



1977

Subject Index

North Dakota Law Review

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



Part of the [Law Commons](#)

Recommended Citation

North Dakota Law Review (1977) "Subject Index," *North Dakota Law Review*: Vol. 54 : No. 4 , Article 8.
Available at: <https://commons.und.edu/ndlr/vol54/iss4/8>

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.

SUBJECT INDEX

ADMINISTRATIVE LAW

Evidence in Workmen's Compensation Cases. 54:171, No. 2; 1977. Daniel E. Buchanan.

Federal Restraints on Interstate Natural Gas Supply and Market Expansion. 54:375, No. 3; 1978. Philip M. Marston and Frederick Moring.

ADMINISTRATORS

Constitutional Autonomy and the North Dakota State Board of Higher Education. 54: 529, No. 4; 1978. Richard B. Crockett.

ADMISSIBILITY OF EVIDENCE

Evidence in Workmen's Compensation Cases. 54:171, No. 2; 1977. Daniel E. Buchanan.

The Meaning of the Word "Minerals." 54:419, No. 3; 1978. George E. Reeves.

AGENCY

Constitutional Autonomy and the North Dakota State Board of Higher Education. 54:529, No. 4; 1978. Richard B. Crockett.

AGRICULTURE

Agricultural Non-Point Source Water Pollution Control Under Sections 208 and 303 of the Clean Water Act: Has Forty Years of Experience Taught Us Anything? 54:589, No. 4; 1978.

ANIMALS

Surface Coal Mining Law in the Western United States: How Does it Provide for Wildlife? 54:337, No. 3; 1978. Robert E. Beck.

ATTORNEYS

1977 Supreme Court Review. 54:635, No. 4; 1978.

Constitutional Law — First Amendment — State Prohibition of All Advertising By a Lawyer is Unconstitutional. 54:253, No. 2; 1977.

ATTORNEYS' FEES

Eminent Domain — Attorney Fees — Reliance Upon a One-Third Contingent Fee Agreement in Awarding Reasonable Attorney Fee Was In Error. 54:627, No. 4; 1978.

BENCH AND BAR

54:129, No. 1; 1977.

BOOK REVIEWS

Regulation of Passenger Fares and Competition Among the Airlines. By William E. Thoms. 54:113, No. 1; 1977.

BURDEN OF PROOF

Evidence in Workmen's Compensation Cases. 54:171, No. 2; 1977. Daniel E. Buchanan.

COAL

Surface Coal Mining Law in the Western United States: How Does it Provide for

Wildlife? 54:337, No. 3; 1978. Robert E. Beck.

The Meaning of the Word "Minerals." 54:419, No. 3; 1978. George E. Reeves.

COLLEGES & UNIVERSITIES

Constitutional Autonomy and the North Dakota State Board of Higher Education. 54:529, No. 4; 1978. Richard B. Crockett.

COMMERCE

See INTERSTATE COMMERCE.

COMMON LAW

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

The Public Trust Doctrine in North Dakota. 54:565, No. 4; 1978.

CONFESSIONS

See SELF-INCRIMINATION.

CONFLICTS OF LAWS

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

CONSTITUTIONS

Political Realities and Democratic Ideals: Accession and Competition in a State Judicial System. 54:187, No. 2; 1977. Albert P. Melone.

CONSTITUTIONAL LAW

Constitutional Law — Prisons — Prison Law Libraries Are an Acceptable Means of Providing Prisoners With Their Constitutional Right of Access to the Courts. 54:97, No. 1; 1977.

Constitutional Law — Death — Denial of Punitive Damages For Wrongful Death Violates Equal Protection. 54:104, No. 1; 1977.

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

Constitutional Autonomy and the North Dakota State Board of Higher Education. 54:529, No. 4; 1978. Richard B. Crockett.

Internal Revenue Form 1040 and the Fifth Amendment: Self-Reporting or Self-Incrimination, the Taxpayer's Dilemma. 54:213, No. 2; 1977.

Zoning and the Amortization of Nonconforming Uses. 54:231, No. 2; 1977.

Constitutional Law — First Amendment — State Prohibition of All Advertising by a Lawyer is Unconstitutional. 54:253, No. 2; 1977.

Constitutional Law — Courts — All State Court Jurisdiction Governed by "Minimum Contacts." 54:260, No. 2; 1977.

Constitutional Law — Due Process — Suspension or Revocation of a Driver's License Without Prior Hearing Deemed Constitutionally Adequate. 54:274, No. 2; 1977.

Criminal Law — Right to Counsel — Incriminating Statements Obtained During In-Custody Interrogation Not Admissible Without Proof of Waiver of Defendant's Right to Counsel. 54:307, No. 2; 1977.

CONTRACTS

Contracts — Sales — Buy-In Notice Invalidates Right to Demand Shipment of Grain

So That Alleged Facts May Constitute a Defense of Economic Duress. 54:267, No. 2; 1977.
1977 Supreme Court Review. 54:635, No. 4; 1978.

CONVEYANCES

The Meaning of the Word "Minerals." 54:419, No. 3; 1978. George E. Reeves.

COURTS

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

Political Realities and Democratic Ideals: Accession and Competition in a State Judicial System. 54:187, No. 2; 1977. Albert P. Melone.

Constitutional Law — Courts — All State Court Jurisdiction Governed by "Minimum Contacts." 54:260, No. 2; 1977.

Federal Courts — Federal Civil Procedure — Plaintiff Allowed to Assert Claim Directly Against Non-Diverse Third-Party Defendant. 54:314, No. 2; 1977.

Judicial Planning in North Dakota: Systematized Anticipation for Balanced Progress. 54:47, No. 1; 1977. Justice Vernon R. Pederson and Lawrence D. Spears.

CRIMINAL LAW

Criminal Law — Right to Counsel — Incriminating Statements Obtained During In-Custody Interrogation Not Admissible Without Proof of Waiver of Defendant's Right to Counsel. 54:307, No. 2; 1977.

1977 Supreme Court Review. 54:635, No. 4; 1978.

CRIMINAL PROCEDURE

The Exercise of Discretionary Decision-Making by the Police. 54:61, No. 1; 1977. Charles W. Thomas and W. Anthony Fitch.

1977 Supreme Court Review. 54:635, No. 4; 1978.

DAMAGES

Constitutional Law — Death — Denial of Punitive Damages for Wrongful Death Violates Equal Protection. 54:104, No. 1; 1977.

Physicians and Surgeons — Damages — Parents of an Unplanned Child, in Suit for Wrongful Conception May Recover Damages for Medical Expenses, Pain and Suffering, Loss of Consortium and Costs of Rearing the Child to Maturity. 54:619, No. 4; 1978.

DEATH

See WRONGFUL DEATH.

DUE PROCESS OF LAW

Constitutional Law — Due Process — Suspension or Revocation of a Driver's License Without Prior Hearing Deemed Constitutionally Adequate. 54:274, No. 2; 1977.

ECONOMICS

Federal Restraints on Interstate Natural Gas Supply and Market Expansion. 54:375, No. 3; 1978. Philip M. Marston and Frederick Moring.

EDUCATION

Constitutional Autonomy and the North Dakota State Board of Higher Education. 54:529, No. 4; 1978. Richard B. Crockett.

ELECTIONS

Political Realities and Democratic Ideals: Accession and Competition in a State Judicial System. 54:187, No. 2; 1977. Albert P. Melone.

EMINENT DOMAIN

Eminent Domain — Attorney Fees — Reliance Upon a One-Third Contingent Fee Agreement in Award Reasonable Attorney Fee Was in Error. 54:627, No. 4; 1978.

ENERGY

Surface Coal Mining Law in the Western United States: How Does It Provide for Wildlife? 54:337, No. 3; 1978. Robert E. Beck.

Federal Restraints on Interstate Natural Gas Supply and Market Expansion. 54:375, No. 3; 1978. Philip M. Marston and Frederick Moring.

ENVIRONMENTAL LAW

Surface Coal Mining Law in the Western United States: How Does It Provide for Wildlife? 54:337, No. 3; 1978. Robert E. Beck.

Water as a Locatable Mineral: The Heresy of the Charlestone Case. 54:365, No. 3; 1978. Earl M. Hill.

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

Agricultural Non-Point Source Water Pollution Control Under Sections 208 and 303 of the Clean Water Act: Has Forty Years of Experience Taught Us Anything? 54:589, No. 4; 1978.

EQUAL PROTECTION

See CONSTITUTIONAL LAW.

ESTATE AND GIFT TAXES

North Dakota Estate Planning Under the Tax Reform Act of 1976. 54:7, No. 1; 1977. Manfred R. Ohnstad and Robert E. Rosenfold.

EVIDENCE

1977 Supreme Court Review. 54:635, No. 4; 1978.

Evidence in Workmen's Compensation Cases. 54:171, No. 2; 1977. Daniel E. Buchanan.

FARMLAW

See AGRICULTURE.

FEDERAL COURTS

See COURTS.

FEDERAL JURISDICTION

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

FEDERAL RULES OF CIVIL PROCEDURE

Federal Courts — Federal Civil Procedure — Plaintiff Allowed to Assert Claim Directly Against Non-Diverse Third-Party Defendant. 54:314, No. 2; 1977.

FISH AND GAME

See ANIMALS.

GIFTS

North Dakota Estate Planning Under the Tax Reform Act of 1976. 54:7, No. 1; 1977. Manfred R. Ohnstad and Robert E. Rosenvold.

GOVERNMENT

Internal Revenue Form 1040 and the Fifth Amendment: Self Reporting or Self Incrimination, the Taxpayer's Dilemma. 54:213, No. 2; 1977.

1977 Supreme Court Review. 54:635, No. 4; 1978.

Federal Restraints on Interstate Natural Gas Supply and Market Expansion. 54:375, No. 3; 1978. Philip M. Marston and Frederick Moring.

HEALTH AND SAFETY

Agricultural Non-Point Source Water Pollution Control Under Sections 208 and 303 of the Clean Water Act: Has Forty Years of Experience Taught Us Anything? 54:589, No. 4; 1978.

INFANTS

Infants — Crimes — Youth Sentenced Under Federal Youth Corrections Act May Not Be Confined in a Correctional Institution With Adult Offenders. 54:286, No. 2; 1977.

INSURANCE

1977 Supreme Court Review. 54:635, No. 4; 1978.

INTERPRETATION AND CONSTRUCTION OF STATUTES

See STATUTES.

INTERSTATE COMMERCE

Federal Restraints on Interstate Natural Gas Supply and Market Expansion. 54:375, No. 3; 1978. Philip M. Marston and Frederick Moring.

INTOXICATING LIQUORS

Intoxicating Liquors — Dram Shop Act — Tavern Owner Held Liable for Injuries of an Intoxicated Person. 54:301, No. 2; 1977.

JOINT TENANCY

North Dakota Estate Planning Under the Tax Reform Act of 1976. 54:7, No. 1; 1977. Manfred R. Ohnstad and Robert E. Rosenvold.

JUDICIARY

See COURTS.

LABOR LAW

Labor Relations — Schools and School Districts — The Good Faith Issuance of Individual Teaching Contracts by a School Board Before the Completion of the Negotiating Process Required by Statute Does Not Violate the Teachers' Representation and Negotiation Act. 54:294, No. 2; 1977.

LAND TITLES

See TITLES TO LANDS.

LEGAL ETHICS

See ATTORNEYS.

LEGISLATION

Agricultural Non-Point Source Water Pollution Control Under Sections 208 and 303 of the Clean Water Act: Has Forty Years of Experience Taught Us Anything? 54:589, No. 4; 1978.

The Meaning of the Word "Minerals." 54:419, No. 3; 1978. George E. Reeves.

LIABILITY

Negligence — Occupiers of Land — Land Occupier Has a Duty to Both Invitees and Licensees to Act as a Reasonable Man. 54:280, No. 2; 1977.

Intoxicating Liquors — Dram Shop Act — Tavern Owner Held Liable for Injuries of an Intoxicated Person. 54:301, No. 2; 1977.

LIFE INSURANCE

North Dakota Estate Planning Under the Tax Reform Act of 1976. 54:7, No. 1; 1977. Manfred R. Ohnstad and Robert E. Rosenvold.

MEMORIALS

Walter O. Burk. 54:119, No. 1; 1977.

John E. DeMots. 54:120, No. 1; 1977.

W. T. Dillenberg. 54:121, No. 1; 1977.

Lyle E. Huseby. 54:121, No. 1; 1977.

Albert I. Johnson. 54:122, No. 1; 1977.

V. Wayne Marsh. 54:124, No. 1; 1977.

Thomas A. O'Shea. 54:124, No. 1; 1977.

Harry Malcolm Pippin. 54:125, No. 1; 1977.

Lynn W. Schwoebel. 54:127, No. 1; 1977.

Phillip Vogel. 54:128, No. 1; 1977.

MINES AND MINERALS

See NATURAL RESOURCES

MUNICIPAL ORDINANCES

Zoning and the Amortization of Nonconforming Uses. 54:231, No. 2; 1977.

NATURAL RESOURCES

Agricultural Non-Point Source Water Pollution Control Under Sections 208 and 303 of the Clean Water Act: Has Forty Years of Experience Taught Us Anything? 54:589, No. 4; 1978.

The Public Trust Doctrine in North Dakota. 54:565, No. 4; 1978.

Surface Coal Mining Law in the Western United States: How Does it Provide for Wildlife? 54:337, No. 3; 1978. Robert E. Beck.

Water as a Locatable Mineral: The Heresy of the Charlstone Case. 54:365, No. 3; 1978. Earl M. Hill.

Federal Restraints on Interstate Natural Gas Supply and Market Expansion. 54:375, No. 3; 1978. Philip M. Marston and Frederick Moring.

The Meaning of the Word "Minerals." 54:419, No. 3; 1978. George E. Reeves.

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

NEGLIGENCE

See TORTS.

OIL AND GAS

See NATURAL RESOURCES.

PARENT AND CHILD

1977 Supreme Court Review. 54:635, No. 4; 1978.

PHYSICIANS AND SURGEONS

Physicians and Surgeons — Damages — Parents of an Unplanned Child, in Suit for Wrongful Conception May Recover Damages for Medical Expenses, Pain and Suffering, Loss of Consortium and Costs of Rearing the Child to Maturity. 54:619, No. 4; 1978.

PIPELINES

Federal Restraints on Interstate Natural Gas Supply and Market Expansion. 54:375, No. 3; 1978. Philip M. Marston and Frederick Moring.

PRESUMPTIONS

See BURDEN OF PROOF.

PRISONS

Infants — Crimes — Youths Sentenced Under Federal Youth Corrections Act May Not Be Confined in a Correctional Institution With Adult Offenders. 54:286, No. 2; 1977.

Constitutional Law — Prisons — Prison Law Libraries Are an Acceptable Means of Providing Prisoners Their Constitutional Right of Access to the Courts. 54:97, No. 1; 1977.

PRIVILEGES

Evidence in Workmen's Compensation Cases. 54:171, No. 2; 1977. Daniel E. Buchanan.

PROPERTY

Zoning and the Amortization of Nonconforming Uses. 54:231, No. 2; 1977.

North Dakota Estate Planning Under the Tax Reform Act of 1976. 54:7, No. 1; 1977. Manfred R. Ohnstad and Robert E. Rosenvold.

Eminent Domain — Attorney Fees — Reliance Upon a One-Third Contingent Fee Agreement in Awarding Reasonable Attorney Fee Was in Error. 54:627, No. 4; 1978.

Water as a Locatable Mineral: The Heresy of the Charlestone Case. 54:365, No. 3; 1978. Earl M. Hill.

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

PUBLIC ADMINISTRATION

Constitutional Autonomy and the North Dakota State Board of Higher Education. 54:529, No. 4; 1978. Richard B. Crockett.

RIPARIAN RIGHTS

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

SALES

Contracts — Sales — Buy-In Notice Invalidates Right to Demand Shipment of Grain so that Alleged Facts May Constitute a Defense of Economic Duress. 54:267, No. 2; 1977.

SCHOOLS AND SCHOOL DISTRICTS

Constitutional Autonomy and the North Dakota State Board of Higher Education. 54: , No. 4; 1978. Richard B. Crockett.

Labor Relations — Schools and School Districts — The Good Faith Issuance of Individual Teaching Contracts by a School Board Before the Completion of the Negotiating Process Required by Statute Does Not Violate the Teachers' Representation and Negotiation Act. 54:294, No. 2; 1977.

SELF-INCRIMINATION

Internal Revenue Form 1040 and the Fifth Amendment: Self-Reporting or Self-Incrimination, the Taxpayer's Dilemma. 54:213, No. 2; 1977.

SOCIOLOGY

The Exercise of Discretionary Decision-Making By the Police. 54:61, No. 1; 1977. Charles W. Thomas and W. Anthony Fitch.

STATE JURISDICTION

Constitutional Law — Courts — All State Court Jurisdiction Governed by "Minimum Contacts." 54:260, No. 2; 1977.

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

STATUTES

The Meaning of the Word "Minerals." 54:419, No. 3; 1978. George E. Reeves.

SUPREME COURT

1977 Supreme Court Review. 54:635, No. 4; 1978.

SYMPOSIA

Natural Resources — Energy. 54:333, No. 3; 1978. Surface Coal Mining Law in the Western United States: How Does It Provide for Wildlife; 54:337, Robert E. Beck. Water as a Locatable Mineral: The Heresy of the Charlestone Case; 54:365, Earl M. Hill. Federal Restraints on Interstate Natural Gas Supply and Market Expansion; 54:375, Philip M. Marston and Frederick Moring. The Meaning of the Word "Minerals"; 54:419, George E. Reeves. Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions; 54:505.

TAXATION

1977 Supreme Court Review. 54:635, No. 4; 1978.

Internal Revenue Form 1040 and the Fifth Amendment: Self-Reporting or Self-Incrimination, the Taxpayer's Dilemma. 54:213, No. 2; 1978.

TITLE TO LANDS

Courts — Navigable Waters — State Law, Not Federal, Determines Riparian Rights to Accretions. 54:505, No. 3; 1978.

TORTS

Physicians and Surgeons — Damages — Parents of an Unplanned Child, in Suit for Wrongful Conception May Recover Damages for Medical Expenses, Pain and Suffering.

Loss of Consortium and Costs of Rearing the Child to Maturity. 54:619, No. 4; 1978.

1977 Supreme Court Review. 54: , No. 4; 1978.

Negligence — Occupiers of Land — Land Occupier Has a Duty to Both Invitees and Licensees to Act as a Reasonable Man. 54:280, No. 2; 1977.

Intoxicating Liquors — Dram Shop Act — Tavern Owner Held Liable for Injuries of an Intoxicated Person. 54:301, No. 2; 1977.

TRUST AND TRUSTEES

1977 Supreme Court Review. 54:635, No. 4; 1978.

North Dakota Estate Planning Under the Tax Reform Act of 1976. 54:7, No. 1; 1977.

Manfred R. Ohnstad and Robert E. Rosenvold.

UNIFORM COMMERCIAL CODE

1977 Supreme Court Review. 54:635, No. 4; 1978.

WATER LAW

See NATURAL RESOURCES.

WILDLIFE

See ANIMALS.

WILLS

1977 Supreme Court Review. 54:635, No. 4; 1978.

WITNESSES

See EVIDENCE.

WORKMAN'S COMPENSATION

Evidence in Workmen's Compensation Cases. 54:171, No. 2; 1977. Daniel E. Buchanan.

WRONGFUL DEATH

Constitutional Law — Death — Denial of Punitive Damages For Wrongful Death Violates Equal Protection. 54:104, No. 1; 1977.

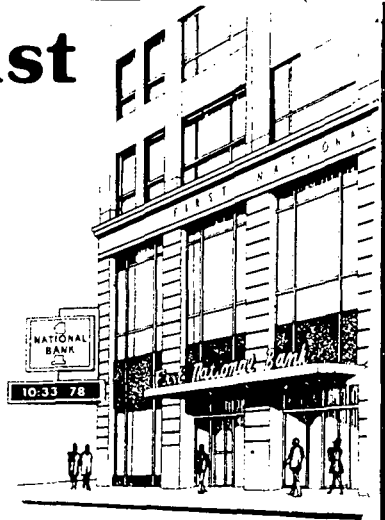
ZONING

Zoning and the Amortization of Nonconforming Uses. 54:231, No. 2; 1977.

Complete Trust Services.

Place your trust in our competent, experienced staff. We will help you with Estate Planning; Pension Plans; Trusts; Farm, Estate and Property Management... complete trust services.

More bank for your money



FIRST *National Bank*
IN GRAND FORKS

MAIN OFFICES: 4TH & DEMERS — DRIVE-IN BANKING: 5TH & DEMERS — GATEWAY OFFICE: 42ND STREET & GATEWAY DRIVE — GRAND FORKS AIR FORCE BASE — DEPOSITS INSURED TO \$40,000 F.D.I.C.

SINCE 1904, a good name to remember.

GLOBE-GAZETTE PRINTING COMPANY

Wahpeton, North Dakota
(701) 642-5524

North Dakota's Leading Publishers of
LEGAL FORMS AND DOCKETS

ORDERS FILLED BY RETURN MAIL

Authorized Distributors of

Mimeograph
Azograph
Offset

A. B. Dick

Spirit/Copying
Paper and Ink
Folders