

Washington Law Review

Volume 83 | Issue 2

5-1-2008

Contents

anon

Follow this and additional works at: <https://digitalcommons.law.uw.edu/wlr>

Recommended Citation

anon, Table of Contents, *Contents*, 83 Wash. L. Rev. i (2008).

Available at: <https://digitalcommons.law.uw.edu/wlr/vol83/iss2/1>

This Table of Contents is brought to you for free and open access by the Law Reviews and Journals at UW Law Digital Commons. It has been accepted for inclusion in Washington Law Review by an authorized editor of UW Law Digital Commons. For more information, please contact cnyberg@uw.edu.

WASHINGTON LAW REVIEW

VOLUME 83, NUMBER 2, MAY 2008

Published by Students of the
University of Washington School of Law

CONTENTS

ARTICLE

Transitioning the Family Business
Dwight Drake 123

NOTES & COMMENTS

Bypassing Redundancy: Resolving the Jurisdictional Dilemma
Under the Defense Base Act
Claire Been 219

Got Water? Limiting Washington's Stockwatering Exemption to
Five Thousand Gallons Per Day
Kara Dunn 249

Forceful Minimalism, *Hein v. Freedom From Religion
Foundation, Inc.*, and the Prudence of "Not Doing"
Brendan R. McNamara 287

Swiss Cheese That's All Hole: How Using Reading Material to
Prove Criminal Intent Threatens the Propensity Rule
Jessica Murphy 317

Copyright © 2008, Washington Law Review Association. Except as otherwise provided, the author of each article in this issue has granted permission for copies of that article to be made for classroom use, provided that (1) copies are distributed at or below cost, (2) the author and journal are identified, (3) proper notice of copyright is affixed to each copy, and (4) the Washington Law Review Association is notified of the use.

WASHINGTON LAW REVIEW (ISSN 0043-0617) is published quarterly by students of the University of Washington School of Law. Periodicals postage paid at Seattle, Washington, and additional mailing offices.

POSTMASTER: Send address changes to:

Frances Johnson
Washington Law Review
University of Washington
Gallagher Law Library
William H. Gates Hall
Box 353025
Seattle, Washington 98195

SUBSCRIPTION INFORMATION: Subscription price for Vol. 83: \$37.50 per year in the United States and \$47.50 elsewhere. Single issue: \$12.00 (order directly from Washington Law Review Business Office). Subscriptions are renewed automatically unless the business office is notified of cancellation. No refunds will be issued.

BACK ISSUES: See advertisement at the back of this issue.

SUBSCRIPTION & BACK ISSUE CORRESPONDENCE:

Frances Johnson
Washington Law Review
University of Washington
Gallagher Law Library
William H. Gates Hall
Box 353025
Seattle, Washington 98195
e-mail: fran@u.washington.edu

MANUSCRIPTS: WASHINGTON LAW REVIEW invites the submission of unsolicited manuscripts. Manuscripts should be double-spaced with double-spaced footnotes. The WASHINGTON LAW REVIEW prefers the use of gender-neutral language.

CITATION FORM: With Volume 83, WASHINGTON LAW REVIEW adopts the citation form of THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (18th ed. 2005).

EDITORIAL CORRESPONDENCE: Editor-in-Chief
Washington Law Review
University of Washington
School of Law
William H. Gates Hall
Box 353025
Seattle, Washington 98195
e-mail: wlr@u.washington.edu

Member, National Conference of Law Reviews

WORLD WIDE WEB HOME PAGE: <http://www.law.washington.edu/WLR>

WASHINGTON LAW REVIEW

VOLUME 83
2008

2007–2008 EDITORIAL BOARD

Editor-in-Chief

CHRISTIE JOHNSON FIX

Managing Editors

ANDY ALEY
REBECCA BLASCO
ALEX CHAN
ERIN L. LENNON
JONATHAN LEPTICH
NICOLE TADANO

Associate Editors-in-Chief

LAUREN HEMINGWAY
ANTHONY KAPPUS

Executive Notes and Comments Editors

JERRY CHIANG
MICHAEL J. GELARDI
LE'A KENT

Notes and Comments Editors

AMY KAUPPILA
PETER MORENO
KELLY SEABURG
CANDICE TEWELL
SCOTT WONG
TIFFANY ZINTER

Executive Articles Editors

ADAM GLANT
LAEL HARRISON

Articles Editors

JOHN GOLDMARK
JULIAN HURST
BENJAMIN JUHN
ERIC WITT
ANNE WOODWARD

Symposium Editor
CHRIS HENDERSON

EDITORIAL STAFF

KELSEY BECKNER
CLAIRE BEEN
AMELIA BOONE
DANIEL BUGBEE
AMANDA CARMANY-RAMPEY
RACHELLE CELEBREZZE
MICHELLE DELAPPE
KARA DUNN

ALICIA FEICHTMEIR
CAMILLE FISHER
STEVEN GARDINER
DAVID HANCOCK
NICK HESTERBERG
JON HOMMER
NICOLE JABAILY
KEREM MURAT LEVITAS

LILIA LIM
BRENDAN R. MCNAMARA
COLLEEN MELODY
JESSICA MURPHY
MATT OSBORNE
BRIAN PETERSON
RUSSELL TERRY
PAUL WEIDEMAN

BUSINESS STAFF

Faculty Business Manager
PENNY HAZELTON

Faculty Adviser
STEVE CALANDRILLO

Business Office
JONATHAN FRANKLIN
FRAN JOHNSON

University of Washington School of Law 2007–2008

OFFICERS OF ADMINISTRATION

Mark A. Emmert, B.A., Ph.D., President of the University
Gregory A. Hicks, B.A., J.D., Interim Dean, Professor of Law
Penny A. Hazelton, B.A., J.D., M.L.L., Associate Dean for Library and Computing Services, Professor of Law
Lisa Ann Kelly, B.A., J.D., Associate Dean, Bobbe & Jon Bridge Professor of Child Advocacy
Lea B. Vaughn, A.B., J.D., Associate Dean
Sandra E. Madrid, B.S., Ph.D., Assistant Dean for Students and Community Relations
Stephanie Cox, B.A., Interim Assistant Dean for Development and External Relations
Naomi Sanchez, B.S., M.S.W., Ed.D., Assistant Dean for Career Services

FACULTY EMERITI

William R. Andersen, B.S.L., LL.B., LL.M.
G. Meade Emory, B.A., J.D., LL.M.
Robert L. Fletcher, A.B., LL.B.
John Huston, B.A., J.D., LL.M.
Arval Morris, B.A., M.A., J.D., LL.M., LL.D.
Cornelius J. Peck, B.S., LL.B.
John R. Price, A.B., LL.B.
Roy L. Prosterman, A.B., LL.B.
Marjorie D. Rombauer, B.A., J.D.
Charles Z. Smith, B.S., J.D.
Frank W. Smith, Jr., B.A., J.D., LL.M.
William B. Stoebeck, B.A., M.A., J.D., S.J.D.
Philip A. Trautman, B.A., J.D.

FACULTY OF LAW

Craig H. Allen, B.S., J.D., Professor of Law
Kimberly Ambrose, B.A., J.D., Lecturer
Helen A. Anderson, B.A., J.D., Assistant Professor of Law
Robert T. Anderson, B.A., J.D., Associate Professor of Law, Director of Native American Law Center
David F. Andrade, B.A., M.A., Ph.D., Assistant Professor of Law
Thomas R. Andrews, B.A., M.A., J.D., Professor of Law
Robert H. Aronson, B.A., J.D., Professor of Law
Karen Boxx, B.A., J.D., Associate Professor of Law
Steve P. Calandrillo, B.A., J.D., Professor of Law
Thomas Cobb, B.A., M.A., M.A., J.D., Lecturer
William Covington, B.A., J.D., Assistant Professor of Law
Sam A. Donaldson, B.A., J.D., LL.M., Associate Professor of Law, Director of Graduate Program in Taxation
Dwight J. Drake, B.S., J.D., Associate Professor of Law
Jon Eddy, B.A., J.D., Professor of Law
Julia Gold, B.A., J.D., Senior Lecturer
Robert W. Gomulkiewicz, B.A., M.A., J.D., Professor of Law, Director of Graduate Program of Intellectual Property Law & Policy
James H. Hardisty, A.B., LL.B., Professor of Law
Gregory A. Hicks, B.A., J.D., Professor of Law
Roland L. Hjorth, A.B., LL.B., Dean Emeritus, Garvey, Schubert & Barer Professor of Law
Mary A. Hotchkiss, B.A., M.S.L.S., J.D., LL.M., Senior Lecturer
Maureen Howard, B.A., J.D., Assistant Professor
Linda S. Hume, B.A., J.D., Professor of Law
Stewart M. Jay, A.B., J.D., William L. Dwyer Professor of Law
John M. Junker, B.A., J.D., Professor of Law
Sarah Kaltsounis, B.S., M.Ed., J.D., Lecturer
Yong-Sung (Jonathan) Kang, B.A., J.D., Assistant Professor of Law
Sylvia Kang'ara, LL.B., LL.M., Assistant Professor of Law
Lisa Kelly, B.A., J.D., Bobbe & Jonathan Bridge Professor of Law, Director of Children and Youth Advocacy Clinic
Alan Kirtley, B.A., J.D., Associate Professor of Law, Director of Clinics
Richard O. Kummert, B.S., M.B.A., LL.B., D. Wayne & Anne Gittinger Professor of Law
Patricia C. Kuszler, M.D., J.D., Charles I. Stone Professor of Law
Daniel Laster, B.A., J.D., Assistant Professor of Law
Clark B. Lombardi, B.A., J.D., Ph.D., Assistant Professor of Law
Deborah Maranville, B.A., J.D., Professor of Law
Anna Mastroianni, B.S./B.A., J.D., M.P.H., Assistant Professor of Law
Kathleen M. McGinnis, B.A., J.D., Senior Lecturer
Jacqueline McMurtrie, B.G.S., J.D., Assistant Professor of Law
Paul S. Miller, B.A., J.D., Henry M. Jackson Professor of Law
Theodore Myhre, B.A., M.A., M.A., J.D., Lecturer
Joel M. Ngugi, LL.B., LL.M., S.J.D., Assistant Professor of Law
Peter Nicolas, B.A., M.P.P., J.D., Jeffrey & Susan Brotman Professor of Law
Sean O'Connor, B.A., M.A., J.D., Associate Professor of Law
Kathleen O'Neill, B.A., J.D., Associate Professor of Law, Director of Legal Research and Writing
Anita Ramasastry, B.A., M.A., J.D., Associate Professor of Law

Beth Rivin, B.A., M.D., M.P.H., Research Associate Professor of Law
Michael Robinson-Dorn, B.A., J.D., Assistant Professor of Law, Director of Kathy and Steve Berman
Environmental Law Clinic
William H. Rodgers, Jr., B.A., LL.B., Stimson Bullitt Professor of Environmental Law
Eric Schnapper, B.A., M.A., B.Phil., LL.B., Pendleton Miller Professor of Law
Scott A. Schumacher, B.A., J.D., Assistant Professor of Law
Toshiko Takenaka, B.A., LL.M., Ph.D., W. Hunter Simpson Professor of Technology Law, Director of CASRIP
Veronica L. Taylor, LL.B., B.A., LL.M., Dan Fenno Henderson Professor of Law, Director of Asian Law Program
Michael E. Townsend, B.A., M.A., Ph.D., J.D., Associate Professor of Law
Lea B. Vaughn, A.B., J.D., Professor of Law
Walter J. Walsh, B.C.L., LL.M., S.J.D., Associate Professor of Law
Kathryn Watts, B.S., J.D., Assistant Professor of Law
Ron J. Whitener, B.A., J.D., Assistant Professor of Law
Jane K. Winn, B.Sc., J.D., Charles I. Stone Professor of Law
Louis E. Wolcher, B.A., J.D., Charles I. Stone Professor of Law
Dongsheng Zang, LL.B., LL.M., LL.M., S.J.D., Assistant Professor of Law

ADJUNCT, AFFILIATE, AND VISITING FACULTY

Gad Barzilai, B.A., LL.S., LL.B., M.A., Ph.D., Adjunct Professor of Law
G. Andrew H. Benjamin, B.A., M.A., J.D., Ph.D., Affiliate Professor of Law
David Bledsoe, B.A., J.D., LL.M., Affiliate Assistant Professor of Law
Daniel M. Bodansky, A.B., M.Phil., J.D., Affiliate Professor of Law
Sharan E. Brown, B.A., M.A., J.D., Ed.D., Adjunct Research Associate Professor of Law
Mark Cammack, B.A., J.D., Affiliate Professor of Law
Donald Clark, A.B., M.Sc., J.D., Affiliate Professor of Law
Daniel H. Foote, A.B., J.D., Affiliate Professor of Law
John O. Haley, A.B., LL.B., LL.M., Affiliate Professor of Law
Tim Hanstad, B.A., J.D., LL.M., Affiliate Associate Professor of Law
Andrew Harding, M.A., Solicitor, LL.M., Ph.D., Affiliate Professor of Law
Marc J. Hershman, A.B., J.D., Adjunct Professor of Law
Nancy S. Jecker, B.A., M.A., M.A., Ph.D., Adjunct Associate Professor of Law
David M. Keepnews, B.S., M.P.H., J.D., Ph.D., Affiliate Associate Professor of Law
Mina Titi Liu, A.B., J.D., Affiliate Professor of Law
Elizabeth F. Loftus, B.A., M.A., Ph.D., Affiliate Professor of Law
Michael McCann, B.A., M.A., Ph.D., Adjunct Professor of Law
Robert Mitchell, B.A., J.D., LL.M., Affiliate Assistant Professor of Law
Steven G. Olswang, B.A., J.D., Ph.D., Adjunct Professor of Law
Andrew Pardieck, B.A., J.D., Ph.D., Affiliate Professor of Law
Saadia Pekkanen, B.A., M.I.A., Ph.D., M.S.L., Adjunct Associate Professor of Law
Carolyn Plumb, B.A., M.A., M.S., Ph.D., Affiliate Instructor of Law
Leonard Rolfes, Jr., B.A., J.D., Affiliate Assistant Professor of Law
Yasunobu Sato, B.A., LL.M., Ph.D., Affiliate Professor of Law
Hugh D. Spitzer, B.A., J.D., LL.M., Affiliate Professor of Law
Susan Whiting, B.A., Ph.D., Adjunct Associate Professor of Law
Richard O. Zerbe, Jr., A.B., Ph.D., Adjunct Professor of Law

