12-1976

Subject Index to Volume 4

Follow this and additional works at: http://ir.law.fsu.edu/lr

Part of the Law Commons

Recommended Citation

http://ir.law.fsu.edu/lr/vol4/iss4/10
## Subject Index

### Actions and Defenses

See also Civil Procedure; Criminal Procedure; Remedies

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Florida Medical Malpractice Reform Act of 1975</td>
<td>50</td>
</tr>
<tr>
<td>Florida's No-Fault Divorce: Is It Really No-Fault?</td>
<td>504</td>
</tr>
<tr>
<td>Suing State Welfare Officials for Damages in Federal Court: The Eleventh Amendment and Qualified Immunity</td>
<td>105</td>
</tr>
</tbody>
</table>

### Adjoining Landowners

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
</table>

### Administration of Justice

See also Courts

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida's Incompetency to Stand Trial Rule: A Possible Life Sentence?</td>
<td>523</td>
</tr>
<tr>
<td>Thorns in Their Sides: Courts and Their Critics in Florida</td>
<td>449</td>
</tr>
</tbody>
</table>
ADMINISTRATIVE AGENCIES
Can the Joint Administrative Procedures Committee Adequately Solve Administrative Conflict ....................................................... 350

ADMINISTRATIVE LAW
Appellate Supervision of Remedies in Public Law Adjudication ................................................................. 411
Can the Joint Administrative Procedures Committee Adequately Solve Administrative Conflict ....................................................... 350

ADMINISTRATIVE PROCEDURE
See ADMINISTRATIVE LAW

ADMIRALITY
See MARITIME LAW

ADMISSIBILITY OF EVIDENCE
See EVIDENCE

AGRICULTURE
California’s Coast: The Struggle Today—A Plan for Tomorrow ................................................................. 177, 315

ALIMONY AND MAINTENANCE
Florida’s No-Fault Divorce: Is It Really No-Fault? ................................................................................................. 504

ANTITRUST LAW
Appellate Supervision of Remedies in Public Law Adjudication ................................................................. 411
Connell Construction Company v. Plumber’s Local 100: New Limits on Labor’s Antitrust Immunity? ................................................................. 536

APPELLATE PROCEDURE
Appellate Supervision of Remedies in Public Law Adjudication ................................................................. 411

ARREST
Constitutional Law—Vagrancy—Florida’s Loitering Statute Upheld as Constitutional When Construed To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace (State v. Ecker, Fla. 1975) ................................................................. 146

ATTACHMENT AND GARNISHMENT

ATTORNEYS
Attorney Discipline—Attorney May Be Punished for Charging Excessive Fee Absent Aggravating Circumstances, Fraud, or Dishonesty (The Florida Bar v. Moriber, Fla. 1975) ................................................................. 126
Attorney Discipline—Suspended Lawyer May Take Employment as a Law Clerk (The Florida Bar v. Thomson, Fla. 1975) ................................................................. 296
Freedman: Lawyers’ Ethics in an Adversary System (book review) ................................................................. 171

BAIL
Basing Juvenile Detention on Past Adjudication: “Fairness” at the Preadjudication Stage of the Juvenile Justice System ................................................................. 365

BAR ASSOCIATIONS
See ATTORNEYS

BOATS AND BOATING
See MARITIME LAW; WATER AND WATERCOURSES

BOYCOTTS AND STRIKES
Connell Construction Company v. Plumber’s Local 100: New Limits on Labor’s Antitrust Immunity? ................................................................. 536
CONSTITUTIONAL LAW—VAGRANCY—FLORIDA'S LOITERING STATUTE UPHELD AS CONSTITUTIONAL WHEN CONSTRUED TO PROHIBIT LOITERING WHICH THREATENS PUBLIC SAFETY OR A BREACH OF THE PEACE (STATE V. ECKER, FLA. 1975) 146

BUILDING CONTRACTS
See CONSTRUCTION CONTRACTS

BUILDING LAWS
California's Coast: The Struggle Today—A Plan for Tomorrow 177, 315

CHILD CUSTODY
Florida's No-Fault Divorce: Is It Really No-Fault? 504

CITY PLANNING
See REGIONAL PLANNING; ZONING

CIVIL PROCEDURE
See also ACTIONS AND DEFENSES; DISMISSAL AND NONSUIT; EVIDENCE; JURISDICTION; MOTIONS; TRIAL PRACTICE
Civil Procedure—Voluntary Dismissal—Plaintiff's Right To Take Voluntary Dismissal Is Absolute; or Plaintiff Gets a Second Chance (FEARS V. LUNSFORD, FLA. 1975) 379
Torts—Wrongful Death—Florida's Wrongful Death Act Is Constitutional and Permits Punitive Damages (MARTIN V. SECURITY SERVICES, INC., FLA. 1975) 394

CIVIL RIGHTS
See also Names of particular rights
Appellate Supervision of Remedies in Public Law Adjudication 411
The Civilly-Committed Public Mental Patient and the Right to Aftercare 232
Constitutional Law—Vagrancy—Florida's Loitering Statute Upheld as Constitutional When Construed To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace (STATE V. ECKER, FLA. 1975) 146
Florida's Incompetency to Stand Trial Rule: A Possible Life Sentence? 523
Suing State Welfare Officials for Damages in Federal Court: The Eleventh Amendment and Qualified Immunity 105

CLAIMS
See GOVERNMENT IMMUNITY AND LIABILITY

COLLECTIVE BARGAINING

COMMITMENT
The Civilly-Committed Public Mental Patient and the Right to Aftercare 232
Florida's Incompetency To Stand Trial Rule: A Possible Life Sentence? 523

COMMON LAW
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf (TREASURE SALVORS, INC. V. ABANDONED SAILING VESSEL BELIEVED TO BE THE NUESTRa SEñORA DE ATOCHA, S.D. FLA. 1976) 561

CONDEMNATION OF LAND
See EMINENT DOMAIN
CONFISCATION

CONSERVATION
See Natural Resources

CONSPIRACY
Connell Construction Company v. Plumber’s Local 100: New Limits on Labor’s Antitrust Immunity? ................................................................. 536

CONSTITUTIONAL LAW
See also Civil Rights; Due Process of Law; Equal Protection; Police Power; Search and Seizure; Self Incrimination; Separation of Powers
Can the Joint Administrative Procedures Committee Adequately Solve Administrative Conflict ........................................................... 350
The Civilly-Committed Public Mental Patient and the Right to Aftercare ........................................ 232
Constitutional Law—Vagrancy—Florida’s Loitering Statute Upheld as Constitutional When Construed To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace (State v. Ecker, Fla. 1975) ................................................................. 146
Florida’s Incompetency—To-Stand-Trial Rule: A Possible Life Sentence? ........................................ 523
The Legislature’s Role in the Taking Issue ........................................ 1
Suing State Welfare Officials for Damages in Federal Court: The Eleventh Amendment and Qualified Immunity ........................................... 105
Thorns in Their Sides: Courts and Their Critics in Florida ................................................................. 449
Updating Eminent Domain for Environmental Control .................................................. 24

CONSTRUCTION CONTRACTS
Connell Construction Company v. Plumber’s Local 100: New Limits on Labor’s Antitrust Immunity? ................................................................. 536

CONSUMER PROTECTION

CONTEMPT
Thorns in Their Sides: Courts and Their Critics in Florida ................................................................. 449

CONTINENTAL SHELF
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf (Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha, S.D. Fla. 1976) ................................................................. 561

CONTRACTS
See Construction Contracts

COURTS
See also Judges; Judicial Review; Jurisdiction
Appellate Supervision of Remedies in Public Law Adjudication ........................................ 411
The Legislature's Role in the Taking Issue ........................................... 1
Thorns in Their Sides: Courts and Their Critics in Florida ................. 449

CRIMINAL LAW
See also SELF-INCINERATION; Names of particular crimes
Constitutional Law—Vagrancy—Florida's Loitering Statute Upheld as Constitutional When Construed To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace (State v. Ecker, Fla. 1975) ........... 146
Criminal Law—Guilty Pleas—Factual Basis Determination Not Mandatory When a Court Accepts a Plea of Guilty or Nolo Contendere (Williams v. State, Fla. 1975) ........................................ 384
Fogel: "... We Are the Living Proof ..." (book review) ..................... 403

CRIMINAL PROCEDURE
See also ACTIONS AND DEFENSES; EVIDENCE; PLEA BARGAINING; TRIAL PRACTICE
Basing Juvenile Detention on Past Adjudication: "Fairness" at the Preadjudication Stage of the Juvenile Justice System .................. 365
Criminal Law—Guilty Pleas—Factual Basis Determination Not Mandatory When a Court Accepts a Plea of Guilty or Nolo Contendere (William v. State, Fla. 1975) ........................................ 384
Florida's Incompetency-To-Stand-Trial Rule: A Possible Life Sentence? ... 523

CRIMINAL RESPONSIBILITY
Basing Juvenile Detention on Past Adjudication: "Fairness" at the Preadjudication Stage of the Juvenile Justice System .................. 365
Florida's Incompetency-To-Stand-Trial Rule: A Possible Life Sentence? ... 523

CRIMINAL STATISTICS
Basing Juvenile Detention on Past Adjudication: "Fairness" at the Preadjudication Stage of the Juvenile Justice System .................. 365
Fogel: "... We Are the Living Proof ..." (book review) ..................... 403

CRIMINOLOGY
Fogel: "... We Are the Living Proof ..." (book review) ..................... 403

CROSS-EXAMINATION
The Dead Man's Statute Before and After the Florida Evidence Code—A Step in the Right Direction .................. 480

CRUEL AND UNUSUAL PUNISHMENT
See PENOLOGY

CUSTODY
See CHILD CUSTODY; INCOMPETENTS; PRISONS AND PRISONERS

DAMAGES

DEATH
See WRONGFUL DEATH

DECEDEENTS' ESTATES
See INHERITANCE AND SUCCESSION

DEDICATION TO PUBLIC USE
California's Coast: The Struggle Today—A Plan For Tomorrow .... 177, 315

DEFENSES
See ACTIONS AND DEFENSES
INDEX

DELEGATION OF POWERS
See also SEPARATION OF POWERS
Can the Joint Administrative Procedures Committee Adequately Solve Administrative Conflict ........................................... 350

DISBARMENT OF ATTORNEYS
See LEGAL ETHICS

DISCRIMINATION
See CIVIL RIGHTS

DISMISSAL AND NONSUIT
Civil Procedure—Voluntary Dismissal—Plaintiff's Right To Take Voluntary Dismissal Is Absolute; or Plaintiff Gets a Second Chance (Fears v Lunsford, Fla. 1975) ........................................... 379

DIVORCE AND SEPARATION
Florida's No-Fault Divorce: Is It Really No-Fault? ......................... 504

DOCTORS
See PHYSICIANS AND SURGEONS

DOMESTIC RELATIONS
Florida's No-Fault Divorce: Is It Really No-Fault? ......................... 504

DOMESTIC RELATIONS COURTS
See FAMILY COURTS

DRAINAGE
California's Coast: The Struggle Today—A Plan for Tomorrow ...... 177, 315

DUE PROCESS OF LAW
Basing Juvenile Detention on Past Adjudication: "Fairness" at the Preadjudication State of the Juvenile Justice System ........................................... 365
The Civilly-Committed Public Mental Patient and the Right to Aftercare ........................................... 232
Constitutional Law—Vagrancy—Florida's Loitering Statute Upheld as Constitutional When Construed To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace (State v. Ecker, Fla. 1975) ............. 146
Florida's Incompetency-To-Stand-Trial Rule: A Possible Life Sentence? ......................... 523
The Legislature's Role in the Taking Issue ........................................... 1
Updating Eminent Domain for Environmental Control ....................... 24

EAVESDROPPING
Evidence—Husband-Wife Privilege—Testimony of Third Party Eavesdropper Concerning Privileged Communication Admissible Where Privileged Party Knows or Has Reason To Know of Eavesdropper's Presence (Proffitt v. State, Fla. 1975) ......................... 553

ECONOMICS
California's Coast: The Struggle Today—A Plan for Tomorrow ...... 177, 315

ELECTRICITY
See ENERGY RESOURCES

EMINENT DOMAIN
The Legislature's Role in the Taking Issue ........................................... 1
Updating Eminent Domain for Environmental Control .................................. 24

ENERGY RESOURCES
California's Coast: The Struggle Today—A Plan for Tomorrow ....................... 177, 315

ENVIRONMENTAL CONTROL
See ENVIRONMENTAL LAW

ENVIRONMENTAL LAW
California's Coast: The Struggle Today—A Plan for Tomorrow ....................... 177, 315
The Legislature's Role in the Taking Issue ........................................... 1
Updating Eminent Domain for Environmental Control .................................. 24

EQUAL PROTECTION
The Civilly-Committed Public Mental Patient and the Right to Aftercare ........ 232
Florida's Incompetency-To-Stand-Trial Rule: A Possible Life Sentence? ....... 523

ESTATES
See INHERITANCE AND SUCCESSION

ETHICS
See LEGAL ETHICS

EVIDENCE
The Dead Man's Statute Before and After the Florida Evidence Code—A Step
in the Right Direction ................................................................. 480
Evidence—Husband-Wife Privilege—Testimony of Third Party Eavesdropper
Concerning Privileged Communication Admissible Where Privileged Party
Knows or Has Reason To Know of Eavesdropper's Presence (Profitt v.
State, Fla. 1975) ................................................................. 553
Florida's No-Fault Divorce: Is It Really No-Fault? ................................ 504

EXECUTIVE POWER
See also SEPARATION OF POWERS
Can the Joint Administrative Procedures Committee Adequately Solve Ad-
ministrative Conflict ................................................................. 350

FAIR TRIAL
See DUE PROCESS OF LAW; RIGHT TO TRIAL BY JURY

FAMILY COURTS
Florida's No-Fault Divorce: Is It Really No-Fault? ................................ 504

FAMILY LAW
See DOMESTIC RELATIONS; HUSBAND AND WIFE

FEDERAL COURTS
See COURTS

FEDERAL JURISDICTION
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative
over Abandoned Property on Outer Continental Shelf (Treasure Salvors, Inc.
v. Abandoned Sailing Vessel Believed To Be the Nuestra Señora De Atocha,
S.D. Fla. 1976) ................................................................. 561
Suing State Welfare Officials for Damages in Federal Court: The Eleventh
Amendment and Qualified Immunity .................................................. 105

FEDERALISM
Suing State Welfare Officials for Damages in Federal Court: The Eleventh
Amendment and Qualified Immunity .................................................. 105
FEES
Attorney Discipline—Attorney May Be Punished for Charging Excessive Fee Absent Aggravating Circumstances, Fraud, or Dishonesty (The Florida Bar v. Moriber, Fla. 1975) ........................................ 126

FISH AND GAME
California's Coast: The Struggle Today—A Plan for Tomorrow . . . 117, 315

FRAUD
Attorney Discipline—Attorney May Be Punished for Charging Excessive Fee Absent Aggravating Circumstances, Fraud, or Dishonesty (The Florida Bar v. Moriber, Fla. 1975) ........................................ 126

FREEDOM
See Liberty

FREEDOM OF THE PRESS
Thorns in Their Sides: Courts and Their Critics in Florida . . . . 449

FREEDOM OF THE SEAS
See Sovereignty

GARNISHMENT

GOVERNMENT IMMUNITY AND LIABILITY
Suing State Welfare Officials for Damages in Federal Court: The Eleventh Amendment and Qualified Immunity ................................................................. 150

GOVERNMENT REGULATION
See Administrative Law

HEIRS
See Inheritance and Succession

HIGH SEAS
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf (Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha, S.D. Fla. 1976) ........................................ 561

HISTORICAL MONUMENTS
See Parks and Monuments

HISTORY
See Legal History

HISTORY OF LAW
See Legal History

HUSBAND AND WIFE
See also Divorce and Separation
Evidence—Husband-Wife Privilege—Testimony of Third Party Eavesdropper Concerning Privileged Communication Admissible Where Privileged Party Knows or Has Reason to Know of Eavesdropper's Presence (Profitti v. State, Fla. 1975) ........................................ 553

IMMUNITY
See Governmental Immunity and Liability
INDEX

JUVENILE COURTS
Basing Juvenile Detention on Past Adjudication: "Fairness" at the Preadjudication Stage of the Juvenile Justice System...........365

LABOR LAW
Connell Construction Company v. Plumber's Local 100: New Limits on Labor's Antitrust Immunity?..................536

LABOR UNIONS
See Unions

LAW SOCIETIES
See Attorneys

LAWYERS
See Attorneys

LEGAL ETHICS
Attorney Discipline—Attorney May Be Punished for Charging Excessive Fee Absent Aggravating Circumstances, Fraud, or Dishonesty (The Florida Bar v. Moriber, Fla. 1975).............126
Attorney Discipline—Suspended Lawyer May Take Employment as a Law Clerk (The Florida Bar v. Thomson, Fla. 1975).............296
Freedman: Lawyers' Ethics in an Adversary System (book review).............171

LEGAL HISTORY
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf (Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha, S.D. Fla. 1976).............561
California's Coast: The Struggle Today—A Plan for Tomorrow.............177, 315
The Dead Man's Statute Before and After the Florida Evidence Code—A Step in the Right Direction.............480
Evidence—Husband-Wife Privilege—Testimony of Third Party Eavesdropper Concerning Privileged Communication Admissible Where Privileged Party Knows or Has Reason to Know of Eavesdropper's Presence (Proffitt v. State, Fla. 1975).............553
Fogel: "... We Are the Living Proof...
Thorns in Their Sides: Courts and Their Critics in Florida.............449

LEGAL PROFESSION
See also Paraprofessionals; Unauthorized Practice of Law
Attorney Discipline—Attorney May Be Punished for Charging Excessive Fee Absent Aggravating Circumstances, Fraud, or Dishonesty (The Florida Bar v. Moriber, Fla. 1975).............126
Attorney Discipline—Suspended Lawyer May Take Employment as a Law Clerk (The Florida Bar v. Thomson, Fla. 1975).............296
Freedman: Lawyers' Ethics in an Adversary System.............171

LEGISLATION
See also Specific subjects of legislation
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf (Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha, S.D. Fla. 1976).............561
Basing Juvenile Detention on Past Adjudication: "Fairness" at the Preadjudication Stage of the Juvenile Justice System.............365
California's Coast: The Struggle Today—A Plan for Tomorrow.............177, 315
Can the Joint Administrative Procedures Committee Adequately Solve Administrative Conflict ........................................... 350
Constitutional Law—Vagrancy—Florida’s Loitering Statute Upheld as Constitutional When Concluded To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace (State v. Ecker, Fla. 1975) ............. 146
The Dead Man’s Statute Before and After the Florida Evidence Code—A Step in the Right Direction .......................... 480
The Florida Medical Malpractice Reform Act of 1975 ........................................... 50
Florida’s Incompetency-To-Stand-Trial Rule: A Possible Life Sentence? ........ 523
Thorns in Their Sides: Courts and Their Critics in Florida ........................................ 449

LEGISLATIVE BODIES
Can the Joint Administrative Procedures Committee Adequately Solve Administrative Conflict ........................................... 350
The Legislature’s Role in the Taking Issue ........................................... 1

LIABILITY
See Specific subjects, e.g., DAMAGES; GOVERNMENT IMMUNITY AND LIABILITY;
LIABILITY WITHOUT FAULT; TORTS

LIABILITY WITHOUT FAULT

LIBERTY
See also any particular “Freedom”
Constitutional Law—Vagrancy—Florida’s Loitering Statute Upheld as Constitutional When Concluded To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace (State v. Ecker, Fla. 1975) ............. 146
Florida’s Incompetency-To-Stand-Trial Rule: A Possible Life Sentence? ........ 523
Fogel: “... We Are the Living Proof ...” (book review) .................. 403

LOITERING
Constitutional Law—Vagrancy—Florida’s Loitering Statute Upheld as Constitutional When Concluded To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace (State v. Ecker, Fla. 1975) ............. 146

MAINTENANCE
See Alimony and Maintenance

MALPRACTICE
See Attorney’s; Physicians and Surgeons

MARGINAL SEA
See Continental Shelf

MARINE RESOURCES
See also Continental Shelf
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf (Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha, S.D. Fla. 1976) .................. 561
California’s Coast: The Struggle Today—A Plan for Tomorrow .................. 177, 315
MARITIME LAW
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf (*Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha*, S.D. Fla. 1976) ........................................... 561

MEDICAL PROFESSION
See PHYSICIANS AND SURGEONS

MENTAL HEALTH
See also COMMITMENT
The Civilly-Committed Public Mental Patient and the Right to Aftercare .. 232

MENTALLY HANDICAPPED
See MENTAL HEALTH

MONOPOLIES
See ANTITRUST LAW

MOTIONS
Civil Procedure—Voluntary Dismissal—Plaintiff's Right To Take Voluntary Dismissal Is Absolute; or Plaintiff Gets A Second Chance (*Fears v. Lunsford*, Fla. 1975) ........................................... 379

NATURAL RESOURCES
See also EMINENT DOMAIN; ENERGY RESOURCES; ENVIRONMENTAL LAW; MARINE RESOURCES
California's Coast: The Struggle Today—A Plan for Tomorrow ........ 177, 315
The Legislature's Role in the Taking Issue .................................. 1
Updating Eminent Domain for Environmental Control .................. 24

NEGLIGENCE
See also LIABILITY WITHOUT FAULT; PERSONAL INJURIES; WRONGFUL DEATH
The Florida Medical Malpractice Reform Act of 1975 .................. 50

NEWSPAPERS
Thorns in Their Sides: Courts and Their Critics in Florida ............. 449

NONSUIT
See DISMISSAL AND NONSUIT

NOTICE
Constitutional Law—Vagrancy—Florida's Loitering Statute Upheld as Constitutional When Construed To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace (*State v. Ecker*, Fla. 1975) ........ 146

NUISANCE
The Legislature's Role in the Taking Issue .................................. 1

OIL AND GAS
See ENERGY RESOURCES

PARALEGAL PRACTICE
See LEGAL PROFESSION; PARAPROFESSIONALS

PARAPROFESSIONALS

PARKS AND MONUMENTS
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative
over Abandoned Property on Outer Continental Shelf (Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha, S.D. Fla. 1976) ......................................................... 561

PAROLE
Fogel: "... We Are the Living Proof..." (book review) ............... 403

PAROL EVIDENCE
The Dead Man's Statute Before and After the Florida Evidence Code—A Step in the Right Direction .................................................. 480

PENOLOGY
See also PRISONS AND PRISONERS; PROBATION; SENTENCING
The Civilly-Committed Public Mental Patient and the Right to Aftercare .................................................. 232
Fogel: "... We Are the Living Proof..." (book review) ............... 403

PHYSICIANS AND SURGEONS
The Florida Medical Malpractice Reform Act of 1975 .................. 24

PICKETING

PLANNING
See REGIONAL PLANNING

PLEA BARGAINING
Criminal Law—Guilty Pleas—Factual Basis Determination Not Mandatory When a Court Accepts a Plea of Guilty or Nolo Contendere (Williams v. State, Fla. 1975) .................................................. 384

POLICE POWER
The Civilly-Committed Public Mental Patient and the Right to Aftercare .................................................. 232
The Legislature's Role in the Taking Issue .................................. 1

POLLUTION
See also ENVIRONMENTAL LAW
California's Coast: The Struggle Today—A Plan for Tomorrow ........ 177, 315
The Legislature's Role in the Taking Issue .................................. 1

POOR LAW
See POVERTY LAW

POSSESSION
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf (Treasure Salvors, v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha S.D. Fla. 1976) .................................................. 561

POVERTY LAW.
Suing State Welfare Officials for Damages in Federal Court: The Eleventh Amendment and Qualified Immunity .................................. 105

PRACTICE
See CIVIL PROCEDURE; CRIMINAL PROCEDURE; TRIAL PRACTICE
**INDEX**

**PRACTICE OF LAW**  
*See Legal Profession; Unauthorized Practice of Law*

**PRECEDENTS**  
Appellate Supervision of Remedies in Public Law Adjudication ........................................ 411

**PRESS**  
*See Newspapers*

**PRE-TRIAL PROCEDURE**  
Constitutional Law—Due Process—Georgia Prejudgment Garnishment Procedures  

**PRISON AND PRISONERS**  
Fogel: "... We Are the Living Proof..." (book review) ......................................................... 403

**PRIVACY**  
*See Right of Privacy*

**PRIVILEGED COMMUNICATIONS**  
Evidence—Husband-Wife Privilege—Testimony of Third Party Eavesdropper  
Concerning Privileged Communication Admissible Where Privileged Party  
Knows or Has Reason To Know of Eavesdropper’s Presence *(Proffitt v. State, Fla. 1975)* .......... 553

**PROBATE LAW AND PRACTICE**  
The Dead Man’s Statute Before and After the Florida Evidence Code—A Step  
in the Right Direction ................................................................. 480

**PROBATION**  
Fogel: "... We Are the Living Proof..." (book review) ......................................................... 403

**PROCEDURE**  
*See Administrative Procedure; Civil Procedure; Criminal Procedure*

**PROPERTY**  
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative  
over Abandoned Property on Outer Continental Shelf *(Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Senora De Atocha, S.D. Fla. 1976)* .......................................................... 561

California’s Coast: The Struggle Today—A Plan for Tomorrow .................................................. 177, 315

The Legislature’s Role in the Taking Issue ................................................................................. 1

Torts—Strict Liability for Hazardous Use of One’s Land—Impounding Phosphate  
Slimes in Reservoir Is Non-Natural Use of Lands: Escape of Slimes Invokes  

Zoning Ordinance—Enhancement of Aesthetic Values Alone Not Sufficient Basis  

**PSYCHIATRY AND PSYCHOLOGY**  
*See also Commitment*  
The Civilly-Committed Public Mental Patient and the Right to Aftercare .......................... 232

**PUBLIC ADMINISTRATION**  
*See Administrative Law*

**PUBLIC LANDS**  
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative  
over Abandoned Property on Outer Continental Shelf *(Treasure Salvors, Inc.*
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Updating Eminent Domain for Environmental Control</td>
<td>24</td>
</tr>
<tr>
<td>Suing State Welfare Officials for Damages in Federal Court: The Eleventh Amendment and Qualified Immunity</td>
<td>105</td>
</tr>
<tr>
<td>Appellate Supervision of Remedies in Public Law Adjudication</td>
<td>411</td>
</tr>
<tr>
<td>Appellate Supervision of Remedies in Public Law Adjudication</td>
<td>411</td>
</tr>
<tr>
<td>Civil Procedure—Voluntary Dismissal—Plaintiff's Right To Take Voluntary Dismissal Is Absolute; or Plaintiff Gets a Second Chance (Fears v. Lunsford, Fla. 1975)</td>
<td>379</td>
</tr>
<tr>
<td>Evidence—Husband-Wife—Testimony of Third Party Eavesdropper Concerning Privileged Communication Admissible Where Privileged Party Knows or Has Reason To Know of Eavesdropper's Presence (Proffitt v. State, Fla. 1975)</td>
<td>553</td>
</tr>
<tr>
<td>The Civilly-Committed Public Mental Patient and the Right to Aftercare</td>
<td>232</td>
</tr>
<tr>
<td>Florida's Incompetency-To-Stand-Trial Rule: A Possible Life Sentence?</td>
<td>523</td>
</tr>
<tr>
<td>Criminal Law—Guilty Pleas—Factual Basis Determination Not Mandatory When a Court Accepts a Plea of Guilty or Nolo Contendere (Williams v. State, Fla. 1975)</td>
<td>384</td>
</tr>
<tr>
<td>Florida's Incompetency-To-Stand-Trial Rule: A Possible Life Sentence?</td>
<td>523</td>
</tr>
<tr>
<td>See Water and Watercourses</td>
<td></td>
</tr>
<tr>
<td>Topic</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
</tr>
<tr>
<td>RIVERS</td>
<td>See Water and Watercourses</td>
</tr>
<tr>
<td>RULE OF LAW</td>
<td>See Due Process of Law</td>
</tr>
<tr>
<td>SEARCH AND SEIZURE</td>
<td>Constitutional Law—Vagrancy—Florida's Loitering Statute Upheld as Constitutional When Construed To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace <em>(State v. Ecker, Fla. 1975)</em> 146</td>
</tr>
<tr>
<td>SEAS</td>
<td>See High Seas; Territorial Waters</td>
</tr>
<tr>
<td>SEGREGATION</td>
<td>Appellate Supervision of Remedies in Public Law Adjudication 411</td>
</tr>
<tr>
<td>SELF-INCrimINATION</td>
<td>Constitutional Law—Vagrancy—Florida's Loitering Statute Upheld as Constitutional When Construed To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace <em>(State v. Ecker, Fla. 1975)</em> 146</td>
</tr>
<tr>
<td></td>
<td>Criminal Law—Guilty Pleas—Factual Basis Determination Not Mandatory When a Court Accepts a Plea of Guilty or Nolo Contendere <em>(Williams v. State, Fla. 1975)</em> 384</td>
</tr>
<tr>
<td>SENTENCING</td>
<td>Fogel: &quot;... We Are the Living Proof...&quot; (book review) 403</td>
</tr>
<tr>
<td>SEPARATION OF POWERS</td>
<td>Can the Joint Administrative Procedures Committee Adequately Solve Administrative Conflict 350</td>
</tr>
<tr>
<td></td>
<td>The Legislature's Role in the Taking Issue 1</td>
</tr>
<tr>
<td></td>
<td>Thorns in Their Sides: Courts and Their Critics in Florida 449</td>
</tr>
<tr>
<td>SHIPPING</td>
<td>See Maritime Law</td>
</tr>
<tr>
<td>SMOG</td>
<td>See Pollution</td>
</tr>
<tr>
<td>SMOKE</td>
<td>See Pollution</td>
</tr>
<tr>
<td>SOCIAL WELFARE</td>
<td>Suing State Welfare Officials for Damages in Federal Court: The Eleventh Amendment and Qualified Immunity 105</td>
</tr>
<tr>
<td>SOVEREIGNTY</td>
<td>See also Government Immunity and Liability</td>
</tr>
<tr>
<td></td>
<td>Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf <em>(Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha, S.D. Fla. 1976)</em> 561</td>
</tr>
<tr>
<td></td>
<td>Suing State Welfare Officials for Damages in Federal Court: The Eleventh Amendment and Qualified Immunity 105</td>
</tr>
<tr>
<td>STARE DECISIS</td>
<td>See Precedents</td>
</tr>
<tr>
<td>TREATIES</td>
<td>Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative</td>
</tr>
</tbody>
</table>
over Abandoned Property on Outer Continental Shelf *(Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha*, S.D. Fla. 1976) ................................. 561

**TRIAL PRACTICE**

*See also EVIDENCE; WITNESSES; Various procedure headings*

Civil Procedure—Voluntary Dismissal—Plaintiff’s Right To Take Voluntary Dismissal is Absolute; or Plaintiff Gets a Second Chance *(Fears v. Lunsford, Fla. 1975)* ......................................................... 379

Evidence—Husband-Wife Privilege—Testimony of Third Party Eavesdropper Concerning Privileged Communication Admissible Where Privileged Party Knows or Has Reason To Know of Eavesdropper’s Presence *(Proffit v. State, Fla. 1975)* ................................................................. 553


**UNAUTHORIZED PRACTICE OF LAW**

Attorney Discipline—Suspended Lawyer May Take Employment as a Law Clerk *(The Florida Bar v. Thomson, Fla. 1975)* ................................................................. 296

**UNFAIR COMPETITION**

*See RESTRAINT OF TRADE*

**UNFAIR LABOR PRACTICES**

*Connell Construction Company v. Plumber’s Local 100: New Limits on Labor’s Antitrust Immunity?* ................................................................. 536

**UNIFORM LAWS**

Basing Juvenile Detention on Past Adjudication: “Fairness” at the Pre-adjudication Stage of the Juvenile Justice System ............................................. 365

Florida’s No-Fault Divorce: Is It Really No-Fault? ............................................. 504

**UNIONS**

*Connell Construction Company v. Plumber’s Local 100: New Limits on Labor’s Antitrust Immunity?* ................................................................. 536

**VAGRANCY**

Constitutional Law—Vagrancy—Florida’s Loitering Statute Upheld as Constitutional When Construed To Prohibit Loitering Which Threatens Public Safety or a Breach of the Peace *(State v. Ecker, Fla. 1975)* ................. 146

**STATUTES**

*See LEGISLATION*

**STRICT LIABILITY**

*See LIABILITY WITHOUT FAULT*

**SUBMERGED LANDS**

*See also CONTINENTAL SHELF; TERRITORIAL WATERS*

California’s Coast: The Struggle Today—A Plan for Tomorrow .......................... 177, 315

**SUCCESSION AND INHERITANCE**

*See INHERITANCE AND SUCCESSION*

**SUMMARY PROCEEDINGS**

*See CIVIL PROCEDURE*

**SUPPORT OF DEPENDANTS**

Florida’s No-Fault Divorce: Is It Really No-Fault? ............................................. 504

**SURVIVAL OF ACTIONS**

*See REMEDIES; WRONGFUL DEATH*
TERRITORIAL WATERS
Admiralty—Salvage—The United States Has Not Asserted Sovereign Prerogative over Abandoned Property on Outer Continental Shelf (Treasure Salvors, Inc. v. Abandoned Sailing Vessel Believed to Be the Nuestra Señora De Atocha, S.D. Fla. 1976) ........................................ 561

TORTS
The Dead Man's Statute Before and After the Florida Evidence Code—A Step in the Right Direction ........................................ 480
The Florida Medical Malpractice Reform Act of 1975 ........................................ 50
Suing State Welfare Officials for Damages in Federal Court: The Eleventh Amendment and Qualified Immunity ........................................ 105

TRADE REGULATION
See ANTITRUST LAW

TRADE UNIONS
See UNIONS

WATER AND WATERCOURSES
See also CONTINENTAL SHELF; ENVIRONMENTAL LAW; POLLUTION; TERRITORIAL WATERS
California's Coast: The Struggle Today—A Plan for Tomorrow ........................................ 177, 315

WIRETAPPING
See EAVESDROPPING

WITNESSES
See also PRIVILEGED COMMUNICATIONS
The Dead Man's Statute Before and After the Florida Evidence Code—A Step in the Right Direction ........................................ 480
Evidence—Husband-Wife Privilege—Testimony of Third Party Eavesdropper Concerning Privileged Communication Admissible Where Privileged Party Knows or Has Reason To Know of Eavesdropper's Presence (Proffitt v. State, Fla. 1975) ........................................ 553

WRONGFUL DEATH

ZONING
See also BUILDING LAWS; REGIONAL PLANNING