

# Washington Law Review

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## Contents

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# WASHINGTON LAW REVIEW

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### Articles

- Equality for Spouses in Washington Community Property  
Law—1972 Statutory Changes *Harry M. Cross* 527

In 1972, the Washington Legislature amended Washington's community property laws, granting the wife management powers equal to those of her spouse. Professor Cross examines the impact of the amendments upon existing Washington law, emphasizing expected practical difficulties in community business transactions and transactions involving household goods.

- The Economics of the Joint Antitrust Dissents of Justices  
Harlan and Stewart *Ray O. Werner* 555

Professor Werner presents a chronological study of the antitrust dissents authored by Justices Harlan and Stewart in an attempt to identify the minority rationale which may guide the Court's future antitrust decisions. Analyzing these dissenting opinions against the economic criteria of industry structure, conduct and performance, Professor Werner concludes that the dissenters focus primarily on industry performance while showing some concern for the structure of the industry. The author views the dissenters as strict constructionists and believes that their conservative economic orientation may emerge as the antitrust philosophy of the Nixon appointees to the United States Supreme Court.

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- Outcomes of Six- and Twelve-Member Jury Trials: An Anal-  
ysis of 128 Civil Cases in the State of Washington  
*Gordon Bermant and Rob Coppock* 593

- Union Group Legal Services: An Experiment in Group Legal  
Practice  
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## Comment

### Bank Branching in Washington: A Need for Reappraisal 611

Washington bank branching policy, which essentially limits geographic bank expansion to mergers with existing banks, is being frustrated by aggressive enforcement of federal antitrust statutes. Given the federal restrictions on bank concentration and the need for a responsive and competitive commercial banking structure at the local level, the author concludes that Washington should revamp current statutory policy and allow limited de novo bank branching.

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Torts—Emotional Harm: Limitations on Third Party Recovery for Emotional Harm Caused by Fear or Concern for Another—*Schurk v. Christensen*, 80 Wn. 2d 652, 497 P.2d 937 (1972).

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