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SOME REFLECTIONS ON THE QUALITY OF LIFE OF A UNITED STATES

DISTRICT JUDGE *Prentice H. Marshall* 593

The Honorable Prentice H. Marshall reflects on his life as a District Judge. Based on his own personal experience, the author concludes the overburdened, overworked and underpaid federal judiciary is a myth.

IN DEFENSE OF THE TORT SYSTEM *Jerry J. Phillips* 603

In light of growing sentiment that the United States must develop a comprehensive, no-fault payment scheme for accidental injuries, Professor Phillips examines the health of the major no-fault plans currently in operation and reviews the criticisms and virtues of the tort system. The author concludes that the rumors of the imminent death of the American tort system are greatly exaggerated.

Articles

RUSH TO JUDGMENT: CONGRESSIONAL RESPONSE TO
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The rule permitting the rejection of labor contracts under Chapter 11 of the Bankruptcy Code creates a general conflict between labor law and bankruptcy law. The authors trace this conflict through the Supreme Court's decision in *National Labor Relations Board v. Bildisco* & *Bildisco* and through subsequent bankruptcy court and congressional action addressing the issue. The authors conclude that many commentators' concerns over *Bildisco* were misplaced and raise the question of whether congressional response to the decision without hearings or extensive debate was premature and perhaps unnecessary.

FEDERAL LANDS AND LOCAL COMMUNITIES*Eric T. Freyfogle* 653

The federal government owns nearly one third of all land in the United States. Inevitably, the activities conducted on federal land affect local communities and their members. Professor Freyfogle examines whether the federal government, as landowner and sponsor of economic activities, is legally obligated to abide by state and local land use rules. After surveying the developing conflict, the author discusses the principal statutory schemes and their preemptive effect. Professor Freyfogle proposes an alternative, limited preemption test that would encourage federal agencies to become responsible members of local communities.

EVIDENCE TO REDUCE ITS PREJUDICIAL EFFECTS. *James H. Gold* 691

GENERAL WATER-RIGHTS ADJUDICATION IN ARIZONA:

In 1974, Arizona courts undertook the task of adjudicating water rights in Arizona's river systems. Several Arizonan Indian tribes and the United States made federal and state-court challenges to the Arizona court's jurisdiction over Indian water rights. The authors trace the history of these challenges and suggest resolutions to further problems facing state courts in the adjudication.

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