

**Journal Watch**  
**November, 2010**

- ADOPTION** “Same-Sex Second-Parent Adoption and Intestacy Law: Applying the *Sharon S. Model* of “Simultaneous” Adoption to Parent-Child Provisions of the Uniform Probate Code.” 96 **Cornell Law Review** 139 (November 2010, No.1).
- APPELLATE PROCEDURE** “Local Rules in the Wake of Federal Rule of Appellate Procedure 32.1.” 11 **The Journal of Appellate Practice and Procedure** 19 (Spring 2010, No. 1).
- CLASS ACTIONS** “Unsettling the Settled: Is There a Re-emerging Debate Regarding the Role of Choice-of-Law in Class Action Certification Proceedings?” 77 **Defense Counsel Journal** 465 (October 2010, No. 4).
- CONSTITUTIONAL LAW** “Don’t Answer the Door: *Montjo v. Louisiana* Relaxes Police Restrictions for Questioning Non-Custodial Defendants.” 109 **Michigan Law Review** 221 (November 2010, No. 2).
- “State Legislation and the ‘Evolving Standards of Decency’: Flaws in the Constitutional Review of the Death Penalty Statutes.” 35 **University of Dayton Law Review** 379 (Spring 2010, No. 3).
- CRIMINAL LAW** “A New Day in Ohio’s Criminal Justice System.” 24 **Ohio Lawyer** 22 (November/ December 2010, No. 6).
- JURIES** “Google Mistrials: What the Legal System Can o to Keep the Internet Out of the Jury Box.” 3 **Cleveland Bar Journal** 18 (November 2010, No. 4).
- “A Long Way to Go: Report Finds Lingering, Hard-to Eradicate Discrimination in Jury Selection.” 36 **Litigation News** 6 (Fall 2010, No. 1).
- MASS TORTS** “Out on Your Own” 46 **Trial** 34 (November 2010, No. 11).
- MIRANDA RIGHTS** “The Wages of Stealth Overruling (with Particular Attention to *Miranda v. Arizona*).”

- OVI** 99 **The Georgetown Law Journal** 1 (November 2010, No.1).  
“Do OVI Cases Betray a Hidden Agenda Behind Daubert?”  
24 **Ohio Lawyer** 16 (November/ December 2010, No. 6)
- PHARMACOLOGY** “What Happened to Rule 11? Baseless Pleadings and Product Identification.”  
52 **For the Defense** 20 (October 2010, No. 10).
- QUALIFIED IMMUNITY** “Clear as Mud: How the Uncertain Precedential Status of Unpublished Opinions Muddles Qualified Immunity Determinations.”  
65 **University of Miami Law Review** 4 (Fall 2010, No. 1).
- REAL ESTATE LAW** “Planned Community Contrast: ORC 5312 Offers Distinction from Condominiums.”  
3 **Cleveland Bar Journal** 12 (October 2010, No. 3).
- TAX LAW** “A Review of Guidance for Consolidated Taxpayers Applying the Five-Year NOL Carryback Provisions.” 113  
**Journal of Taxation** 199 (October 2010, No. 4).  
“The Perils of ‘Parallel’ IRS Investigations.” 85 **Practical Tax Strategies** 148 (October 2010, No. 4).  
“Scope of Foreign Trust Provisions in the HIRE Act.”  
41 **The Tax Adviser** 768 (November 2010, No.11).
- TRUSTS** “Correcting Unfavorable Beneficiary Designations in Trusts.” 149 **Trusts & Estates** 26 (October 2010, No. 10).