditionally competed with testamentary freedom.

In the aftermath of the O.J. Simpson trial, numerous states have passed, or are considering passing, laws restricting so-called "checkbook journalism." This article analyzes the constitutionality and wisdom of such laws, particularly as they impact on the ability of witnesses to sell their stories to the media. It concludes that such laws violate the First Amendment's protection of freedom of speech.

This article uses an empirical analysis of cases filed under the Delaware inspection statute to examine whether inspection statutes facilitate shareholder communication and information collection. This analysis shows that while shareholders almost always obtain stock lists and frequently get books and records, there are substantial delays and significant costs to them from using inspection statutes. It argues that the Delaware statute must be substantially streamlined to improve shareholders' access to information. In particular, it recommends granting automatic access to stock lists in most circumstances and greater access to the corporation's books and records provided certain conditions are satisfied. Finally, the article also examines the use of the inspection statutes as a discovery device for plaintiffs in derivative and class actions and a proposed revision of Rule 14a–7 of the 1934 Exchange Act.

Notes

For a large part of legal history, the rule of law concerning the sale of residential homes was caveat emptor. However, in the latter part of this century, courts and legislators have changed this outmoded view of home seller liability by modifying, amending and even overruling previous law to meet the needs of the times. This Note discusses the variety of causes of action that have emerged in Arizona and other states to replace the now defunct caveat emptor rule regarding homeowners' claims against developers for material latent defects. Specifically, this Note addresses the elements and predominant shortcomings of each of the current viable causes of action. Finally, this Note argues for the use of strict liability against builders of mass produced homes, for damage to the home itself, beginning with the premises the New Jersey Supreme Court laid in the foundation case of Schipper v. Levitt & Sons, Inc.