CUMULATIVE SUBJECT INDEX
FOR VOLUMES 72 – 73

ABORTION
“Appropriate” Conduct: The Constitutionality of the Missouri Legislature’s Appropriations for the State Family Planning Program 72:605
The Right to Remain Silent: A First Amendment Analysis of Abortion Informed Consent Laws 73:243

ADMINISTRATIVE LAW
Good Guidance, Good Grief! 72:695
Title VII and the Protection of Minority Languages in the American Workplace: The Search for a Justification 72:745

AMERICANS WITH DISABILITIES ACT
The “Direct Threat” Defense Under the ADA: Posing a Threat to the Protection of Disabled Employees 73:1303

ANTITRUST LAW
A Bundle of Trouble: An Analysis of How the Lower Courts Have Handled Bundled Discounts Since LePage’s Inc. v. 3M 72:1363
Bundled Discounts: The Ninth Circuit and the Third Circuit Are on Separate LePage’s 73:907

APPELLATE REVIEW
Conforming Doctrine to Practice: Making Room for Collateral

Consequences in the Missouri Mootness Analysis 73:859

ATTEMPT LIABILITY
Attempted Enticement of a Minor: No Place for Pedophiles to Hide Under 18 U.S.C. § 2422(b) 72:909

ATTORNEYS
The Ethical Exploitation of the Unrepresented Consumer 73:707

BANKRUPTCY
Our Federalism Changes Course: The Supreme Court Limits State Sovereign Immunity in Bankruptcy Actions 72:305
“Hanging” on to Till: Interpretations of BAPCPA’S Hanging Paragraph 72:581

CAUSATION
Foreword: David Fischer, the Fox 73:281
The Insubstantiality of the “Substantial Factor” Test for Causation 73:399
Choosing what we mean by “Causation” in the Law 73:433
<table>
<thead>
<tr>
<th>CHILDREN AND THE LAW</th>
<th>CIVIL PROCEDURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Determining When to Start the Clock: The “Capable of Ascertainment” Standard and Repressed Memory Sexual Abuse Cases</td>
<td>The Supreme Court Cordially Invites You to Sue in Federal Court: Hope You Don’t Mind Waiting</td>
</tr>
<tr>
<td>Premarital Agreements and Choice of Law: “One, Two, Three, Baby, You and Me”</td>
<td></td>
</tr>
<tr>
<td>Attempted Enticement of a Minor: No Place for Pedophiles to Hide Under 18 U.S.C. § 2422(b)</td>
<td></td>
</tr>
<tr>
<td>In re N.L.B. v. Lentz: The Missouri Supreme Court’s Unwarranted Extension of a Putative Father’s Constitutional Protections</td>
<td></td>
</tr>
<tr>
<td>Conforming Doctrine to Practice: Making Room for Collateral Consequences in the Missouri Mootness Analysis</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CIVIL RIGHTS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>See FOURTEENTH AMENDMENT</td>
<td></td>
</tr>
<tr>
<td>See MISSOURI HUMAN RIGHTS ACT</td>
<td></td>
</tr>
<tr>
<td>See SAME SEX MARRIAGE</td>
<td></td>
</tr>
<tr>
<td>See TITLE VII</td>
<td></td>
</tr>
<tr>
<td>See TITLE VIII</td>
<td></td>
</tr>
</tbody>
</table>

| CLASS ACTIONS                                                                                     |                                                                                  |
|--------------------------------------------------------------------------------------------------|                                                                                  |
| Medical Monitoring: Missouri’s Welcomed Acceptance                                                  |                                                                                  |
|                                                                                                    |                                                                                  |
| The Ethical Exploitation of the Unrepresented Consumer                                              |                                                                                  |

| COLLATERAL CONSEQUENCES                                                                            |                                                                                  |
|--------------------------------------------------------------------------------------------------|                                                                                  |
| Conforming Doctrine to Practice: Making Room for Collateral Consequences in the Missouri Mootness Analysis |                                                                                  |
Consequences in the Missouri Mootness Analysis 73:859

COMMUNICATIONS LAW

Tesla, Marconi, And The Great Radio Controversy: Awarding Patent Damages Without Chilling A Defendant's Incentive To Innovate 73:745

COMPARATIVE LAW

Mortgage Law in China: Comparing Theory and Practice 72:1315

CONFLICT OF LAW THEORY

Premarital Agreements and Choice of Law: “One, Two, Three, Baby, You and Me” 72:793

The Crucial Role of the States And Private International Law Treaties: A Model for Accommodating Globalization 73:1063

CONSTITUTIONAL LAW

See also First Amendment

See also Second Amendment

See also Fourth Amendment

See also Fifth Amendment

See also Sixth Amendment

See also Fourteenth Amendment

See also Equal Protection

See also Establishment Clause

See also Federalism

See also Privileges and Immunities

Second Amendment Incorporation through the Fourteenth Amendment Privileges or Immunities and Due Process Clauses 72:1

Struggling to Give Meaning to the Concept of “Meaningful Interference”: The Eighth Circuit Announces a New Rule 72:225

Viewpoint Discrimination in Law School Clinics: Teaching Students When and How to “Just Say No” 72:247

Multiple Convictions for Single Acts of Possession – The Eighth Circuit Finally Gets It Right 72:265

The Supreme Court Cordially Invites You to Sue in Federal Court: Hope You Don't Mind Waiting 72:287

Our Federalism Changes Course: The Supreme Court Limits State Sovereign Immunity in Bankruptcy Actions 72:305

The First Amendment and Non-Political Speech: Exploring a Constitutional Model That Focuses on the Existence of Alternative Channels of Communication 72:477

John Locke and the Meaning of the Takings Clause 72:525

The Missouri Photo-ID Requirement for Voting: Ensuring Both Access and Integrity 72:651

Advertising Regulations on Sexually Oriented Businesses: How Far is Too Far? 72:679
Rationalizing Away Political Powerlessness: Equal Protection Analysis of Laws Classifying Gays and Lesbians 72:891

How to Solve (or Avoid) the Exactions Problem 72:973

Rule 804(b)(6) – The Illegitimate Child of the Failed Liaison Between the Hearsay Rule and Confrontation Clause 73:41

Dusting off the Blaine Amendment: Two Challenges to Missouri’s Anti-Establishment Tradition 73:129

Preparing Students for Democratic Participation: Why Teacher Curricular Speech Should Sometimes Be Protected by the First Amendment 73:213

The Right to Remain Silent: A First Amendment Analysis of Abortion Informed Consent Laws 73:243

Less is More: Decluttering the State Action Doctrine 73:561

The Crawford Confusion Marches On: The Confrontation Clause and Hearsay Laboratory Drug Reports 73:583

Punitive Damages & Due Process: Trying to Keep Up with the United States Supreme Court after Phillip Morris USA v. Williams 73:627

Is it hot in here? The Eighth Circuit’s Reduction of Fourth Amendment Protection in the Home 73:881

Missouri v. Holland’s Second Holding 73:939

Missouri v. Holland and Historical Textualism 73:969

Putting Missouri v. Holland on the Map 73:1007

Resurrecting Missouri v. Holland 73:1029

What Story Got Wrong – Federalism, Localist Opportunism and International Law 73:1041

The Crucial Role of the States And Private International Law Treaties: A Model for Accommodating Globalization 73:1063

The Elusive Foreign Compact 73:1071

The Internationalism of American Federalism: Missouri and Holland 73:1105

Federalism and International Law Through the Lens of Legal Pluralism 73:1149

Foreign Affairs, International Law, and the New Federalism: Lessons from Coordination 73:1185

Tiebout Goes Global: International Migration as a Tool for Voting With Your Feet 73:1247

The First Amendment and Specialty License Plates: The “Choose Life” Controversy 73:1279

Cotenants Trumping Cotenants: The Eighth Circuit Takes a Diverse Stance on Cotenants’ Authority Under the Fourth Amendment 73:1327

CONSUMER CLASS ACTION

Design Defects 73:291
CONSUMER PROTECTION
The Ethical Exploitation of the Unrepresented Consumer 73:707

CONTRACTS
Pre marital Agreements and Choice of Law: “One, Two, Three, Baby, You and Me” 72:793
Mistake and Disclosure in a Model of Two-Sided Informational Inputs 73:667

COPYRIGHT LAW
Tesla, Marconi, And The Great Radio Controversy: Awarding Patent Damages Without Chilling A Defendant’s Incentive To Innovate 73:745

CREDIT CARDS
The Ethical Exploitation of the Unrepresented Consumer 73:707

CREDITOR RIGHTS
“Hanging” on to Till: Interpretations of BAPCPA’S Hanging Paragraph 72:581

CRIMINAL LAW
See also CYBER LAW

Imposing a Cap on Capital Punishment 72:73
Cyberstalking, a New Crime: Evaluating the Effectiveness of Current State and Federal Laws 72:125

DAMAGES
Punitive Damages & Due Process: Trying to Keep Up with the United States Supreme Court after Phillip Morris USA v. Williams 73:627

CYBER LAW
Cyberstalking, a New Crime: Evaluating the Effectiveness of Current State and Federal Laws 72:125
Attempted Enticement of a Minor: No Place for Pedophiles to Hide Under 18 U.S.C. § 2422(b) 72:909
Cotenants Trumping Cotenants: The Eighth Circuit Takes a Diverse Stance on Cotenants’ Authority Under the Fourth Amendment 73:1327

Struggling to Give Meaning to the Concept of “Meaningful Interference”: The Eighth Circuit Announces a New Rule 72:225
Multiple Convictions for Single Acts of Possession – The Eighth Circuit Finally Gets It Right 72:265
Attempted Enticement of a Minor: No Place for Pedophiles to Hide Under 18 U.S.C. § 2422(b) 72:909
Rule 804(b)(6) – The Illegitimate Child of the Failed Liaison Between the Hearsay Rule and Confrontation Clause 73:41
Choosing what we mean by “Causation” in the Law 73:433
Is it hot in here? The Eighth Circuit’s Reduction of Fourth Amendment Protection in the Home 73:881

See also CYBER LAW

Punitive Damages & Due Process: Trying to Keep Up with the United States Supreme Court after Phillip Morris USA v. Williams 73:627
Tesla, Marconi, And The Great Radio Controversy: Awarding Patent Damages Without Chilling A Defendant's Incentive To Innovate 73:745

DEATH PENALTY

Imposing a Cap on Capital Punishment 72:73

DEBTOR RIGHTS

The Ethical Exploitation of the Unrepresented Consumer 73:707

DISCRIMINATION

See also MISSOURI HUMAN RIGHTS ACT

See also FAIR HOUSING ACT

See also TITLE VII

See also TITLE VIII

Viewpoint Discrimination in Law School Clinics: Teaching Students When and How to “Just Say No” 72:247

Title VII and the Protection of Minority Languages in the American Workplace: The Search for a Justification 72:947

No “Free Pass” for Employees: Missouri Says “Yes” to Individual Liability Under the Missouri Human Rights Act 72:947

Boundaries of Exclusion 72:1287

The Implications of Psychological Research Related to Unconscious Discrimination and Implicit Bias in Proving Intentional Discrimination 73:83


Unfair Housing on the Internet: The Effect of the Communications Decency Act on the Fair Housing Act 73:195

Pragmatism Over Politics: Recent Trends in Lower Court Employment Discrimination Jurisprudence 73:481

Unfair Housing on the Internet: The Effect of the Communications Decency Act on the Fair Housing Act 73:195

Discrimination After Daugherty: Are Missouri Courts “Contributing to” or “Motivated By” the Number of Cases on the Discrimination Docket? 73:651

The “Direct Threat” Defense Under the ADA: Posing a Threat to the Protection of Disabled Employees 73:1303

DIVORCE

Premarital Agreements and Choice of Law: “One, Two, Three, Baby, You and Me” 72:793

The “Direct Threat” Defense Under the ADA: Posing a Threat to the Protection of Disabled Employees 73:1303

DRUG TESTING


https://scholarship.law.missouri.edu/mlr/vol73/iss4/20
DRUNK DRIVING

Slurred Speech and Double Vision: Missouri’s Supreme Court is Unsteady on DWI Standard 72:1411

DUE PROCESS

See also FOURTEENTH AMENDMENT

Second Amendment Incorporation through the Fourteenth Amendment Privileges or Immunities and Due Process Clause 72:1

The Missouri Photo-ID Requirement for Voting: Ensuring Both Access and Integrity 72:651

Punitive Damages & Due Process: Trying to Keep Up with the United States Supreme Court after Philip Morris USA v. Williams 73:627

EDUCATION LAW


Dusting off the Blaine Amendment: Two Challenges to Missouri’s Anti-Establishment Tradition 73:129

Preparing Students for Democratic Participation: Why Teacher Curricular Speech Should Sometimes Be Protected by the First Amendment 73:213

ELDER LAW

Financing Long-Term Care in Missouri: Limits and Changes in the Wake of the Deficit Reduction Act of 2005 73:839

ELEVENTH AMENDMENT

Our Federalism Changes Course: The Supreme Court Limits State Sovereign Immunity in Bankruptcy Actions 72:305

EMINENT DOMAIN

See also FIFTH AMENDMENT

John Locke and the Meaning of the Takings Clause 72:525

EMPLOYMENT LAW

No “Free Pass” for Employees: Missouri Says “Yes” to Individual Liability Under the Missouri Human Rights Act 72:947

Effective Communication of Warnings in the Workplace: Avoiding Injuries in Working with Industrial Materials 73:1

The Implications of Psychological Research Related to Unconscious Discrimination and Implicit Bias in Proving Intentional Discrimination 73:83

Unreasonable? Missouri Rejects a Reasonable Person Standard for Determining Co-Employee Liability Under Badami’s Something More Test 73:261

Pragmatism Over Politics: Recent Trends in Lower Court Employment Discrimination Jurisprudence 73:481

Discrimination After Daugherty: Are Missouri Courts “Contributing to” or “Motivated By” the Number of Cases on the Discrimination Docket? 73:651
The “Direct Threat” Defense Under the ADA: Posing a Threat to the Protection of Disabled Employees 73:1303

Does It Make a Difference? Granting Public Employees the Right to Collectively Bargain 73:1349

ENTICEMENT

Attempted Enticement of a Minor: No Place for Pedophiles to Hide Under 18 U.S.C. § 2422(b) 72:909

ENTRAPMENT

Attempted Enticement of a Minor: No Place for Pedophiles to Hide Under 18 U.S.C. § 2422(b) 72:909

EQUAL PROTECTION

The Missouri Photo-ID Requirement for Voting: Ensuring Both Access and Integrity 72:651

Advertising Regulations on Sexually Oriented Businesses: How Far is Too Far? 72:679

Rationalizing Away Political Powerlessness: Equal Protection Analysis of Laws Classifying Gays and Lesbians 72:891

ESTABLISHMENT CLAUSE

Dusting off the Blaine Amendment: Two Challenges to Missouri’s Anti-Establishment Tradition 73:129

ETHICS

Viewpoint Discrimination in Law School Clinics: Teaching Students When and How to “Just Say No” 72:247

The Ethical Exploitation of the Unrepresented Consumer 73:707


EVIDENCE

Rule 804(b)(6) - The Illegitimate Child of the Failed Liaison Between the Hearsay Rule and Confrontation Clause 73:41

The Crawford Confusion Marches On: The Confrontation Clause and Hearsay Laboratory Drug Reports 73:583

Is it hot in here? The Eighth Circuit’s Reduction of Fourth Amendment Protections in the Home 73:881

EXECUTIVE ORDERS

Good Guidance, Good Grief! 72:695

FAIR HOUSING ACT

See also Title VIII

Unfair Housing on the Internet: The Effect of the Communications Decency Act on the Fair Housing Act 73:195

FAMILY LAW

Premarital Agreements and Choice of Law: “One, Two, Three, Baby, You and Me” 72:793

In re N.L.B. v. Lentz: The Missouri Supreme Court’s Unwarranted Extension of a Putative Father’s Constitutional Protections 72:1437

Conforming Doctrine to Practice: Making Room for Collateral Consequences in the Missouri Mootness Analysis 73:859

FEDERAL COURTS


FEDERALISM

Our Federalism Changes Course: The Supreme Court Limits State Sovereign Immunity in Bankruptcy Actions 72:305

Less Is More: Decluttering the State Action Doctrine 73:561

Return to Missouri v. Holland: Federalism and International Law, Foreword 73:921

Missouri v. Holland’s Second Holding 73:939

Missouri v. Holland and Historical Textualism 73:969

Putting Missouri v. Holland on the Map 73:1007

Resurrecting Missouri v. Holland 73:1029

What Story Got Wrong – Federalism, Localist Opportunism and International Law 73:1041

The Crucial Role of the States And Private International Law Treaties: A Model for Accommodating Globalization 73:1063

The Elusive Foreign Compact 73:1071

The Internationalism of American Federalism: Missouri and Holland 73:1105

Federalism and International Law Through the Lens of Legal Pluralism 73:1149

Foreign Affairs, International Law, and the New Federalism: Lessons from Coordination 73:1185

Tiebout Goes Global: International Migration as a Tool for Voting With Your Feet 73:1247

Federalism and Horizontality in International Human Rights 73:1265

FIFTH AMENDMENT

John Locke and the Meaning of the Takings Clause 72:525
**FIRST AMENDMENT**

Viewpoint Discrimination in Law School Clinics: Teaching Students When and How to “Just Say No”  
72:247

The First Amendment and Non-Political Speech: Exploring a Constitutional Model That Focuses on the Existence of Alternative Channels of Communication  
72:477

Advertising Regulations on Sexually Oriented Businesses: How Far is Too Far?  
72:679

Preparing Students for Democratic Participation: Why Teacher Curricular Speech Should Sometimes Be Protected by the First Amendment  
73:213

The Right to Remain Silent: A First Amendment Analysis of Abortion Informed Consent Laws  
73:243

The First Amendment and Specialty License Plates: The “Choose Life” Controversy  
73:1279

**FOURTEENTH AMENDMENT**

See also Due Process

See also Equal Protection

Second Amendment Incorporation through the Fourteenth Amendment Privileges or Immunities and Due Process Clauses  
72:1

Rationalizing Away Political Powerlessness: Equal Protection Analysis of Laws Classifying Gays and Lesbians  
72:891

Less is More: Decluttering the State Action Doctrine  
73:561

The Crawford Confusion Marches On: The Confrontation Clause and Hearsay Laboratory Drug Reports  
73:583

Punitive Damages & Due Process: Trying to Keep Up with the United States Supreme Court after Phillip Morris USA v. Williams  
73:627

**FOURTH AMENDMENT**

See also Probable Cause

See also Search and Seizure

Struggling to Give Meaning to the Concept of “Meaningful Interference”: The Eighth Circuit Announces a New Rule  
72:225

Multiple Convictions for Single Acts of Possession – The Eighth Circuit Finally Gets It Right  
72:265

A “Capricious, Even Perverse Policy”: Random, Suspicionless Drug Testing Policies in High Schools and the Fourth Amendment  
72:931

Is it hot in here? The Eighth Circuit’s Reduction of Fourth Amendment Protection in the Home  
73:881

Cotenants Trumping Cotenants: The Eighth Circuit Takes a Diverse Stance on Cotenants’ Authority Under the Fourth Amendment  
73:1327

**FREE EXERCISE**

Dusting off the Blaine Amendment: Two Challenges to Missouri’s Anti-Establishment Tradition  
72:339
Cotenants Trumping Cotenants: The Eighth Circuit Takes a Diverse Stance on Cotenants’ Authority Under the Fourth Amendment 73:1327

Languages in the American Workplace: The Search for a Justification 72:745

Tiebout Goes Global: International Migration as a Tool for Voting With Your Feet 73:1247

GOVERNMENT

“Appropriate” Conduct: The Constitutionality of the Missouri Legislature’s Appropriations for the State Family Planning Program 72:605

The Right to Remain Silent: A First Amendment Analysis of Abortion Informed Consent Laws 73:243

Good Guidance, Good Grief! 72:695

INFORMED CONSENT LAWS

Less Is More: Decluttering the State Action Doctrine 73:561

The First Amendment and Specialty License Plates: The “Choose Life” Controversy 73:1279

INTERNET CONSENT LAWS

HEALTH CARE LAW

The Right to Remain Silent: A First Amendment Analysis of Abortion Informed Consent Laws 73:243

The Search for a Justification


INTELLECTUAL PROPERTY

THELENTIAL PROPELE SURY

Resuscitating Hospital Liability 73:369

Tesla, Marconi, And The Great Radio Controversy: Awarding Patent Damages Without Chilling A Defendant’s Incentive To Innovate 73:745

Financing Long-Term Care in Missouri: Limits and Changes in the Wake of the Deficit Reduction Act of 2005 73:839

INTERNATIONAL LAW

Return to Missouri v. Holland: Federalism and International Law, Foreword 73:921

RESURGENTS

Missouri v. Holland’s Second Holding 73:939

Resurrecting Missouri v. Holland 73:1029

HEARDAY

The Crawford Confusion Marches On: The Confrontation Clause and Hearsay Laboratory Drug Reports 73:583

HEARSEY

Resuscitating Missouri v. Holland 73:1029

IMMIGRATION LAW

The Right to Remain Silent: A First Amendment Analysis of Abortion Informed Consent Laws 73:243

Title VII and the Protection of Minority
| JUDGES |
|------------------|-----------------|
| Missouri’s Nonpartisan Court Plan From 1942 to 2005 | 72:199 |
| Charles B. Blackmar: Professor, Judge, Chief Justice and Charlie | 72:220 |

| JURISDICTION |
|------------------|-----------------|
| The Supreme Court Cordially Invites You to Sue in Federal Court: Hope You Don’t Mind Waiting | 72:287 |

| LABOR LAW |
|------------------|-----------------|
| Title VII and the Protection of Minority Languages in the American Workplace: The Search for a Justification | 72:745 |
| No “Free Pass” for Employees: Missouri Says “Yes” to Individual Liability Under the Missouri Human Rights Act | 72:947 |
| The Implications of Psychological Research Related to Unconscious Discrimination and Implicit Bias in Proving Intentional Discrimination | 73:83 |

| INTERNET |
|------------------|-----------------|
| Unreasonable? Missouri Rejects a Reasonable Person Standard for Determining Co-Employee Liability Under Badami’s Something More Test | 73:261 |

| LAW SCHOOLS |
|------------------|-----------------|
| Viewpoint Discrimination in Law School Clinics: Teaching Students When and How to “Just Say No” | 72:247 |
# CUMULATIVE INDEX OF VOLUMES 72-73

### Teaching Property – A Conceptual Approach
72:1353

### Legal Philosophy

#### Rescuing Burke
72:387

#### John Locke and the Meaning of the Takings Clause
72:525

### Legislation

#### Tipping Point: Missouri Single Subject Provision
72:1387

### Long-Term Care

#### Financing Long-Term Care in Missouri: Limits and Changes in the Wake of the Deficit Reduction Act of 2005
73:839

### Medical Malpractice

#### Resuscitating Hospital Enterprise Liability
73:369

### Medicaid

#### Financing Long-Term Care in Missouri: Limits and Changes in the Wake of the Deficit Reduction Act of 2005
73:839

### Missouri Human Rights Act

See also Title VII

No “Free Pass” for Employees: Missouri Says “Yes” to Individual Liability Under the Missouri Human Rights Act 72:947

Discrimination After Daugherty: Are Missouri Courts “Contributing to” or “Motivated By” the Number of Cases on the Discrimination Docket? 73:651

### Mortgages

#### Fannie Mae/Freddie Mac Uniform Mortgage Instruments: The Forgotten Benefit to Homeowners
72:1077

#### Why Mortgagors Can’t Get No Satisfaction
72:1159

#### Mortgage Law in China: Comparing Theory and Practice
72:1315

### Negligence

#### A Safer Destination for Trespassers
72:321

#### Design Defects
73:291

#### Resuscitating Hospital Enterprise Liability
73:369

#### The Insubstantiality of the “Substantial Factor” Test for Causation
73:399

#### Choosing what we mean by “Causation” in the Law
73:433
Tesla, Marconi, And The Great Radio Controversy: Awarding Patent Damages Without Chilling A Defendant’s Incentive To Innovate 73:745


Premarital Agreements and Choice of Law: “One, Two, Three, Baby, You and Me” 72:793

A Safer Destination for Trespassers 72:321

Second Amendment Incorporation through the Fourteenth Amendment Privileges or Immunities and Due Process Clause 72:1

Is it hot in here? The Eighth Circuit’s Reduction of Fourth Amendment Protection in the Home 73:881

Effective Communication of Warnings in the Workplace: Avoiding Injuries in Working with Industrial Materials 73:1

Design Defects 73:291

The Insubstantiality of the “Substantial Factor” Test for Causation 73:399

Struggling to Give Meaning to the Concept of “Meaningful Interference”: The Eighth Circuit Announces a New Rule 72:225

John Locke and the Meaning of the Takings Clause 72:525

Foreword: Thank You, Dale 72:965

How to Solve (or Avoid) the Exactions Problem 72:973

Real Estate Practice in the Twenty-First Century 72:1031

Trust and Community: The Common Interest Community as Metaphor and Paradox 72:1111

Doctrines of Waste in a Landscape of Waste 72:1209

Boundaries of Exclusion 72:1287

Teaching Property – A Conceptual Approach 72:1353

From One Pocket to the Other: The Abuse of Real Estate Investment Trusts Deductions 72:1455
### REAL ESTATE LAW

<table>
<thead>
<tr>
<th>Topic</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreword: Thank You, Dale</td>
<td>72:965</td>
</tr>
<tr>
<td>Risks and Realities of Mezzanine Loans</td>
<td>72:993</td>
</tr>
<tr>
<td>Real Estate Practice in the Twenty-First Century</td>
<td>72:1031</td>
</tr>
<tr>
<td>Fannie Mae/Freddie Mac Uniform Mortgage Instruments: The Forgotten Benefit to Homeowners</td>
<td>72:1077</td>
</tr>
<tr>
<td>Trust and Community: The Common Interest Community as Metaphor and Paradox</td>
<td>72:1111</td>
</tr>
<tr>
<td>Why Mortgagors Can’t Get No Satisfaction</td>
<td>72:1159</td>
</tr>
<tr>
<td>Doctrines of Waste in a Landscape of Waste</td>
<td>72:1209</td>
</tr>
<tr>
<td>The Foreclosure Purchase by the Equity of Redemption Holder or Other Junior Interests: When Should Principles of Fairness and Morality Trump Normal Priority Rules?</td>
<td>72:1259</td>
</tr>
<tr>
<td>Boundaries of Exclusion</td>
<td>72:1287</td>
</tr>
<tr>
<td>Mortgage Law in China: Comparing Theory and Practice</td>
<td>72:1315</td>
</tr>
<tr>
<td>Teaching Property – A Conceptual Approach</td>
<td>72:1353</td>
</tr>
<tr>
<td>From One Pocket to the Other: The Abuse of Real Estate Investment Trusts Deductions</td>
<td>72:1455</td>
</tr>
</tbody>
</table>

### REMEDIES

<table>
<thead>
<tr>
<th>Topic</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tesla, Marconi, And The Great Radio Controversy: Awarding Patent Damages Without Chilling A Defendant’s Incentive To Innovate</td>
<td>73:745</td>
</tr>
<tr>
<td>Cotenants Trumping Cotenants: The Eighth Circuit Takes a Diverse Stance on Cotenants’ Authority Under the Fourth Amendment</td>
<td>73:1327</td>
</tr>
</tbody>
</table>

### RIGHT TO COUNSEL

<table>
<thead>
<tr>
<th>Topic</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Ethical Exploitation of the Unrepresented Consumer</td>
<td>73:707</td>
</tr>
</tbody>
</table>

### RIGHT TO PRIVACY

<table>
<thead>
<tr>
<th>Topic</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Right to Remain Silent: A First Amendment Analysis of Abortion Informed Consent Laws</td>
<td>73:243</td>
</tr>
<tr>
<td>Is it hot in here? The Eighth Circuit’s Reduction of Fourth Amendment Protections in the Home</td>
<td>73:881</td>
</tr>
<tr>
<td>Cotenants Trumping Cotenants: The Eighth Circuit Takes a Diverse Stance on Cotenants’ Authority Under the Fourth Amendment</td>
<td>73:1327</td>
</tr>
</tbody>
</table>

### SAME SEX MARRIAGE

<table>
<thead>
<tr>
<th>Topic</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rationalizing Away Political Powerlessness: Equal Protection Analysis of Laws Classifying Gays and Lesbians</td>
<td>72:891</td>
</tr>
</tbody>
</table>
SCHOOL VOUCHERS

Dusting off the Blaine Amendment: Two Challenges to Missouri’s Anti-Establishment Tradition 73:129

SEARCH AND SEIZURE

Struggling to Give Meaning to the Concept of “Meaningful Interference”: The Eighth Circuit Announces a New Rule 72:225

Multiple Convictions for Single Acts of Possession – The Eighth Circuit Finally Gets It Right 72:265


Is it hot in here? The Eighth Circuit’s Reduction of Fourth Amendment Protections in the Home 73:881

Cotenants Trumping Cotenants: The Eighth Circuit Takes a Diverse Stance on Cotenants’ Authority Under the Fourth Amendment 73:1327

SECOND AMENDMENT

Second Amendment Incorporation through the Fourteenth Amendment Privileges or Immunities and Due Process Clauses 72:1

SEcurities LAW

Scheme Liability Under Section 10(b) of the Securities Exchange Act of 1934 72:855

SIXTH AMENDMENT

Rule 804(b)(6) - The Illegitimate Child of the Failed Liaison Between the Hearsay Rule and Confrontation Clause 73:41

The Crawford Confusion Marches On: The Confrontation Clause and Hearsay Laboratory Drug Reports 73:583

SOCIAL SECURITY

Financing Long-Term Care in Missouri: Limits and Changes in the Wake of the Deficit Reduction Act of 2005 73:839

SOVEREIGN IMMUNITY

Our Federalism Changes Course: The Supreme Court Limits State Sovereign Immunity in Bankruptcy Actions 72:305

Doctrines of Waste in a Landscape of Waste 72:1209

The Foreclosure Purchase by the Equity of Redemption Holder or Other Junior Interests: When Should Principles of Fairness and Morality Trump Normal Priority Rules? 72:1259

STATE CONSTITUTIONAL LAW

See also EMINENT DOMAIN

Dusting off the Blaine Amendment: Two Challenges to Missouri’s Anti-Establishment Tradition 73:129

“Appropriate” Conduct: The Constitutionality of the Missouri Legislature’s Appropriations for the
<table>
<thead>
<tr>
<th>State Family Planning Program</th>
<th>72:605</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Missouri Photo-ID Requirement for Voting: Ensuring Both Access and Integrity</td>
<td>72:651</td>
</tr>
<tr>
<td>Tipping Point: Missouri Single Subject Provision</td>
<td>72:1387</td>
</tr>
<tr>
<td><em>In re N.L.B. v. Lentz</em>: The Missouri Supreme Court’s Unwarranted Extension of a Putative Father’s Constitutional Protections</td>
<td>72:1437</td>
</tr>
<tr>
<td>The <em>Crawford</em> Confusion Marches On: The Confrontation Clause and Hearsay Laboratory Drug Reports</td>
<td>73:583</td>
</tr>
</tbody>
</table>

**STATUTE OF LIMITATIONS**

Determining When to Start the Clock: The “Capable of Ascertainment” Standard and Repressed Memory Sexual Abuse Cases | 72:633 |

**STATUTORY INTERPRETATION**

Determining When to Start the Clock: The “Capable of Ascertainment” Standard and Repressed Memory Sexual Abuse Cases | 72:633 |

*In re N.L.B. v. Lentz*: The Missouri Supreme Court’s Unwarranted Extension of a Putative Father’s Constitutional Protections | 72:1437 |

**TAX LAW**

From One Pocket to the Other: The Abuse of Real Estate Investment Trusts Deductions | 72:1455 |

**TELECOMMUNICATIONS ACT**

Attempted Enticement of a Minor: No Place for Pedophiles to Hide Under 18 U.S.C. § 2422(b) | 72:909 |

**TITLE VII**

*See also* MISSOURI HUMAN RIGHTS ACT

Title VII and the Protection of Minority Languages in the American Workplace: The Search for a Justification | 72:745 |

No “Free Pass” for Employees: Missouri Says “Yes” to Individual Liability Under the Missouri Human Rights Act | 72:947 |

The Implications of Psychological Research Related to Unconscious Discrimination and Implicit Bias in Proving Intentional Discrimination | 73:83 |

Discrimination After *Daugherty*: Are Missouri Courts “Contributing to” or “Motivated By” the Number of Cases on the Discrimination Docket? | 73:651 |

**TITLE VIII**

*See also* FAIR HOUSING ACT


Unfair Housing on the Internet: The Effect of the Communications Decency Act on the Fair Housing Act | 73:195 |
TORTS

A Safer Destination for Trespassers 72:321

Determining When to Start the Clock:
The "Capable of Ascertainment"
Standard and Repressed Memory
Sexual Abuse Cases 72:633

Effective Communication of Warnings
in the Workplace: Avoiding Injuries in
Working with Industrial Materials 73:1

Unreasonable? Missouri Rejects a
Reasonable Person Standard for
Determining Co-Employee Liability
Under Badami's Something More Test
73:261

Foreword: David Fischer, the Fox
73:281

Design Defects 73:291

Resuscitating Hospital Enterprise
Liability 73:369

The Insufficiency of the "Substantial
Factor" Test for Causation 73:399

Choosing what we mean by
"Causation" in the Law 73:433

Medical Monitoring: Missouri's
Welcomed Acceptance 73:611

TRIBUTE

Charles B. Blackmar: Professor, Judge,
Chief Justice and Charlie 72:220

Foreword: Thank You, Dale 72:965

Foreword: David Fischer, the Fox
73:281

VOTING RIGHTS

The Missouri Photo-ID Requirement
for Voting: Ensuring Both Access and
Integrity 72:651

COMPILED BY:
EDITORIAL STAFF