ANNUAL SUBJECT INDEX VOLUME 89 LIST OF SUBJECT HEADINGS

The following is a list of all subject headings in this index, arranged alphabetically.

ABORTION

AGRICULTURE

BAR ASSOCIATION

BAR PROCEEDINGS

CIVIL RIGHTS

CLASS ACTION

CONSTITUTIONAL LAW

CONTRACTS

CRIMINAL LAW

CRIMINAL PROCEDURE

DRUNK DRIVING

ELDER LAW

ENERGY LAW

ENVIRONMENTAL LAW

FIRST AMENDMENT

GUARDIAN AND WARD

INDIAN LAW

INSURANCE

JURISDICTION

LABOR LAW

LIABILITY

MINERAL LAW

NORTH DAKOTA SUPREME COURT REVIEW

OIL AND GAS LAW

REAL PROPERTY

SEARCH AND SEIZURE

SENTENCING AND PUNISHMENT

SYMPOSIUM

TORTS

TRUSTS

VENUE

WATER LAW

WORKERS' COMPENSATION

ABORTION

89:415, No. 3; The Pro-Life Spring and the Future of Roe v. Wade. Lynn D. Wardle.

AGRICULTURE

89:585, No. 4; Rural Inheritance: The Merril Doctrine and Federally Reinsured Crop Insurers. Chad G. Marzen.

BAR ASSOCIATION

89:565, No. 3; Proceedings of the One Hundred Fourteenth Annual Meeting of the North Dakota State Bar Association.

BAR PROCEEDINGS

89:565, No. 3; Proceedings of the One Hundred Fourteenth Annual Meeting of the North Dakota State Bar Association.

CONSTITUTIONAL LAW

- 89:143, No. 1; A Clash of Two Courts: Baker, Full Faith and Credit, and Montana's Refusal to Recognize a North Dakota Declaratory Judgment Jeffrey Wald.
- 89:371, No. 3; The State of Democracy in North Dakota. David Schultz.
- 89:415, No. 3; The Pro-Life Spring and the Future of Roe v. Wade. Lynn D. Wardle.
- 89:709, No. 4; A Criminal Defendant's Right to Testify: Constitutional Implications of Presuming Waiver from a Silent Record. Alexander J. Stock
- 89:729, No. 4; Searches and Seizures—Nighttime Execution: The North Dakota Supreme Court Finds Warrant Lacking Separate Probably Cause for Nighttime Execution. Quinn Hochhalter.
- 89:747, No. 4; Searches and Seizures—Fourth Amendment and Reasonableness: The Maryland DNA Collection Act Allows Pre-Conviction Securing of DNA Samples for Identification Purposes. Krista Thompson.

CONTRACTS

89:225, No. 2; The Hand of God: Limiting the Impact of Force Majeure Clause in an Oil and Gas Lease. Joshua A. Swanson.

89:267, No. 2; Golden v. SM Energy Company and the Question of Whether an Area of Mutual Interest Covering Oil and Gas Rights is Binding on Successors and Assigns. Scott Lansdown.

CRIMINAL LAW

- 89:53, No. 1; Addressing Sentencing Disparities for Tribal Citizens in the Dakotas: A Tribal Sovereignty Approach. BJ Jones and Christopher J Ironroad.
- 89:469, No. 3; A New Day for Driving Under the Influence Prosecution: H.B. 1302—North Dakota's New DUI Law. Aaron Birst.
- 89:729, No. 4; Searches and Seizures—Nighttime Execution: The North Dakota Supreme Court Finds Warrant Lacking Separate Probably Cause for Nighttime Execution. Quinn Hochhalter.
- 89:747, No. 4; Searches and Seizures—Fourth Amendment and Reasonableness: The Maryland DNA Collection Act Allows Pre-Conviction Securing of DNA Samples for Identification Purposes. Krista Thompson.
- 89:709, No. 4; A Criminal Defendant's Right to Testify: Constitutional Implications of Presuming Waiver from a Silent Record. Alexander J. Stock

CRIMINAL PROCEDURE

- 89:53, No. 1; Addressing Sentencing Disparities for Tribal Citizens in the Dakotas: A Tribal Sovereignty Approach. BJ Jones and Christopher J Ironroad
- 89:469, No. 3; A New Day for Driving Under the Influence Prosecution: H.B. 1302—North Dakota's New DUI Law. Aaron Birst.

DRUNK DRIVING

89:469, No. 3; A New Day for Driving Under the Influence Prosecution: H.B. 1302—North Dakota's New DUI Law. Aaron Birst.

ELDER LAW

89:77, No. 1; Guardianship for Vulnerable Adults in North Dakota: Recommendations Regarding Unmet Needs, Statutory Efficacy, and Cost Effectiveness. Windsor C. Schmidt.

ENERGY LAW

- 89:1, No. 1; Marketing Missouri River Water: Competing Plans for Commoditizing a Natural Resource. John H. Davidson.
- 89:203, No. 2; The Class Action Lawsuit in North Dakota—Does It Have Any Relevance For Royalty Owners? Christine R. Fritze

- 89:225, No. 2; The Hand of God: Limiting the Impact of Force Majeure Clause in an Oil and Gas Lease. Joshua A. Swanson.
- 89:241, No. 2; Real or Personal?: The Area of Mutual Interest Covenant in the Williston Basin After Golden v. SM Energy Company. Andrew Scott Graham.
- 89:267, No. 2; Golden v. SM Energy Company and the Question of Whether an Area of Mutual Interest Covering Oil and Gas Rights is Binding on Successors and Assigns. Scott Lansdown.
- 89:299, No. 2; Uncharted Waters: Where Water is the Boss, the Surface Estate Must Obey, but Must the Mineral Estate?: Brigham Oil v. North Dakota Board of University and School Lands and Dispelling Inaccuracies Caused by the Riparian Doctrines to Oil and Gas Production Apportionment Under Communitization Agreements. Shannon E. Rogers.

ENVIRONMENTAL LAW

89:1, No. 1; Marketing Missouri River Water: Competing Plans for Commoditizing a Natural Resource. John H. Davidson.

FIRST AMENDMENT

89:181, No. 1; The Dark Side of Direct Democracy: Protecting Political Speech From the Use of SLAPPs in North Dakota's Political Process. Brent Jaenicke.

GUARDIAN AND WARD

89:77, No. 1; Guardianship for Vulnerable Adults in North Dakota: Recommendations Regarding Unmet Needs, Statutory Efficacy, and Cost Effectiveness. Windsor C. Schmidt.

INDIAN LAW

- 89:29, No. 1; American Indian Law: A Discourse on Chthonic Law. Gregory Gagnon.
- 89:53, No. 1; Addressing Sentencing Disparities for Tribal Citizens in the Dakotas: A Tribal Sovereignty Approach. BJ Jones and Christopher J Ironroad.

INSURANCE

89:585, No. 4; Rural Inheritance: The Merril Doctrine and Federally Reinsured Crop Insurers. Chad G. Marzen.

JURISDICTION

89:163, No. 1; Jurisdictional Remix: The Federal Courts Jurisdiction and Venue Clarification Act Presents New Challenges to Federal Litigation. Elizabeth L. Alvine.

LABOR LAW

89:481, No. 3; North Dakota Legislative Response to Mickelson v. North Dakota Workforce Safety and Insurance and the Future of Compensation Claims. Jodi Bjornson, Tim Whalin, and Bridget Hertel.

89:611, No. 4; Broken Promise: The Demise of "Sure and Certain Relief" Under the North Dakota Worker's Compensation Act. Dean J. Haas.

LIABILITY

89:341, No. 2; Liability and Consent of the United States to be Sued—Torts in General: The United States Supreme Court Interprets the Federal Tort Claim Act's Law Enforcement Proviso. Nicholas Henes.

MINERAL LAW

89:203, No. 2; The Class Action Lawsuit in North Dakota—Does It Have Any Relevance For Royalty Owners? Christine R. Fritze

89:225, No. 2; The Hand of God: Limiting the Impact of Force Majeure Clause in an Oil and Gas Lease. Joshua A. Swanson.

89:241, No. 2; Real or Personal?: The Area of Mutual Interest Covenant in the Williston Basin After Golden v. SM Energy Company. Andrew Scott Graham.

89:267, No. 2; Golden v. SM Energy Company and the Question of Whether an Area of Mutual Interest Covering Oil and Gas Rights is Binding on Successors and Assigns. Scott Lansdown.

89:299, No. 2; Uncharted Waters: Where Water is the Boss, the Surface Estate Must Obey, but Must the Mineral Estate?: Brigham Oil v. North Dakota Board of University and School Lands and Dispelling Inaccuracies Caused by the Riparian Doctrines to Oil and Gas Production Apportionment Under Communitization Agreements. Shannon E. Rogers.

NORTH DAKOTA SUPREME COURT REVIEW

89:521, No. 3; North Dakota Supreme Court Review.

OIL AND GAS LAW

- 89:1, No. 1; Marketing Missouri River Water: Competing Plans for Commoditizing a Natural Resource. John H. Davidson.
- 89:203, No. 2; The Class Action Lawsuit in North Dakota—Does It Have Any Relevance For Royalty Owners? Christine R. Fritze
- 89:225, No. 2; The Hand of God: Limiting the Impact of Force Majeure Clause in an Oil and Gas Lease. Joshua A. Swanson.
- 89:241, No. 2; Real or Personal?: The Area of Mutual Interest Covenant in the Williston Basin After Golden v. SM Energy Company. Andrew Scott Graham.
- 89:267, No. 2; Golden v. SM Energy Company and the Question of Whether an Area of Mutual Interest Covering Oil and Gas Rights is Binding on Successors and Assigns. Scott Lansdown.
- 89:299, No. 2; Uncharted Waters: Where Water is the Boss, the Surface Estate Must Obey, but Must the Mineral Estate?: Brigham Oil v. North Dakota Board of University and School Lands and Dispelling Inaccuracies Caused by the Riparian Doctrines to Oil and Gas Production Apportionment Under Communitization Agreements. Shannon E. Rogers.
- 89:679, No. 4; The Dark Side of the Bakken Boom: Protecting the Importance of an Oil and Gas Lease's Bonus Payment Through a Proposed Legislative Amelioration of Irish Oil and Gas, Incorporated v. Riemer. Zachary R. Eiken.

PRODUCTS LIABILITY

89:341, No. 2; Liability and Consent of the United States to be Sued—Torts in General: The United States Supreme Court Interprets the Federal Tort Claim Act's Law Enforcement Proviso. Nicholas Henes.

REAL PROPERTY

89:241, No. 2; Real or Personal?: The Area of Mutual Interest Covenant in the Williston Basin After Golden v. SM Energy Company. Andrew Scott Graham.

SEARCH AND SEIZURE

89:729, No. 4; Searches and Seizures—Nighttime Execution: The North Dakota Supreme Court Finds Warrant Lacking Separate Probably Cause for Nighttime Execution. Quinn Hochhalter.

89:747, No. 4; Searches and Seizures—Fourth Amendment and Reasonableness: The Maryland DNA Collection Act Allows Pre-Conviction Securing of DNA Samples for Identification Purposes. Krista Thompson.

SENTENCING AND PUNISHMENT

89:53, No. 1; Addressing Sentencing Disparities for Tribal Citizens in the Dakotas: A Tribal Sovereignty Approach. BJ Jones and Christopher J Ironroad.

89:469, No. 3; A New Day for Driving Under the Influence Prosecution: H.B. 1302—North Dakota's New DUI Law. Aaron Birst.

TORTS

89:341, No. 2; Liability and Consent of the United States to be Sued—Torts in General: The United States Supreme Court Interprets the Federal Tort Claim Act's Law Enforcement Proviso. Nicholas Henes.

TRUSTS

89:503, No. 3; Trust Law: Settlor Ignorance of Applicable Laws May Constitute a Mistake of Law Under North Dakota Century Code Section 59-12-15 In re Matthew Larson Trust Agreement, 2013 ND 85, 831 N.W.2d 388. Zachary R. Eiken.

VENUE

89:163, No. 1; Jurisdictional Remix: The Federal Courts Jurisdiction and Venue Clarification Act Presents New Challenges to Federal Litigation. Elizabeth L. Alvine.

WATER LAW

89:1, No. 1; Marketing Missouri River Water: Competing Plans for Commoditizing a Natural Resource. John H. Davidson.

89:299, No. 2; Uncharted Waters: Where Water is the Boss, the Surface Estate Must Obey, but Must the Mineral Estate?: Brigham Oil v. North Dakota Board of University and School Lands and Dispelling Inaccuracies Caused by the Riparian Doctrines to Oil and Gas Production Apportionment Under Communitization Agreements. Shannon E. Rogers.

WORKERS' COMPENSATION

89:481, No. 3; North Dakota Legislative Response to Mickelson v. North Dakota Workforce Safety and Insurance and the Future of Compensation Claims. Jodi Bjornson, Tim Whalin, and Bridget Hertel.

89:611, No. 4; Broken Promise: The Demise of "Sure and Certain Relief" Under the North Dakota Worker's Compensation Act. Dean J. Haas.