



1-1-2013

Annual Index

North Dakota Law Review

[How does access to this work benefit you? Let us know!](#)

Follow this and additional works at: <https://commons.und.edu/ndlr>



Part of the [Law Commons](#)

Recommended Citation

North Dakota Law Review (2013) "Annual Index," *North Dakota Law Review*. Vol. 89: No. 4, Article 7.
Available at: <https://commons.und.edu/ndlr/vol89/iss4/7>

This Index is brought to you for free and open access by the School of Law at UND Scholarly Commons. It has been accepted for inclusion in North Dakota Law Review by an authorized editor of UND Scholarly Commons. For more information, please contact und.common@library.und.edu.

ANNUAL SUBJECT INDEX VOLUME 89
LIST OF SUBJECT HEADINGS

The following is a list of all subject headings in this index, arranged alphabetically.

ABORTION
AGRICULTURE
BAR ASSOCIATION
BAR PROCEEDINGS
CIVIL RIGHTS
CLASS ACTION
CONSTITUTIONAL LAW
CONTRACTS
CRIMINAL LAW
CRIMINAL PROCEDURE
DRUNK DRIVING
ELDER LAW
ENERGY LAW
ENVIRONMENTAL LAW
FIRST AMENDMENT
GUARDIAN AND WARD
INDIAN LAW
INSURANCE
JURISDICTION
LABOR LAW
LIABILITY
MINERAL LAW
NORTH DAKOTA SUPREME COURT REVIEW
OIL AND GAS LAW
REAL PROPERTY
SEARCH AND SEIZURE
SENTENCING AND PUNISHMENT
SYMPOSIUM
TORTS
TRUSTS
VENUE
WATER LAW
WORKERS' COMPENSATION

ABORTION

89:415, No. 3; *The Pro-Life Spring and the Future of Roe v. Wade*. Lynn D. Wardle.

AGRICULTURE

89:585, No. 4; *Rural Inheritance: The Merrill Doctrine and Federally Reinsured Crop Insurers*. Chad G. Marzen.

BAR ASSOCIATION

89:565, No. 3; *Proceedings of the One Hundred Fourteenth Annual Meeting of the North Dakota State Bar Association*.

BAR PROCEEDINGS

89:565, No. 3; *Proceedings of the One Hundred Fourteenth Annual Meeting of the North Dakota State Bar Association*.

CONSTITUTIONAL LAW

89:143, No. 1; *A Clash of Two Courts: Baker, Full Faith and Credit, and Montana's Refusal to Recognize a North Dakota Declaratory Judgment* Jeffrey Wald.

89:371, No. 3; *The State of Democracy in North Dakota*. David Schultz.

89:415, No. 3; *The Pro-Life Spring and the Future of Roe v. Wade*. Lynn D. Wardle.

89:709, No. 4; *A Criminal Defendant's Right to Testify: Constitutional Implications of Presuming Waiver from a Silent Record*. Alexander J. Stock

89:729, No. 4; *Searches and Seizures—Nighttime Execution: The North Dakota Supreme Court Finds Warrant Lacking Separate Probably Cause for Nighttime Execution*. Quinn Hochhalter.

89:747, No. 4; *Searches and Seizures—Fourth Amendment and Reasonableness: The Maryland DNA Collection Act Allows Pre-Conviction Securing of DNA Samples for Identification Purposes*. Krista Thompson.

CONTRACTS

89:225, No. 2; *The Hand of God: Limiting the Impact of Force Majeure Clause in an Oil and Gas Lease*. Joshua A. Swanson.

89:267, No. 2; *Golden v. SM Energy Company and the Question of Whether an Area of Mutual Interest Covering Oil and Gas Rights is Binding on Successors and Assigns*. Scott Lansdown.

CRIMINAL LAW

89:53, No. 1; *Addressing Sentencing Disparities for Tribal Citizens in the Dakotas: A Tribal Sovereignty Approach*. BJ Jones and Christopher J Ironroad.

89:469, No. 3; *A New Day for Driving Under the Influence Prosecution: H.B. 1302—North Dakota's New DUI Law*. Aaron Birst.

89:729, No. 4; *Searches and Seizures—Nighttime Execution: The North Dakota Supreme Court Finds Warrant Lacking Separate Probable Cause for Nighttime Execution*. Quinn Hochhalter.

89:747, No. 4; *Searches and Seizures—Fourth Amendment and Reasonableness: The Maryland DNA Collection Act Allows Pre-Conviction Securing of DNA Samples for Identification Purposes*. Krista Thompson.

89:709, No. 4; *A Criminal Defendant's Right to Testify: Constitutional Implications of Presuming Waiver from a Silent Record*. Alexander J. Stock

CRIMINAL PROCEDURE

89:53, No. 1; *Addressing Sentencing Disparities for Tribal Citizens in the Dakotas: A Tribal Sovereignty Approach*. BJ Jones and Christopher J Ironroad.

89:469, No. 3; *A New Day for Driving Under the Influence Prosecution: H.B. 1302—North Dakota's New DUI Law*. Aaron Birst.

DRUNK DRIVING

89:469, No. 3; *A New Day for Driving Under the Influence Prosecution: H.B. 1302—North Dakota's New DUI Law*. Aaron Birst.

ELDER LAW

89:77, No. 1; *Guardianship for Vulnerable Adults in North Dakota: Recommendations Regarding Unmet Needs, Statutory Efficacy, and Cost Effectiveness*. Windsor C. Schmidt.

ENERGY LAW

89:1, No. 1; *Marketing Missouri River Water: Competing Plans for Commoditizing a Natural Resource*. John H. Davidson.

89:203, No. 2; *The Class Action Lawsuit in North Dakota—Does It Have Any Relevance For Royalty Owners?* Christine R. Fritze

89:225, No. 2; *The Hand of God: Limiting the Impact of Force Majeure Clause in an Oil and Gas Lease*. Joshua A. Swanson.

89:241, No. 2; *Real or Personal?: The Area of Mutual Interest Covenant in the Williston Basin After Golden v. SM Energy Company*. Andrew Scott Graham.

89:267, No. 2; *Golden v. SM Energy Company and the Question of Whether an Area of Mutual Interest Covering Oil and Gas Rights is Binding on Successors and Assigns*. Scott Lansdown.

89:299, No. 2; *Uncharted Waters: Where Water is the Boss, the Surface Estate Must Obey, but Must the Mineral Estate?: Brigham Oil v. North Dakota Board of University and School Lands and Dispelling Inaccuracies Caused by the Riparian Doctrines to Oil and Gas Production Apportionment Under Communitization Agreements*. Shannon E. Rogers.

ENVIRONMENTAL LAW

89:1, No. 1; *Marketing Missouri River Water: Competing Plans for Commoditizing a Natural Resource*. John H. Davidson.

FIRST AMENDMENT

89:181, No. 1; *The Dark Side of Direct Democracy: Protecting Political Speech From the Use of SLAPPs in North Dakota's Political Process*. Brent Jaenicke.

GUARDIAN AND WARD

89:77, No. 1; *Guardianship for Vulnerable Adults in North Dakota: Recommendations Regarding Unmet Needs, Statutory Efficacy, and Cost Effectiveness*. Windsor C. Schmidt.

INDIAN LAW

89:29, No. 1; *American Indian Law: A Discourse on Chthonic Law*. Gregory Gagnon.

89:53, No. 1; *Addressing Sentencing Disparities for Tribal Citizens in the Dakotas: A Tribal Sovereignty Approach*. BJ Jones and Christopher J Ironroad.

INSURANCE

89:585, No. 4; *Rural Inheritance: The Merrill Doctrine and Federally Reinsured Crop Insurers*. Chad G. Marzen.

JURISDICTION

89:163, No. 1; Jurisdictional Remix: The Federal Courts Jurisdiction and Venue Clarification Act Presents New Challenges to Federal Litigation. Elizabeth L. Alvine.

LABOR LAW

89:481, No. 3; North Dakota Legislative Response to Mickelson v. North Dakota Workforce Safety and Insurance and the Future of Compensation Claims. Jodi Bjornson, Tim Whalin, and Bridget Hertel.

89:611, No. 4; Broken Promise: The Demise of “Sure and Certain Relief” Under the North Dakota Worker’s Compensation Act. Dean J. Haas.

LIABILITY

89:341, No. 2; Liability and Consent of the United States to be Sued—Torts in General: The United States Supreme Court Interprets the Federal Tort Claim Act’s Law Enforcement Proviso. Nicholas Henes.

MINERAL LAW

89:203, No. 2; The Class Action Lawsuit in North Dakota—Does It Have Any Relevance For Royalty Owners? Christine R. Fritze

89:225, No. 2; The Hand of God: Limiting the Impact of Force Majeure Clause in an Oil and Gas Lease. Joshua A. Swanson.

89:241, No. 2; Real or Personal?: The Area of Mutual Interest Covenant in the Williston Basin After Golden v. SM Energy Company. Andrew Scott Graham.

89:267, No. 2; Golden v. SM Energy Company and the Question of Whether an Area of Mutual Interest Covering Oil and Gas Rights is Binding on Successors and Assigns. Scott Lansdown.

89:299, No. 2; Uncharted Waters: Where Water is the Boss, the Surface Estate Must Obey, but Must the Mineral Estate?: Brigham Oil v. North Dakota Board of University and School Lands and Dispelling Inaccuracies Caused by the Riparian Doctrines to Oil and Gas Production Apportionment Under Communitization Agreements. Shannon E. Rogers.

NORTH DAKOTA SUPREME COURT REVIEW

89:521, No. 3; North Dakota Supreme Court Review.

OIL AND GAS LAW

89:1, No. 1; Marketing Missouri River Water: Competing Plans for Commoditizing a Natural Resource. John H. Davidson.

89:203, No. 2; The Class Action Lawsuit in North Dakota—Does It Have Any Relevance For Royalty Owners? Christine R. Fritze

89:225, No. 2; The Hand of God: Limiting the Impact of Force Majeure Clause in an Oil and Gas Lease. Joshua A. Swanson.

89:241, No. 2; Real or Personal?: The Area of Mutual Interest Covenant in the Williston Basin After *Golden v. SM Energy Company*. Andrew Scott Graham.

89:267, No. 2; *Golden v. SM Energy Company* and the Question of Whether an Area of Mutual Interest Covering Oil and Gas Rights is Binding on Successors and Assigns. Scott Lansdown.

89:299, No. 2; Uncharted Waters: Where Water is the Boss, the Surface Estate Must Obey, but Must the Mineral Estate?: *Brigham Oil v. North Dakota Board of University and School Lands* and Dispelling Inaccuracies Caused by the Riparian Doctrines to Oil and Gas Production Apportionment Under Communitization Agreements. Shannon E. Rogers.

89:679, No. 4; The Dark Side of the Bakken Boom: Protecting the Importance of an Oil and Gas Lease's Bonus Payment Through a Proposed Legislative Amelioration of *Irish Oil and Gas, Incorporated v. Riemer*. Zachary R. Eiken.

PRODUCTS LIABILITY

89:341, No. 2; Liability and Consent of the United States to be Sued—Torts in General: The United States Supreme Court Interprets the Federal Tort Claim Act's Law Enforcement Proviso. Nicholas Henes.

REAL PROPERTY

89:241, No. 2; Real or Personal?: The Area of Mutual Interest Covenant in the Williston Basin After *Golden v. SM Energy Company*. Andrew Scott Graham.

SEARCH AND SEIZURE

89:729, No. 4; Searches and Seizures—Nighttime Execution: The North Dakota Supreme Court Finds Warrant Lacking Separate Probable Cause for Nighttime Execution. Quinn Hochhalter.

89:747, No. 4; Searches and Seizures—Fourth Amendment and Reasonableness: The Maryland DNA Collection Act Allows Pre-Conviction Securing of DNA Samples for Identification Purposes. Krista Thompson.

SENTENCING AND PUNISHMENT

89:53, No. 1; Addressing Sentencing Disparities for Tribal Citizens in the Dakotas: A Tribal Sovereignty Approach. BJ Jones and Christopher J Ironroad.

89:469, No. 3; A New Day for Driving Under the Influence Prosecution: H.B. 1302—North Dakota's New DUI Law. Aaron Birst.

TORTS

89:341, No. 2; Liability and Consent of the United States to be Sued—Torts in General: The United States Supreme Court Interprets the Federal Tort Claim Act's Law Enforcement Proviso. Nicholas Henes.

TRUSTS

89:503, No. 3; Trust Law: Settlor Ignorance of Applicable Laws May Constitute a Mistake of Law Under North Dakota Century Code Section 59-12-15 In re Matthew Larson Trust Agreement, 2013 ND 85, 831 N.W.2d 388. Zachary R. Eiken.

VENUE

89:163, No. 1; Jurisdictional Remix: The Federal Courts Jurisdiction and Venue Clarification Act Presents New Challenges to Federal Litigation. Elizabeth L. Alvine.

WATER LAW

89:1, No. 1; Marketing Missouri River Water: Competing Plans for Commoditizing a Natural Resource. John H. Davidson.

89:299, No. 2; Uncharted Waters: Where Water is the Boss, the Surface Estate Must Obey, but Must the Mineral Estate?: Brigham Oil v. North Dakota Board of University and School Lands and Dispelling Inaccuracies Caused by the Riparian Doctrines to Oil and Gas Production Apportionment Under Communitization Agreements. Shannon E. Rogers.

WORKERS' COMPENSATION

89:481, No. 3; North Dakota Legislative Response to Mickelson v. North Dakota Workforce Safety and Insurance and the Future of Compensation Claims. Jodi Bjornson, Tim Whalin, and Bridget Hertel.

89:611, No. 4; Broken Promise: The Demise of “Sure and Certain Relief” Under the North Dakota Worker’s Compensation Act. Dean J. Haas.