

ARIZONA LAW REVIEW

VOLUME 28

1986

NUMBER 4

VOLUME 28 INDEX

	<i>Page</i>
TABLE OF AUTHORS	694
TABLE OF STUDENT AUTHORS.....	695
INDEX OF SUBJECTS.....	696
TABLE OF CASES	702
TABLE OF STATUTES	709

TABLE OF AUTHORS

Authors of Articles and Essays are listed alphabetically

ANDREWS, Arthur W.

Modern-Day Equitable Recoupment and the "Two Tax Effect:" Avoidance of the Statute of Limitation in Federal Tax Controversies 595

BARTOSIC, Florian MINDA, Gary

The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision 533

CLINTON, Robrt N.

The Curse of Relevance: An Essay on the Relationship of Historical Research to Federal Indian Litigation .. 29

DOBBS, Dan B.

The Market Test For Attorney Fee Awards: Is the Hourly Rate Test Mandatory? 1

DRESSER, Rebecca

Life, Death, and Incompetent Patients: Conceptual Infirmities and Hidden Values in the Law 373

HOFF, Reka P.

Income Taxation of Foreign Direct Investment in Arizona by Foreign Manufacturing and Merchandising Enterprises: Analysis of the Data and the Federal and State Rules 407

KAUFMAN, Eileen R.

A Race By Any Other Name: The Interplay Between Ethnicity, National Origin and Race for Purposes of Section 1981 205

LAFAVE, Wayne R.

The Forgotten Motto of *Obsta Principiis* in Fourth Amendment Jurisprudence 291

MALLOR, Jane P.

Discriminatory Discharge and the Emerging Common Law of Wrongful Discharge 651

MANDELL, Bruce Leonard RICHARDSON, L. Anita

Lenthy Detentions and Invasive Searches at the Border: In Search of the Magistrate 331

MINDA, Gary BARTOSIC, Florian

The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision 533

POULOS, John W.

The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment 143

RICHARDSON, L. Anita MANDELL, Bruce Leonard

Lenthy Detentions and Invasive Searches at the Border: In Search of the Magistrate 331

SACKEN, Donal M.

Collective Negotiations in Arizona's Public Schools: The Anomoly of Tolerated Illegal Activities 15

SLOMANSON, William R.

A Uniform System of Citation (Bluebook Review) 47

TABLE OF STUDENT AUTHORS

Student writers are listed alphabetically.

BIRMINGHAM, Ann E.

Hosogai v. Kadota: The Beginning of the
End of the Statute of Limitations . . . 99

BLAKELY, Kevin J.

Summerfield v. Superior Court: Fetal
Wrongful Death Actions in Arizona . 109

COFFMAN, D. Samuel

Goodyear Farms v. City of Avondale: Re-
jection of the Theorey That Signing a
Petition for Annexation is Amalogous
to the Fundamental Right to Vote .. 513

CONLOGUE, James L.

A Separation of Powers Analysis of the
Absolute Immunity of Public Entities 49

DUNCAN, David K.

Can the Occupational Disease Provisions
of the Workers' Compensation Act
Fairly Compenstate Victims of Occu-
pational Disease? 133

GHELFI, Brent Michael

Flexible Use of the Comity Doctrine Re-
solves Tension in the Workers Com-
pensation Arena..... 63

GLADSTONE, Sheila

State v. Rainey—An Analysis of Limita-
tions Governing Criminal Jury In-
structions on Presumptions 311

KELLY, Thomas K.

Walker v. Dallas: Arizona's Long Arm is
Extended 523

KERBY, Brad

United States v. Mazzone: The Seventh
Circuit Attempts to Clarify *United*
States v. Ross 673

LOTHE, Timothy Creed

"Feed the Hungry, But Not on Our
Block"—*Armory Park Neighborhood*
Association v. Episcopal Community
Services in Arizona 121

MECHAM, Milo R.

Liability for Incidental Beneficiaries:
Creating Third Party Liability in
Quasi-Contract..... 83
Arizona's Special Actions: Seeking Re-
lief Through an Extraordinary Maze. 475

O'CONNOR, Maureen

Adding a Risk/Utility Anlysis to the
Consumer Expectation Test in Design
Defect Cases..... 459

SELF, Leisha

Tech-Bilt, Inc. v. Woodward-Clyde & As-
soc.: A New Direction for the Good
Faith Requirement in Joint Tort Set-
tlements 683

STOPEK, Carrie D.

Postdeprivation on Remedies Don't Bar
Section 1983 Actions Based on Non-
Random Acts: *Haygood v. Younger* . 73

INDEX OF SUBJECTS

All items published in volume 27 are indexed under appropriate subject hearings. Articles are indicated by the author's name following the title. Student work is indicated by title only.

ACCIDENTS

- Adding a Risk/Utility Analysis to the Consumer Expectation Test in Design Defect Cases..... 28:459

ADMISSIBILITY OF EVIDENCE

- United States v. Mazzone*: The Seventh Circuit Attempts to Clarify *United States v. Ross* 28:673

AFFIRMATIVE ACTION

- The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision, *Florian Bartosic & Gary Minda* 28:533

ANNEXATION

- Goodyear Farms v. City of Avondale*: Rejection of the Theory that Signing a Petition for Annexation is Analogous to the Fundamental Right to Vote .. 28:513

ATTORNEY FEES

- The Market Test For Attorney Fee Awards: Is the Hourly Rate Test Mandatory?, *Dan B. Dobbs* 28: 1

ATTORNEYS

- The Market Test For Attorney Fee Awards: Is the Hourly Rate Test Mandatory?, *Dan B. Dobbs* 28: 1

BINDING ARBITRATION

- Collective Negotiations in Arizona's Public Schools: The Anomaly of Tolerated Illegal Activities, *Donal M. Sacken* 28: 15

BORDER SEARCHES

- Lengthy Detentions and Invasive Searches at the Border: In Search of the Magistrate, *Bruce Leonard Mandell & L. Anita Richardson*..... 28:331

BURDEN OF PROOF

- State v. Rainey*—An Analysis of Limitations Governing Criminal Jury Instructions on Presumptions 28:311

BURGER COURT

- The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision, *Florian Bartosic & Gary Minda* 28:533

CAPITAL PUNISHMENT

- The Supreme court, Capital Punishment and the Substantive Criminal Law:

- The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143

CERTIORARI

- Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

CIRCUMSTANTIAL EVIDENCE

- State v. Rainey*—An Analysis of Limitations Governing Criminal Jury Instructions on Presumptions 28:311

CITIES

- Goodyear Farms v. City of Avondale*: Rejection of the Theory that Signing a Petition for Annexation is Analogous to the Fundamental Right to Vote .. 28:513

CIVIL PROCEDURE

- Walker v. Dallas*: Arizona's Long Arm is Extended 28:523

CIVIL PROCEDURE—ARIZONA

- Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

CIVIL RIGHTS

- A Race By Any Other Name: The Interplay Between Ethnicity, National Origin and Race for Purposes of Section 1981, *Eileen R. Kaufman* 28:205

COLLECTIVE BARGAINING

- Collective Negotiations in Arizona's Public Schools: The Anomaly of Tolerated Illegal Activities, *Donal M. Sacken* 28: 15
The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision, *Florian Bartosic & Gary Minda* 28:533

COMMON LAW—HISTORY

- Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

CONSTITUTIONAL LAW

- Postdeprivation Remedies Don't Bar Section 1983 Actions Based on Non-Random Acts: *Haygood v. Younger* . 28: 73
The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143
The Forgotten Motto of *Obsta Principiis* in Fourth Amendment Jurisprudence, *Wayne R* 28:291

- State v. Rainey*—An Analysis of Limitations Governing Criminal Jury Instructions on Presumptions 28:311
- Walker v. Dallas: Arizona's Long Arm is Extended*..... 28:523
- United States v. Mazzone: The Seventh Circuit Attempts to Clarify United States v. Ross* 28:673

CONSUMER EXPECTATIONS

- Adding a Risk/Utility Analysis to the Consumer Expectation Test in Design Defect Cases..... 28:459

CONTINGENT FEEDS

- The Market Test For Attorney Fee Awards: Is the Hourly Rate Test Mandatory?, *Dan B. Dobbs* 28: 1

CONTRACT

- Liability for Incidental Beneficiaries: Creating Third Party Liability in Quasi-Contract..... 28: 83

CONTRACTS

- Collective Negotiations in Arizona's Public Schools: The Anomaly of Tolerated Illegal Activities, *Donal M. Sacken* 28: 15

CORPORATIONS—TAXATION

- Income Taxation of Foreign Direct Investment in Arizona by Foreign Manufacturing and Merchandising Enterprises: Analysis of the Data and the Federal and State Rules, *Reka P. Hoff* 28:407

CRIMINAL INVESTIGATIONS

- United States v. Mazzone: The Seventh Circuit Attempts to Clarify United States v. Ross* 28:673

CRIMINAL JUSTICE

- The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143

CRIMINAL LAW

- United States v. Mazzone: The Seventh Circuit Attempts to Clarify United States v. Ross* 28:673
- The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143
- State v. Rainey*—An Analysis of Limitations Governing Criminal Jury Instructions on Presumptions 28:311

CRIMINAL PROCEDURE

- The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143

- State v. Rainey*—An Analysis of Limitations Governing Criminal Jury Instructions on Presumptions 28:311
- United States v. Mazzone: The Seventh Circuit Attempts to Clarify United States v. Ross* 28:673

CRIMINAL RESPONSIBILITY

- The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143

DEATH PENALTY

- The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143

DESIGN DEFECTS

- Adding a Risk/Utility Analysis to the Consumer Expectation Test in Design Defect Cases..... 28:459

DISCRIMINATION

- The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision, *Florian Bartosic & Gary Minda* 28:533

DISCRIMINATION IN EMPLOYMENT

- A Race By Any Other Name: The Interplay Between Ethnicity, National Origin and Race for Purposes of Section 1981, *Eileen R. Kaufman* 28:205

DISCRIMINATION IN EMPLOYMENT—REMEDIES

- A Race By Any Other Name: The Interplay Between Ethnicity, National Origin and Race for Purposes of Section 1981, *Eileen R. Kaufman* 28:205

DUE PROCESS

- Postdeprivation Remedies Don't Bar Section 1983 Actions Based on Non-Random Acts: *Haygood v. Younger* . 28: 73
- The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143
- State v. Rainey*—An Analysis of Limitations Governing Criminal Jury Instructions on Presumptions 28:311
- Walker v. Dallas: Arizona's Long Arm is Extended* 28:523

EDUCATION

- Collective Negotiations in Arizona's Public Schools: The Anomaly of Tolerated Illegal Activities, *Donal M. Sacken* 28: 15

EIGHTH AMENDMENT

- The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143

EMPLOYER AND EMPLOYEE

- Discriminatory Discharge and the Emerging Common Law of Wrongful Discharge, *Jane P. Mallor* 28:651

EMPLOYMENT DISSCRIMINATION

- Discriminatory Discharge and the Emerging Common Law of Wrongful Discharge, *Jane P. Mallor* 28:651

EQUITABLE TOLLING

- Hosogai v. Kadota*: The Beginning of the End of the Statute of Limitations ... 28: 99

EQUITY

- Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

ETHNICITY

- A Race By Any Other Name: The Interplay Between Ethnicity, National Origin and Race for Purposes of Section 1981, *Eileen R. Kaufman* 28:205

EVIDENCE

- United States v. Mazzone*: The Seventh Circuit Attempts to Clarify *United States v. Ross* 28:673
- State v. Rainey*—An Analysis of Limitations Governing Criminal Jury Instructions on Presumptions 28:311

EXCISE TAXES

- Modern-Day Equitable Recoupment and the "Two Tax Effect:" Avoidance of the Statute of Limitation in Federal Tax Controversies, *Arthur W. Andrews* 28:595

EXTRAORDINARY REMEDIES

- Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

FAMILY LAW

- Life, Death, and Incompetent Patients: Conceptual Infirmities and Hidden Values in the Law, *Rebecca Dresser* . 28:373

FOURTH AMENDMENT

- Lengthy Detentions and Invasive Searches at the Border: In Search of the Magistrate, *Bruce Leonard Mandell & L. Anita Richardson* 28:331
- The Forgotten Motto of *Obsta Principiis* in Fourth Amendment Jurisprudence, *Wayne R. LaFare* 28:291

GOVERNMENTAL IMMUNITY & LIABILITY

- Postdeprivation Remedies Don't Bar Section 1983 Actions Based on Non-Random Acts: *Haygood v. Younger* . 28: 73

- A Separation of Powers Analysis of the Absolute Immunity of Public Entities 28: 49

HISTORY

- The Curse of Relevance: An Essay on the Relationship of Historical Research to Federal Indian Litigation, *Robert N. Clinton* 28: 29

ILLEGAL DELEGATION

- Collective Negotiations in Arizona's Public Schools: The Anomaly of Tolerated Illegal Activities, *Donal M. Sacken* 28: 15

IMMUNITY

- A Separation of Powers Analysis of the Absolute Immunity of Public Entities 28: 49

INCOME TAX—CORPORATIONS

- Income Taxation of Foreign Direct Investment in Arizona by Foreign Manufacturing and Merchandising Enterprises: Analysis of the Data and the Federal and State Rules, *Reka P. Hoff* 28:407

INCOME TAX—FOREIGN INCOME

- Income Taxation of Foreign Direct Investment in Arizona by Foreign Manufacturing and Merchandising Enterprises: Analysis of the Data and the Federal and State Rules, *Reka P. Hoff* 28:407

INCOME TAX—INDIVIDUALS

- Modern-Day Equitable Recoupment and the "Two Tax Effect:" Avoidance of the Statute of Limitation in Federal Tax Controversies, *Arthur W. Andrews* 28:595

INCOME TAX—PROCEDURE

- Modern-Day Equitable Recoupment and the "Two Tax Effect:" Avoidance of the Statute of Limitation in Federal Tax Controversies, *Arthur W. Andrews* 28:595

INDIANS

- The Curse of Relevance: An Essay on the Relationship of Historical Research to Federal Indian Litigation, *Robert N. Clinton* 28: 29

INDUSTRIAL DISEASE

- Can the Occupational Disease Provisions of the Worker's Compensation Act Fairly Compensate Victims of Occupational Disease? 28:133

INHERITANCE—ESTATE & GIFT TAX

- Modern-Day Equitable Recoupment and the "Two Tax Effect:" Avoidance of the Statute of Limitation in Federal Tax Controversies, *Arthur W. Andrews* 28:595

INTERLOCUTORY APPEALS

- Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

INTERLOCUTORY APPEALS

Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

INVESTMENTS—FOREIGN

Income Taxation of Foreign Direct Investment in Arizona by Foreign Manufacturing and Merchandising Enterprises: Analysis of the Data and the Federal and State Rules, *Reka P. Hoff* 28:407

JURISDICTION

Walker v. Dallas: Arizona's Long Arm is Extended 28:523

JURY INSTRUCTIONS

State v. Rainey—An Analysis of Limitations Governing Criminal Jury Instructions on Presumptions 28:311

LABOR LAW

The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision, *Florian Bartosic & Gary Minda* 28:533
Discriminatory Discharge and the Emerging Common Law of Wrongful Discharge, *Jane P. Mallor* 28:651

LABOR MANAGEMENT RELATIONS

Discriminatory Discharge and the Emerging Common Law of Wrongful Discharge, *Jane P. Mallor* 28:651

LABOR RELATIONS—PUBLIC SECTOR

Collective Negotiations in Arizona's Public Schools: The Anomaly of Tolerated Illegal Activities, *Donal M. Sacken* 28: 15

LAW ENFORCEMENT

United States v. Mazzone: The Seventh Circuit Attempts to Clarify *United States v. Ross* 28:673

LAW REFORM

The Market Test For Attorney Fee Awards: Is the Hourly Rate Test Mandatory?, *Dan B. Dobbs* 28: 1

LAWYERS

The Market Test For Attorney Fee Awards: Is the Hourly Rate Test Mandatory?, *Dan B. Dobbs* 28: 1

LEGAL ETHICS

The Market Test For Attorney Fee Awards: Is the Hourly Rate Test Mandatory?, *Dan B. Dobbs* 28: 1

LEGAL HISTORY

The Curse of Relevance: An Essay on the Relationship of Historical Research to Federal Indian Litigation, *Robert N. Clinton* 28: 29

LEGAL PROFESSION

The Market Test For Attorney Fee Awards: Is the Hourly Rate Test Mandatory?, *Dan B. Dobbs* 28: 1

LEGISLATIVE POLICYMAKING

Collective Negotiations in Arizona's Public Schools: The Anomaly of Tolerated Illegal Activities, *Donal M. Sacken* 28: 15

LIMITATION OF ACTIONS

Hosogai v. Kadota: The Beginning of the End of the Statute of Limitations ... 28: 99

LIMITATIONS OF ACTIONS

Modern-Day Equitable Recoupment and the "Two Tax Effect:" Avoidance of the Statute of Limitation in Federal Tax Controversies, *Arthur W. Andrews* 28:301

MANDAMUS

Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

MASTER AND SERVANT

The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision, *Florian Bartosic & Gary Minda* 28:533

MEDICAL JURISPRUDENCE

Life, Death, and Incompetent Patients: Conceptual Infirmities and Hidden Values in the Law, *Rebecca Dresser* . 28:373

MENTAL HEALTH

Life, Death, and Incompetent Patients: Conceptual Infirmities and Hidden Values in the Law, *Rebecca Dresser* . 28:373

MOTOR VEHICLES

United States v. Mazzone: The Seventh Circuit Attempts to Clarify *United States v. Ross* 28:673

MUNICIPALITIES

Goodyear Farms v. City of Avondale: Rejection of the Theory that Signing a Petition for Annexation is Analogous to the Fundamental Right to Vote. . . 28:513

NARCOTICS

Lengthy Detentions and Invasive Searches at the Border: In Search of the Magistrate, *Bruce Leonard Mandell & L. Anita Richardson* 28:331

NEGLIGENCE

Adding a Risk/Utility Analysis to the Consumer Expectation Test in Design Defect Cases. 28:459

OCCUPATIONAL DISEASE

Can the Occupational Disease Provisions of the Workers' Compensation Act Fairly Compensate Victims of Occupational Disease? 28:133

POLICE

United States v. Mazzone: The Seventh Circuit Attempts to Clarify *United States v. Ross* 28:673

PRIVACY

Lengthy Detentions and Invasive Services at the Border: In Search of the Magistrate, *Bruce Leonard Mandell & L. Anita Richardson* 28:331

Life, Death, and Incompetent Patients: Conceptual Infirmities and Hidden Values in the Law, *Rebecca Dresser* . 28:373

United States v. Mazzone: The Seventh Circuit Attempts to Clarify *United States v. Ross* 28:673

PROBABLE CAUSE

Lengthy Detentions and Invasive Searches at the Border: In Search of the Magistrate, *Bruce Leonard Mandell & L. Anita Richardson* 28:331

United States v. Mazzone: The Seventh Circuit Attempts to Clarify *United States v. Ross* 28:673

PRODUCTS LIABILITY

Adding a Risk/Utility Analysis to the Consumer Expectation Test in Design Defect Cases. 28:459

PROFESSIONS

The Market Test For Attorney Fee Awards: Is the Hourly Rate Test Mandatory?, *Dan B. Dobbs* 28: 1

PROHIBITION

Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

PROPERTY

Goodyear Farms v. City of Avondale: Rejection of the Theory that Signing a Petition for Annexation is Analogous to the Fundamental Right to Vote .. 28:513

PUNISHMENT

The Supreme Court, Capital Punishment and the Substantive Criminal Law: The Rise and Fall of Mandatory Capital Punishment, *John W. Poulos* 28:143

QUANTUM MERUIT

Liability for Incidental Beneficiaries: Creating Third Party Liability in Quasi-Contract. 28: 83

QUASI-CONTRACT

Liability for Incidental Beneficiaries: Creating Third Party Liability in Quasi-Contract. 28: 83

RACE DISCRIMINATION—LAW & LEGISLATION

A Race By Any Other Name: The Interplay Between Ethnicity, National Origin and Race for Purposes of Section 1981, *Eileen R. Kaufman* 28:205

REMEDIES

Postdeprivation Remedies Don't Bar Section 1983 Actions Based on Non-Random Acts: *Haygood v. Younger* . 28: 73

RESTITUTION

Liability for Incidental Beneficiaries: Creating Third Party Liability in Quasi-Contract. 28: 83

RIGHT TO DIE

Life, Death, and Incompetent Patients: Conceptual Infirmities and Hidden Values in the Law, *Rebecca Dresser* . 28:373

RIGHT TO TRIAL BY JURY

State v. Rainey—An Analysis of Limitations Governing Criminal Jury Instructions on Presumptions 28:311

SAVINGS STATUTE

Hosogai v. Kadota: The Beginning of the End of the Statute of Limitations ... 28: 99

SCHOOLS

Collective Negotiations in Arizona's Public Schools: The Anomaly of Tolerated Illegal Activities, *Donal M. Sacken* 28: 15

SEARCH & SEIZURE

Lengthy Detentions and Invasive Searches at the Border: In Search of the Magistrate, *Bruce Leonard Mandell & L. Anita Richardson* 28:331

United States v. Mazzone: The Seventh Circuit Attempts to Clarify *United States v. Ross* 28:673

SEARCH & SEIZURE

The Forgotten Motto of *Obsta Principiis* in Fourth Amendment Jurisprudence, *Wayne R. LaFare* 28:291

SEPARATION OF POWERS

A Separation of Powers Analysis of the Absolute Immunity of Public Entities 28: 49

SERVICE OF PROCESS

Walker v. Dallas: Arizona's Long Arm is Extended 28:523

SEXUAL HARASSMENT

The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision, *florian Bartosici & Gary Minda* 28:533

SPECIAL ACTIONS

Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

STATUTE OF LIMITATIONS

Hosogai v. Kadota: The Beginning of the End of the Statute of Limitations ... 28: 99

STATUTES

A Separation of Powers Analysis of the Absolute Immunity of Public Entities 28: 49

STRICT LIABILITY

Adding a Risk/Utility Analysis to the Consumer Expectation Test in Design Defect Cases..... 28:459

TAXATION

Income Taxation of Foreign Direct Investment in Arizona by Foreign Manufacturing and Merchandising Enterprises: Analysis of the Data and the Federal and State Rules, *Reka P. Hoff* 28:407

TAXATION—PRACTICE & PROCEDURE

Modern-Day Equitable Recoupment and the "Two Tax Effect:" Avoidance of the Statute of Limitation in Federal Tax Controversies, *Arthur W. Andrews* 28:595

TORTS

Adding a Risk/Utility Analysis to the Consumer Expectation Test in Design Defect Cases..... 28:459

UNIONS

Collective Negotiations in Arizona's Public Schools: The Aomoly of Tolerated Illegal Activities, *Donal M. Sacken* 28: 15

UNITED STATES SUPREME COURT

The Forgotten Motto of *Obsta Principiis* in Fourth Amendment Jurisprudence, *Wayne R. LaFare* 28:291

UNJUST ENRICHMENT

Liability for Incidental Beneficiaries: Creating Third Party Liability in Quasi-Contract..... 28: 83

WAGE DISPARITY

The Labor Law Legacy of the Burger Court's Last Term: A Failure of Imagination and Vision, *Florian Bartosic & Gary Minda* 28:533

WARRANTS

Lengthy Detentions and Invasive Searches at the Border: In Search of the Magistrate, *Bruce Leonard Mandell & L. Anita Richardson*..... 28:331

WORKERS COMPENSATION—MEDICAL ASPECTS

Can the Occupational Disease Provisions of the Workers' Compensation Act Fairly Compensate Victims of Occupational Disease? 28:133

WRITS

Arizona's Special Actions: Seeking Relief Through an Extraordinary Maze. 28:475

WRONGFUL DISCHARGE

Discriminatory Discharge and the Emerging Common Law of Wrongful Discharge, *Jane P. Mallor* 28:651

TABLE OF CASES

Cases discussed in the text of Articles, Notes, and Casenotes are listed here. The numeral preceding the colon refers to the volume in which the particular case is discussed. The numeral following the colon refers to the page on which the particular Article, Note, or Case Commentary discussing the case begins. Both plaintiff-defendant and defendant-plaintiff case titles are included for the convenience of the reader; the full case citation is given with the former.

—A—

Abood v. Detroit Board of Education, 431 U.S. 209 (1977)	28:533
Adams v. City of Colorado Springs, 308 F. Supp. 1397 (D. Colo. 1970)	28:513
Adams v. Williams, 407 U.S. 143 (1972)	28:330
Addison v. State, 21 Cal. 3d 313, 578 P.2d 941, 146 Cal. Rptr. 224 (1978) ..	28: 99
Aikens v. California, 403 U.S. 952 (1971), cert. dismissed, 406 U.S. 813 (1972)	28:143
Al-Kharzraji v. St. Francis College, 784 F.2d 505 (3d Cir. 1986), cert. granted 107 S. Ct. 62 (1986)	28:205
Allen, Clerks v.	28:533
Allen, County Court of Ulster County v.	28:311
American Manufacturing Co., Steelworkers v.	28:533
American Petrofina Co. v. Oil, Chemical and Atomic Workers Local 4-23, 106 S. Ct. 2912 (1986)	28:533
American Radiator & Standard Sanitary Corp., Lindy Brothers Builders, Inc.	28: 1
Anderson, People v.	28:143
Andresen v. Maryland, 427 U.S. 463 (1975)	28:291
Aodbey v. Roosevelt School District No. 66, 131 Ariz. 13, 638 P.2d 235 (Ct. App. 1981)	28: 15
Arizona Board of Regents, Communication Workers of America v.	28: 15
Arizona Parks Board, Markowitz v.	28:323
Arizona Parks Board, Markowitz v. (Ct. App.)	28:323
Arizona State Registrar of Contractors, J.W. Hancock v.	28: 49
Arizona, Miranda v.	28:331
Arkansas v. Sanders, 442 U.S. 753 (1979) ..	28:673
AT&T Technologies, Inc. v. Communication Workers of America, 106 S. Ct. 1415 (1986)	28:533

—B—

Baker v. General Motors Corp., 106 S. Ct. 3129 (1986)	28:533
Baker v. McCollan, 443 U.S. 137 (1979) ..	28: 73
Bakke, Regents of the University of California v.	28:533
Ball v. James, 452 U.S. 355 (1981)	28:513
Bank of America, Ortiz v.	28:205
Barnes, United States v.	28:311
Bartlett, Solem v.	28: 29

Bass, Ratcliff & Gretton, Ltd. v. State Tax Commissioner, 266 U.S. 271 (1924)	28:441
Bazemore v. Friday, 106 S. Ct. 3000 (1986)	28:533
Beach v. City of Phoenix, 136 Ariz. 601, 667 P.2d 1316 (1983)	28:323
Beck v. CWA, 800 F.2d 1280 (4th Cir. 1986)	P28:533
Bennett, EMI Ltd. v.	28:441
Bishop, Maxwell v.	28:143
Blum v. Stenson, 465 U.S. 886 (1984) ..	28: 1
Board of Education v. Scottsdale Education Association, 17 Ariz. App. 504, 498 P.2d 578 (1972)	28: 15
Board of Education v. Scottsdale Education Association, 109 Ariz. 342, 509 P.2d 612 (1973)	28: 15
Board of Education, Brown v.	28:143
Board of Supervisors, Curtis v.	28:513
Bowcut, United States v.	28:301
Boy v. I.T.T. Grinel Corp., 150 Ariz. 526, 724 P.2d 612 (Ct. App. 1986) ..	28:459
Boyd v. United States, 116 U.S. 616 (1886)	28:291
Brady v. Melody Homes Manufacturer, 121 Ariz. 253, 589 P.2d 896 (Ct. App. 1978)	28:459
Brady, Complete Auto Transit v.	28:441
Branch v. Texas, 403 U.S. 952 (1971) ..	28:143
Brock, UAW v.	28:533
Brown & Root, Inc., Lucas v.	28:651
Brown v. Board of Education, 347 U.S. 483 (1954)	28:143
Bryan v. Itasca County, 426 U.S. 373 (1976)	28: 29
Bull v. United States, 295 U.S. 247 (1935)	28:301
Burnett v. New York Central Railway Co., 380 U.S. 424 (1965)	28: 99
Bus Employees v. Missouri, 374 U.S. 74 (1963)	28:533
Butterworth, Helvering v.	28:595
Byrns v. Riddell, 113 Ariz. 264, 550 P.2d 1065 (1976)	28:459

—C—

California v. Ciralo, 106 S. Ct. 1809 (1986)	28:291
California, Aikens v.	28:143
California, McGautha v.	28:143
California, Oyama v.	28:205

- California, Robbins v. 28:673
 Cannon, Davidson v. 28: 73
 Carrol v. United States, 207 U.S. 132
 (1925) 28:673
 Carroll v. President and Commissioners,
 393 U.S. 175 (1968) 28:143
 Castenada v. Partida, 430 U.S. 482
 (1977) 28:205
 Central Hanover Bank & Trust Co.,
 Mullane v. 28:523
 Chadwick, United States v. 28:523
 Chancellor v. Federated Department
 Stores, 672 F.2d 1312 (9th Cir. 1982) 28:651
 Cherokee Nation v. Georgia, 30 U.S. (5
 Pet.) 1 (1831) 28: 29
 Chicago Teachers Union Local v. Hud-
 son, 106 S. Ct. 1066 (1986) 28:533
 Chrysler Plastic Products Corp., Erebia
 v. 28:205
 Ciruolo, California v. 28:291
 City Council of Thousand Oaks, Weber
 v. 28:513
 City of Avondale, Goodyear Farms v. 28:513
 City of Cleveland, Local 93, Firefight-
 ers v. 28:533
 City of Colorado Springs, Adams v. 28:513
 City of Fond du Lac, Town of Fond du
 Lac, v. 28:513
 City of Phoenix, Beach v. 28:323
 City of Phoenix, Gorman v. 28:513
 City of Pittsburgh, Hunter v. 28:513
 City of Riverside v. Rivera, 106 S. Ct.
 2686 (1986) 28:533
 City of Tucson, Coburn v. 28:323
 City of West Carrollton, Township of Jef-
 ferson v. 28:513
 Clerks v. Allen, 373 U.S. 113 (19—) 28:533
 Cobb, Shaare Tefila Congregation v. 28:205
 Coburn v. City of Tucson, 143 Ariz. 50,
 691 P.2d 1078 (1984) 28:323
 Coleman v. Superior Court, 110 Ariz.
 386, 519 P.2d 851 (1974) 28:475
 Colorado, Wolf v. 28:291
 Commissioner v. Gooch Milling & Ele-
 vator Co., 320 U.S. 418 (1943) 28:301
 Communication Workers of America v.
 Arizona Board of Regents, 17 Ariz.
 App. 398, 498 P.2d 472 (1972) 28: 15
 Communication Workers of America,
 AT&T Technologies, Inc. v. 28:533
 Complete Auto Transit, Inc. v. Brady,
 430 U.S. 274 (1977) 28:441
 Confederated Bands and Tribes of the
 Yakima Reservation, Washington v. 28: 29
 Confederated Salish and Kootenai Tribes
 of the Flathead Reservation, Moe v. 28: 29
 Connolly v. Pension Benefit Guaranty
 Corp., 106 S. Ct. 1018 (1986) 28:533
 Container Corporation of America v.
 Franchise Tax Board, 463 U.S. 159
 (1983) 28:441
 County Court of Ulster County v. Allen,
 442 U.S. 140 (1979) 28:311
 County of Los Angeles, Japan Line, Ltd.
 v. 28:441
 County of Oneida v. Oneida Indian Na-
 tion, 470 U.S. 226 (1985) 28: 29
 Crampton v. Ohio, 398 U.S. 936 (1970) 28:143
 Crews v. Memorex Corp., 588 F. Supp.
 27 (D. Mass. 1984) 28:651
 Culinary Workers Local 226, Royal
 Center, Inc., v. 28:533
 Curtis v. Board of Supervisors, 7 Cal. 3d
 942, 501 P.2d 531, 104 Cal. Rptr. 297
 (1972) 28:513
 Cuyahoga Valley Railway Co. v. United
 Transportation Union, 106 S. Ct. 286
 (1985) 28:533
 CWC, Beck v. 28:533
- D—
- Dallas, Walker v. 28:523
 Daniels v. Williams, 106 S. Ct. 662
 (1986) 28: 78
 Dart v. Wiebe Manufacturing, Inc., 147
 Ariz. 242, 709 P.2d 876 (1985) 28:459
 Davidson v. Cannon, 106 S. Ct. 668
 (1986) 28: 73
 Davis, International Longshoremen's
 Association v. 28:533
 Davis, Paul v. 28: 73
 Dayton Christian Schools, Ohio Civil
 Rights Commission v. 28:533
 de Hernandez, United States v. 28:331
 DeCoteau v. District Court, 420 U.S. 425
 (1975) 28: 29
 Detroit Board of Education, Abood v. 28:533
 District Court, DeCoteau v. 28: 29
 Dorsey v. Yoder, 331 F. Supp. 753 (E.D.
 Pa. 1971), aff'd 474 F.2d 1339 (3d Cir.
 1973) 28:459
 Dow Chemical v. United States, 106 S.
 Ct. 1819 (186) 28:291
 Duke Power Co., Griggs v. 28:533
- E—
- Eckerhart, Hensley v. 28: 1
 EEOC, Local 28, Sheet Metal Workers v. 28:533
 Eldridge, Matthews v. 28: 73
 Electric Storage Battery Co., Rothensies
 v. 28:301
 Elliot, University of Tennessee v. 28:533
 Ellis v. Railway Clerks, 104 S. Ct. 1883
 (1984) 532
 Emblem Tape and Label Co., LaFore v. 28:205
 Emery v. Superior Court, 89 Ariz. 246,
 360 P.2d 1025 (1961) 28:475
 EMI Ltd. v. Bennett, 738 F.2d 994 (9th
 Cir. 1984) 28:441
 Erebia v. Chrysler Plastic Products
 Corp., 772 F.2d 1250 (6th Cir. 1985) 28:205
 Evans v. Jeff D., 106 S. Ct. 1531 (1986) 28:533
- F—
- Federated Department Stores, Chancel-
 lier v. 28:651

Financial Institution Employees Local 1182, NLRB v.	28:533
Florida Industrial Commission, Nash v.	28:533
Florida, Profit v.	28:143
Ford v. Industrial Commission of Arizona, 145 509, 703 P.2d 453 (1985) .	28:133
Franchise Tax Board, Container Corporation of America v.	28:441
Friday, Bazemore v.	28:533
Fullilove f. Klutznick, 448 U.S. 448 (1979) .	28:205
Furmon v. Georgia, 408 U.S. 238 (1972)	28:143

—G—

Gainey, United States v.	28:311
General Industries Co., Walling v.	28:533
General Motors Corp., Baker v.	28:533
Georgia Highway Express, Johnson v. .	28: 1
Georgia, Cherokee Nation v.	28: 29
Georgia, Furmon v.	28:143
Georgia, Gregg v.	28:143
Georgia, Jackson v.	28:143
Georgia, Worcester v.	28: 29
Golden Gate Transit Corp. v. Los Angeles, 106 S. Ct. 1395 (1986) .	28:533
Gomillion v. Lightfoot, 364 U.S. 339 (1960) .	28:513
Gooch Milling & Elevator Co., Commissioner v.	28:595
Goodyear Farms v. City of Avondale, 148 Ariz. 256, 714 P.2d 426 (1985) ..	28:513
Gordon, Trimble v.	28:205
Gorman v. City of Phoenix, 76 Ariz. 35, 258 P.2d 424 (1953) .	28:513
Gould, Wisconsin Department of Labor v.	28:523
Graves, Shell Petroleum, N.V. v.	28:441
Gregg v. Georgia, 428 U.S. 153 (1976) .	28:143
Griggs v. Duke Power Co., 401 U.S. 424 (1971) .	28:53

—H—

Hammer, Kenyon v.	28:459
Hanson, Railway Employees Department v.	28:533
Harris, Younger v.	28:533
Hayden, Warden v.	28:291
Haygood v. Younger, 769 F.2d 1350 (9th Cir. 1985) .	28: 73
Hazelwood School District v. United States, 433 U.S. 299 (1977) .	28:533
Heitner, Shaffer v.	28:533
Helvering v. Butterworth, 290 U.S. 365 (1933) .	28:595
Hensley v. Eckerhart, 461 U.S. 424 (1983) .	28: 1
Hernandez v. Texas, 347 U.S. 475 (1954)	28:205
Herring, United States v.	28:595
Hester, United States v.	28:311
Hitchcock, Lone Wolf v.	28: 29
Hoffa v. United States, 385 U.S. 293 (1966) .	28:291

Holien v. Sears, Roebuck and Co., 298 Or. 76, 689 P.2d 1292 (1984) .	28:651
Hopkins, Yick Wo v.	28:205
Hosogai v. Kadota, 145 Ariz. 227, 700 P.2d 1327 (1985) .	28: 99
Hudson, Chicago Teachers Union Local v.	28:533
Hudson, Palmer v.	28: 73
Hunt v. Washington Apple Advertising Commission, 432 U.S. 333 (1977) ...	28:533
Hunter v. City of Pittsburg, 207 U.S. 161 (1907) .	28:513

—I—

I.T.T. Grinnel Corp., Boy v.	28:459
IBM Corp., Trejan v.	28:205
Icicle Seafoods, Inc. v. Worthington, 106 S. Ct. 1527 (1986) .	28:533
In Re Conroy, 98 N.J. 321, 486 A.2d 1209 (1985) .	28:373
In Re Hier, 18 Mass. App. 200, 464 N.E.2d 959 (1984) .	28:373
In Re Quinlan, 70 N.J. 10, 355 A.2d 647 (1976) .	28:373
In Re Spring, 380 Mass. 629, 405 N.E.2d 115 (1980) .	28:373
Industrial Commission of Arizona, Ford v.	28:133
Industrial Commission of Arizona, Phoenix Pest Control v.	28:133
Ingraham v. Wright, 430 U.S. 651 (1977)	28: 73
International Brotherhood of Teamsters, Petermann v.	28:651
International Longshoremen's Association v. Davis, 106 S. Ct. 1904 (1986)	28:533
International Shoe v. Washington, 363 U.S. 310 (1945) .	28:523
Itasca County, Bryan v.	28: 29

—J—

J.W. Hancock Enterprises v. Arizona State Registrar of Contractors, 142 Ariz. 400, 690 P.2d 119 (Ct. Ap. 1984)	28: 49
Jackson Board of Education, Wygant v.	28:533
Jackson v. Georgia, 403 U.S. 952 (1971)	28:143
James, Ball v.	28:513
Japan Line, Ltd. v. County of Los Angeles, 441 U.S. 434 (1979) .	28:441
Jeff D., Evans v.	28:533
Johns, United States v.	28:673
Johnson v. Georgia Highway Express, 488 F.2d 714 (5th Cir. 1974) .	28: 1
Johnson v. Transportation Agency, 748 F.2d 1308 (9th Cir. 1984) .	28:533
Johnson, Steelworkers v.	58:532
Jones v. Alfred H. Mayer, 392 U.S. 409 (1968) .	28:205
Jurek v. Texas, 428 U.S. 262 (1976) ...	28:143

—K—

Kadota, Hosogai v.	28: 99
-------------------------	--------

Katz v. United States, 389 U.S. 347
(1967) 28:291
Kenyon v. Hammer, 142 Ariz. 69, 688
P.2d 961 (1984) 28:459
Keyes v. School District 1, Denver, Col-
orado, 413 U.S. 189 (1972) 28:205
Klutznick, Fullilove v. 28:205
Knight v. Mewszel, 3 Ariz. App. 295,
413 P.2d 861 (1966) 28:523
Knotts, United States v. 28:291

—L—

LaFore v. Emblem Tape and Label Co.,
448 F. Supp. 824 (D. Colo. 1978) ... 28:205
Leary v. United States, 395 U.S. 6 (1969) 28:311
Lee, United States v. 28:291
Lee, Winston v. 28:331
Lewis v. Reynolds, 284 U.S. 281 (1982) 28:301
Library of Congress v. Shaw, 106 S. Ct.
2957 (1986) 28:533
Lightfoot, Gomillion v. 28:513
Lindy Brothers Builders, Inc. v. Ameri-
can Radiator & Standard Sanitary
Corp., 487 F.2d 161 (3d Cir. 1973) .. 28: 1
Local 28, Sheet Metal Workers v. EEOC,
106 S. Ct. 3019 (1986) 28:533
Local 358, Bakery & Confectionery
Workers Union v. 28:533
Local 93, Firefighters v. City of Cleve-
land, 106 S. Ct. 3063 (1986) 28:533
Logan v. Zimmerman Brush Co., 455
U.S. 422 (1982) 28: 73
Lone Wolf v. Hitchcock, 187 U.S. 553
(1903) 28: 29
Los Angeles, Golden Gate Transit Corp.
v. 28:533
Louisiana, Roberts (Stanislaus) v. 28:143
Lucas v. Brown & Root, Inc., 736 F.2d
1202 (8th Cir. 1984) 28:651

—M—

Machinist v. Street, 367 U.S. 740 (1961) 28:533
Machinist v. Wisconsin Employee Rela-
tions Commission, 427 U.S. 132 (1976) 28:533
Magne, Maher v. 28:533
Maher v. Magne, 448 U.S. 122 (1980) . 28:533
Manzanares v. Safeway Stores, 593 F.2d
968 (10th Cir. 1979) 28:205
Mapp v. Ohio, 367 U.S. 643 (1961) ... 28:291
Marana Education Association v.
Marana Unified School District No. 6,
No. 217263 (Super. Ct. Pima County,
Nov. 2, 1984) 28: 15
Marana Unified School District No. 6,
Marana Education Association 28: 15
Markowitz v. Arizona Parks Board, 146
Ariz. 200, 705 P.2d 937 (Ct. App.
1984) 28:323
Markowitz v. Arizona Parks Board, 146
Ariz. 352, 706 P.2d 364 (1985) 28:323
Maryland, Andresen v. 28:291
Maryland, Smith v. 28:291

Matthews v. Eldridge, 424 U.S. 319
(1976) 28: 73
Maxwell v. Bishop, 393 U.S. 997 (1968) 28:143
Mayer, Alfred H., Jones v. 28:205
Mazzone, United States v. 28:673
McCollan, Baker v. 28: 73
McEachern v. Rose, 302 U.S. 56 (1937) 28:301
McGautha v. California, 402 U.S. 183
(1971) 28:143
McKinney v. National Dairy Counsel,
491 F. Supp. 1108 (D. Mass. 1980) .. 28:651
Melody Homes Manufacturer, Brady v. 28:459
Memorex Corp., Crews v. 28:651
Memphis Firefighters v. Stotts, 467 U.S.
561 (1984) 28:533
Meritor Savings Bank v. Vinson, 106 S.
Ct. 2399 (19—) 28:533
Mewszel, Knight v. 28:523
Miller, United States v. 28:291
Miranda v. Arizona, 384 U.S. 436 (1966) 28:331
Missouri, Bus Employees v. 28:533
Moe v. Confederated Salish and Koote-
nai Tribes of the Flathead Reservation 28: 29
Monroe v. Pape, 365 U.S. 167 (1961) .. 28: 73
Monroe v. Pape, 365 U.S. 167 (1961) .. 28:533
Mullane v. Central Hanover Bank &
Trust Co., 339 U.S. 306 (1950) 28:523
Murdock-Bryant Construction, Inc. v.
Taylor Pearson, 146 Ariz. 48, 703 P.2d
1197 (1985) 28: 83

—N—

Nash v. Florida Industrial Commission,
389 U.S. 235 (1967) 28:533
National Dairy Counsel, McKinney v. . 28:651
New York Central Railroad Co., Burnett
v. 28: 99
New York Labor Department, New
York Telephone Co. v. 28:533
New York Telephone Co. v. New York
Labor Department, 440 U.S. 519
(1979) 28:533
NLRB v. Financial Institution Employ-
ees Local 1182, 106 S. Ct. 1007 (1986) 28:533
Nolde Bros. v. Local 358, Bakery & Con-
fectionery Workers Union, 430 U.S.
243 (1977) 28:533
North Carolina, Woodson v. 28:143

—O—

O'Leary v. Superior Court, 104 Ariz.
308, 452 P.2d 101 (1969) 28:523
Ohio Civil Rights Commission v. Dayton
Christian Schools, 106 S. Ct. 2718
(1986) 28:533
Ohio, Crampton v. 28:143
Ohio, Mapp v. 28:291
Ohio, Terry v. 28:331
Oil, Chemical and Atomic Workers sLo-
cal 4-23, American Petrofina v. 28:533
Oliphant v. Suquamish Tribe, 435 U.S.
191 (1978) 28: 39

Oliver v. United States, 466 U.S. 170 (1984)	28:291
Oneida Indian Nation, County of Oneida v.	28: 29
Ortiz v. Bank of America, 547 F. Supp. 550 (E.D. Cal. 1982)	28:205
Osceola Refining Co., Rabidue v.	28:533
Oyama v. California, 332 U.S. 633 (1948)	28:205

—P—

Palmer v. Hudson, 104 S. Ct. 3194 (1984)	28: 73
Pape, Monroe v.	28: 73
Pape, Monroe v.	28:533
Paradise Valley Unified School District, Wistuber v.	28: 15
Parratt v. Taylor, 451 U.S. 527 (1981)	28: 73
Partida, Castenda v.	28:205
Paul v. Davis, 424 U.S. 693 (1976)	28: 73
Pension Benefit Guaranty Corp., Connolly v.	28:533
People v. Anderson, 6 Cal. 3d 628, 493 P.2d 880, 100 Cal. Rptr. 152 (1972)	28:143
Petermann v. International Brotherhood of Teamsters, 174 Cal. App. 2d 184, 344 P.2d 25 (1959)	28:651
Phoenix Pest Control v. Industrial Commission of Arizona, 134 Ariz. 215, 655 P.2d 39 (Ct. App. 1985)	28:133
President and Commissioners, Carrol v.	28:143
Price v. UAW 795 F.2d 1128 (2d Cir. 1986)	28:533
Proffitt v. Florida, 428 U.S. 242 (1976)	28:143

—R—

Rabidue v. Osceola Refining Co., 584 F. Supp. 419 (E.D. Mich. 1984), aff'd 803 F.2d 611 (6th Cir. 1986)	28:533
Raich, Truax v.	28:205
Railway Clerks, Ellis v.	28:533
Railway Employees Department v. Hanson, 351 U.S. 225 (1956)	28:533
Rainey, State v.	28:311
Regents of the University of California v. Bakke, 438 U.S. 265 (1978)	28:533
Reynolds v. Sims, 377 U.S. 533 (1964)	28:513
Reynolds, Lewis v.	28:595
Riddell, Inc., Byrns v.	459
Rivera, City of Riverside v.	28:533
Robbins v. California, 453 U.S. 420 (1981)	28:673
Roberts (Stanislaus) v. Louisiana, 428 U.S. 325 (1976)	28:143
Romano, United States v.	28:311
Roosevelt School District No. 66, Aodbey v.	28: 15
Rose, McEachern v.	28:595
Ross, United States v.	28:673
Rothensies v. Electric Storage Battery Co., 329 U.S. 296 (1946)	28:301
Royal Center, Inc. v. Culinary Workers Local 226, 106 S. Ct. 1627 (1986)	28:533

Ryan v. State, 134 Ariz. 308, 656 P.2d 597 (1982)	28: 49
---	--------

—S—

Safeway Stores, Manzanares v.	28:205
Salger Land Co. v. Tularer Lake Basin Water Storage Land District, 410 U.S. 719 (1979)	28:513
San Diego District Council of Carpenters, Sears Roebuck & Co. v.	28:533
Sanders, Arkansas v.	28:673
School District 1, Denver, Colorado, Keyes v.	28:205
Scottsdale Education Association, Board of Education v. (Ct. App.)	28: 15
Scottsdale Education Association, Board of Education v.	28: 15
Sears Roebuck & Co. v. San Diego District Council of Carpenters, 436 U.S. 180 (1978)	28:533
Sears Roebuck and Co., Holien v.	28:651
Seymour v. Superintendent, 368 U.S. 351 (1962)	28: 29
Staffer v. Heitner, 423 U.S. 186 (1977)	28:523
Shaare Tefila Congregation v. Cobb, 785 F.2d 523 (4th Cir. 1986), cert. granted, 107 S. Ct. 62 (1986)	28:205
Shaw, Library of Congress v.	28:533
Shell Petroleum, N.V. v. Graves, 709 F.2d 593 (9th Cir. 1983)	28:441
Siedel, State ex rel. Collins v.	28:459
Sims, Reynolds v.	28:513
Sioux Nation, United States v.	28: 29
Smith v. Maryland, 442 U.S. 735 (1979)	28:291
Solem v. Bartlett, 465 U.S. 463 (1984)	28: 29
St. Francis College, Al-Khazraji v.	28:205
State ex rel. Collins v. Siedel, 142 Ariz. 587, 691 P.2d 678 (1984)	28:459
State ex rel. Ronan v. Superior Court, 95 Ariz. 319, 390 P.2d 109 (1964)	28:475
State Tax Commission, Bass, Ratcliff & Gretton, Ltd. v.	28:441
State v. Rainey, 298 Or. 459, 693 P.2d 635 (1985)	28:311
State v. Stilling, 285 Or. 293, 590 P.2d 1223 (1979)	28:311
State, Addison v.	28: 99
State, Ryan v.	28: 49
Steelworkers v. American Manufacturing Co., 363 U.S. 564 (1960)	28:533
Steelworkers v. Johnson, 799 F.2d 402 (8th Cir. 1986)	28:533
Steelworkers v. Warrior & Gulf Co., 363 U.S. 543 (1960)	28:533
Stenson, Blum v.	28: 1
Stilling, State v.	28:311
Stone v. White, 301 U.S. 532 (1937)	28:595
Stotts, Memphis Firefighters v.	28:533
Street, Machinist v.	28:533
Superintendent, Seymour v.	28: 29
Superior Court, Coleman v.	28:475
Superior Court, Emery v.	28:475

Superior Court, O'Leary v. 28:523
 Superior Court, State ex rel. Ronan v. . 28:475
 Suquamish Tribe, Oliphant v. 28: 29

—T—

Taylor Pearson, Murdock-Bryant Construction, Inc. v. 28: 83
 Taylor, Parratt v. 28: 73
 Teamsters v. United States, 431 U.S. 324 (1977) 28:533
 Terry v. Ohio, 392 U.S. 1 (1968) 331
 Texas, Branch v. 28:143
 Texas, Hernandez v. 28:205
 Texas, Jurek v. 28:143
 Torres v. Village of Capitan, 92 N.M. 64, 582 P.2d 1277 (1978) 28:513
 Tot v. United States, 319 U.S. 463 (1943) 28:311
 Town of Fond du Lac v. City of Fond du Lac, 22 Wis. 2d 533, 126 N.W.2d 201 (1964) 28:513
 Township of Jefferson v. City of West Carrollton, 517 F. Supp. 417 (S.D. Ohio (1981) 28:513
 Transportation Agency, Johnson v. 28:533
 Trejan v. IBM Corp., 24 Fair Empl. Prac. Cas. (BNA) 443 (S.D.N.Y. 1980) 28:205
 Trimble v. Gordon, 430 U.S. 762 (1977) 28:205
 Truax v. Raich, 239 U.S. 33 (1915) ... 28:205
 Tucson Education Association, Tucson Unified School District v. 28: 15
 Tucson Unified School District No. 1, Williams v. 28: 15
 Tucson Unified School District v. Tucson Education Association, No. 229938 (Super Ct. Pima County, Dec. 27, 1985) 28: 15
 Tucson Unified School District No. 1, Williams v. 28: 15
 Tulare Lake Basin Water Storage Land District, Salger Land Co. v. 28:513
 Turner v. United States, 396 U.S. 398 (1970) 311

—U—

UAW v. Brock, 106 SS. Ct. 2523 (1986) 28:533
 UAW, Price v. 28:533
 United States v. Barnes, 412 U.S. 837 (1973) 28:311
 United States v. Bowcut, 287 F.2d 654 (9th Cir. 1961) 28:595
 United States v. Chadwick, 433 U.S. 1 (1977) 28:673
 United States v. de Hernandez, 105 S. Ct. 3304 (1985) 28:331
 United States v. Gainey, 380 U.S. 63 (1965) 28:311
 United States v. Herring, 240 F.2d 225 (4th Cir. 1957) 28:595
 United States v. Hester, 719 F.2d 1041 (9th Cir. 1983) 28:311
 United States v. Johns, 105 S. Ct. 881 (1985) 28:673

United States v. Knotts, 460 U.S. 276 (1983) 28:291
 United States v. Lee, 274 U.S. 559 (1927) 28:291
 United States v. Mazzone, 782 F.2d 757 (7th Cir. 1986) 28:673
 United States v. Miller, 425 U.S. 435 (1976) 28:291
 United States v. Romano, 382 U.S. 136 (1965) 28:311
 United States v. Ross, 456 U.S. 798 (1982) 28:673
 United States v. Sioux Nation, 448 U.S. 371 (1980) 28: 29
 United States, Boyd v. 28:291
 United States, Bull v. 594
 United States, Carroll v. 28:673
 United States, Dow Chemical v. 28:291
 United States, Hazelwood School District v. 28:533
 United States, Hoffa v. 28:291
 United States, Katz v. 28:291
 United States, Leary v. 28:311
 United States, Oliver v. 28:291
 United States, Teamsters v. 28:533
 United States, Tot v. 28:311
 United States, Turner v. 28:311
 United States, Weeks v. 28:291
 United States, Wilmington Trust Co. v. 28:595
 United Steel Workers v. Weber, 443 U.S. 193 (1979) 28:533
 United Transportation Union, Cuyahoga Valley Railway Co. v. 28:533
 University of Tennessee v. Elliot, 106 S. Ct. 3320 (1986) 28:533

—V—

Village of Capitan, Torres v. 28:513
 Vinson, Meritor Savings Bank v. 28:533

—W—

Walker v. Dallas, 146 Ariz. 440, 706 P.2d 1207 (1985) 28:523
 Walling v. General Industries Co., 330 F.2d 545 (6th Cir. 1947) 28:533
 Warden v. Hayden, 387 U.S. 294 (1967) 28:291
 Warrior & Gulf Co., Steelworkers v. ... 28:533
 Washington Apple Advertising Commission, Hunt v. 28:533
 Washington v. Confederated Bands and Tribes of the Yakima Reservation, 439 U.S. 463 (1979) 28: 29
 Washington, International Shoe v. 28:523
 Weber v. City Council of Thousand Oaks, 9 Cal. 3d 950, 513 P.2d 601, 109 Cal. Rptr. 533 (1973) 28:513
 Weber, United Steel Workers v. 28:533
 Weeks v. United States, 232 U.S. 383 (1914) 28:291
 White, Stone v. 28:595
 Wiebe Manufacturing, Inc., Dart v. ... 28:459

Williams v. Tucson Unified School District No. 1, No. 196770 (Super. Ct. Pima County 19—)	28: 0	Woodson v. North Carolina, 428 U.S. 280 (1976)	28:143
Williams v. Tucson Unified School District No. 1, No. 2 CA-CIV 4927 (Ariz. Ct. App. 1984)	28: 15	Worcester v. Georgia, 31 U.S. (6 Pet.) 555 (1832)	28: 29
Williams v. Tucson Unified School District No. 1, no. 17608-PR (1985)	28: 15	Worthington, Icicle Seafoods, Inc. v. . .	28:533
Williams, Adams v.	28:331	Wright, Ingraham v.	28: 73
Williams, Daniels v.	28: 73	Wygant v. Jackson Board of Education, 106, S. Ct. 1842 (1986)	28:533
Wilmington Trust Co. v. United States, 610 F.2d 703 (Ct. Cl. 1979)	28:595		
Winston v. Lee, 470 U.S. 753 (1985)	28:331		
Wisconsin Department of Labor v. Gould, 106 S. Ct. 1057 (1986)	28:533		
Wisconsin Employee Relations Commission, Machinists v.	28:533		
Wistuber v. Paradise Valley Unified School District, 141 Ariz. 546, 687 P.2d 354 (1984)	28: 15		
Wolf v. Colorado, 338 U.S. 25 (1949)	28:291		

—Y—

Yick Wo v. Hopkins, 118 U.S. 356 (1986)	28:205
Yoder, Dorsey v.	28:459
Younger v. Harris, 401 U.S. 37 (1971)	28:533
Younger, Haygood v.	28: 73

—Z—

Zimmerman, Brush Co., Logan v.	28: 73
--------------------------------	--------

TABLE OF STATUTES

Constitutions, statutes, rules and regulations discussed in text are indexed here. The numeral preceding the colon refers to the appropriate volume; the numeral following the colon refers to page on which the Article, Essay, Note, or Comment discussing the particular provision begins. Citations are to the code in force at the time of publication of the relevant article, as amended, unless otherwise amended.

United States

U.S. Const. amend IV	28:331
U.S. Const. amend V	28:311
U.S. Const. amend VIII	28:143
U.S. Const. amend XIV	28:143
U.S. Const. amend XIV	143
U.S. Const. amend XIV	311
U.S. Const. amend XIV	523
15 U.S.C. § 381 (1982)	28:421
18 U.S.C. § 1151(a) (1982)	28:029
25 U.S.C. § 177 (1982)	28:029
28 U.S.C. § 1362 (1982)	28:029
29 U.S.C. §§ 151-68 (1982)	28:651
29 U.S.C. §§ 621-34 (1982)	28:651
42 U.S.C. § 1981 (1982)	28:259
42 U.S.C. § 1982 (1982)	28:259
42 U.S.C. § 1983 (1976 & Supp. 1985)	28:073
42 U.S.C. § 1988 (1980)(Civil Rights Attorneys' Fees Awards Act)	28:533
42 U.S.C. § 2000e (1982)	28:259
42 U.S.C. § 2000e(2) (1982)	28:651
42 U.S.C. § 3601 (1970)	28:259
43 U.S.C. § 2415-16 (1982) (Color of Title Act)	28:029
Cheyenne River Act of 1901, Act of May 29, 1908, ch. 218, 35 Stat. 460	28:029
Employee Retirement Income Security Act of 1974 (ERISA)	28:533
Fair Labor Standards Act (FLSA)	28:533
Federal Insurance Contribution Act (FICA)	28:595
Federal Unemployment Tax Act	28:595
Indian Claims Commission Act, Act of Aug. 13, 1946, Pub. L. No. 726, 60 Stat. 1049	28:029
I.R.C. § 162	28:301
I.R.C. § 482 (1982)	28:425
I.R.C. § 642(g)28:595	
I.R.C. § 691(c)(1)	28:301
I.R.C. § 864 (1982)	28:425
I.R.C. § 1311	28:595
I.R.C. § 6161	28:595
I.R.C. § 6166	28:595
I.R.C. § 6166A	28:595
I.R.C. § 7405	28:301
Multiemployer Pension Plan Amendments Act of 1980 (MPPAA)	28:533
Labor Management Relations Act (Taft-Hartley Act)	28:533
Occupational Safety and Health Act (OSHA)	28:533
Public Law 280, Act of Aug. 15, 1953, ch. 505, 67 Stat. 588, codified as	

amended, 18 U.S.C. § 1162, 25 U.S.C. § 132, 28 U.S.C. § 1360 (1982)	28:029
Railroad Retirement Tax Act	28:595
Revenue Act of 1928, ch. 852, §§ 607, 608, 609(a) & (b)	28:595
Revenue Act of 1942, Pub. L. No. 753, ch. 619, 56 Stat. 957	28:595
Revenue Ruling 71-56, 1971-1 C.B. 404	28:301
Title VII	28:533
Trade and Intercourse Act of 1790	28:029
Treas. Reg. § 1.864-4(b)	28:409

Arizona

Ariz. Const. art. II, § 4	28:523
Ariz. Const. art. III	28:049
Ariz. Const. art. IX	28:015
Ariz. Const. art. XI	28:015
Ariz. Const. art. XVIII, § 6	28:459
Ariz. Rev. Stat. Ann. § 9-471 (1986) ..	28:513
Ariz. Rev. Stat. Ann. § 471 (1977) (repealed 1986)	28:513
Ariz. Rev. Stat. Ann. § 12-681 to -686 ..	28:459
Ariz. Rev. Stat. Ann. § 12-820 to -823 ..	28:049
Ariz. Rev. Stat. Ann. § 15-531 to -550 (1984 & Supp. 1985)	28:015
Ariz. Rev. Stat. Ann. § 23-901 to -1091 (1983)	28:133
Ariz. Rev. Stat. Ann. § 23-901.01	28:133
Ariz. Rev. Stat. Ann. § 28-901.05	28:133
Ariz. Rev. Stat. Ann. § 28-502 (1982) ..	28:099
Ariz. Rev. Stat. Ann. § 28-503 (1982) ..	28:099
Ariz. Rev. Stat. Ann. § 38-431 to -431.09 ..	28:015
Ariz. Rev. Stat. Ann. § 43-1101 (1980 & Supp. 1986)	28:409
Ariz. Rev. Stat. Ann. § 43-1131 (Supp. 1986)	28:409
Arizona Governmental Tort Claims Act ..	28:049
Ariz. R. Civ. P. 4(e)(1)	28:523
Ariz. R. Civ. P. 4(e)(3)	28:523

Other State and Municipal Laws

Mass. Gen. Laws. Ann. ch. 151B	28:651
Act of Apr. 22, 1975, ch. 252, 1975 Md. Laws 1249	28:143
Act of Apr. 3, 1974, ch. 34, 1974 N.H. Laws 56	28:143
Or. Rev. Stat. § 40.125, Rule 309 (1981) ..	28:311
Or. Rev. Stat. § 659.121(1) (1985)	28:651

Uniform Laws and Rules

Model Penal Code § 210.6	28:143
--------------------------------	--------

