

THREE ATTORNEY FEE-SHIFTING RULES AND
CONTINGENCY FEES: THEIR IMPACT ON
SETTLEMENT INCENTIVES..... *Bradley L. Smith* 2154

RECENT BOOKS

BOOKS RECEIVED..... 2190

PERIODICAL INDEX

SUBJECT INDEX of Articles, Comments, Notes, and Recent
Developments Appearing in Leading Law Reviews 2192

The design on the cover is taken from an etching of The University of Michigan Legal Research Building.

Michigan Law Review (ISSN 0026-2234) is published monthly in October, November, December, February, March, May, June, and August. Subscriptions: United States, \$36 per year in advance, eight numbers; Foreign, \$40. Editorial and Business Offices: Hutchins Hall, Ann Arbor, Michigan 48109-1215. Second-class postage paid at Ann Arbor, Michigan, and additional mailing offices. POSTMASTER: send address changes to Michigan Law Review, Hutchins Hall, Ann Arbor, Michigan 48109-1215.

Printed at Joe Christensen, Inc., Lincoln, Nebraska 68521.

Recent Volumes: Single Issues \$7, Book Review and Special Issues \$13, postpaid, at Editorial and Business Offices.

Back issues and volumes (before November 1981) available from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York 14209.

Because back stock of the *Review* is turned over to a dealer, back numbers are available to the *Review* for a short time only. We must therefore ask that subscribers report the nonreceipt of copies within six months of the mailing date.

We gladly consider unsolicited manuscripts for publication. Citations in manuscripts should follow the form prescribed in *A Uniform System of Citation* (15th ed.). We regret that we can return only those manuscripts for which we receive postage and handling fees of \$3.50 for first-class and \$1.50 for special fourth-class mail.

Michigan Law Review



ARTICLES

Polarized Voting and the Political Process:
The Transformation of Voting Rights
Jurisprudence

Samuel Issacharoff

A Critical Reexamination of the Takings
Jurisprudence

Glynn S. Lunney, Jr.

ESSAY

What Is a Postmodern Constitutionalism?

J.M. Balkin

CORRESPONDENCE

Remedies for Environmental Racism: A
View from the Field

Luke W. Cole

NOTES

Does a Copyright Coowner's Duty To
Account Arise Under Federal Law?

Retroactive Application of the Civil Rights
Act of 1991 to Pending Cases

Cumulative Trauma Disorders: OSHA's
General Duty Clause and the Need for an
Ergonomics Standard

Voluntary Intoxication: A Defense to
Intentional Injury Exclusion Clauses in
Homeowner's Policies?

Three Attorney Fee-Shifting Rules and
Contingency Fees: Their Impact on
Settlement Incentives

82.079
295



Michigan Law Review

Vol. 90, No. 7

June 1992

CONTENTS

ARTICLES

- POLARIZED VOTING AND THE POLITICAL
PROCESS: THE TRANSFORMATION OF
VOTING RIGHTS JURISPRUDENCE *Samuel Issacharoff* 1833
- A CRITICAL REEXAMINATION OF THE
TAKINGS JURISPRUDENCE *Glynn S. Lunney, Jr.* 1892

ESSAY

- WHAT IS A POSTMODERN CONSTITUTIONALISM? *J.M. Balkin* 1966

CORRESPONDENCE

- REMEDIES FOR ENVIRONMENTAL RACISM:
A VIEW FROM THE FIELD *Luke W. Cole* 1991

NOTES

- DOES A COPYRIGHT COOWNER'S DUTY TO ACCOUNT
ARISE UNDER FEDERAL LAW? *Craig Y. Allison* 1998
- RETROACTIVE APPLICATION OF THE CIVIL RIGHTS
ACT OF 1991 TO PENDING CASES *Michele A. Estrin* 2035
- CUMULATIVE TRAUMA DISORDERS: OSHA'S
GENERAL DUTY CLAUSE AND THE NEED
FOR AN ERGONOMICS STANDARD *David J. Kolesar* 2079
- VOLUNTARY INTOXICATION: A DEFENSE TO
INTENTIONAL INJURY EXCLUSION CLAUSES
IN HOMEOWNER'S POLICIES? *Tracy E. Silverman* 2113