

2017

Masthead & Table of Contents, Vol. 95, No. 4

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

Recommended Citation

, *Masthead & Table of Contents, Vol. 95, No. 4*, 95 Neb. L. Rev. (2016)
Available at: <https://digitalcommons.unl.edu/nlr/vol95/iss4/1>

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.



| Order through Hein!

Nebraska Law Review

is available from Hein!

Back issues and individual volumes
available! Contact Hein for details!

1-800-828-7571
order@wshein.com



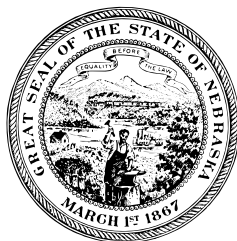
| *Nebraska Law Review*
is also available electronically
in HeinOnline!

William S. Hein & Co., Inc.
2350 N. Forest Road, Getzville, New York 14068
Ph: 716.882.2600 » Toll-free: 1.800.828.7571 » Fax: 716.883.8100
mail@wshein.com » wshein.com » heinonline.org

NEBRASKA LAW REVIEW

2017
Vol. 95, No. 4

NEBRASKA
LAW REVIEW



Copyright 2017
by the
University of Nebraska
All Rights Reserved

Except as otherwise expressly provided, the author of each article in this volume has granted permission for copies of that article to be made for classroom use in a nationally accredited law school, provided that (1) copies are distributed at or below cost, (2) author and journal are identified, and (3) proper notice of copyright is affixed to each copy.

PUBLISHED BY THE COLLEGE OF LAW
UNIVERSITY OF NEBRASKA

The Nebraska Law Review
P.O. Box 830903
Lincoln, NE 68583-0903
lawrev@unl.edu

Annual Subscriptions \$55.00
Single Copies \$13.75
Bound Volumes \$70.00

NEBRASKA LAW REVIEW (ISSN 0047-9209) published quarterly since 1922 by the NEBRASKA LAW REVIEW, University of Nebraska College of Law, East Campus, Lincoln, NE 68583-0903. Address all subscription correspondence, business inquiries, and change of address to the NEBRASKA LAW REVIEW, University of Nebraska College of Law, P.O. Box 830903, Lincoln, Nebraska 68583-0903 (402) 472-1267, or e-mail at lawrev@unl.edu. Unless notice of the contrary is received, it is assumed that a renewal of the subscription of the NEBRASKA LAW REVIEW is desired. Periodicals Postage Paid at Lincoln, Nebraska.

POSTMASTER: Send address changes to the NEBRASKA LAW REVIEW, University of Nebraska College of Law, P.O. Box 830903, Lincoln, Nebraska 68583-0903.

NEBRASKA LAW REVIEW

EXECUTIVE BOARD

Editor-in-Chief

TAYLOR FRITSCH

Articles Editor

LINDSEY SCHMIDT

Reviewing Editor

KELSEY E.B. KNOER

Research Editor

ADAM KAUFFMAN

Executive Editors

JAMES KRITENBRINK

HALEY MESSERSCHMIDT

Online Editor

MICHAEL BLACKBURN

DAVID PONTIER

JEN RALPH

Managing Editor

ALYSSA STOKES

AMY SWEARER

ERIC SYNOWICKI

MEMBERS

ALISON JANECEK

COLTON WILLIAMS

CANDIDATE MEMBERS

SARAH APPLGATE

JENNIFER ATWOOD

CHELSEA AVENT

SARAH BURGHUS

TAYLOR CAMMACK

KALLI DAVIS

ASHLEY DUGAN

A. MITCHELL FERRIS

MACKENZIE HERTZ

SYDNEY HINKLE

BUZZ KAPLAN

JARED KOCH

GREGG MORAN

BRITTNEY MORIARTY

MORGAN NELSON

KASEY OGLE

LORA WAECKERLE

JENNA WOITASZEWSKI

ASSISTANT

MARCY L. TINTERA

FACULTY ADVISOR

ROBERT F. SCHOPP

UNIVERSITY OF NEBRASKA COLLEGE OF LAW

HANK M. BOUNDS, B.S., M.ED., PH.D., *President of the University of Nebraska and Professor of Educational Administration*

RONNIE D. GREEN, B.S., M.S., PH.D., *Chancellor of the University of Nebraska–Lincoln and Professor of Animal Science*

RICHARD E. MOBERLY, B.A., J.D., *Dean and Richard and Catherine Schmoker Professor of Law*

ERIC BERGER, B.A., J.D., *Associate Dean and Professor of Law*

MARC W. PEARCE, B.A., M.A., J.D., PH.D., *Assistant Dean for Student Affairs and Administration*

TASHA A. EVERMAN, B.A., J.D., *Assistant Dean and Director of Career Development*

TRACY WARREN, B.A., J.D., *Assistant Dean and Director of Admissions*

MOLLY M. BRUMMOND, B.A., J.D., *Assistant Dean of Student & Alumni Relations and Annual Giving*

JACK M. BEARD, B.S.F.S., J.D., LL.M., *Assistant Professor of Law*

KRISTEN M. BLANKLEY, B.A., J.D., *Associate Professor of Law*

BRIAN H. BORNSTEIN, B.A., M.A., PH.D., M.L.S., *Professor of Psychology, Courtesy Professor of Law, and Director of Law/Psychology Program*

C. STEVEN BRADFORD, B.S., M.P.P., J.D., *Henry M. Grether, Jr. Professor of Law*

EVE M. BRANK, B.S., M.A., J.D., PH.D., *Associate Professor of Psychology and Courtesy Professor of Law*

ROBERT C. DENICOLA, B.S.E., J.D., LL.M., *Margaret R. Larson Professor of Intellectual Property Law*

RICHARD P. DOOLING, B.A., J.D., *Visiting Professor of Law*

RICHARD F. DUNCAN, B.A., J.D., *Sherman S. Welpton, Jr. Professor of Law and Warren R. Wise Professor of Law*

ALAN H. FRANK, A.B., J.D., *Professor of Law Emeritus*

MARTIN R. GARDNER, B.S., J.D., *Steinhart Foundation Professor of Law*

JUSTIN W. HURWITZ, B.A., M.A., J.D., *Assistant Professor of Law and Co-Director of Space, Cyber and Telecommunications Law Program*

STEPHEN E. KALISH, B.A., J.D., LL.M., *Margaret R. Larson Professor of Legal Ethics Emeritus*

ROGER W. KIRST, B.S., J.D., *Henry M. Grether, Jr. Professor of Law Emeritus*

CRAIG M. LAWSON, A.B., J.D., *Professor of Law*

MANDY LEE, B.A., M.S., J.D., M.S.I.S., *Assistant Professor of Law Library and Reference Librarian*

RICHARD A. LEITER, B.A., J.D., M.L.I.S., *Director of the Schmid Law Library and Professor of Law*

JOHN P. LENICH, B.A., J.D., *Earl Dunlap Distinguished Professor of Law*

BRIAN D. LEPARD, A.B., J.D., *Harold W. Conroy Distinguished Professor of Law and Director of LL.M. Program in Global Legal Practice*

WILLIAM H. LYONS, B.A., J.D., *Richard H. Larson Professor of Tax Law Emeritus*

ELSBETH J. MAGILTON, B.A., J.D., *Executive Director of Space, Cyber, and Telecommunications Law Program and Global Legal Practice LL.M. Program*

COLLEEN E. MEDILL, B.A., J.D., *Robert and Joanne Berkshire Family Professor of Law*

MATTHEW S. NOVAK, B.A., J.D., M.A., *Associate Professor of Law Library and Reference Librarian*

STEFANIE S. PEARLMAN, B.A., J.D., M.A., *Professor of Law Library and Reference Librarian*

HARVEY S. PERLMAN, B.A., J.D., *Harvey and Susan Perlman Alumni Professor of Law*

SANDRA B. PLACZEK, B.A., J.D., M.L.I.S., *Associate Director and Professor of Law Library*

JOSEPHINE R. POTUTO, B.A., M.A., J.D., *Richard H. Larson Professor of Constitutional Law*

KEVIN L. RUSER, B.A., J.D., *Richard and Margaret Larson Professor of Law, M.S. Hevelone Professor of Law and Director of Clinical Programs*

MATTHEW P. SCHAEFER, B.A., J.D., LL.M., S.J.D., *Veronica A. Haggart and Charles R. Work Professor of International Trade Law and Co-Director of Space, Cyber and Telecommunications Law Program*

STEVEN J. SCHMIDT, B.S., M.A., J.D., *Associate Professor of Law and Courtesy Associate Professor of Forensic Science*
ROBERT F. SCHOPP, B.S., PH.D., J.D., PH.D., *Robert J. Kutak Professor of Law, Professor of Law and Psychology, and Professor of Philosophy*
ANTHONY B. SCHUTZ, B.S., J.D., *Associate Professor of Law*
ANNA WILLIAMS SHAVERS, B.S., M.S., J.D., *Cline Williams Professor of Citizenship Law*
JESSICA A. SHOEMAKER, B.A., J.D., *Assistant Professor of Law*
JOHN R. SNOWDEN, B.A., J.D., *Professor of Law Emeritus*
BRETT C. STOHS, B.A., M.P.P., J.D., *Assistant Professor of Law and Cline Williams Director of the Weibling Entrepreneurship Legal Clinic*
RYAN P. SULLIVAN, B.S., J.D., *Assistant Professor of Law*
ADAM THIMMESCH, B.S., J.D., *Assistant Professor of Law*
DR. FRANS VON DER DUNK, PH.D., *Harvey and Susan Perlman Alumni/Othmer Professor of Space Law*
RICHARD L. WIENER, B.A., M.A., PH.D., M.L.S., *Charles Bessey Professor of Psychology and Courtesy Professor of Law*
STEVEN L. WILLBORN, B.A., M.S., J.D., *Judge Harry A. Spencer Professor of Law*
CATHERINE LEE WILSON, B.A., J.D., *Associate Professor of Law*
MAGGIE R. WITTLIN, B.S., J.D., *Assistant Professor of Law*
ROBERT G. WORKS, A.B., J.D., *Margaret R. Larson Professor of Insurance Law Emeritus*
SANDRA B. ZELLMER, B.S., J.D., LL.M., *Robert B. Daugherty Professor of Law*

LAURA L. ARP, B.A., J.D., *Lecturer*
JOEL A. BACON, B.A., J.D., *Lecturer*
ANDRE R. BARRY, A.B., J.D., *Lecturer*
STANTON N. BEEDER, B.J., J.D., *Lecturer*
SHEILA BENTZEN, B.A., J.D., *Lecturer*
DENNIS BURNETT, B.S., J.D., LL.M., *Lecturer*
FRED P. CAMPBELL JR., B.S., J.D., *Lecturer*
BREN H. CHAMBERS, B.S., J.D., *Lecturer*
JARROD P. CROUSE, B.S., J.D., *Lecturer*
DAVID C. DIRGO, B.A., J.D., *Lecturer*
SHANNON L. DOERING, B.A., J.D., *Lecturer*
ERIN L. EBELER, B.S., J.D., *Lecturer*
DAVID A. DUDLEY, B.S., J.D., *Lecturer*
ELIZABETH ELLIOT, B.S., J.D., *Lecturer*
MARK A. FAHLESON, B.S., J.D., *Lecturer*
STEPHEN S. GEALY, B.A., M.A., J.D., *Lecturer*
THE HONORABLE JOHN M. GERRARD, B.S., J.D., *Lecturer*
DEBORAH R. GILG, B.A., J.D., *Lecturer*
LAURA R. HEGGE, B.S., J.D., *Lecturer*
DAVID A. HUBBARD, B.S., J.D., *Lecturer*
DON R. JANSSEN, B.S., J.D., *Lecturer*
JEFF R. KIRKPATRICK, B.A., B.S., J.D., *Lecturer*
DANIEL E. KLAUS, B.A., J.D., *Lecturer*
DAVID M. LANDIS, B.A., J.D., M.P.A., *Lecturer*
JANE F. LANGAN MACH, B.A., J.D., *Lecturer*
TIMOTHY L. MOLL, B.A., J.D., *Lecturer*
KATHRYN A. OLSON, B.A., J.D., *Lecturer*
WILLIAM OLSON JR., B.A., J.D., *Lecturer*
ALLEN L. OVERCASH, B.S., B.A., LL.B., *Lecturer*
AUDREY A. POLT, B.A., J.D., *Lecturer*
FRANCESKA O. SCHROEDER, B.A., J.D., *Lecturer*
A. CHRISTAL SHEPPARD, B.S., M.S., PH.D., J.D., *Lecturer*
GARY L. YOUNG, B.A., A.M., J.D., *Lecturer*
THE HONORABLE CHERYL R. ZWART, B.S., J.D., *Lecturer*

MARCY L. TINTERA, *Assistant to the Law Review*

TABLE OF CONTENTS

Articles

- Indian Children and the Federal–Tribal
Trust Relationship *Matthew L.M. Fletcher* 885
& Wenona T. Singel
- Newbs Lose, Experts Win: Video Games
in the Supreme Court *Angela J. Campbell* 965
- Constitutionalizing Class
Certification *Margaret S. Thomas* 1024
- Restoring Civil Rights to the Disabled
in Health Insurance *Valarie K. Blake* 1071

Note

- The Constitutional Right to an Abortion
Does Not Encompass the Right to
Be Uninformed: The Fourth Circuit’s
Puzzling Approach to Evaluating
Mandatory Ultrasound Provisions in
Stuart v. Camnitz,
774 F.3d 238 (4th Cir. 2014) *Lindsey Schmidt* 1124

Comment

- The Catch-22 of Females Reporting
Sexual Assault in the Military:
A Cause for Holistic International
Intervention *Kelsey E.B. Knoer* 1160

NEBRASKA LAW REVIEW