

1982

## Indexes to Volume 61

Follow this and additional works at: <https://digitalcommons.unl.edu/nlr>

---

### Recommended Citation

, *Indexes to Volume 61*, 61 Neb. L. Rev. (1982)

Available at: <https://digitalcommons.unl.edu/nlr/vol61/iss4/7>

This Article is brought to you for free and open access by the Law, College of at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in Nebraska Law Review by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.

**NEBRASKA  
LAW REVIEW**

**INDEX TO VOLUME 61**



## INDEX BY AUTHOR

ANSTINE II, GLEN R., (Student Note) Time, Place, and Manner Regulations of Expressive Activities in the Public Forum .....	167
BINDER, TIMOTHY J., (Student Commentary) <i>Douglas v. Faith Baptist Church</i> Under Constitutional Scrutiny.....	74
BROMAN, LISA M., (Student Comment) Punitive Damages: An Appeal For Deterrence.....	651
DAHLK, THOMAS H. & C. L. ROBINSON, Class Actions—The Nebraska Procedure .....	30
DAVIS, ELISABETH TOWNSEND, (Student Comment) The Enforcement of Cohabitation Agreements: Theories of Recovery for the Meretricious Spouse .....	138
GALLAGHER, MICHAEL D. & EDWARD C. GERMAN, Resolution of Settlement Conflicts Among Insureds, Primary Insurers, and Excess Insurers: Analysis of the Current State of the Law and Suggested Guidelines for the Future .....	284
GERMAN, EDWARD C. & MICHAEL D. GALLAGHER, Resolution of Settlement Conflicts Among Insureds, Primary Insurers, and Excess Insurers: Analysis of the Current State of the Law and Suggested Guidelines for the Future .....	284
HORACEK, CHRIS A., (Student Comment) Receipt of Payment in Installment Sales Transactions: Wraparound Mortgages and Letters of Credit .....	499
KALISH, STEPHEN E., David Hoffman's Essay on Professional Deportment and the Current Legal Ethics Debate .....	54
LANGVARDT, ARLEN W., (Student Comment) Not on <i>Our</i> Shelves: A First Amendment Analysis of Library Censorship in the Public Schools .....	98
LANZONE, ANTHONY M. & STEPHEN G. RINGEL, Duties of a Primary Insurer to an Excess Insurer .....	259
LIEBEN, T. GEOFFREY, The Coverage of Title I of ERISA: Some Recent Developments .....	428
MCCUE, MICHAEL E., (Student Note) Nebraska's Residual Hearsay Exceptions: How Broad A Scope? .....	187
MOYER, SAM, (Student Comment) Abandoning Partnership Interests: Ordinary Versus Capital Loss .....	621
NEWBERT, DAVID DETAR, (Student Note) Searching for a Liberty Interest: The Prisoner's Right to Due Process .....	382
PERRY, GAIL V., (Student Note) Fourth Amendment Protections and the Emergency Exception.....	545
POTUTO, JOSEPHINE R., Prison Disciplinary Procedures and Judicial Review Under the Nebraska Administrative Procedure Act.....	1
RINGEL, STEPHEN G. & ANTHONY M. LANZONE, Duties of a Primary Insurer to an Excess Insurer .....	259
ROBINSON, C. L. & THOMAS H. DAHLK, Class Actions—The Nebraska Procedure .....	30
ROTHSTEIN, LAURA F., Educational Rights of Severely and Profoundly Handicapped Children .....	586
SCANGA, DAVID M., (Student Note) Second Class Speech: The Court's Refinement of Content Regulation.....	361

SIMON, TODD F., Reporter Privilege: Can Nebraska Pass a Shield Law to Bind the Whole World? .....	446
SNOWDEN, JOHN R., The Case For A Doctrine of Provocation .....	565
URBOM, WARREN K., Toward Better Treatment of Jurors by Judges .....	409
WALDEN, RAY, (Student Comment) Render Unto Uncle Sam That Which is Uncle Sam's: The IRS and Tax Protest Evangelism .....	681
WORKS, ROBERT, Insurance Policy Conditions and the Nebraska Contribute to the Loss Statute: A Primer and A Partial Critique .....	209

## INDEX BY TITLE

ABANDONING PARTNERSHIP INTERESTS: ORDINARY VERSUS CAPITAL LOSS, (Student Comment) Sam Moyer.....	621
CLASS ACTIONS—THE NEBRASKA PROCEDURE, C.L. Robinson & Thomas H. Dahlk .....	30
DAVID HOFFMAN'S ESSAY ON PROFESSIONAL DEPORTMENT AND THE CURRENT LEGAL ETHICS DEBATE, Stephen E. Kalish .....	54
<i>DOUGALS v. FAITH BAPTIST CHURCH</i> UNDER CONSTITUTIONAL SCRUTINY, (Student Commentary) Timothy J. Binder .....	74
DUTIES OF A PRIMARY INSURER TO AN EXCESS INSURER, Anthony M. Lanzone & Stephen G. Ringel .....	259
EDUCATIONAL RIGHTS OF SEVERLY AND PROFOUNDLY HANDICAPPED CHILDREN, Laura F. Rothstein .....	586
FOURTH AMENDMENT PROTECTIONS AND THE EMERGENCY EXCEPTION, (Student Note) Gail V. Perry .....	545
INSURANCE POLICY CONDITIONS AND THE NEBRASKA CONTRIBUTION TO THE LOSS STATUTE: A PRIMER AND A PARTIAL CRITIQUE, Robert Works .....	209
NEBRASKA'S RESIDUAL HEARSAY EXCEPTIONS: HOW BROAD A SCOPE?, (Student Note) Michael E. McCue .....	187
NOT ON <i>OUR</i> SHELVES: A FIRST AMENDMENT ANALYSIS OF LIBRARY CENSORSHIP IN THE PUBLIC SCHOOLS, (Student Comment) Arlen W. Langvardt .....	98
PRISON DISCIPLINARY PROCEDURES AND JUDICIAL REVIEW UNDER THE NEBRASKA ADMINISTRATIVE PROCEDURE ACT, Josephine R. Potuto .....	1
PUNITIVE DAMAGES: AN APPEAL FOR DETERRENCE, (Student Comment) Lisa M. Broman .....	651
RECEIPT OF PAYMENT IN INSTALLMENT SALES TRANSACTIONS: WRAPAROUND MORTGAGES AND LETTERS OF CREDIT, (Student Comment) Chris A. Horacek .....	499
RENDER UNTO UNCLE SAM THAT WHICH IS UNCLE SAM'S: THE IRS AND TAX PROTEST EVANGELISM, (Student Comment) Ray Walden .....	681
REPORTER PRIVILEGE: CAN NEBRASKA PASS A SHIELD LAW TO BIND THAT WHOLE WORLD?, Todd F. Simon .....	446
RESOLUTION OF SETTLEMENT CONFLICTS AMONG INSURED, PRIMARY INSURERS, AND EXCESS INSURERS: ANALYSIS OF THE CURRENT STATE OF THE LAW AND SUGGESTED GUIDELINES FOR THE FUTURE, Michael D. Gallagher & Edward C. German .....	284
SEARCHING FOR A LIBERTY INTEREST: THE PRISONER'S RIGHT TO DUE PROCESS, (Student Note) David DeTar Newbert .....	382
SECOND CLASS SPEECH: THE COURT'S REFINEMENT OF CONTENT REGULATION, (Student Note) David M. Scanga .....	361
THE CASE FOR A DOCTRINE OF PROVOCATION, John R. Snowden ...	565
THE COVERAGE OF TITLE I OF ERISA: SOME RECENT DEVELOPMENTS, T. Geoffrey Lieben .....	428
THE ENFORCEMENT OF COHABITATION AGREEMENTS: THEORIES OF RECOVERY FOR THE MERETRICIOUS SPOUSE, (Student Comment) Elisabeth Townsend Davis .....	138

TIME, PLACE, AND MANNER REGULATIONS OF EXPRESSIVE ACTIVITIES IN THE PUBLIC FORUM, (Student Note) Glen R. Anstine II ...	167
TOWARD BETTER TREATMENT OF JURORS BY JUDGES, Warren K. Urbom.....	409

## INDEX DIGEST

### ACTIONS AND DEFENSES

Class Actions—The Nebraska Procedure .....	30
Insurance Policy Conditions and the Nebraska Contribute to the Loss Statute: A Primer and A Partial Critique .....	209
The Case for A Doctrine of Provocation .....	565
The Enforcement of Cohabitation Agreements: Theories of Recovery for the Meretricious Spouse .....	138

### ADMINISTRATIVE LAW

Prison Disciplinary Procedures and Judicial Review Under the Nebraska Administrative Procedure Act .....	1
Render Unto Uncle Sam That Which is Uncle Sam's: The IRS and Tax Protest Evangelism .....	681

### ADMISSIBILITY OF EVIDENCE

Nebraska's Residual Hearsay Exceptions: How Broad A Scope?.....	187
---	-----

### ATTORNEY

David Hoffman's Essay on Professional Deportment and the Current Legal Ethics Debate.....	54
---	----

### ATTORNEY AND CLIENT

David Hoffman's Essay on Professional Deportment and the Current Legal Ethics Debate.....	54
---	----

### BUSINESS

Abandoning Partnership Interests: Ordinary Versus Capital Loss .....	621
Receipt of Payment in Installment Sales	

Transactions: Wraparound Mortgages and Letters of Credit .....	499
--	-----

### CENSORSHIP

Not on <i>Our</i> Shelves: A First Amendment Analysis of Library Censorship in the Public Schools .....	98
Second Class Speech: The Court's Refinement of Content Regulation .....	361
Time, Place, and Manner Regulations of Expressive Activities in the Public Forum. ....	167

### CHILDREN

Educational Rights of Severely and Profoundly Handicapped Children .....	586
--	-----

### CIVIL PROCEDURE

Class-Actions—The Nebraska Procedure .....	30
Toward Better Treatment of Jurors By Judges .....	409

### CLASS ACTIONS

Class Actions—The Nebraska Procedure .....	30
--	----

### COMMERCIAL LAW

Receipt of Payment in Installment Sales Transactions: Wraparound Mortgages and Letters of Credit .....	499
--	-----

### CONSTITUTIONAL LAW

<i>Douglas v. Faith Baptist Church</i> Under Constitutional Scrutiny. ....	74
Fourth Amendment Protections and the Emergency Exception. ....	545
Not on <i>Our</i> Shelves: A First Amendment Analysis of Library Censorship in the Public Schools .....	98



Reporter Privilege: Can Nebraska Pass a Shield Law to Bind the Whole World? .....	446	<b>EDUCATION</b> <i>Douglas v. Faith Baptist Church</i> Under Constitutional Scrutiny. ....	74
Searching for a Liberty Interest: The Prisoner's Right to Due Process .....	382	Educational Rights of Severely and Profoundly Handicapped Children .....	586
Second Class Speech: The Court's Refinement of Content Regulation .....	361	Note on <i>Our Shelves</i> : A First Amendment Analysis of Library Censorship in the Public Schools .....	98
Time, Place, and Manner Regulations of Expressive Activities in the Public Forum. ....	167	<b>EMPLOYEES</b> The Coverage of Title I of ERISA: Some Recent Developments .....	428
<b>CONTRACTS</b> Receipt of Payment in Installment Sales Transactions: Wraparound Mortgages and Letters of Credit .....	499	<b>EVIDENCE</b> Nebraska's Residual Hearsay Exceptions: How Broad A Scope? .....	187
The Enforcement of Cohabitation Agreements: Theories of Recovery for the Meretricious Spouse .....	138	<b>FAMILY LAW</b> The Enforcement of Cohabitation Agreements: Theories of Recovery for the Meretricious Spouse .....	138
<b>CRIMINAL LAW</b> Fourth Amendment Protections and the Emergency Exception. The Case for A Doctrine of Provocation .....	545 565	<b>FIRST AMENDMENT</b> <i>Douglas v. Faith Baptist Church</i> Under Constitutional Scrutiny. ....	74
<b>CRIMINAL PROCEDURE</b> Fourth Amendment Protections and the Emergency Exception. ....	545	Not on <i>Our Shelves</i> : A First Amendment Analysis of Library Censorship in the Public Schools .....	98
Prison Disciplinary Procedures and Judicial Review Under the Nebraska Administrative Procedure Act .....	1	Reporter Privilege: Can Nebraska Pass a Shield Law to Bind the Whole World? .....	446
Searching for a Liberty Interest: The Prisoner's Right to Due Process .....	382	Second Class Speech: The Court's Refinement of Content Regulation .....	361
<b>DAMAGES</b> Punitive Damages: An Appeal for Deterrence .....	651	Time, Place, and Manner Regulations of Expressive Activities in the Public Forum. ....	167
<b>DUE PROCESS</b> Searching for a Liberty Interest: The Prisoner's Right to Due Process .....	382	<b>FOURTH AMENDMENT</b> Fourth Amendment Protections and the Emergency Exception. ....	545
		<b>HEARSAY</b> Nebraska's Residual Hearsay Exceptions: How Broad A Scope? .....	187

**HISTORY**

David Hoffman's Essay on Professional Department and the Current Legal Ethics Debate..... 54

**HOUSING**

The Enforcement of Cohabitation Agreements: Theories of Recovery for The Meretricious Spouse ..... 138

**INSURANCE**

Duties of a Primary Insurer to an Excess Insurer..... 259

Insurance Policy Conditions and the Nebraska Contribute to the Loss Statute: A Primer and A Partial Critique ..... 209

Resolution of Settlement Conflicts Among Insureds, Primary Insurers, and Excess Insurers: Analysis of the Current State of the Law and Suggested Guidelines for the Future ..... 284

**JUDGES**

Toward Better Treatment of Jurors By Judges ..... 409

**JUDICIAL REVIEW**

Prison Disciplinary Procedures and Judicial Review Under the Nebraska Administrative Procedure Act ..... 1

**JURISPRUDENCE**

Toward Better Treatment of Jurors By Judges ..... 409

**JURORS**

Toward Better Treatment of Jurors By Judges ..... 409

**LEGAL ETHICS**

David Hoffman's Essay on Professional Department and the Current Legal Ethics Debate..... 54

**LEGAL PROFESSION**

David Hoffman's Essay on Professional Department and the Current Legal Ethics Debate..... 54

**LEGAL SYSTEM**

David Hoffman's Essay on Professional Department and the Current Legal Ethics Debate..... 54

Toward Better Treatment of Jurors By Judges ..... 409

**MENTAL HEALTH LAW**

Educational Rights of Severely and Profoundly Handicapped Children ..... 586

**MORTGAGES**

Receipt of Payment in Installment Sales Transactions: Wraparound Mortgages and Letters of Credit ..... 499

**NEBRASKA**

Class Actions—The Nebraska Procedure ..... 30

*Douglas v. Faith Baptist Church* Under Constitutional Scrutiny. 74

Fourth Amendment Protections and the Emergency Exception. 545

Insurance Policy Conditions and the Nebraska Contribute to the Loss Statute: A Primer and A Partial Critique ..... 209

Nebraska's Residual Hearsay Exceptions: How Broad A Scope?..... 187

Prison Disciplinary Procedures and Judicial Review Under the Nebraska Administrative Procedure Act ..... 1

Reporter Privilege: Can Nebraska Pass a Shield Law to Bind the Whole World? ..... 446

Resolution of Settlement Conflicts Among Insureds, Primary Insurers, and Excess Insurers: Analysis of the Current State of the Law and

Suggested Guidelines for the Future .....	284	Loss Statute: A Primer and A Partial Critique .....	209
<b>NEWSPAPERS</b>		Punitive Damages: An Appeal For Deterrence.....	651
Reporter Privilege: Can Nebraska Pass a Shield Law to Bind the Whole World? .....	446	Resolution of Settlement Conflicts Among Insureds, Primary Insurers, and Excess Insurers: Analysis of the Current State of the Law and Suggested Guidelines for the Future .....	284
<b>PARTNERSHIP</b>		The Enforcement of Cohabitation Agreements: Theories of Recovery for the Meretricious Spouse .....	138
Abandoning Partnership Interests: Ordinary Versus Capital Loss .....	621	<b>RIGHT TO APPEAL</b>	
<b>PHILOSOPHY</b>		Prison Disciplinary Procedures and Judicial Review Under the Nebraska Administrative Procedure Act .....	1
David Hoffman's Essay on Professional Deportment and the Current Legal Ethics Debate.....	54	<b>SALES</b>	
<b>PRISONS AND PRISONERS</b>		Receipt of Payment in Installment Sales Transactions: Wraparound Mortgages and Letters of Credit .....	499
Prison Disciplinary Procedures and Judicial Review Under the Nebraska Administrative Procedure Act .....	1	<b>SCHOOLS</b>	
Searching for a Liberty Interest: The Prisoner's Right to Due Process .....	382	<i>Douglas v. Faith Baptist Church</i> Under Constitutional Scrutiny.	74
<b>PROFESSIONAL RESPONSIBILITY</b>		Educational Rights of Severely and Profoundly Handicapped Children .....	586
David Hoffman's Essay on Professional Deportment and the Current Legal Ethics Debate.....	54	Not on <i>Our</i> Shelves: A First Amendment Analysis of Library Censorship in the Public Schools .....	98
<b>PUNISHMENT</b>		<b>SEARCH AND SEIZURE</b>	
Prison Disciplinary Procedures and Judicial Review Under the Nebraska Administrative Procedure Act .....	1	Fourth Amendment Protections and the Emergency Exception.	545
<b>REAL PROPERTY</b>		<b>SETTLEMENT</b>	
Receipt of Payment in Installment Sales Transactions: Wraparound Mortgages and Letters of Credit .....	499	Duties of a Primary Insurer to an Excess Insurer.....	259
<b>REMEDIES</b>		Resolution of Settlement Conflicts Among Insureds, Primary Insurers, and Excess Insurers: Analysis of the Current State of the Law and Suggested Guidelines .....	284
Duties of a Primary Insurer to an Excess Insurer.....	259		
Insurance Policy Conditions and the Nebraska Contribute to the			

<b>SPOUSES</b>		<b>IRS and Tax Protest</b>	
<b>The Enforcement of</b>		<b>Evangelism .....</b>	<b>681</b>
<b>Cohabitation Agreements:</b>		<b>The Coverage of Title I of</b>	
<b>Theories of Recovery for the</b>		<b>ERISA: Some Recent</b>	
<b>Meretricious Spouse .....</b>	<b>138</b>	<b>Developments .....</b>	<b>428</b>
<b>STATUTES</b>		<b>TORTS</b>	
<b>Class Actions—The Nebraska</b>		<b>Punitive Damages: An Appeal</b>	
<b>Procedure .....</b>	<b>30</b>	<b>For Deterrence.....</b>	<b>651</b>
<b>Insurance Policy Conditions and</b>		<b>TRIALS</b>	
<b>the Nebraska Contribute to the</b>		<b>David Hoffman's Essay on</b>	
<b>Loss Statute: A Primer and A</b>		<b>Professional Deportment and</b>	
<b>Partial Critique .....</b>	<b>209</b>	<b>the Current Legal Ethics</b>	
<b>Nebraska's Residual Hearsay</b>		<b>Debate.....</b>	<b>54</b>
<b>Exceptions: How Broad A</b>		<b>Nebraska's Residual Hearsay</b>	
<b>Scope? .....</b>	<b>187</b>	<b>Exceptions: How Broad A</b>	
<b>Prison Disciplinary Procedures</b>		<b>Scope?.....</b>	<b>187</b>
<b>and Judicial Review Under the</b>		<b>Punitive Damages: An Appeal</b>	
<b>Nebraska Administrative</b>		<b>For Deterrence.....</b>	<b>651</b>
<b>Procedure Act .....</b>	<b>1</b>	<b>Toward Better Treatment of</b>	
<b>The Coverage of Title I of</b>		<b>Jurors By Judges .....</b>	<b>409</b>
<b>ERISA: Some Recent</b>		<b>UNIFORM COMMERCIAL CODE</b>	
<b>Developments .....</b>	<b>428</b>	<b>Receipt of Payment in</b>	
<b>TAXATION</b>		<b>Installment Sales</b>	
<b>Abandoning Partnership</b>		<b>Transactions: Wraparound</b>	
<b>Interests: Ordinary Versus</b>		<b>Mortgages and Letters of</b>	
<b>Capital Loss .....</b>	<b>621</b>	<b>Credit .....</b>	<b>499</b>
<b>Receipt of Payment in</b>		<b>WAGES</b>	
<b>Installment Sales</b>		<b>The Coverage of Title I of</b>	
<b>Transactions: Wraparound</b>		<b>ERISA: Some Recent</b>	
<b>Mortgages and Letters of</b>		<b>Developments .....</b>	<b>428</b>
<b>Credit .....</b>	<b>499</b>		
<b>Render Unto Uncle Sam That</b>			
<b>Which is Uncle Sam's: The</b>			

## TABLE OF CASES NOTED

<i>Connecticut Board of Pardons v. Dumschat</i> , 101 S.Ct. 2460 (1981) .....	382
<i>Douglas v. Faith Baptist Church</i> , 207 Neb. 802, 301 N.W.2d 571, <i>cert. denied</i> , 102 S.Ct. 75 (1981) .....	74
<i>Heffron v. International Society for Krishna Consciousness, Inc.</i> , 101 S.Ct. 2559 (1981) .....	167
<i>Schad v. Borough of Mount Ephraim</i> , 452 U.S. 61 (1981) .....	361
<i>State v. Beam</i> , 206 Neb. 248, 292 N.W.2d 302 (1980) .....	187
<i>State v. Resler</i> , 209 Neb. 249, 306 N.W.2d 918 (1981) .....	545

## TABLE OF STATUTES NOTED

NEB. REV. STAT. §§ 27-803(22),-804(2)(e) (Reissue 1979).....	187
--	-----