

Louisiana Law Review

Volume 50 | Number 6

July 1990

Index

Repository Citation

Index, 50 La. L. Rev. (1990)

Available at: <https://digitalcommons.law.lsu.edu/lalrev/vol50/iss6/8>

This Index and Tables is brought to you for free and open access by the Law Reviews and Journals at LSU Law Digital Commons. It has been accepted for inclusion in Louisiana Law Review by an authorized editor of LSU Law Digital Commons. For more information, please contact kreed25@lsu.edu.

INDEX
VOLUME 50

ABORTION

Constitutionality of Louisiana's anti-abortion statutes, Vol. 50, p. 1089

ABUSE OF RIGHTS

Contracts, Vol. 50, p. 93
Lender liability, Vol. 50, pp. 143, 151

ACTIONS AND OTHER PROCEEDINGS

Subrogation as equitable doctrine at common law, Vol. 50, p. 1151

ACTS OF SALE AND CONVEYANCES

See generally, sales, this index

AGENTS AND AGENCY

Liability of agent for failure to disclose agency, Vol. 50, p. 1184
Personal liability of agents, failure to disclose corporate status, Vol. 50, p. 1185

ARREST

Confessions, Vol. 50, p. 186
Miranda warnings, Vol. 50, p. 186
Pretextual arrests, Vol. 50, p. 185
Probable cause, Vol. 50, p. 182
Reliance on warrant, Vol. 50, p. 189

ARRUEBARRENA, DIAN TOOLEY

Rethinking the Classification of Credit Acquisitions Under Louisiana's Community Property Law, Vol. 50, p. 973

AUTHENTIC ACTS

Subrogation requirements revised, Vol. 50, p. 1181

BANKRUPTCY

Exempt property, spendthrift trusts, Vol. 50, pp. 505, 522

BANKS AND BANKING

Book review: Louisiana Banking Law With Forms, by Powers, Vol. 50, p. 1247.
Lender liability, Vol. 50, p. 143

BELGIAN LAW

Reciprocal influence of Constitution and Civil Code, Vol. 50, p. 1237

BOOK REVIEW

Louisiana Banking Law With Forms, Vol. 50, p. 1247.

BURSON, I. JACKSON, JR.

Not Endowed by Their Creator: State Mandated Expenses of Louisiana Parish Governing Bodies, Vol. 50, p. 635

CARRIERE, JEANNE LOUISE

The Rights of the Living Dead: Absent Persons in the Civil Law, Vol. 50, p. 901

CHILD CUSTODY

Louisiana's child support guidelines, Vol. 50, p. 1057
Mediation in disputes, Vol. 50, p. 1111

CHILDREN AND MINORS

Louisiana's child support guidelines, Vol. 50, p. 1057
Mediation in child custody disputes, Vol. 50, p. 1111
Veracity in child sexual abuse prosecutions, psychological expert testimony, Vol. 50, p. 1039

CIVIL CODE

Belgium, Vol. 50, p. 1237
Belgian Civil Code and Constitution, Vol. 50, p. 1237
Contracts, consent, Vol. 50, p. 6
Forced Heirship, 1989 Legislation, Vol. 50, p. 409
French law, consent, Vol. 50, p. 6
Louisiana, consent, Vol. 50, p. 6
Obligations, consent, Vol. 50, p. 6
Subrogation, Vol. 50, pp. 1145, 1147, 1153, 1155, 1159, 1163, 1177, 1179
Swiss, Vol. 50, pp. 82, 113

CIVIL LAW

Belgium, reciprocal influence of civil code and constitution, Vol. 50, p. 1237

Civilian judge, functions of, Vol. 50, p. 1242
 Constitutional and civil law interaction in Belgium, Vol. 50, p. 1237
 Evidentiary privileges, conflicting laws, Vol. 50, p. 160
 France, consent, Vol. 50, p. 6
 History, consent, Vol. 50, p. 7
 Roman law, consent, Vol. 50, p. 7
 Switzerland, Vol. 50, pp. 82, 113

CIVIL RIGHTS

Constitutional rights, Vol. 50, pp. 557, 583
 Discrimination, higher education, Vol. 50, pp. 557, 583
 Discrimination in employment practices, Vol. 50, p. 574
 Employment discrimination,
 Race quotas, Vol. 50, pp. 273, 574
 State and local government, Vol. 50, p. 273

COMMERCIAL CODE

Provisions of chapter nine of Louisiana's, Vol. 50, p. 711

COMMERCIAL PAPER

Good faith under the commercial laws, Vol. 50, p. 885
 Holder in due course status, Vol. 50, p. 885
 Lender liability, Vol. 50, p. 143
 Notice under the commercial laws, Vol. 50, p. 885

COMMON LAW

Subrogation, equitable nature of, Vol. 50, p. 1151

COMMUNITY PROPERTY

Accounting at dissolution, Vol. 50, p. 293
 Classification of credit acquisitions, Vol. 50, p. 973
 Partition proceedings, Vol. 50, p. 293
 Reimbursement at dissolution, Vol. 50, p. 293
 Reinvestment doctrine, Vol. 50, p. 974

CONFLICT OF LAWS

Evidentiary privileges, choice of law analysis, Vol. 50, p. 157

CONSTITUTION OF LOUISIANA

State and local government, Vol. 50, p. 635

CONSTITUTION OF THE UNITED STATES

Confrontation clause, Vol. 50, p. 243
 Counsel, right to, Vol. 50, p. 238
 Double jeopardy, Vol. 50, p. 243
 Due process, rights of natural father to protect paternal rights, Vol. 50, p. 1015
 Equal protection, right to challenge marital presumption of paternity, Vol. 50, p. 1019
 Equal protection of law, racial discrimination, Vol. 50, pp. 557, 584
 Fourth amendment,
 Attenuation between illegality and search or seizure, Vol. 50, p. 186
 Confessions, Vol. 50, p. 186
 Miranda warnings, Vol. 50, p. 186
 Pretextual arrests, Vol. 50, p. 185
 Probable cause, Vol. 50, p. 182
 Jury trial, right to, Vol. 50, p. 241
 Procedural due process, right of natural father to prove paternity, Vol. 50, p. 1015
 Searches and seizures,
 Administrative searches, Vol. 50, p. 232
 Reasonableness of seizure, Vol. 50, p. 230
 Searches of persons and things, Vol. 50, p. 231
 Seizure of persons, Vol. 50, p. 229

Self incrimination, Vol. 50, p. 234
 Separation of powers, see constitutional law, this index
 Speedy trial, Vol. 50, p. 236
 Substantive due process, presumption of paternity, Vol. 50, p. 1015

CONSTITUTIONAL LAW

Abortion, constitutionality of Louisiana's anti-abortion statutes, Vol. 50, p. 1089
 Belgium, reciprocal influence of Constitution and the Civil Code, Vol. 50, p. 1237
 Education, right of, Vol. 50, p. 589
 Equal protection, strict scrutiny, Vol. 50, pp. 273, 559, 598
 Evidentiary privileges, choice of law, Vol. 50, p. 161
 Fourth amendment searches and seizures,
 Attenuation between illegality and search or seizures, Vol. 50, p. 186
 Confessions, Vol. 50, p. 186
 Miranda warnings, Vol. 50, p. 186
 Pretextual arrests, Vol. 50, p. 185
 Probable cause, Vol. 50, p. 182
 Presumption of paternity, Vol. 50, p. 1015
 Separation of powers,
 Analytical framework, Vol. 50, p. 119

- Balanced budget and emergency deficit control act of 1985, Vol. 50, p. 125
- Checks and balances, Vol. 50, pp. 117, 123, 136
- Commodity exchange act, Vol. 50, p. 128
- Delegation of executive power to independent entity, Vol. 50, p. 129
- Delegation of legislative power to administrative agencies,
Generally, Vol. 50, p. 118
- Control of agency, Vol. 50, pp. 118, 121, 123, 126, 130, 135
- Formal and functional analyses, Vol. 50, pp. 122, 127, 133, 136, 139
- Promulgation of regulations, Vol. 50, pp. 120, 128, 134
- Delegation of power, accountability of agency, Vol. 50, p. 138
- Ethics in government act, Vol. 50, p. 129
- Immigration and naturalization act, Vol. 50, p. 124
- Independent entity defined, Vol. 50, p. 119
- Sentencing reform act, Vol. 50, p. 132
- Violation of, Vol. 50, pp. 118, 124, 129
- CONSUMER PROTECTION**
- Lender liability, Vol. 50, pp. 144, 149
- CONTRACTS**
- Absolute and relative nullities, Vol. 50, p. 10
- Abuse of rights, Vol. 50, p. 93
- Consent,
Generally, Vol. 50, p. 6
- Duress, Vol. 50, pp. 6, 81
- Error,
Generally, Vol. 50, pp. 6, 11
Other party's knowledge of, Vol. 50, p. 30
- Error and fraud, Vol. 50, p. 32
- Fraud, Vol. 50, pp. 6, 50
- Mutual error, Vol. 50, p. 34
- Vices of, Vol. 50, p. 6
- Damages, Vol. 50, pp. 39, 76, 101
- Defined, Vol. 50, p. 327
- Duress,
Generally, Vol. 50, pp. 6, 81
By a third person, Vol. 50, p. 87
Contract with third person in good faith, Vol. 50, p. 89
Exercise of right, Vol. 50, p. 90
Threatened person, Vol. 50, p. 86
- Error,
Generally, Vol. 50, pp. 6, 11
Cause, Vol. 50, p. 12
Excusable and inexcusable, Vol. 50, p. 36
Failure to read contract, Vol. 50, p. 37
Future events, Vol. 50, p. 29
Motive, Vol. 50, p. 26
Nature, Vol. 50, p. 13
Object, Vol. 50, p. 15
Other party's willingness to perform, Vol. 50, p. 49
Person, Vol. 50, p. 20
Reformation of instrument, Vol. 50, p. 45
Value, Vol. 50, p. 27
- Error and good faith, Vol. 50, p. 37
- Error of law, Vol. 50, p. 22
- Failure to read contract, Vol. 50, p. 37
- Fraud,
Generally, Vol. 50, pp. 6, 50
By a third person, Vol. 50, p. 70
Concealment, Vol. 50, p. 55
Diligence of complaining party, Vol. 50, p. 69
Duty to disclose, Vol. 50, p. 58
Error as element, Vol. 50, p. 51
False assertion, Vol. 50, p. 54
Impersonation, Vol. 50, p. 55
Inaction, Vol. 50, p. 53
Persuasive expressions, Vol. 50, p. 68
Promissory statements, Vol. 50, p. 54
Proof of, Vol. 50, p. 73
Relation of confidence, Vol. 50, p. 69
Scheme, Vol. 50, p. 53
Silence, Vol. 50, p. 56
- Indemnification for one's own negligence, Vol. 50, p. 307
- Interference with, tortious, Vol. 50, pp. 211, 217
- Intuitus personae*, Vol. 50, p. 20
- Lender liability, Vol. 50, p. 143
- Lesion,
Generally, Vol. 50, pp. 6, 107
History of, Vol. 50, p. 108
- Marriage, error as to the person, Vol. 50, p. 22
- Minors, misrepresentation of legal age, Vol. 50, p. 56
- Nullities, absolute and relative, Vol. 50, p. 10
- Remedies, rescission, Vol. 50, pp. 35, 75, 101
- Subrogation of insurer to rights of insured against wrongdoer, Vol. 50, pp. 1149, 1172

Subrogation as a result of contract of sale,
Vol. 50, p. 1179

CORPORATIONS

Agents,

Liability for failure to disclose corporate
status, Vol. 50, p. 1185

Undisclosed, Vol. 50, p. 1184

CRAWFORD, WILLIAM E.

Product Liability for Design in Louisiana,
Vol. 50, p. 531

Developments in the Law, 1988-1989, Torts,
Vol. 50, p. 387

CREDITOR

Lender liability, Vol. 50, p. 143

CRIMINAL LAW

Evidentiary privileges, conflicting laws, Vol.
50, p. 160

CRIMINAL LAW AND PROCEDURE

Arrest,

Confessions incident to, Vol. 50, p. 186

Pretextual arrests, Vol. 50, p. 185

Probable cause, Vol. 50, p. 185

Reliance on warrant, Vol. 50, p. 189

Capital punishment, Vol. 50, p. 244

Child sexual abuse, psychological expert tes-
timony on a child's veracity, Vol. 50, p.
1039

Confessions,

Admissibility, generally, Vol. 50, p. 186

Police interrogation, Vol. 50, p. 183

Pretextual arrests and subsequent confes-
sions, Vol. 50, p. 186

Counsel, right to,

Generally, Vol. 50, p. 238

Custodial interrogation, Vol. 50, p. 185

Waiver, Vol. 50, p. 186

Discovery, Vol. 50, p. 237

Grand jury proceedings, Vol. 50, p. 235

Illegal search and seizure, attenuation be-
tween illegality and search or seizure, Vol.
50, p. 186

Pretrial criminal procedure, Vol. 50, p. 236

Probable cause, pretext arrest with no prob-
able cause for separate offense, Vol. 50,
p. 187

Questions, by police for a separate offense,
Vol. 50, p. 183

Searches and seizures,

Administrative searches, Vol. 50, p. 232

Reasonableness of seizure, Vol. 50, p. 230

Searches of persons and things, Vol. 50,
p. 231

Seizure of persons, Vol. 50, p. 229

Search incidental to arrest, pretextual ar-
rests, Vol. 50, p. 185

Speedy trial, Vol. 50, p. 236

Trial by jury, Vol. 50, p. 241

CUSTODY

Louisiana's child support guidelines, Vol.
50, p. 1057

Mediation in child custody disputes, Vol.
50, p. 1111

DAMAGES

Liquidated damages, stipulated in accord-
dance with the Civil Code, Vol. 50, p.
334

Nonpecuniary, Vol. 50, p. 797

Specific performance, Vol. 50, p. 331

DELPÉRÉE, FRANCIS

The Constitution and the Civil Law, Vol.
50, p. 1237

DISCRIMINATION

Education, quotas, imposed by a federal
court, Vol. 50, pp. 568, 600

Employment,

Quotas, voluntarily set by local govern-
ment, Vol. 50, p. 273

Quotas, voluntarily set by private em-
ployers, Vol. 50, p. 574

Racial, higher education, Vol. 50, pp. 557,
583

DIVORCE

1990 reform legislation, Vol. 50, pp. 995,
1002

Fault, as a requirement, Vol. 50, p. 997

Grounds in Louisiana, Vol. 50, p. 998

Louisiana's child support guidelines, Vol.
50, p. 1057

Mediation in child custody disputes, Vol.
50, p. 1111

DUTY-RISK APPROACH

Breach of duty, Vol. 50, p. 881

Scope of protection, Vol. 50, p. 881

Statutes, effects of, Vol. 50, p. 882

EDUCATION

Discrimination, racial quotas, Vol. 50, p. 568, 600

EMPLOYEE RETIREMENT INCOME

Security Act of 1974, health and accident insurance policies, cancellation of, Vol. 50, p. 257

EMPLOYMENT

Tortious breach of duty, Vol. 50, p. 212

ENVIRONMENTAL LAW

Tort liability for subsurface trespass, Vol. 50, p. 317

EVIDENCE

Attorney-client privilege, Vol. 50, p. 163
Confessions, police interrogations, Vol. 50, p. 186

Evidentiary privileges,

Choice of law analysis, Vol. 50, p. 157

Policies in general, Vol. 50, p. 163

Expert testimony, psychological, on child's veracity in child sexual abuse prosecutions, Vol. 50, p. 1039

Hearsay,

Exceptions to rule against, Vol. 50, p. 845

Louisiana residual exception in criminal cases, Vol. 50, p. 845

Necessity and trustworthiness as the basis of a new exception, Vol. 50, p. 845

Trustworthiness exception,

Generally, Vol. 50, p. 845

Corroboration, Vol. 50, p. 863

Declarant's unavailability, Vol. 50, p. 864

Necessity, Vol. 50, p. 861

Reliability, Vol. 50, p. 862

Husband-wife privilege, Vol. 50, p. 163

Informant privilege, Vol. 50, p. 163

Journalist privilege, Vol. 50, p. 163

Physician-patient privilege, Vol. 50, p. 163

Priest-penitent privilege, Vol. 50, p. 163

Privileges,

Prevention of perjury, Vol. 50, p. 169

Protection of communication, Vol. 50, p. 164

Protection of privacy, Vol. 50, p. 167

Protection of the communicatee, Vol. 50, p. 168

Protection of the relationship, Vol. 50, p. 166

Pursuit of the truth in litigation, Vol. 50, p. 170

Psychologist-patient privilege, Vol. 50, p. 163

FINANCIAL INSTITUTIONS

Lender liability, Vol. 50, p. 143

FOURTH AMENDMENT

Attenuation between illegality and search or seizure, Vol. 50, p. 186

Confessions, admissibility of, Vol. 50, p. 186

See generally, Constitution of the United States and Constitutional law

Pretextual arrests, Vol. 50, p. 185

Reliance on warrant, probable cause for arrest, Vol. 50, p. 189

FRENCH LAW

History, consent, Vol. 50, p. 7

Subrogation in effect given, Vol. 50, pp. 1150, 1157, 1163, 1165, 1176

Subrogation,

Real as opposed to personal, Vol. 50, p. 1152

Requirements for, Vol. 50, p. 1154

HARGRAVE, LEE

Developments in the Law, 1988-1989, Property, Vol. 50, p. 353

HARRELL, THOMAS A.

A Guide to the Provisions of Chapter Nine of Louisiana's Commercial Code, Vol. 50, p. 711

Developments in the Law, 1988-89, Security Devices, Vol. 50, p. 363

HUSBAND AND WIFE

Accounting at dissolution, Vol. 50, p. 293

Divorce reform legislation, 1990, Vol. 50, pp. 995, 1002

Louisiana's child support guidelines: a preliminary analysis, Vol. 50, p. 1057

Mediation in child custody disputes, Vol. 50, p. 1111

Partition Proceedings, Vol. 50, p. 293

Reimbursement at dissolution, Vol. 50, p. 293

IMMOVABLES

Immobilization, Vol. 50, p. 360

Offers to purchase, Vol. 50, p. 323

INSURANCE

- Cancellation of policy, notice and conversion requirements upon, Vol. 50, p. 260
- Duty to defend, termination of, Vol. 50, p. 247
- Duty to settle, Vol. 50, p. 248
- E.R.I.S.A., effect of policy's cancellation upon, Vol. 50, p. 257
- Exclusionary clause in life insurance policies, gas inhalation related, Vol. 50, p. 256
- Fire insurance, risk of loss, retention of by insurer, Vol. 50, p. 262
- Fire policy, cancellation of, notice requirement for, Vol. 50, p. 263
- First party claims, judicial interest on, Vol. 50, p. 253
- Health and accident insurance,
Attorney's fees and penalties, prescription on claims for, Vol. 50, p. 261
Cancellation of versus termination of, Vol. 50, p. 257
- In solido, judicial interest, obligation to pay, Vol. 50, p. 252
- Insurable interest, property, Vol. 50, p. 261
- Liability insurance,
Affirmative defenses, exclusionary clauses as, Vol. 50, p. 249
Judicial interest, when due, Vol. 50, p. 251
- Life insurance,
Exclusionary clauses for intoxication in, Vol. 50, p. 254
Material misrepresentation, intent to deceive as necessary element of, Vol. 50, p. 255
- Louisiana law, cancellation without prejudice provisions, non-preemption of by E.R.I.S.A., Vol. 50, p. 260
- Property and Casualty insurance, exemption of settlement practices from Unfair Trade Practices Act, recall of, Vol. 50, p. 263
- Self-insurer, uninsured motor vehicle coverage, necessity to provide, Vol. 50, p. 250
- Solidary liability, Vol. 50, p. 1172
- Subrogation of insurer to rights of insured against wrongdoer, Vol. 50, pp. 1149, 1172
- Subrogation rights of excess insurer, Vol. 50, p. 1174
- Uninsured motorist claims, judicial interest, when due, Vol. 50, p. 253
- Uninsured motorist coverage,

- Generally, Vol. 50, p. 247
- Exclusion of self-insured's vehicle, Vol. 50, p. 249

INTERDICTION

- Forced heirship, Vol. 50, p. 438

JEBARA, AFIF

- Book Review: Louisiana Banking Law With Forms, Vol. 50, p. 1247

JOHNSON, H. ALSTON

- Developments in the Law, 1988-1989, Insurance Law, Vol. 50, p. 247
- Developments in the Law, 1988-1989, Workers' Compensation, Vol. 50, p. 391

JUDICIARY

- Louisiana constitutional provisions, Vol. 50, p. 690
- Separation of powers, see constitutional law, this index

JURIES AND JURY TRIALS

- Jury instructions, recommended for products liability, unreasonably dangerous in design, Vol. 50, p. 553

LABOR LAW

- Collective bargaining, employee defined, Vol. 50, p. 1211
- Encouragement or discouragement of membership,
Jurisprudence on N.L.R.A. § 8(a)(3), Generally, Vol. 50, p. 1211
"Employee" defined, Vol. 50, p. 1211

LEASES

- Labor and industry, Vol. 50, p. 330
- Specific performance, Vol. 50, p. 333

LEGISLATION

- Forced heirship, 1989 revision, Vol. 50, p. 409

LITVINOFF, SAUL

- Subrogation, Vol. 50, p. 1145
- Vices of Consent, Error, Fraud, Duress and an Epilogue on Lesion, Vol. 50, p. 1

LOCAL GOVERNMENT

- Mandatory expenses, Vol. 50, p. 635
- Public roads and streets, see property, this index

Tort liability, Vol. 50, p. 284
Venue for suit, Vol. 50, p. 303

LORIO, KATHRYN VENTURATOS

The New Forced Heirship Legislation: A
Regrettable "Revolution," Vol. 50, p. 409

LOUISIANA CONSTITUTION

Judiciary article, Vol. 50, p. 673
Powers of home-rule local governments, Vol.
50, p. 635

MCDONALD, JESSE D.

Product Liability for Design in Louisiana,
Vol. 50, p. 531

McKENZIE, W. SHELBY

Developments in the Law, 1988-1989, In-
surance Law, Vol. 50, p. 247

MALPRACTICE

Medical,
Lack of informed consent, Vol. 50, p.
1195
Prescription of claims, Vol. 50, p. 815

MANDATE

Personal liability of agents, Vol. 50, p. 1183
Subrogation, special action arising from, Vol.
50, p. 1145

MARRIAGE

Accounting at dissolution, Vol. 50, p. 293
Divorce reform legislation, 1990, Vol. 50,
pp. 995, 1002
Partition proceedings, Vol. 50, p. 293
Reimbursement,
At dissolution, Vol. 50, p. 293
Expenses on depreciating movable, Vol.
50, p. 296

MARTIN, EDWARD F.

Louisiana's Law of Trusts 25 Years After
Adoption of the Trust Code, Vol. 50, p.
501

MARTIN, PATRICK H.

Developments in the Law, 1988-1989, Min-
eral Rights, Vol. 50, p. 303

MATRIMONIAL REGIMES

Accounting at dissolution, Vol. 50, p. 293
Classification of credit acquisitions under
community property law, Vol. 50, p. 973

Partition proceedings, Vol. 50, p. 293
Reimbursement,
At dissolution, Vol. 50, p. 293
Expenses on depreciating movable, Vol.
50, p. 296
Reinvestment doctrine, Vol. 50, p. 974

MENGIS, WARREN L.

Developments in the Law, 1988-1989, Pro-
fessional Responsibility, Vol. 50, p. 335

MINERAL RIGHTS

Conservation, effect of compulsory pooling
order upon prior voluntary or declared
unit, Vol. 50, p. 316
Drilling contracts, interpretation, Vol. 50,
p. 308
Mineral reservations, interpretation of "all
mineral rights," Vol. 50, p. 310
Operating agreements, indemnification for
one's own negligence, Vol. 50, p. 307
Secured transactions,
Act 137 of 1989, Vol. 50, p. 378
Leasehold equipment, security interest in,
Vol. 50, p. 381
Pledge, modifications affecting, Vol. 50,
p. 378

MINERALS, OIL AND GAS

Conservation, retroactivity of Commission-
er's order, Vol. 50, p. 319
Conveyance problems, extinguishment of
production payment by confusion, Vol.
50, p. 314
Damages,
Oil spill, Vol. 50, p. 315
Subsurface trespass, Vol. 50, p. 317
Gas purchase contract, royalty owner's claim
to share in take-or-pay payments, Vol.
50, p. 306
Mineral leases,
"Production in paying quantities," Vol.
50, p. 313
Release after default, effect, Vol. 50, p.
312
Mineral reservations, interpretation of "all
mineral rights," Vol. 50, p. 310
Mineral servitudes, prescription, Vol. 50, p.
303
Severance tax, duty to withhold, Vol. 50,
p. 305
Royalties, take-or-pay payments, Vol. 50,
p. 306
Subsurface trespass, Vol. 50, p. 317

MINORS

Misrepresentation of legal age, Vol. 50, p. 56

MORRIS, GLENN G.

Developments in the Law, 1988-1989, Business Associations, Vol. 50, p. 211

MORTGAGE

Chattel Mortgage Act, respecting "fixtures," Vol. 50, p. 371

Collateral mortgages,

Defined, Vol. 50, p. 364

General principles under Chapter 9, Vol. 50, p. 363

Ranking, Vol. 50, p. 364

Real estate, regarding, Vol. 50, p. 363

Transfer of interest by pledgee, Vol. 50, p. 367

Personal servitude, mortgage of, Vol. 50, p. 377

MOVABLES

Immobilization,

Generally, Vol. 50, p. 360

Components, Vol. 50, p. 361

Subrogation rights of buyers of, Vol. 50, p. 1181

MURCHISON, KENNETH M.

Developments in the Law, 1988-1989, Local Government Law, Vol. 50, p. 265

NEGLIGENCE

Lender liability, Vol. 50, pp. 144, 146

Negligent communication, physician's duty to inform, Vol. 50, p. 1198

Products liability, defective design, Vol. 50, p. 531

Statutes,

Effects of, Vol. 50, p. 882

Imposition of statutory duty, Vol. 50, p. 882

NEGOTIABLE INSTRUMENTS

Good faith and ordinary care, Vol. 50, p. 885

Good faith under the commercial laws, Vol. 50, p. 885

Holder in due course status, Vol. 50, p. 885

Notice under the commercial laws, Vol. 50, p. 885

OBLIGATIONS

Abuse of rights, Vol. 50, p. 93

Cause, effect on promissory note, Vol. 50, p. 324

Consent,

Generally, Vol. 50, p. 6

Duress, Vol. 50, pp. 6, 81

Error, Vol. 50, pp. 6, 11

Error and fraud, Vol. 50, p. 32

Error and other party's knowledge of, Vol. 50, p. 30

Fraud, Vol. 50, pp. 6, 50

Mutual error, Vol. 50, p. 34

Vices of, Vol. 50, p. 6

Damages, Vol. 50, pp. 39, 76, 101

Duress,

Generally, Vol. 50, pp. 6, 81

By a third person, Vol. 50, p. 87

Contract with third person in good faith, Vol. 50, p. 89

Exercise of a right, Vol. 50, p. 90

Threatened person, Vol. 50, p. 86

Error,

Generally, Vol. 50, pp. 6, 11

Cause, Vol. 50, P. 12

Excusable and inexcusable, Vol. 50, p. 36

Failure to read contract, Vol. 50, p. 37

Future events, Vol. 50, p. 29

Motive, Vol. 50, p. 26

Nature, Vol. 50, p. 13

Object, Vol. 50, p.15

Other party's willingness to perform, Vol. 50, p. 49

Person, Vol. 50, p. 20

Reformation of instruments, Vol. 50, p. 45

Value, Vol. 50, p. 27

Error and good faith, Vol. 50, p. 37

Error of law, Vol. 50, p. 22

Extinction, subrogation, rights of, Vol. 50, pp. 1146, 1156

Failure to read contract, Vol. 50, p. 37

Fraud,

Generally, Vol. 50, pp. 6, 50

By a third person, Vol. 50, p. 70

Concealment, Vol. 50, p. 55

Diligence of complaining party, Vol. 50, p. 69

Duty to disclose, Vol. 50, p. 58

Error as element, Vol. 50, p. 51

False assertion, Vol. 50, p. 54

Impersonation, Vol. 50, p.55

Inaction, Vol. 50, p. 53

Persuasive expressions, Vol. 50, p. 68

- Promissory statements, Vol. 50, p. 54
 Proof of, Vol. 50, p. 73
 Relation of confidence, Vol. 50, p. 69
 Reticence, Vol. 50, p. 57
 Scheme, Vol. 50, p. 53
Intuitus personae, Vol. 50, p. 20
 Lesion,
 Generally, Vol. 50, pp. 6, 107
 History of, Vol. 50, p. 108
 Marriage, error as to the person, Vol. 50, p. 22
 Minors, misrepresentation of legal age, Vol. 50, p. 56
 Nullity,
 Absolute, Vol. 50, p. 10
 Caused by duress, Vol. 50, p. 9
 Caused by error, Vol. 50, p. 9
 Caused by fraud, Vol. 50, p. 9
 Lesion, Vol. 50, p. 9
 Relative, Vol. 50, p. 10
 Remedies, recession, Vol. 50, pp. 35, 75, 101
 Offers, irrevocable, Vol. 50, p. 322
 Solidary obligors, effect of legal subrogation on, Vol. 50, p. 1170
 Specific performance, limitations on specific performance, Vol. 50, p. 331
 Subrogation,
 Assignment of rights distinguished, Vol. 50, pp. 1157, 1180
 By operation of law, Vol. 50, pp. 1152, 1164, 1174, 1181
 Civil code revision of 1984, Vol. 50, p. 1178
 Common law, equitable doctrine under, Vol. 50, p. 1150
 Conventional, Vol. 50, pp. 1152, 1154, 1159, 1177, 1180, 1182
 Defined, Vol. 50, pp. 1145, 1179
 Extinction of rights, Vol. 50, pp. 1145, 1156, 1179
 Formal requirements, Vol. 50, pp. 1163, 1180
 Historical aspects, Vol. 50, pp. 1150, 1161
 Partial payment, rights of obligee, Vol. 50, pp. 1148, 1182
 Performance, refusal of by obligee, Vol. 50, p. 1162
 Real versus personal, Vol. 50, p. 1152
 Rights in favor of successors, Vol. 50, p. 1174
 Rights of excess insurer, Vol. 50, p. 1174
 Third party,
 Benefits to, Vol. 50, p. 1147
 Enforcement by, Vol. 50, p. 1146
 Partial performance by, Vol. 50, pp. 1148, 1153
 Subrogation of insurer to rights of insured, Vol. 50, p. 1149
 Suretyship, subrogation rights of obligors, Vol. 50, pp. 1149, 1177
 Transaction or compromise, Vol. 50, p. 325
- OFFENSES AND QUASI-OFFENSES**
 Assault and battery, lack of consent to medical procedure, Vol. 50, p. 1197
 Contribution, legal subrogation of solidary obligors, Vol. 50, p. 1172
 Dram shop acts, Vol. 50, p. 875
 Drunkenness,
 Duty of bar owner to patron, Vol. 50, p. 878
 Duty of minor social host to minor guests, Vol. 50, p. 875
 Immunity from liability, sheriffs, Vol. 50, p. 284
 Judicial dram shop laws,
 Generally, Vol. 50, p. 875
 Comparable state laws, Vol. 50, p. 876
 Liability, public officers and employees, Vol. 50, p. 284
 Minors, parents liability for actions of, Vol. 50, p. 875
 Privacy, right of, medical treatment, Vol. 50, p. 1202
 State liability for injuries to inmates, Vol. 50, p. 284
 Statutory violations and negligence per se, sale of liquor, Vol. 50, p. 879
 Subrogation of employer to rights of employee, Vol. 50, p. 1175
 Vicarious liability, torts of deputy sheriffs, Vol. 50, p. 284
- PAROL EVIDENCE**
 Admissibility, subrogation by obligee, Vol. 50, p. 1155
- PARTICULAR CONTRACTS**
 Lender liability, Vol. 50, p. 143
- PARTITION**
 Matrimonial Regimes, reimbursement and accounting at dissolution, Vol. 50, p. 293
- PATERNITY**
 Presumption of husband of mother, Vol. 50, p. 1015

Right of natural father to prove, Vol. 50, p. 1015

PERSONS

Absentees, Vol. 50, p. 901

PHYSICIANS, PSYCHIATRISTS, AND SURGEONS

Medical malpractice,

In Louisiana, Vol. 50, p. 815, 1195

Informed consent, lack of, Vol. 50, p. 1198

Prescription, Vol. 50, p. 815

PICOU, CYNTHIA

The New Forced Heirship Legislation: A Regrettable "Revolution," Vol. 50, p. 409

PRESCRIPTION

Liberative prescription,

Commencement, Vol. 50, p. 815

Interruption, Vol. 50, p. 815

Prescription and preemption, Vol. 50, p. 815

Starting point for the running of time, Vol. 50, p. 815

Survival action, Vol. 50, p. 840

Wrongful death, Vol. 50, p. 836

PRESUMPTIONS

Paternity of husband of mother, Vol. 50, p. 1015

Of death of absent person, Vol. 50, p. 906

Of death for missing military personnel, Vol. 50, p. 932

PRODUCTS LIABILITY

Generally, Vol. 50, p. 531

Defective design,

Generally, Vol. 50, p. 531

Risk-utility balancing test, Vol. 50, p. 535

PROFESSIONAL RESPONSIBILITY

Abuse of process, Vol. 50, p. 338

Advertising and solicitation, Vol. 50, p. 335

Attorneys' fees, Vol. 50, p. 345

Conflict of interest, Vol. 50, p. 340

Discipline, Vol. 50, p. 349

Effective assistance of counsel, Vol. 50, p. 348

Malpractice, Vol. 50, p. 342

Model rule 7.2 amended,

Advertising, Vol. 50, p. 336

Direct contact with prospective clients, Vol. 50, p. 336

PROPERTY

Absent person's estate, Vol. 50, p. 936

Classification of credit acquisitions under community property law, Vol. 50, p. 973

Common, public, and private things, roads and streets, Vol. 50, p. 353

Public roads and streets,

Closing of, Vol. 50, p. 353

Local government, Vol. 50, p. 355

Revocation and dedication, Vol. 50, p. 359

State powers, Vol. 50, p. 354

Termination of public use, Vol. 50, p. 356

RACIAL DISCRIMINATION

Constitutional prohibitions, Vol. 50, pp. 557, 583

Higher education, Vol. 50, pp. 557, 583

RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (RICO),

Continuity plus relationship, Vol. 50, p. 1219

Pattern of racketeering activity,

Generally, Vol. 50, p. 1219

Pattern in the past, Vol. 50, p. 1227

Substantial period of time, Vol. 50, p. 1227

Threat of future pattern, Vol. 50, p. 1227

Section 1961-1968, Vol. 50, p. 1219

ROMAN LAW

Equity, Vol. 50, p. 8

History, consent, Vol. 50, p. 7

Subrogation, roots of present day, Vol. 50, p. 1150

SALES

Immovables, revocable and irrevocable offers, Vol. 50, p. 323

Price,

Element of sale, Vol. 50, p. 331

Not specified, Vol. 50, p. 327

Risk of loss, retention of by insurer, Vol. 50, p. 262

Subrogation as result of contract of sale, Vol. 50, p. 1179

Vendor's lien, as insurable interest, Vol. 50, p. 262

SAMUEL, CYNTHIA

The New Forced Heirship Legislation: A Regrettable "Revolution," Vol. 50, p. 409

SCHEWE, BRUCE V.

Developments in the Law, 1988-1989, Obligations, Vol. 50, p. 321

SECURITY DEVICES

Accessions and products, Vol. 50, p. 762
Act 137 of 1989, Mineral Code, effect upon, Vol. 50, p. 378

Assignment, subrogation, rights of, Vol. 50, p. 1157

Attachment and perfection, Vol. 50, p. 736
Attachment, effect upon transferees and buyers of the collateral, Vol. 50, p. 746

Collateral mortgages, see mortgages, this index

Commercial Code, Chapter Nine, a guide to the provisions of Louisiana's, Vol. 50, p. 711

Consignments, Vol. 50, p. 775

Default and execution, Vol. 50, p. 787

Financing statements, Vol. 50, p. 778

Fixtures,

Generally, Vol. 50, p. 764

Priority of security interests in, Vol. 50, p. 369

Remedies regarding, Vol. 50, p. 371

Residual property, status of goods installed in, Vol. 50, p. 371

Leases, rules for distinguishing from security interests, Vol. 50, p. 776

Louisiana Commercial Laws, Chapter 9, Civil code art. 467, effect on, Vol. 50, p. 373

Mineral mortgage, exclusion of leasehold movables, Vol. 50, p. 381

Oil Well Lien Act, relation to, Vol. 50, p. 385

Personal servitude, improvements by owner of, Vol. 50, p. 377

Predial lessee, improvements by, Vol. 50, p. 375

Private Works Act, relation to, Vol. 50, p. 374

Right of resolution of seller, Vol. 50, p. 372

Vendor's privilege, Vol. 50, p. 372

Mortgages, subrogation, effects of, Vol. 50, p. 1159

Multi-state transactions, Vol. 50, p. 770

Oil, Gas and Water Well Lien Act, La. R.S. 9:4861-4867, Vol. 50, p. 311

Perfection, attachment and, Vol. 50, p. 736

Pledge,

Mineral Code, relating to, Vol. 50, p. 378

Minerals, pledges of under Louisiana Commercial Laws, Chapter 9, Vol. 50, p. 378

Priority and ranking of security interests among creditors, Vol. 50, p. 754

Proceeds, Vol. 50, p. 758

Products, accessions and, Vol. 50, p. 762

Security agreements, Vol. 50, p. 729

Security interest,

Nature, scope and coverage, Vol. 50, p. 720

Property classifications, Vol. 50, p. 724

Security interest, perfection of, Vol. 50, pp. 365, 372

Subrogation,

Assignment of rights, Vol. 50, pp. 1157, 1180

Assignment distinguished, Vol. 50, p. 1158

By operation of law, Vol. 50, pp. 1164, 1168, 1174, 1181

Effects on mortgages, Vol. 50, pp. 1159, 1165, 1173

SEPARATE PROPERTY

Classification of credit acquisitions, Vol. 50, p. 973

SERVITUDES

Minerals, extinguishment by confusion, Vol. 50, p. 314

SIMIEN, EULIS, JR.

Developments in the law, 1988-1989, Criminal Procedure, Vol. 50, p. 229

SOVEREIGN IMMUNITY

Constitutional provisions, Vol. 50, p. 284

Tort actions against the state, Vol. 50, p. 284

Torts, Vol. 50, p. 284

SPAHT, KATHERINE S.

Developments in the Law 1988-1989, Matrimonial regimes, Vol. 50, p. 293

The New Forced Heirship Legislation: A Regrettable "Revolution," Vol. 50, p. 409

STATE

Liability for acts of public officers and employees, Vol. 50, p. 284

STATE AND LOCAL GOVERNMENT

Forms of parish government, Vol. 50, p. 635

Liability for acts of public officers and employees, Vol. 50, p. 284

Public Roads and streets, see property, this index

STATE AND LOCAL TAXATION

Ad valorem taxes, Vol. 50, p. 640

Sales taxes, Vol. 50, p. 640

Severance taxes, Vol. 50, p. 641

STATUTES

Louisiana Commercial Laws, Chapter 9, Vol. 50, p. 363

SUCCESSIONS

Forced Heirship,

Forced portion in trust, Vol. 50, p. 523

1989 legislation, Vol. 50, p. 409

Presumption of death of absent person, Vol. 50, p. 921

Prohibited substitutions, Vol. 50, pp. 509, 526

Seizin, Vol. 50, p. 512

Substitutes, fide: commissa and trusts, Vol. 50, p. 508

Subrogation rights of heirs, Vol. 50, p. 1174

SWAIM, FREDERICK W., JR.

The New Forced Heirship Legislation: A Regrettable "Revolution," Vol. 50, p. 409

SWISS LAW

Contracts, consent, Vol. 50, pp. 82, 113

TAXATION

Sales tax, Vol. 50, p. 640

Severance taxes,

Allocation to parishes, Vol. 50, p. 641

Duty to withhold, Vol. 50, p. 305

State taxation, Vol. 50, p. 640

Subrogation by operation of law, Vol. 50, p. 1176

Valuation of interests in trust, federal estate taxation, Vol. 50, p. 506

TORTS

Causation, Vol. 50, p. 629

Contract, interference with, Vol. 50, p. 211

Contribution, rights of subrogation of solidary obligors, Vol. 50, p. 1172

Contributory negligence, liability of tavern owner to intoxicated, Vol. 50, p. 878

Damages, nonpecuniary, Vol. 50, p. 797

Dram Shop Act, Vol. 50, p. 876

Drunkenness, duty of bar owner to patron, Vol. 50, p. 878

Duty, of electrical utilities, Vol. 50, p. 387

Electrical utility liability,

Generally, Vol. 50, p. 387

Negligence, Vol. 50, p. 387

Strict Liability, Vol. 50, p. 387

Employee, breach of duty, Vol. 50, p. 212

Health and malpractice,

Informed consent, lack of, Vol. 50, p. 1195

Prescription, Vol. 50, p. 815

Privacy, right of, consent to medical treatment, Vol. 50, p. 1202

Immunity from liability,

Parent-child, Vol. 50, p. 1131

Parent-child immunity, Vol. 50, p. 1131

Sheriffs, Vol. 50, p. 284

Last clear chance, injury to intoxicated person, Vol. 50, p. 878

Lender liability, Vol. 50, pp. 143, 153

Liability,

Municipality for law enforcement officers, Vol. 50, p. 284

Tavern owner to intoxicated person, Vol. 50, p. 878

Liability for acts of public officers and employees, Vol. 50, p. 284

Malpractice, Medical Malpractice Act, prescription, Vol. 50, p. 815

Medical malpractice,

Existence of duty, Vol. 50, p. 1198

In Louisiana, Vol. 50, p. 1195

Prescription, Vol. 50, p. 815

Mental injury, causation, clear and convincing, Vol. 50, p. 629

Oil Spill, Vol. 50, p. 315

Parent-child immunity, Vol. 50, p. 1131

Privacy, right of,

Consent to medical treatment, Vol. 50, p. 1202

Medical treatment, Vol. 50, p. 1202

Products liability,

Defect, in design, Vol. 50, p. 531

Manufacturer, defenses, Vol. 50, p. 550

Unreasonably dangerous as a matter of policy, Vol. 50, p. 546

State liability for injuries to inmates, Vol. 50, p. 284

Subrogation of employer to rights of employee, Vol. 50, p. 1175

Transaction or compromise, Vol. 50, p. 325

Trespass, subsurface, Vol. 50, p. 317

Vicarious liability, municipality for torts of law enforcement officers, Vol. 50, p. 284

TRUSTS

Benefits, Vol. 50, pp. 505, 522

Code,

Generally, Vol. 50, p. 501

Prohibited substitutions, Vol. 50, p. 514

Estate planning, successions, Vol. 50, pp. 506, 523

TRUSTS AND TRUSTEES

Allocation of expenses, Vol. 50, p. 516

Benefit plan, revocability of beneficiary designation, Vol. 50, p. 513

Invasion of principle, Vol. 50, p. 517

Spendthrift trusts,

Alienation, Vol. 50, pp. 505, 522

In Louisiana, Vol. 50, p. 522

Legitimate in trust, Vol. 50, p. 523

Limiting provisions, Vol. 50, p. 522

Term of, Vol. 50, p. 519

Substitutions and fidei commissa,

Generally, Vol. 50, p. 508

Prohibitions against, Vol. 50, p. 508

Valuation of interests for taxation, federal estate taxation, Vol. 50, p. 506

Uniform Commercial Code, holder in due course status, Vol. 50, p. 885

VENUE

Political subdivisions as defendants, Vol. 50, p. 303

VICARIOUS LIABILITY

Respondeat superior, Vol. 50, p. 284

WARRANTIES

Assignment of rights, Vol. 50, p. 1158

WATER AND WATERCOURSES

Suits to determine ownership, venue, Vol. 50, p. 303

WITNESSES

Children, veracity in sexual abuse prosecutions, psychological testimony on, Vol. 50, p. 1039

Experts, veracity in child sexual abuse prosecutions, psychological testimony, Vol. 50, p. 1039

WORKMEN'S COMPENSATION

"Accident," definition, Vol. 50, p. 392

Arising out of a dispute with another person or employee over matters unrelated to the injured employee's employment, Vol. 50, p. 395

Dependents, direct payment, Vol. 50, p. 401

Duration of benefits, Vol. 50, p. 400

Emotional stress resulting in mental disability, compensation of, Vol. 50, p. 609

Emotional stress resulting in physical collapse, compensation of, Vol. 50, p. 617

Employer defenses, Vol. 50, p. 397

Employer's rehabilitation obligation, Vol. 50, p. 401

Forfeiture of benefits, incarceration, Vol. 50, p. 401

Heart attack, Vol. 50, p. 406

Horseplay, Vol. 50, p. 395

Intoxication defense, Vol. 50, p. 397

Meaning of "accident", Vol. 50, p. 614

Meaning of "injury", Vol. 50, p. 614

Medical expense offset, Vol. 50, p. 400

Medical reimbursement schedule, Vol. 50, p. 401

Mental disability, Vol. 50, p. 393

Mental injury, standard of proof, Vol. 50, p. 393

Mental injury or illness, Vol. 50, p. 393

Mental stress, Vol. 50, pp. 393, 402

Misrepresentation sanctions, Vol. 50, p. 401

Non-employment dispute, Vol. 50, p. 395

Scope of coverage, Vol. 50, p. 396

Settlement of action,

Approval of settlements, Vol. 50, p. 401

By fewer than all of the defendants, Vol. 50, p. 400

Refusal to settle, Vol. 50, p. 400

Temporary total disability, duration of benefits, Vol. 50, p. 400

Tort immunity, Vol. 50, p. 396

Vascular accidents, definition, Vol. 50, p. 394

