

# Oklahoma Law Review

---

Volume 36 | Number 4

---

1-1-1983

## Index

Follow this and additional works at: <https://digitalcommons.law.ou.edu/olr>



Part of the [Law Commons](#)

---

### Recommended Citation

*Index*, 36 OKLA. L. REV. 955 (1983),  
<https://digitalcommons.law.ou.edu/olr/vol36/iss4/13>

This Index is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in Oklahoma Law Review by an authorized editor of University of Oklahoma College of Law Digital Commons. For more information, please contact [darinfox@ou.edu](mailto:darinfox@ou.edu).

## ARTICLE INDEX

Allocation of Back-Pay Liability for Violation of Employee Rights. <i>John V. Jansonius</i>	745	Them? (Enrichment Series) <i>Robert J. Kutak</i>	311
Considerations Under the Federal Banking and Securities Laws With Respect to Bank Mergers or Takeovers. <i>James T. Pitts and J.J. Cranmore</i>	789	Multibank Holding Company and Branching Law in Perspective in Oklahoma. (Commentary) <i>Laura Nan Pringle</i>	863
Death and the Life Insurance Policy: What Hath Modern Medicine Wrought? <i>John H. Thornton and Marcia J. Staff</i>	285	Municipal Antitrust Liability After <i>Boulder</i> . (Commentary) <i>Andrew W. Lester</i>	827
Death Penalty for Children: The American Experience With Capital Punishment for Crimes Committed While Under Age Eighteen. <i>Victor L. Streib</i>	613	Net Operating Losses and the Statute of Limitations: Something New Under the Sun? <i>Philip S. Ashley</i>	253
Doctrine of Implied Ratification—Application and Limitations, The. (Commentary) <i>Elliot Axelrod</i>	849	Patchwork Verdicts, Different Juror Verdicts, and American Jury Theory: Whether Verdicts Are Invalidated by Juror Disagreement on Issues. <i>Hayden J. Trubitt</i>	473
In Memoriam: Robert J. Kutak: A Brief Appreciation. <i>Geoffrey C. Hazard, Jr.</i>	309	Retroactive Taxation: A Constitutional Analysis of the Minimum Tax on IDCs. (Commentary) <i>James Sears Bryant</i>	107
Interstate Transfer of Colorado Water for the San Marco Coal Slurry Pipeline. <i>Dean T. Massey, Anne Cramer Hong, and Aggie Szilagyi</i>	1	Rights to Arms, The: Does the Constitution or the Predilection of Judges Reign? (Commentary) <i>Robert Dowlut</i>	65
Model Rules of Professional Conduct: Why Do We Need		Semantics of Insanity, The. <i>Gertrude Block</i>	561
		Venue in Civil Actions. (Commentary) <i>David S. Clark</i>	643

## AUTHOR INDEX

Ashley, Philip S. <i>Net Operating Losses and the Statute of Limitations: Something New Under the Sun?</i>	253	and Securities Laws With Respect to Bank Mergers or Takeovers (with Pitts)	789
Axelrod, Elliot. <i>The Doctrine of Implied Ratification—Application and Limitations</i> . (Commentary)	849	Dowlut, Robert. <i>The Right to Arms: Does the Constitution or the Predilection of Judges Reign?</i> (Commentary)	65
Block, Gertrude. <i>The Semantics of Insanity</i>	561	Hazard, Geoffrey C., Jr. <i>In Memoriam: Robert J. Kutak: A Brief Appreciation</i>	309
Bryant, James Sears. <i>Retroactive Taxation: A Constitutional Analysis of the Minimum Tax on IDCs</i> (Commentary)	107	Hong, Anne Cramer. <i>Interstate Transfer of Colorado Water for the San Marco Coal Slurry Pipeline</i> (with Massey and Szilagyi)	1
Clark, David S. <i>Venue In Civil Actions</i> (Commentary)	643	Jansonius, John V. <i>Allocation of Back-Pay Liability for Violation of Employee Rights</i>	745
Cranmore, J.J. <i>Considerations Under the Federal Banking</i>			

Kutak, Robert J. <i>Model Rules of Professional Conduct: Why Do We Need Them?</i> (Enrichment Series)	311	<i>Hath Modern Medicine Wrought?</i> (with Thornton)	285
Lester, Andrew W. <i>Municipal Antitrust Liability After Boulder</i> (Commentary)	827	Streib, Victor L. <i>Death Penalty for Children: The American Experience With Capital Punishment for Crimes Committed While Under Age Eighteen</i>	613
Massey, Dean T. <i>Interstate Transfer of Colorado Water for the San Marco Coal Slurry Pipeline</i> (with Hong and Szilagyi)	1	Szilagyi, Aggie. <i>Interstate Transfer of Colorado Water for the San Marco Coal Slurry Pipeline</i> (with Massey and Hong)	1
Pitts, James T. <i>Considerations Under the Federal Banking and Securities Laws With Respect to Bank Mergers or Takeovers</i> (with Cranmore)	789	Thornton, John H. <i>Death and the Life Insurance Policy: What Hath Modern Medicine Wrought?</i> (with Staff)	285
Pringle, Laura Nan. <i>Multibank Holding Company and Branching Law in Perspective in Oklahoma</i> (Commentary)	863	Trubitt, Hayden J. <i>Patchwork Verdicts, Different Juror Verdicts, and American Jury Theory: Whether Verdicts Are Invalidated by Juror Disagreement on Issues</i>	473
Staff, Marcia J. <i>Death and the Life Insurance Policy: What</i>			

## BOOK REVIEW INDEX

<i>Handbook of Local Government Law</i> , by Osborne M. Reynolds (Mark Stonecipher)	249
--	-----

## TABLE OF CASES

A, <i>In re</i>	934-35	Blodgett v. Holden	107
Adams v. KVWO, Inc.	856	Board of Governors of Fed. Res. Sys. v. First Lincolnwood Corp.	797
Adams Nursing Home v. Mathews	112	Board of Public Instruction v. Finch	721
Adams v. J.I. Case Co.	680	Bob Jones Univ. v. Johnson	717
——— v. State	894, 895	Boddie v. Connecticut	358
AES Technology Systems, Inc. v. Coherent Radiation	672	Bogue v. State	889, 890- 91, 892
Aetna Cas. & Sur. Co. v. Associates Transp., Inc.	947	Bonelli Cattle Co. v. Arizona	238-39
Affiliated Capital Corp. v. City of Houston	839, 847	Bossier Parish School Bd. v. Lemon	720
Albernaz v. United States	879	Bowen v. United States Postal Serv.	750, 758, 770, 775, 780, 781, 786
Allard v. Curran	234	Bowman, <i>In re</i>	287
Allgood v. Allgood	909	Boyle v. Boyle	356
Allied Artists Picture Corp. v. Rhodes	842	Bradford Sec. Processing Serv. v. Plaza Bank & Trust	372-75, 377-81, 383-86
Ambach v. Norwich	324	Brenden v. Independent School Dist. 742	713
American Elec. Power Co. v. Westinghouse Elec. Corp.	679	Brennan v. Emerald Renovators, Inc.	758
Andrews v. State	98	Briarcliff Candy Corp. v. United States	458, 464
Apple Computer, Inc. v. Franklin Computer Corp.	119, 132	Brickley, <i>In re</i>	94
Application for Water Rights of San Marco Pipeline, <i>In re</i>	15	Brotherhood of R.R. Trainmen v. Howard	779
Arizona v. California	34, 38, 39, 59	Brown v. Banking Bd.	217-18
Arkansas Fuel Oil Co. v. McDowell	404	——— v. Board of Educ.	322
Arkansas Midland R.R. v. Canman	523	——— v. Ohio	879
Ashe v. Swenson	483	Buchanan v. NRLB	762
Atari, Inc. v. Amusement World, Inc.	119, 132	Buckley v. Valeo	687-88, 690-91, 694-95
——— v. North Am. Phillips Consumer Electronics	119, 132	Burch v. Louisiana	509
Bailey v. Commissioner	455	Burks v. United States	583
Bain v. Portable Drilling Corp.	159	Burnet v. Wells	110
Baltimore Aircoil Co. v. United States	460	California v. United States	35, 36
Bates v. State Bar of Arizona	841	California Retail Liquor Dealers Ass'n v. Midcal Aluminum, Inc.	832
Baxstrom v. Herold	587	Cannon v. University of Chicago	714
Beall v. Mutual Life Ins. Co.	901	Cantor v. Detroit Edison Co.	829
Beck v. Alabama	884	Capitol Records v. Mercury Record Corp.	342
Bell v. Morrison	280	Carpenter v. Payette Valley Coop., Inc.	853
Benton v. Maryland	875	Cartwright v. Oklahoma Natural Gas Co.	212
Biakanja v. Irving	381-85		
Binder v. United States	271-73		
Blitzer v. United States	453-57, 460		
Blockburger v. United States	878		
Blocker v. United States	571		

Causey v. Ford Motor Co.	781	Douglas v. Southwestern Life	
Cauthen, <i>In re</i>	935	Ins. Co.	290
CBS, Inc. v. Waters	345	Downum v. United States	704
Central Maine Power Co. v.		Doxey-Layton Co. v. Holbrook	860
Public Util. Comm'n	207	Duncan v. Louisiana	505
Chatlos Systems, Inc. v. National		Dunn v. Blumstein	323
Cash Register Corp.	678	—— v. United States	482
Chess Music, Inc. v. Spite	339	Durham v. United States	566
Chicago & Nw. Ry. v. Dunleavy	519	Dysart v. United States	278
Choctaw & Chickasaw Nations v.			
Tibbetts	238-39	Earnest, Inc. v. LeGrand	951
Cichos v. Indiana	884	Eddings v. Oklahoma	633
Cities Serv. Oil Co. v.		Edwards v. Hardwick	160-61
Oklahoma Tax Comm'n	397	EEOC v. Air Line Pilots Ass'n	757
Citizens Against Rent Control v.		El Paso Natural Gas v.	
City of Berkeley	691,	Oklahoma Corp. Comm'n	212
	694-97	Environmental Defense Fund,	
City of Altus v. Carr	42, 44-47,	Inc. v. Andrus	61
	51	Espinoza v. Farah Mfg. Co.	324
City of Lafayette v. Louisiana			
Power & Light Co.	830	Farmer v. ARA Serv., Inc.	777, 780
—— Salina v. Blaksley	94	First Iowa Hydro-Elec. Coop. v.	
Cleveland v. Hightower	404	FPC	37, 39
Clifton v. Koontz	173	First Nat'l Bank v. Bellotti	685, 687,
Clonts v. State	889-92		688-90
Colonial Supply Co. v. Smith	409-10	—— v. Dickerson	870
Colorado Springs Nat'l Bank v.		—— v. Dunlap	919
United States	458, 465	—— v. National Exch. Bank	799
Colorado River Water Cons.		—— v. United States	112
Dist. v. United States	41	Fisher v. Harnden	279
Commissioner v. Lincoln Sav. &		Flowers v. John Burnham & Co.	365
Loan Ass'n	462	Foley v. Connellie	324
Commonwealth v. Murphy	94	Fontainebleau Hotel Corp. v.	
Community Communications Co.		Forty-Five Twenty-Five, Inc.	140
v. Boulder	827-48	Ford v. Harris	234, 236
Cooper v. Cooper	355	Fortugno v. Commissioner	273-74
Cox, <i>In re</i>	364	Fox Pet. Co. v. Booker	169
Craig v. Boren	321	Franke v. Midwestern Okla. Dev.	
Cuff v. Koslosky	918	Auth.	374-75,
Czosek v. O'Mara	749		382
		Francis v. Commissioner	459
Dade Voters for a Free Choice v.		Fred Harvey v. Corporation	
Firestone	693	Comm'n	216
Dallas Cowboys Cheerleaders v.		Fuentes v. Shevin	358
Scoreboard Posters	339	Furman v. Georgia	632
Data Cash Sys., Inc. v. J.S. &			
A. Group, Inc.	119, 126	Garcia v. State	895
Del Costello v. Teamsters	761	Gard v. Kaiser	163
Denver Stock Yard Co. v.		Garlinger v. Garlinger	909
United States	214	Gault, <i>In re</i>	614
DeShazer v. National Biscuit Co.	949	Geer v. Connecticut	43
De Silvo v. Restauire	855	Gibbons v. Ogden	37
Diffenback v. H.H. Mahler Co.	409, 923	Girard Trust Bank v.	
Divans v. California	701	United States	273-73
Doss Oil Royalty Co. v.		Glazer v. Shepard	380
Texas Co.	170		

Goldfarb v. Virginia State Bar	829	Jacobs v. Rosemont Dodge-Winnebago South	672
Goldstein v. California	119, 129	Johnson v. Goodyear Tire & Rubber Co.	754
Grace v. Harris	887	—— v. Louisiana	476, 533, 558
Graham v. Richardson	322	—— v. Ward	221
Graham Oil & Gas Co. v. Oil Well Supply Co.	404	J.A. Jones Constr. Co. v. City of Dover	675
Gray v. United States	503	Jones & McKnight Corp. v. Birdsboro Corp.	680
Gregg v. Georgia	632	Joseph L. Wilmotte & Co. v. Rosenman Bros.	859
Green v. United States	704	JRHOP, Inc. v. Burchardt	161-62
Griswold v. Connecticut	323	Keel v. Titan Constr. Corp.	376-79
Grove City College v. Bell	710-22	Kent v. United States	618
Gulf Oil Corp. v. Gilbert	662	Lange, <i>Ex parte</i>	877
Gulf Power Co. v. Cresse	207	Lau v. Nichols	720
Gulfstream Land & Dev. Corp. v. Commissioner	440	Ledgerwood v. State	901
Haffer v. Temple Univ.	720	Lee v. United States	700
Harper v. Virginia Bd. of Elections	323	Let's Help Florida v. McCrary	691-94
Harris v. Parks	403	Lewis v. Marshall	281
—— v. Schwerman Trucking Co.	761	—— v. Reynolds	277-78
Hawkins v. McGee	515	Lisle v. Anderson	376
Herron v. Choctaw & Chickasaw Nations	233, 237	Lockett v. Ohio	633
Hines v. Anchor Motor Freight, Inc.	760, 764	Long v. Commissioner	441
Hirzel Funeral Homes v. Equitable Trust Co.	851	Lone Star Gas Co. v. Corporation Comm'n	216
Hodgden v. Kliever	229	Lucas v. Hamm	381-86
Holloway v. United States	584	Luckett v. Bethlehem Steel Corp.	871
Howard v. Hughes	160	McClain v. Harper	154
Hudson County Water Co. v. McCarter	41-46	McCullar v. State	891-92
Hughes v. Oklahoma	43, 48	McDonald v. Pless	488
Hunzicker v. Kleedon	234-43	—— v. Santa Fe Trail Transp. Co.	780
Huron Portland Cement Co. v. City of Detroit	45	—— v. United States	573
Hyde v. United States	488	McKenna v. Nichols	171
IBEW v. Foust	769	M'Naghten's Case	562-65
Indo Oil Co. v. Bennett	404	MacPherson v. Buick Motor Co.	380
Insurance Co. of North American v. Forty-Eight Insulations, Inc.	305	McVicker v. Horn, Robinson & Nathan	162
Interstate Life & Acc. Co. v. Waters	290	Madison Gas & Elec. Co. v. Commissioner	457, 460
Interstate Transit Lines v. Commissioner	459	Mapes v. Neustadt	234-35
Irwin v. Phillips	17	Marina Point, Ltd. v. Wolfson	363
Jackson v. Indiana	587	Markovitz v. Commissioner	454
Jackson v. Seaboard Coastal Line R.R.	776	Mar Monte Corp. v. United States	264
Jackson v. Taylor	842, 845	Marr Enterp. v. Lewis Refrigerator Co.	675
		Marshall v. Eastern Air Lines, Inc.	757

Mathews v. Diaz	324	Energy Resources Cons. & Dev. Comm'n	190, 193
Mattox v. United States	488	Pacific Legal Found. v. State Energy Resources Cons. & Dev. Comm'n	182
Mazer v. Stein	119, 134	Pappas v. Commissioner	434
Merritt v. Corporation Comm'n	226	Parker v. Brown	828-35, 844, 846
Meurer v. ITT General Controls	522	——— v. Gladden	510
Meyer, Estate of v. Commis- sioner	436	Parkhill Truck Co. v. Wilson	949
MidContinent Bancshares, Inc. v. Obrien	808	Parrott v. Thatcher	517
Midway Mfg. Co. v. Artic Int'l	119, 131	Pennsylvania Coal Co. v. Mahon	424
——— v. Dirkschneider	119, 124	People v. Drew	584
Mikel v. Kerr	233-41	——— v. McLeod	593
Miller v. Schoene	142	——— v. McQuillan	590
Milliken v. United States	110	——— v. Wolff	564
Milstead v. International Bhd. of Teamsters	767-69	Perry v. Bailey	489
Minniti v. Cascade Employers Ass'n, Inc.	857	Philadelphia v. New Jersey	48
Missouri v. Hunter	875	Phoenix Mut. Life Ins. v. Harden	405
Missouri <i>ex rel.</i> Southwestern Bell Tel. Co. v. Public Serv. Comm'n	204	Plyler v. Doe	321
Mitchell v. Amerada Hess Corp.	165, 169	Presser v. Illinois	87, 94
——— v. Meyer	230	Price, <i>In re</i>	937
Monroe v. Pape	844	Producers Energy Corp. v. Kelley	724
Moore Oil v. Snakard	153-54	Public Serv. Co. of Oklahoma (Okla. Corp. Comm'n order # 206560) (the Black Fox order)	191, 194-204, 210-19, 227
Mullins v. National Gas Co.	297	——— v. State	222-23
Murley v. Norton	240	Pueblo Aircraft Serv., Inc. v. City of Pueblo	837, 847
NCNB Corp. v. United States	459, 461-66	Purvis v. United States	112
Nealy v. State	896, 897	Reed v. Reed	321
Nichols v. Coolidge	110	Reinecke v. Smith	110
Nicholson Corp. v. Ferguson	919	Reynolds v. Sims	323
Nolte v. Smith	407	Richmond Tel. Corp. v. United States	452, 455-58, 464, 466
Northern States Power Co., <i>In re</i>	206	Riffe Pet. Co. v. Great Nat'l Corp.	405
Northwest Airlines, Inc. v. Transport Workers Union	756, 758, 784, 787	Riley v. Ford Motor Co.	671
Nyquist v. Mauclet	322	Roberts v. Roberts	907
Office of Consumers' Counsel v. Public Util. Comm'n (Con- sumers' Counsel I)	207-08, 218-19, 228-29	Robinson v. State	901
——— v. Public Util. Comm'n (Consumers' Counsel II)	228, 229	Roe v. Wade	323
Oklahoma Co. v. O'Neil	739	Ronwin v. State Bar of Arizona	841, 845, 847
Oklahoma Natural Gas Co. v. Corporation Comm'n	203	Roosth & Genecov Prod. Co. v. White	521
Oregon v. Kennedy	697-98, 703-09	Rosenfield, <i>In re</i>	569
Orr v. Orr	908	Rosenman v. United States	271-73
Pacific Gas & Elec. Co. v. State		Russell v. Bill Hodges Truck Co.	946
		Ruzicka v. General Motors Corp.	768

Safraneck v. Town of Limon	23	Ultramares Corp. v. Touche	375,
Sand Springs Home v. Clemens	172		379-80, 382, 385
Sauder v. Mid-Continent Pet. Corp.	174	United States v. Brawner	575
Savings Bank v. Ward	373, 380	----- v. Connecticut Nat'l Bank	797
Sealfon v. United States	483	----- v. Cruikshank	86
Self v. Teamsters Local 61	765	----- v. DiFrancesco	701
Seymour v. Olin Corp.	766	----- v. Dinitz	699
Shanahan v. United States	111	----- v. District Court	34
Shelter Island & Greenport Ferry v. United States	272	----- v. Dube	583
Simons v. McDaniel	157-58,	----- v. Gilliss	584
	163	----- v. Gipson	548, 558
		----- v. Jorn	699
Simpson v. Stanolind Oil & Gas Co.	156	----- v. Manor Care, Inc.	458
Sinclair Oil & Gas Co. v. Corporation Comm'n	218	----- v. Maybury	484
Skelly Oil v. Wickham	159-60	----- v. Miller	88
Smith v. Smith	910	----- v. New Mexico	40
----- v. United States	565	----- v. Pavloski	550
Sours v. State	880	----- v. Spock	504, 556
Southwestern Public Serv. Co. v. State	214-15,	----- v. UCO Oil Co.	535
	217-18	University of Richmond v. Bell	710-22
Sparf v. United States	493	Untermeyer v. Anderson	109
Sporhase v. Nebraska	42, 46,	Updike Adv. System v. State Indus. Comm'n	947
	51, 52-55	Vaca v. Sipes	748, 759, 763
Staples v. Cental Sur. & Ins. Corp.	948	Vaise v. Delaval	486
State v. Arndt	552	Valentine v. City of Tulsa	368
----- v. Bybee	478	Vincent v. Tideway Oil Pro- grams, Inc.	158
----- v. Franco	552	Wade v. United States	577
----- v. Golladay	552	Ward v. United States	117
----- v. Kane	881	Washington v. United States	574
----- v. Kessler	97	Waters v. Wisconsin Steel Works	754
----- v. Rasmussen	553	Weber v. Aetna Cas. & Sur. Co.	321
State <i>ex rel.</i> Comm'rs of Land Office v. Mobley	951	Welch v. Henry	108
State Ins. Fund v. Smith	948	West v. Kansas Natural Gas Co.	44, 45
Statex Pet. v. Petroleum, Inc.	153	Whalen v. United States	878
Stern Electronics, Inc. v. Kaufman	119, 130	White-Smith Music Pub. Co. v. Apollo Co.	119, 123
Stinchcomb v. Dodson	947	Whitten v. Coit	23-24
Stockley v. Cissna	237, 240	Wickham v. Gulf Oil Corp.	398
Stockman v. Leddy	34	Williams v. Marsh	357
Stockton v. State	886	Williams Electronic, Inc. v. Artic Int'l, Inc.	119, 133
Sugarman v. Dougall	322	Wing v. Lederer	853
Tandy Corp. v. Personal Micro Computers, Inc.	119, 125	S.M. Wilson & Co. v. Smith Intern, Inc.	679
Taylor v. B.B. & G. Oil Co.	404-05	Winship, <i>In re</i>	531
Teleco v. Oklahoma Corp. Comm'n	211-13	Winters v. United States	58
Thomas Fruit Co. v. Levergood	374	Wren Mobile Homes, Inc. v. Midland-Guardian Co.	858
Torsney, <i>In re</i>	587	Youngstown Sheet & Tube Co. v. Penn	738
Travelers Ins. Co. v. Leedy	949	York v. Commissioner	452
Trimble v. Gordon	321		



## SUBJECT INDEX

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

<b>ACCOUNTS AND ACCOUNTING</b>		<b>AIR LAW</b>	
Amortization of abandoned electrical generating facility (n)	204-05	Oklahoma Airspace Act, solar energy use and (n)	136
Matching revenues and expenses, policy of (n)	461, 463	<b>ALIENS</b>	
Taxation, losses (a)	253	Illegal aliens entitled to equal protection (n)	324
<b>ADMINISTRATION OF JUSTICE</b>		not suspect class (n)	326
<i>See also</i> Trial Practice		<b>ANTITRUST</b>	
Capital punishment of children (a)	613	Municipalities, antitrust liability of (c)	827
Double jeopardy after a motion for mistrial, when applies (n)	697	Sherman Act and state action doctrine (c)	827
Insanity acquittal, the guilty but mentally ill alternative (a)	590	State action under Sherman Act, history of (c)	828-32
Insanity defense, discussion of (a)	590	<b>ATTORNEYS</b>	
<b>ADMINISTRATIVE AGENCIES</b>		<i>See also</i> Professions and Occupations; Unauthorized Practice of Law	
Oklahoma Corporation Commission cancellation and amortization of the Black Fox Nuclear Project (n)	190-202, 210-19, 226-28	ABA Model Rules of Professional Conduct re: client fraud, critique of, and suggestions for Oklahoma (n)	940
role in encouraging use of renewable resources (n)	136	Client fraud, history of ABA rules on (n)	930
statutory and constitutional powers (n)	210-11	Model Rules of Professional Conduct relating to, final draft of (n)	937
Scope of judicial review (of Oklahoma Supreme Court over Oklahoma Corporation Commission) (n)	211-13	Fraud, O.P.M. Leasing Service scandal (n)	925
<b>ADMINISTRATIVE LAW</b>		Lien for services (n)	411
Construction license process, Nuclear Regulatory Commission (n)	184	Model Rules of Professional Conduct comparison with ABA Code of Professional Responsibility (a)	311
Nuclear construction license, data required (n)	185	conduct relating to client fraud, 1983 adopted version (n)	939
Procedure, agency approval of nuclear construction license, data required (n)	185	historical evolution (a)	311
Procedure, agency approval of nuclear construction (Wisconsin rule) (n)	189	Professional negligence, liability to third parties (n)	372
		Robert J. Kutak, A Brief Appreciation (a)	311

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

**BANKS AND BANKING**

Bank Holding Company Act (a)	789
Bank Merger Act (a)	789
Branch banking, regulation of (c)	863
Change in Bank Control Act (a)	789
Glass-Steagall Act (a)	789
Interstate mergers and acquisitions (a)	789
Mergers (a)	789
National Bank Act (a)	789
Takeovers (a)	789

**BANKRUPTUCY**

<i>See also</i> Debtor and Creditor Relations	
Mechanics' and materialmen's liens, perfection of (n)	722

**CAMPAIGNS**

Ballot measure contribution limitations, constitutionality of (n)	683
---	-----

**CHILDREN**

<i>See also</i> Parent and Child	
Capital punishment of recent developments (a)	631
statistics and tables (a)	620-29
Criminal law, prosecution as an adult (a)	617
Death penalty for (a)	613
Discrimination in apartment housing (n)	361
Illegal alien children, not suspect class (n)	326
Illegal aliens, special class (n)	328

**COMMERCIAL TRANSACTIONS**

<i>See also</i> Debtor and Creditor Relations; Sales; Secured Transactions	
Damages, consequential, exclusions of (n)	677
Oil and gas well lien availability to professionals (n)	401
Remedies, limited to repair or replacement under UCC (n)	669
Warranty, disclaimers of under UCC (n)	676

**CONSTITUTIONAL LAW**

Ballot measure contribution limitations in Oklahoma and the first amendment (n)	683
Capital punishment of children (a)	613, 631
Constitutionality of antiexport statutes under commerce clause (a)	41
of Colorado's antiexport statutes (a)	52
Copyright commercial use of sound recordings amendment (n)	337
protection of "writings and discoveries" (n)	337
Double jeopardy clause permissibility of multiple punishments for one criminal offense (n)	875
purpose of (n)	704
reprosecution after a motion for mistrial (n)	697
Due process, domestic abuse acts (n)	356
Education not fundamental right (n)	327
sex-based discrimination, court interpretations of Title IX (n)	710
Equal protection illegal aliens (n)	324
intermediate scrutiny (n)	321
problem with Oklahoma's live-in lover statute (n)	906
First amendment, Oklahoma Campaign Contributions and Expenditures Act (n)	683
Jury trial, right to (a)	505
Militia (c)	89
National Guard (c)	90
Rational relationship scrutiny (n)	321
Retroactive taxation (c)	107
Right to bear arms (c) history of (c)	65
Sex-based discrimination in education, court interpretation of Title IX (n)	710
State constitution provisions on right to bear arms (c)	102

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

Strict scrutiny, fundamental right (n)	323	<b>COVENANTS</b>	
Suspect cases (n)	321	<i>See also</i> Oil and Gas; Warranty	
illegal aliens excluded (n)	326	Duty to develop (n)	165
Verdicts, patchwork, constitutionality of (a)	556	Duty to explore (n)	165
<b>CONTEMPT</b>		Further exploration, implied covenant of (n)	165
<i>See also</i> Courts		Implied covenant to further develop (n)	165
Enforcement of Domestic Abuse Act (n)	353	Implied covenant to further explore (n)	165
<b>CONTRACTS</b>		Profitability of drilling as related to implied covenant of further exploration (n)	168
<i>See also</i> Damages; Insurance; Remedies		Proved formations, duties of lessee (n)	168
Principal and agent, implied ratification of unauthorized acts of agent (c)	849	Prudent operator rule (n)	167
Sales, limitations of remedies under UCC (n)	669	Unproved formations, implied covenant for further exploration (n)	167
<b>CONTRIBUTION AND INDEMNITY</b>		<b>CRIMINAL LAW</b>	
Union and employer, allocation of employee back-pay liability (a)	774-87	<i>See also</i> Trial Practice	
<b>COPYRIGHT</b>		Capital punishment of children (a)	613
Commercial use of sound recordings amendment (n)	337	statistics and tables (a)	620-29
Comparison of U.S. copyright laws with English law (n)	337	Children, prosecution of as an adult (a)	617
Computer programs, protection under the copyright laws (n)	119	Death penalty for children (a)	613
Computer software (Read Only Memories), protection under the copyright laws (n)	119	Double jeopardy bar after a motion for mistrial (n)	697
Protection of authors' and musicians' rights in recorded music; "performers" and "work made for hire" defined (n)	337	Double jeopardy clause permissibility of multiple punishments for one criminal offense (n)	875
Video games, protection under the copyright laws (n)	119	purpose of (n)	704
<b>COSTS</b>		Guilty but mentally ill alternative to insanity acquittal (a)	590
Domestic abuse victim may delay court costs (n)	351	Insanity defense	
<b>COURTS</b>		and the <i>Hinckley</i> trial (a)	599
Title IX, interpretation of in federal courts (n)	710	discussion of (a)	561
		public response to (a)	585
		Jurors, response in insanity trials (a)	583
		Jury nullification (a)	490
		Oklahoma's motion for a new trial in criminal cases (n)	888
		Oklahoma Protection from Domestic Abuse Act (n)	353
		Verdicts, juror disagreement on issues (a)	473
		patchwork, validity of in criminal cases (a)	530

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

<b>CRIMINAL PROCEDURE</b>		<b>EMPLOYER AND EMPLOYEE</b>	
Oklahoma's motion for new trial in criminal cases (n)	888	Damages, allocation of employee back-pay liability between employer and union (a)	745
<b>DAMAGES</b>		Liability for back pay, allocation between employer and labor union (a)	745
<i>See also</i> Attorneys; Labor Law; Oil and Gas; Sales Apportionment of back-pay liability between union and employer (a)	758-87	Unions, liability of, for employee back pay (a)	746-58
Attorney's professional negligence, liability to third parties (n)	372	<b>ENERGY</b>	
Consequential, exclusions of under UCC sales contracts (n)	677	Cancellation of the Black Fox Nuclear Power Project (n)	190-219
Surface damages, treble, for failure to comply with 52 Okla. Stat. § 318.8 (Supp. 1982) (n)	419, 427	Coal slurry pipeline (a)	1
Treble, for failure to comply with 52 Okla. Stat. §§ 318.2-.9 (Supp. 1982) (n)	396	Nuclear	
<b>DEBTOR AND CREDITOR RELATIONS</b>		construction costs, capital outlays (n)	180
<i>See also</i> Bankruptcy; Commercial Transactions; Secured Transactions		construction costs, reduction (n)	186
Liens, mechanics' and materialmen's, perfection of (n)	722	construction and operating licenses, revocation (n)	183
Oil and gas well lien, availability to professionals (n)	401	license, reducing costs (n)	187
<b>DIVORCE</b>		Licensing process, NRC (n)	184
<i>See also</i> Husband and Wife; Marriage		NRC licensing, data required (n)	185
Oklahoma's live-in lover statute (n)	906	public financing, abandoned plants (n)	178
<b>DOMESTIC RELATIONS</b>		regulation, dual (n)	181
<i>See also</i> Divorce; Husband and Wife; Marriage		securities, state certification of security issues (n)	188
Alimony, cohabitation as basis for terminating (n)	906	<b>ENVIRONMENTAL LAW</b>	
Oklahoma's live-in lover statute (n)	906	Coal slurry pipeline (a)	1
Oklahoma Protection from Domestic Abuse Act (n)	349	Energy sources, solar (n)	136
<b>EASEMENTS</b>		<b>ETHICS, LEGAL AND PROFESSIONAL</b>	
Dominant and servient tenants (n)	415	ABA Model Rules of Professional Conduct re: client fraud, critique of and suggestions for Oklahoma (n)	940
		Client fraud, Model Rules of Professional Conduct relating to (n)	937
		Fraud of client, history of ABA rules on (n)	930
		Model Rules of Professional Conduct	
		comparison with ABA Code of Professional Responsibility (a)	311
		historical evolution (a)	311

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

relating to client fraud, 1983 adopted version (n)	939	INJUNCTIONS	
O.P.M. Leasing Service fraud scandal (n)	925	Preventing domestic violence (n)	353
Robert J. Kutak, A Brief Appreciation (a)	311	INSURANCE	
<b>FRAUD</b>		Accidental death benefit clauses	
ABA Model Rules re: client fraud, critique of, and suggestions for Oklahoma (n)	940	effect of artificially supporting life upon (a)	285
Attorneys and clients		importance of determination of death (a)	285
history of ABA rules on client fraud (n)	930	Cryogenics, possible effects on life insurance policies (a)	298
Model Rules of Professional Conduct relating to client, fraud, final draft of (n)	937	Definition, death in relation to life insurance policies (a)	285
Model Rules of Conduct relating to client fraud, 1983 adopted version (n)	937	Natural death acts, their effects on life insurance coverage (a)	291
O.P.M. Leasing Service scandal (n)	925	Right to die, effect on insurance coverage (a)	291
<b>GOVERNMENT</b>		Subrogation, insurance carrier's right to subrogation independent of workers' compensation statute (n)	946
<i>See also</i> Administrative Law; Municipal Corporations		Workers' compensation, insurance carrier's right to subrogation independent of (n)	946
Antitrust liability of state and political subdivisions (c)	827	<b>JUDICIAL REVIEW</b>	
Energy sources, role in developing alternative solar (n)	136	Intermediate scrutiny (n)	321
<b>HUSBAND AND WIFE</b>		Rational relationship scrutiny (n)	321
<i>See also</i> Divorce; Marriage		Strict scrutiny	
Oklahoma's live-in lover statue (n)	906	fundamental right (n)	323
Oklahoma Protection from Domestic Abuse Act (n)	349	suspect class (n)	321
Right of insured's spouse to direct that life-prolonging treatment be withheld or withdrawn (a)	293	<b>JURIES AND JURORS</b>	
<b>INCOME TAX</b>		<i>See also</i> Trial Practice	
<i>See</i> Taxation		Interrogatories, special (a)	496
Credit, net operating loss (a)	253	Nullification, jury justice (a)	490
Deductions, net operating loss for individual and corporation (a)	253	Theory of the American jury (a)	474
Filing periods, net operating loss (a)	253	Verdicts	
Limitation of actions, net operating loss (a)	253	disagreement on issues (a)	473
Refund, net operating loss (a)	253	impeachment of (a)	485
		juror individualism (a)	476
		patchwork, validity in civil cases (a)	511
		patchwork, validity in criminal cases (a)	530
		special (a)	496

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

<b>JURISDICTION</b>		—— § 53001, 53000-53113	
Peace officers, enforcing protective orders under Oklahoma Protection from Domestic Abuse Act (n)	355	(1981) (n)	143, 146
<b>LABOR LAW</b>		Cal. Pub. Res. Code § 25524.1-.3 (n)	182
<b>Unions</b>		Cal. Rev. & Tax. Code § 23601.5 (1980) (n)	142
apportionment of back-pay liability with employer in actions based on antidiscrimination laws (a)	774	Colorado Ground Water Act of 1957 (a)	23
apportionment of back-pay liability with employer in actions based on Labor Act (a)	758-74	Colo. Rev. Stat. § 12-36-136 (Supp. 1981) (a)	288
liability for employee back pay (a)	746-58	—— § 37-81-101 (Cum. Supp. 1982) (a)	30
liability to employee for employer breach of collective bargaining agreement (a)	747	—— § 37-90-101 to -141 (1973 & Cum. Supp. 1982) (a)	24
liability to employee for violations based on federal antidiscrimination laws (a)	751	—— § 37-92-101 to -602 (1973 & Cum. Supp. 1982) (a)	24
<b>LANDLORD AND TENANT</b>		—— §§ 37-92-103 (11), -301, -302 (1973 & Cum. Supp. 1982) (a)	23
Children, discrimination against (n)	361	—— §§ 38-32.5-100.3, -101, -102, -103, (Supp. 1981) (n)	145
<b>LEASES</b>		—— §§ 38-32.5-101, -102 (Supp. 1981) (n)	144
See Landlord and Tenant;		Commercial Use of Sound Recordings Amendment (n)	337
Oil and Gas		Copyright Act of 1976 (n)	337
Discrimination against children (n)	361	Desert Land Act of 1877 (a)	34
<b>LEGISLATION</b>		Federal Bank Holding Company Act of 1956 (c)	864
Ala. Code § 22-8A-9(a) (Supp. 1982) (a)	296	Federal Land Policy and Management Act of 1976 (a)	57
Ariz. Rev. Stat. Ann. § 33-439 (1981) (n)	144	Federal Water Pollution Control Act (a)	11
—— § 34-452 (1981) (n)	144	Flood Control Act of 1944 (a)	61
—— §§ 41-572, -573, -574 (1981) (n)	143, 144	H.R. 1374, 97th Cong., 1st Sess. (1981) (a)	57
Ark. Stat. Ann. §§ 82-3801 to -3804 (Supp. 1981) (a)	294	H.R. 4370, 96th Cong., 1st Sess. (1979) (a)	57
Boulder Canyon Project Act of 1928 (a)	38	Idaho Code § 18-207 (1982) (a)	605
Cal. Health & Safety Code § 7187(c) (West Supp. 1982) (a)	294	—— § 39-4504 (Supp. 1982) (a)	292
—— § 7188 (West Supp. 1982) (a)	292	—— § 54-1819 (Supp. 1982) (a)	288
—— § 7191(b) (West Supp. 1982) (a)	293	Internal Revenue Code	
		See 26 U.S.C.	
		I.R.C. §§ 44C(a)(2), (b)(2) (1982) (n)	146
		—— § 172 (a)	253, 258
		—— § 172(b)(A) (1954) (a)	253
		—— § 172(b)(1)(B) (a)	260
		—— § 173(c) (1954) (a)	253
		—— § 1212 (1969) (a)	255
		—— § 6001 (a)	253

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

_____ § 6401 (c) (a)	253	_____ § 134 (1981) (c)	654, 659
_____ § 6511(a) (a)	253, 255	_____ § 137 (1981) (c)	653, 659
_____ § 6511(b)(2) (a)	253	_____ § 139 (1981) (c)	647-48, 658
_____ § 6511(b)(2)(A) (1954)		_____ § 140 (1981) (c)	660
(a)	257	_____ § 143 (1981) (c)	647-48, 651, 664
_____ §§ 6511(b)(2)(A), (B) (a)	253	_____ § 187(c) (1981) (c)	654, 659
_____ § 6511(b)(2)(B) (1954) (a)	257	_____ § 265 (1981) (c)	660
_____ § 6511(d)(2)(A) (a)	253, 261	_____ § 1289(A) (1981) (n)	913
_____ § 6511(d)(2)(B)(i) (a)	253, 264	_____ § 1289(B) (1981) (n)	908
Kan. Stat. Ann. § 77-202 (Supp. 1979) (a)	288	_____ § 1289(D) (1981) (n)	906
McFadden Act (c)	865	17 Okla. Stat. §§ 151-61 (1981) (n)	210, 220
Md. Pub. Health Code Ann. §§ 5-201 to -203 (1982) (a)	288	18 Okla. Stat. § 471 (1981) (c)	655
Mining Act of 1866 (a)	34	20 Okla. Stat. § 95.4 (1981) (c)	663
Mo. Rev. Stat. § 559.225 (1979) (n)	880	21 Okla. Stat. § 11 (1981) (n)	887
Model Penal Code § 4.01 (a)	577	_____ § 1287 (Supp. 1982) (n)	885-86
National Environmental Policy Act (a)	11	22 Okla. Stat. §§ 60-60.6 (Supp. 1982) (n)	349
Natural death acts, summary of state statutes (a)	308	_____ § 953 (1981) (n)	889, 890
N.C. Gen. Stat. § 90-321(d) (Supp. 1981) (a)	292	25 Okla. Stat. §§ 1401-1402 (1981) (n)	368
N.M. Stat. Ann. § 12-2-4 (1980) (a)	288	26 Okla. Stat. §§ 15-101 to -112 (1981) (n)	683-97
_____ §§ 47-3-1 to -3-5 (1981) (n)	143	42 Okla. Stat. § 141 (1981) (n)	724
Okla. Const. art. II, § 21 (n)	886	_____ § 142.1 (1981) (n)	722, 725, 729
_____ art. IX §§ 20, 25, 35 (n)	210-11, 226	_____ § 142.2 (1981) (n)	722, 725
Okla. Ct. Cr. App. R. 2.1-2.5, 22 Okla. Stat. ch. 18 app. (1981) (n)	892	_____ § 142.5 (1981) (n)	729
_____ 3.1(A), 22 Okla. Stat. ch. 18 app. (1981) (n)	889-92	52 Okla. Stat. § 318.1 (Supp. 1982) (n)	426
_____ 3.1-3.17, 22 Okla. Stat. ch. 18 app. (1981) (n)	892	_____ §§ 318.2-318.9 (Supp. 1982) (n)	386, 414
1910 Okla. Rev. Laws § 6628 (n)	416	_____ § 318.2 (Supp. 1982) (n)	418
6 Okla. Stat. § 415(A)(3) (1981) (c)	866	_____ § 318.3 (Supp. 1982) (n)	418, 426
_____ § 415(A)(5) (1981) (c)	866	_____ § 318.4 (Supp. 1982) (n)	429
11 Okla. Stat. § 43-101 (1981) (n)	149	_____ § 318.5 (Supp. 1982) (n)	430
_____ § 43-103 (1981) (n)	149	_____ § 318.6 (Supp. 1982) (n)	430
_____ § 43-105 (1981) (n)	149	_____ § 318.8 (Supp. 1982) (n)	427
_____ § 44-107 (1981) (n)	149	60 Okla. Stat. § 8 (1981) (n)	147
12 Okla. Stat. § 131 (1981) (c)	648	_____ § 51 (1981) (n)	416
_____ § 133 (1981) (c)	651, 656	_____ § 60 (1981) (n)	147
		_____ § 801 (1981) (n)	148
		_____ § 801-27 (1981) (n)	148
		_____ §§ 803, 804 (1981) (n)	148
		63 Okla. Stat. § 1-301(g) (1981) (a)	288

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

68 Okla. Stat. § 2357.2		11 U.S.C. § 362(b)(3)	
(1981) (n)	146	(Supp. III 1979) (n)	728
75 Okla. Stat. § 144 (1981) (n)	401	—— § 544 (Supp. III	
—— §§ 301, 304(a), 322		1979) (n)	728
(1981) (n)	217	—— 15 U.S.C. § 1 (1982)	
82 Okla. Stat. § 105.2		(c)	827
(1981) (n)	147	17 U.S.C. §§ 101-810	
—— § 105.5 (1981) (n)	148	(1976) (n)	119
—— § 105.2(A), (B)		20 U.S.C. §§ 1681-1686	
(1978) (n)	242	(1976) (n)	710-22
85 Okla. Stat. § 44 (1981) (n)	946	26 U.S.C. § 56 (1976) (c)	107
Or. Rev. Stat. § 97.055		—— § 57(11) (1976) (c)	107
(1979) (a)	292	26 U.S.C. § 162 (1982) (n)	449
—— § 146.001 (Supp.		—— § 195 (1982) (n)	449
1978) (a)	288	—— § 212 (1982) (n)	454
—— § 757.355 (1979) (n)	221, 229	—— § 248 (1982) (n)	450
31 Pa. Code § 89.43 (1981) (a)	290	—— § 262 (1982) (n)	452
—— § 89.61(h) (1981) (a)	290	—— § 263 (1982) (n)	460
—— § 89.80(e) (1981) (a)	290	—— § 709 (1982) (n)	450
—— § 89.97(d) (1981) (a)	290	—— § 1031 (1982) (n)	432
—— § 133.12 (1981) (a)	290	29 U.S.C. § 185(a) (1982) (a)	745
Powerplant and Industrial Fuel		—— §§ 201-209 (1982) (a)	755
Use Act (n)	198	—— § 206(d) (1982) (a)	754
Pub. L. No. 95-628, § 8a,		—— §§ 621-634 (1982) (a)	755
92 Stat. 3627, 3630 (1978) (a)	261	42 U.S.C. § 1981 (1982) (a)	753
Reclamation Act of 1902 (a)	35	—— §§ 2000e-17 (1982) (a)	751
Revenue Act of 1918, Pub. L.		—— §§ 2011-2284 (1980) (n)	181, 185
No. 65-254, § 204, 40 Stat.		U.S. Const. amend. V (n)	875
1057 (1919) (a)	253	—— amend. VIII (a)	631
Rev. Rul. 281, 1965-2 C.B.		—— art. I, § 10 (n)	419
444 (a)	262	Vt. Stat. Ann. § 5218 (Supp.	
Solar energy, encouraging the		1982) (a)	288
use of through legislation (n)	136	Wis. Stat. Ann § 146.71 (West	
Statutory definitions of death:		Supp. 1982) (a)	288
summary of state statutes (a)	306		
Tenn. Code Ann. § 53-459		LICENSES	
(Supp. 1982) (a)	288	Revocation, construction and	
Tex. Educ. Code Ann. §		operating (n)	183
21.031 (Vernon 1972) (n)	321		
Tex. Rev. Civ. Stat. Ann. art.		LIENS	
4590h § 3 (Vernon 1982) (a)	292	<i>See also</i> Secured Transactions	
—— art. 4590h, § 7(c)		Dry hole, attachment of UCC	
(Vernon 1982) (a)	293	art. 9 security interest (n)	922
Uniform Brain Death Act § 1		Materialmen's and mechanics',	
(1978) (a)	288	recent developments in Okla-	
U.C.C. § 2-106 (n)	682	homa law (n)	722
—— § 2-316 (n)	669, 676	Materialmen's, prior notice to	
—— § 2-715 (n)	678	owner (n)	725
—— § 2-719 (n)	669-82	Mechanics', on leased or	
Uniform Determination of		rented equipment (n)	724
Death Act (1980) (Com-		Oil and gas lease, UCC art. 9	
missioner's Prefatory		security interest (n)	922
Notes) (a)	288	Oil and gas well lien, avail-	
—— § 1 (1980) (a)	288	ability to professionals (n)	401



(a) refers to articles; (c) refers to commentaries; (n) refers to notes

Oil and gas wells, definition of "services" (n)	922	Conflicts created by the well completion clause (n)	157
Oklahoma oil and gas well lien statute, applied to dry holes (n)	922	Covenants, implied (n)	387
Operators, oil and gas lease (n)	917	Definition of a completed well for purposes of the well-completion clause (n)	160
<b>LIMITATION OF ACTIONS</b>		Duty to develop (n)	165
Corporate taxation, net operating losses (a)	253	Duty to explore (n)	165
Individual taxation, net operating losses (a)	253	Estates, dominant and servient (n)	387
Internal Revenue Code, limitation on taxpayer claims for refunds and net operating loss carrybacks (a)	253	Further exploration, implied covenant for (n)	165
<b>MARRIAGE</b>		IDCs, retroactive taxation, constitutionality of (c)	107
<i>See also</i> Divorce; Husband and Wife		Implied covenants in leases (n)	421
Oklahoma's live-in lover statute (n)	906	Implied covenant to further develop (n)	165
Oklahoma Protection from Domestic Abuse Act (n)	349	Implied covenant to further explore (n)	165
<b>MASTER AND SERVANT</b>		Leases	
Implied ratification, binding principal for unauthorized acts of agent (c)	847	applicability of UCC art. 9 (n)	919
<b>MUNICIPAL CORPORATIONS</b>		as personalty (n)	919
Antitrust liability of (c)	827	as real property (n)	919
Federalism, treatment of cities as states for purposes of (c)	834-36	Oklahoma Supreme Court reference to chattel real (n)	918
<b>NATURAL RESOURCES</b>		operator's security interest in Model Form Operating Agreement (n)	920
Coal slurry pipeline (a)	1	Legal relationship between mineral and surface owners (n)	418
<b>NEGLIGENCE</b>		Liens	
<i>See also</i> Torts		definition of "services" in connection with oil and gas wells (n)	922
Attorneys', professional liability to third parties (n)	372	operator's UCC art. 9 security interest (n)	922
<b>OFFICERS</b>		Managerial function, burden on operator (n)	923
Power to act to prevent domestic violence (n)	355	Mineral owner	
<b>OIL AND GAS</b>		common law rights of (n)	414
<i>See also</i> Covenants; Leases		extent of right to surface use (n)	416
Dry hole, applicability of U.C.C. art. 9 security interest (n)	922	Model Form Operating Agreement applicability of UCC art. 9 (n)	920
Commencement of drilling operations, three prerequisites to (n)	419	applied to dry hole (n)	922
		defaulting nonoperator's liability (n)	924
		financing statement (n)	921
		Oil and Gas Surface Damages Act (n)	414

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

constitutionality of (n)	419, 422, 424, 426	contractual provisions, effect of (n)	420, 427
“operator” defined (n)	426	deposit of bond for (n)	394, 395
procedural provisions (n)	426	exceptions to appraisal (n)	392
purpose of (n)	423	negotiations for (n)	391
retroactivity of (n)	420, 426	petitioning for appraisal of damages (n)	429
“surface owner” defined (n)	426	predrilling negotiation of surface damages, re- quirements of (n)	418
Oil and gas well lien, avail- ability to professionals (n)	401	remedy (n)	419
Oil and gas well lien statute in Oklahoma, applied to dry holes (n)	922	retrospective application of Act (n)	397, 398
Operating agreements		treble damages (n)	396
applicability of UCC art. 9 (n)	917-18	Surface use	
contributions from nonde- faulting operators (n)	730	contractual provisions, effect of (n)	420
discussion of A.A.P.L. Model Form 610 (n)	730	entry (n)	393, 394
Operator’s functions in lease, assumption of primary liability (n)	923	entry by oil and gas operator (n)	418
Operator’s liability in lease, liability for contracts with third parties (n)	923	damages (n)	386
Operator, liens (n)	917	implied right of (n)	422
Operator’s right to reimburse- ment contracts with third parties (n)	923	implied right of, at common law (n)	420, 421
predrilling services (n)	924	liability for unreasonable and unnecessary use (n)	417
under Model Form Operat- ing Agreement (n)	924	notice of entry (n)	395, 396
Police power, state’s right of (n)	422, 425	notification by operator of intent to drill before entering, requirement of (n)	418
Preservation of leaseholds following well failure (n)	151	“reasonably necessary use” (n)	417
Profitability of drilling as related to implied covenant of further exploration (n)	168	right of (n)	417
Proved formations, duties of lessee (n)	168	statutes governing (n)	386
Prudent operator rule (n)	167	surface damage act (n)	386
“Saving” clauses contained in oil and gas leases (n)	152	Unproved formation, implied covenant for further explora- tion (n)	167
Surface damage		PARENT AND CHILD	
appraisal of (n)	391	See also Children	
appraisement (n)	430	Illegal aliens, classification of child (n)	328
bonding for (n)	390	PHYSICIANS AND SURGEONS	
bond to secure payment of, requirement of (n)	418, 426-27	See also Professions and Occupations	
changes in common law (n)	419	Determination of death, for life insurance policies (a)	285
common law (n)	416-17	Natural death acts, responsi- bility under (a)	291

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

<b>PRACTICE AND PROCEDURE</b>		<b>QUIETING TITLE</b>	
Oklahoma's motion for new trial in criminal cases (n)	888	<i>See also</i> Real Property	
Venue, local action rule (c)	648	Riparian land titles (n)	229
Venue, Oklahoma civil actions (c)	643	<b>REAL PROPERTY</b>	
<b>PROCEDURE</b>		<i>See also</i> Covenants; Easements; Landlord and Tenant; Licenses; Liens; Quieting Title	
Obtaining protective order to prevent domestic violence (n)	351	Accretion (n)	229
<b>PROFESSIONS AND OCCUPATIONS</b>		Avulsion (n)	229
<i>See also</i> Attorneys		Oil and gas lease	
Attorney negligence, liability to third parties (n)	372	Oklahoma Supreme Court reference to real chattel (n)	918
Model Rules of Professional Conduct, comparison with ABA Code of Professional Responsibility (a)	311	Oklahoma Supreme Court categorization as real property (n)	919
historical evolution (a)	311	Reappearing riparian lands doctrine (n)	229
Robert J. Kutak: A Brief Appreciation (a)	311	Reemergence doctrine (n)	239
<b>PUBLIC UTILITIES</b>		Riparian land titles (n)	229
<i>See also</i> Municipal Corporations		Solar access right	
Agency approval, construction of nuclear power plant (n)	189	common law (n)	136
Cancellation of electrical generation facilities, Oklahoma's Black Fox nuclear project (n)	190-219	legislation granting (n)	136
Capital expenditure, state certification of security (n)	188	Submerged lands, doctrine of (n)	235
Construction costs		<b>RECENT DEVELOPMENTS</b>	245, 467
capital costs (n)	180	<b>REMEDIES</b>	
Licensing process, construction of nuclear power plant (n)	184	<i>See also</i> Injunctions	
Licensing, reduction of costs (n)	187	Contract breach under the UCC, remedies limited to repair or replacement (n)	669
Necessity for statutory reform (n)	219-26	Injunctions to prevent domestic violence (n)	353
Public financing, abandoned and canceled plants (n)	178	Oil and gas, Model Form Operating Agreement, remedies provided under (n)	733
protecting ratepayers through reduction of (n)	186	<b>SALES</b>	
plants (n)	178	<i>See also</i> Commercial Transactions; Secured Transactions	
Ratemaking (n)	202-04	Remedies, limited to repair or replacement under the UCC (n)	669
Ratepayer, burden of construction costs on (n)	177	<b>SECURED TRANSACTIONS</b>	
Regulations, state and federal (n)	181	Collateral in oil and gas lease, UCC art. 9 security interest (n)	921
Revocation of license, construction and operating (n)	183		

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

Debtor, interest in collateral in an oil and gas lease (n)	920	Title VII of the Civil Rights Act, employer violations of, liability of unions (a)	751, 774
Dry hole, applicability of UCC art. 9 security interest (n)	922	Title IX interpretation of (n)	710
Model Form Operating Agreement		legislative history (n)	713
applied to dry hole (n)	922		
financing statement (n)	921	SUBROGATION	
Oil and gas, definition of "services" (n)	922	<i>See also</i> Workers' Compensation	
Oil and gas lease, applicability of UCC art. 9 (n)	919	Workers' compensation, insurance carrier's right to subrogation independent of the workers' compensation statute (n)	946
Value, as applied to Model Form Operating Agreement in an oil and gas lease (n)	920		
		TAXATION	
SECURITIES		Amount recoverable, limitations under I.R.C. § 6511(d)(2)(A) (a)	275
Bank mergers and acquisitions (a)	789	Capital expenditures, deductible expenses distinguished (n)	460
Exchange Act (a)	789	Carryback adjustments for net operating losses (NOL) under I.R.C. § 6511 (d)(2) (A) (a)	275
		Energy development, solar energy, tax incentives for use of (n)	136
STATUTORY CONSTRUCTION		Investigatory expenses, deductibility of (n)	449
<i>See also</i> Legislation		Like-kind exchanges of partnership interests (n)	432
Campaign Contribution and Expenditures Act (Oklahoma), Attorney General opinions (n)	684, 696	availability of I.R.C. § 1031 for exchanges of partnership interests (n)	433
constitutionality of (n)	683	effect of liabilities relieved (n)	443
Double jeopardy clause, James Madison's proposal to the First Congress (n)	876	effect of nonqualifying property (n)	439
Internal Revenue Code, construction of statutes of limitation on net operating loss carrybacks (a)	278	nature of partnership interest exchanged (n)	436
Labor Management Relations Act, § 301 and allocation of back-pay liability (a)	745	Net operating losses (NOL) and I.R.C. statutes of limitation (a)	253
Oil and gas well lien, availability to professionals (n)	401	statute of limitations (a)	253
Oklahoma's constitutional provision analogous to the fifth amendment double jeopardy clause (n)	886	Retroactive taxation, constitutionality of (c)	107
Oklahoma Protection from Domestic Abuse Act (n)	349	Start-up costs, deductibility of (n)	449
12 Okla. Stat. § 1289(D) (1981) (n)	906	Trade or business expenses, deductibility of (n)	449
22 Okla. Stat. §§ 60-60.6 (Supp. 1982) (n)	349	Voluntary payments (a)	271
Sherman Antitrust Act, state action doctrine (c)	827		

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

#### TORTS

- See also* Negligence  
 Attorney's professional negligence, liability to third parties (n) 372  
 Principal and agent, implied ratification of unauthorized acts of agent (c) 849  
 Subrogation, insurance  
 carrier's right to subrogation independent of the workers' compensation statute (n) 946  
 Wrongful death, insurance  
 carrier's right to subrogation for death benefits paid under the workers' compensation statute (n) 950

#### TRIAL PRACTICE

- See also* Courts; Juries and Jurors; Practice and Procedure; Venue; Verdicts  
 Capital punishment of children, recent developments (a) 631  
 Defense of insanity, discussion of (a) 561  
 Juror response in insanity trials (a) 583  
 Jury, American theory of (a) 474  
 Jury trial, right to (a) 505  
 Insanity acquittal, the guilty but mentally ill alternative (a) 590  
 Motion for mistrial, application of double jeopardy (n) 697  
 Oklahoma's motion for new trial in criminal cases (n) 888  
 Verdicts, juror disagreement on issues (a) 473

#### UNAUTHORIZED PRACTICE OF LAW

- See also* Attorneys; Professions and Occupations  
 Model Rules of Professional Conduct  
 comparison with ABA Code of Professional Responsibility (a) 311  
 historical evolution (a) 311  
 Robert J. Kutak: A Brief Appreciation (a) 311

#### VENUE

- See also* Trial Practice  
 Change of (c) 660  
 Civil actions, in Oklahoma (c) 643  
 Local action rule (c) 648  
 Multiple claims and defendants (c) 657  
 Oklahoma, in civil actions (c) 643  
 Transitory actions (c) 651

#### VERDICTS

- See also* Criminal Law; Trial Practice  
 Compromise and quotient (a) 478  
 Impeachment of (a) 485  
 Insanity acquittal, the guilty but mentally ill alternative (a) 590  
 Jurors  
 disagreement on issues (a) 473  
 individualism of (a) 476  
 Patchwork  
 constitutionality of (a) 556  
 validity of in civil cases (a) 511  
 validity of in criminal cases (a) 530  
 Problem of inconsistent verdicts in criminal cases (n) 885  
 Special (a) 502

#### WARRANTY

- See also* Covenants; Sales; Torts  
 Disclaimers of, effect of limitation of remedies on (n) 676

#### WATER

- Alternatives to appropriating water under state restrictions (a) 56  
 Credit of slurry water to interstate compacts (a) 60  
 Federal eminent domain powers for slurry pipelines (a) 56  
 Federal reserved water rights (a) 58  
 Oklahoma Water Resources Board, encouraging use of solar energy through Solar Energy Board similar to (n) 136  
 Use of federal storage water (a) 61

(a) refers to articles; (c) refers to commentaries; (n) refers to notes

**WORKERS' COMPENSATION**

Subrogation, insurance carrier's right to subrogation independent of the workers' compensation statute (n) 946

If you practice criminal law, you need . . .

## The CRIMINAL LAW REPORTER

**BNA's all-in-one-place, authoritative information service that**

- *alerts you to all major changes in criminal law*
- *cuts down on your reading load*
- *saves you time for the actual practice of law*

BNA's CRIMINAL LAW REPORTER covers everything in the fast-changing criminal law field from interpretation and application of existing criminal law as reflected in the opinions and proceedings of courts at every level . . . to formulation of new legislation . . . to unconventional (and controversial) proposals for approaches to crime and the criminal.

Here's what you'll receive every week with The CRIMINAL LAW REPORTER:

- a crisply written review and analysis of the latest criminal law developments
- Supreme Court proceedings, arguments, actions, and filings
- decisions and proceedings of federal courts of appeals, and district courts — as well as the principal courts of all the states
- a roundup of notable actions in Congress and state legislatures
- digests of reports and recommendations of commissions, associations, committees, the bar, and the press
- full text of all opinions of the U.S. Supreme Court in criminal cases, and of significant federal legislation
- cumulative indexes every six weeks — and a final index for the six-month period covered by the Reporter volume

You get *all that* and a *whole lot more* (along with a sturdy filing and reference binder) when you get The CRIMINAL LAW REPORTER.

*For additional information and subscription rates, please contact:*



**THE BUREAU OF NATIONAL AFFAIRS, INC.**  
1231 25th Street, N.W., Washington, D.C. 20037  
Telephone: 202—452-4500