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1. *Damages liability—Absolute immunity.*—President is entitled to absolute immunity from damages liability predicated on his official acts, and thus respondent could not recover damages from petitioner for alleged illegal discharge of respondent from Government employment. *Nixon v. Fitzgerald*, p. 731.

2. *Damages liability—Qualified immunity.*—Presidential aides—like executive officials in general—are not entitled to absolute immunity from damages liability predicated on performance of their duties, but are generally entitled only to qualified immunity; to establish entitlement to absolute immunity, a Presidential aide must show that responsibilities of his office embraced a function so sensitive as to require absolute immunity and that he was discharging protected function when performing act for which liability is asserted. *Harlow v. Fitzgerald*, p. 800.

**PRESS' RIGHT TO ATTEND CRIMINAL TRIALS.** See **Constitutional Law**, VII; **Mootness**, 1.

**PRESUMPTION OF PROSECUTORIAL VINDICTIVENESS.** See **Constitutional Law**, III, 3.

**PRICE-FIXING AGREEMENTS AS TO MEDICAL CARE.** See **Antitrust Acts**, 2.

**PRIMARY ELECTIONS.** See **Constitutional Law**, V.

**PRIVATE SCHOOLS.** See **Civil Rights Act of 1871, 3.****PROCEDURE.**

1. *Constitutionality of affirmative-action plan—Determination of pendent state-law claim.*—In affirming Federal District Court's judgment upholding constitutionality of respondent School District's affirmative-action plan, which required that general contractors, to be eligible for certain School District contracts, must use minority-owned businesses for at least 25% of total bid, Court of Appeals abused its discretion in deciding federal constitutional claim instead of first resolving pendent state-law claim that plan violated California law. *Schmidt v. Oakland Unified School Dist.*, p. 594.

2. *Mental patients' constitutional rights—Federal Court of Appeals' judgment—Remand for consideration of intervening state-court decision.*—In an action involving alleged violation of federal constitutional rights of involuntarily committed mental patients, institutionalized at a Massachusetts state hospital, by forcible administration of antipsychotic drugs, Federal Court of Appeals' judgment—holding that patients had constitutionally protected interests and remanding to District Court for consideration of appropriate procedural mechanisms for determining when State's interests might override patient's interests—was vacated and case was remanded for consideration of whether case's disposition was affected by Massachusetts Supreme Judicial Court's intervening decision as to rights under both Massachusetts law and Federal Constitution of a *non-institutionalized* incompetent mental patient as to involuntary treatment with antipsychotic drugs. *Mills v. Rogers*, p. 291.

3. *Racial quota plan for high schools—Consolidation of related cases.*—In an action challenging constitutionality of respondent Board of Education's racial quota plan for high schools—wherein Court of Appeals' judgment upholding plan was vacated and this Court remanded for further consideration in light of a subsequent decree in a related case, and wherein, on remand from Court of Appeals, District Court held that challenge to plan was not rendered moot by such decree and Court of Appeals affirmed—this Court held that although case was not moot and decree in related case did not undermine Court of Appeals' original judgment, Court of Appeals' second judgment should be vacated with direction to consolidate matter with related case so that District Court could decide constitutional challenge to plan on basis of a complete factual record. *Johnson v. Chicago Board of Education*, p. 52.

4. *Supreme Court—Original jurisdiction—Dispute between States—Imposition of death taxes.*—California's motion for leave to file a bill of complaint seeking determination of whether decedent involved was domiciled in California or Texas at time of his death was granted, since bill stated a controversy between two States concerning which State could impose

**PROCEDURE**—Continued.

death taxes, and since precondition of nonavailability of another forum, necessary for this Court's exercise of original jurisdiction, was met. *California v. Texas*, p. 164.

**PROMOTION PRACTICES OF EMPLOYERS.** See *Civil Rights Act of 1964*, 1, 2.

**PROSECUTORIAL VINDICTIVENESS.** See *Constitutional Law*, III, 3.

**PSYCHIATRISTS AND PSYCHOLOGISTS.** See *Antitrust Acts*, 1.

**PUBLIC CONTRACTS.** See *Procedure*, 1.

**PUBLIC EDUCATION OF ILLEGAL ALIEN CHILDREN.** See *Constitutional Law*, IV, 2.

**PUBLIC OFFICERS AND EMPLOYEES.** See *Civil Rights Act of 1964*, 2; *Constitutional Law*, IV, 3; *Jurisdiction*, 3; *President and Presidential Aides*.

**PUBLIC'S RIGHT TO ATTEND CRIMINAL TRIALS.** See *Constitutional Law*, VII; *Mootness*, 1.

**PUERTO RICO.** See *Constitutional Law*, V.

**QUALIFIED IMMUNITY OF FEDERAL OFFICIALS FROM SUIT.** See *President and Presidential Aides*, 2.

**RACIAL DISCRIMINATION.** See *Civil Rights Act of 1871*, 2; *Civil Rights Act of 1964*, 1, 2; *Procedure*, 1, 3.

**RACIAL QUOTAS FOR SCHOOLS.** See *Procedure*, 3.

**RELIGIOUS SCHOOLS.** See *Jurisdiction*, 2, 4.

**REMAND FOR CONSIDERATION OF INTERVENING DECISION.** See *Procedure*, 2.

**REMAND FOR CONSOLIDATION WITH RELATED CASE.** See *Procedure*, 3.

**RESIDENCY REQUIREMENTS.** See *Constitutional Law*, IV, 1.

**RESIDENTIAL ARRESTS.** See *Constitutional Law*, VIII.

**RESIGNATION FROM PUBLIC OFFICE.** See *Constitutional Law*, IV, 3.

**RETRIAL AFTER REVERSAL OF CONVICTION.** See *Constitutional Law*, II.

**RETROACTIVITY OF DECISIONS.** See *Constitutional Law*, VIII.

**RIGHT OF ACCESS TO CRIMINAL TRIALS.** See *Constitutional Law*, VII; *Mootness*, 1.

**RIGHT OF ASSOCIATION.** See *Constitutional Law*, V.

**RIPARIAN RIGHTS.**

*Oceanfront land—Accretion.*—Under federal law, United States, not California, has title to oceanfront land created through accretion, resulting from jetty construction, to land owned by United States on California's coast. California ex rel. State Lands Comm'n v. United States, p. 273.

**SCHOOL DISTRICT CONTRACTS.** See Procedure, 1.

**SCHOOL DISTRICT ELECTIONS.** See Voting Rights Act of 1965.

**SCHOOLS.** See Civil Rights Act of 1871, 3; Constitutional Law, IV, 2; VI; Procedure, 3.

**SEARCHES AND SEIZURES.** See Constitutional Law, VIII.

**SECRETARY OF HEALTH, EDUCATION, AND WELFARE.** See Constitutional Law, X.

**SECURITIES REGULATION.** See Constitutional Law, I; Mootness, 2.

**SEPARATION OF POWERS.** See President and Presidential Aides.

**SEX DISCRIMINATION.** See Civil Rights Act of 1871, 2; Civil Rights Act of 1964, 3.

**SEX-OFFENSE TRIALS.** See Constitutional Law, VII; Mootness, 1.

**SHERMAN ACT.** See Antitrust Acts.

**SOCIAL SECURITY ACT.** See Constitutional Law, III, 2; IV, 4; X; Standing to Sue.

**STANDING TO SUE.** See also Antitrust Acts, 1.

*Medicaid benefits—Transfer of nursing-home patients—Due process rights.*—In an action by respondent nursing-home Medicaid patients who alleged violation of due process rights when nursing home decided that they should be transferred to a lower level of care in another facility, resulting in administrative hearings and local and state officials' decisions to discontinue Medicaid benefits unless respondents accepted transfer, respondents have standing to challenge procedural adequacy of facility-initiated discharges and transfers to lower levels of care, but do not have standing to seek adjudication as to procedures for transfers to higher levels of care. Blum v. Yaretsky, p. 991.

**STATE ACTION.** See Civil Rights Act of 1871, 1, 3; Constitutional Law, III, 2.

**STATE-COURT DETERMINATION OF APPLICABILITY OF VOTING RIGHTS ACT OF 1965.** See Voting Rights Act of 1965.

**STATE ESTATE TAXES.** See Constitutional Law, IX; Procedure, 4.

- STATE LEGISLATORS.** See *Constitutional Law*, IV, 3.
- STATE'S RIGHT TO OCEANFRONT ACCRETIONS.** See *Riparian Rights*.
- STATE UNEMPLOYMENT COMPENSATION TAXES.** See *Jurisdiction*, 2, 4.
- STRIKES.** See *Norris-La Guardia Act*.
- SUBMERGED LANDS ACT.** See *Riparian Rights*.
- SUPREMACY CLAUSE.** See *Constitutional Law*, X.
- SUPREME COURT.** See also *Jurisdiction*, 3, 4; *Procedure*, 4; *Voting Rights Act of 1965*, 1.
1. Assignment of Justice Stewart (retired) to the United States Court of Appeals for the Second Circuit, p. 1112.
  2. Appointment of Christopher W. Vasil as Deputy Clerk, p. 1101.
- TAKEOVER BIDS.** See *Constitutional Law*, I; *Mootness*, 2.
- TAXES.** See *Constitutional Law*, IX; *Internal Revenue Code*; *Jurisdiction*, 2, 4.
- TAX INJUNCTION ACT.** See *Jurisdiction*, 2.
- TEACHERS.** See *Civil Rights Act of 1871*, 3.
- TENDER OFFERS.** See *Constitutional Law*, I; *Mootness*, 2.
- TEXAS.** See *Constitutional Law*, IV, 2, 3; IX; *Procedure*, 4.
- TRAINING OF MENTAL PATIENTS.** See *Constitutional Law*, III, 1.
- TRANSFER OF NURSING-HOME MEDICAID PATIENTS.** See *Constitutional Law*, III, 2; *Standing to Sue*.
- TRANSIT AUTHORITIES.** See *Urban Mass Transportation Act of 1964*.
- TREATIES.** See *Civil Rights Act of 1964*, 3.
- TRUSTEES OF SCHOOL DISTRICTS.** See *Voting Rights Act of 1965*.
- UNEMPLOYMENT COMPENSATION TAXES.** See *Jurisdiction*, 2, 4.
- UNION OFFICERS.** See *Labor-Management Reporting and Disclosure Act of 1959*.
- UNIONS.** See *Labor-Management Reporting and Disclosure Act of 1959*; *Norris-La Guardia Act*; *Urban Mass Transportation Act of 1964*.
- UNITED STATES' RIGHT TO OCEANFRONT ACCRETIONS.** See *Riparian Rights*.

**UPLAND OWNER'S RIGHT TO ACCRETIONS.** See **Riparian Rights.**

**URBAN MASS TRANSPORTATION ACT OF 1964.**

*State or local government's acquisition of transit company—Breach of agreement with union—Implied causes of action.*—Section 13(c) of Act, which requires a state or local government to make arrangements to preserve transit workers' existing collective-bargaining rights before such government may receive federal financial assistance for acquisition of a privately owned transit company, does not provide implied federal private causes of action to a transit union for alleged breaches by city and its transit authority of "§ 13(c) agreement" with union and of collective-bargaining agreement—Congress having intended that such agreements be governed by state law applied in state courts. *Jackson Transit Authority v. Transit Union*, p. 15.

**VACANCIES IN LEGISLATURES.** See **Constitutional Law, V.**

**VESSEL COLLISIONS.** See **Admiralty.**

**VIRGINIA.** See **Civil Rights Act of 1871, 1.**

**VOTING RIGHTS ACT OF 1965.**

1. *Change in state voting law—Federal preclearance requirements—Review of state-court decision.*—In an action involving validity and enforcement of a state statute governing elections of school district trustees, wherein Mississippi Supreme Court, after first upholding statute against challenge on state constitutional grounds, held that lower court, on remand, had improperly conditioned election on compliance with federal preclearance requirements of § 5 of Voting Rights Act, decision did not rest on independent and adequate state grounds so as to bar this Court's review of federal issue. *Hathorn v. Lovorn*, p. 255.

2. *Change in state voting law—Federal preclearance requirements—State court's power.*—In a state-court action by county voters seeking to require officials of Winston County, Miss., to enforce a 1964 state statute governing elections of school district trustees, Mississippi courts had power to decide whether federal preclearance requirements of § 5 of Voting Rights Act were applicable, and must withhold implementation of disputed change until parties demonstrated compliance with § 5. *Hathorn v. Lovorn*, p. 255.

**WARRANTLESS ARRESTS.** See **Constitutional Law, VIII.**

**WATERS.** See **Admiralty; Riparian Rights.**

**WEIGHT OF EVIDENCE IN CRIMINAL CASE.** See **Constitutional Law, II.**

**WELFARE BENEFITS.** See Constitutional Law, III, 2; IV, 4; X; Standing to Sue.

**WINSTON COUNTY, MISS.** See Voting Rights Act of 1965.

**WORDS AND PHRASES.**

1. "*Enjoin, suspend or restrain.*" Tax Injunction Act, 28 U. S. C. § 1341. California v. Grace Brethren Church, p. 393.

2. "*Labor dispute.*" § 4, Norris-La Guardia Act, 29 U. S. C. § 104. Jacksonville Bulk Terminals, Inc. v. Longshoremen, p. 702.

3. "*Plain, speedy and efficient remedy.*" Tax Injunction Act, 28 U. S. C. § 1341. California v. Grace Brethren Church, p. 393.

WISCONSIN, *See* CONSTITUTIONAL LAW, III, § 1, 2.  
*Standing in law.*

WISCONSIN COUNTY, *See* VARIOUS RIGHTS, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

WISCONSIN COUNTY, *See* VARIOUS RIGHTS, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

VACANCIES IN LEGISLATURES. *See* Constitutional Law, V.

VEHICLE CONTROL. *See* *Idem*.

VIRGINIA. *See* CIVIL RIGHTS, art. of 1871, 1.

VOTING RIGHTS ACT OF 1965.

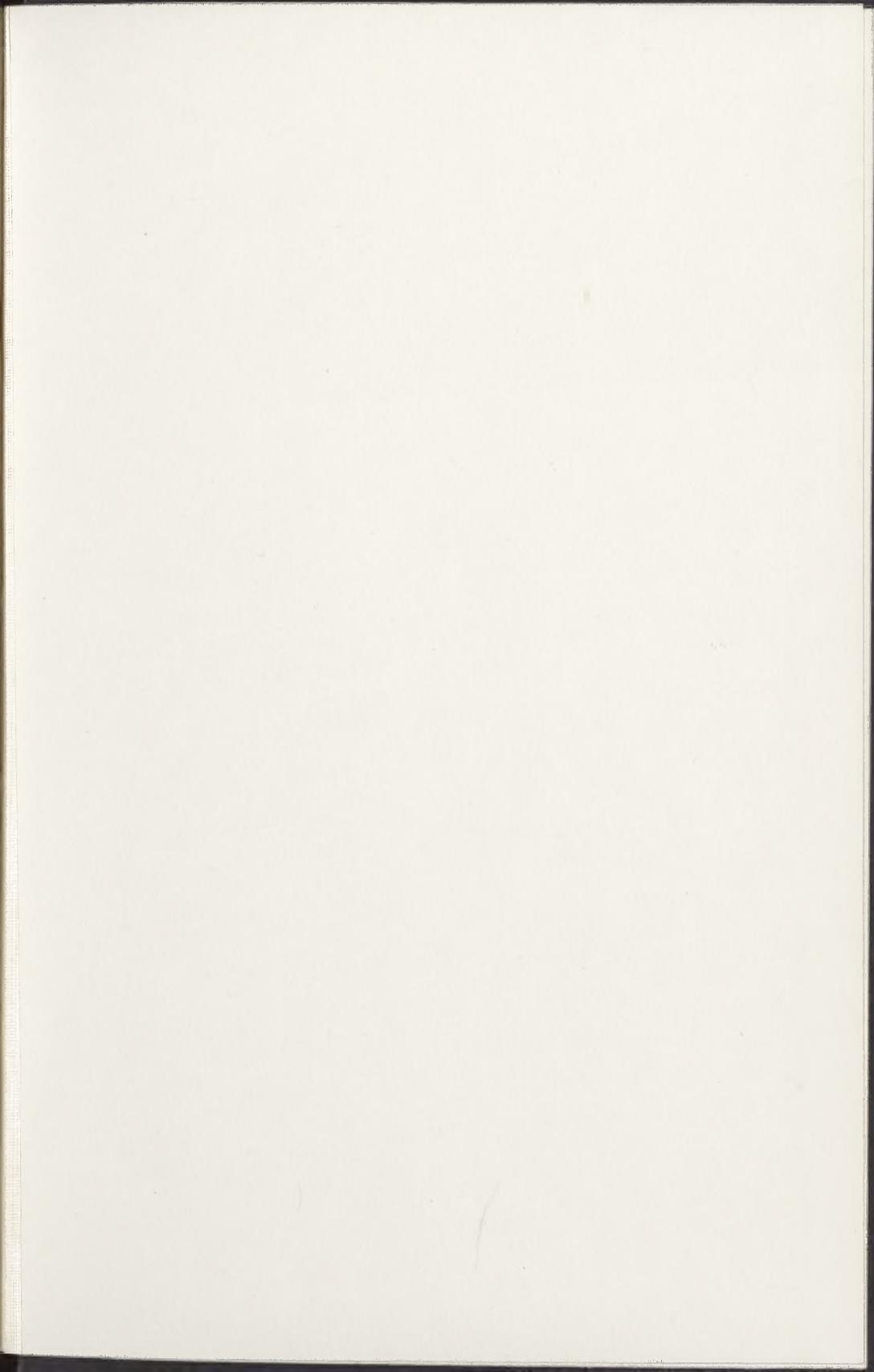
1. Change in state voting law—Federal enforcement requirements—Review of state court decision.—In an action involving review and enforcement of a state statute governing election of school district trustees, where Mississippi Supreme Court, after first upholding statute against challenge on state constitutional grounds, held that lower court, on remand, had erroneously conditioned election on compliance with federal procedural requirements of 1965 Voting Rights Act, Federal did not review independent and adequate state grounds since to bar this Court's review of federal issue. *Holmes v. Lemon*, p. 385.

2. Change in state voting law—Federal enforcement requirements—State court's power.—In a state court action by county voters seeking to require officials of Winston County, Miss., to enforce a 1965 state statute governing election of school district trustees, Mississippi courts had power to decide whether federal procedural requirements of 1965 Voting Rights Act were applicable, and court upheld implementation of federal change with neither demonstrated compliance with 19. *Holmes v. Lemon*, p. 385.

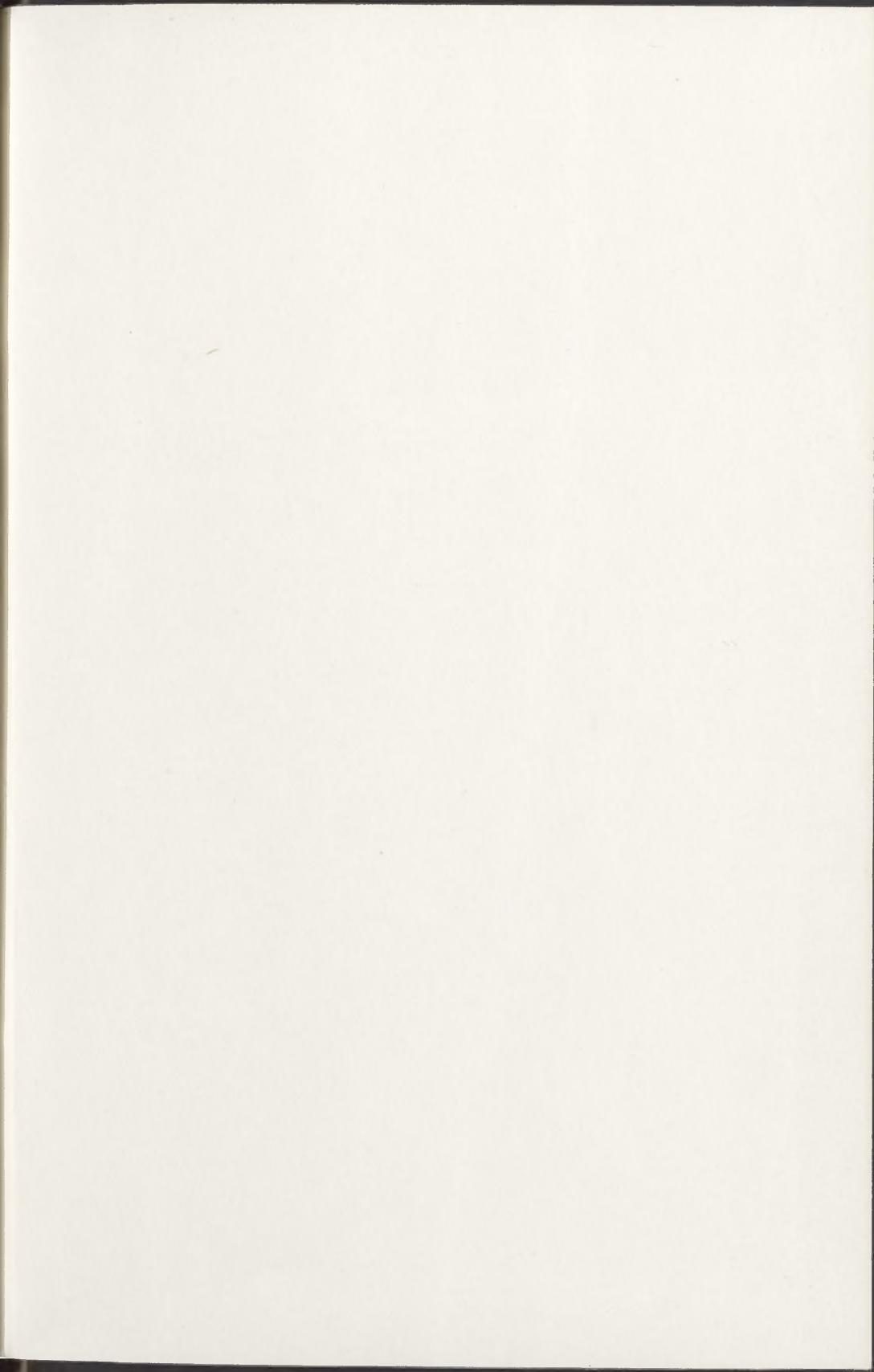
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WATERS. *See* Administrative Expenses Rights.

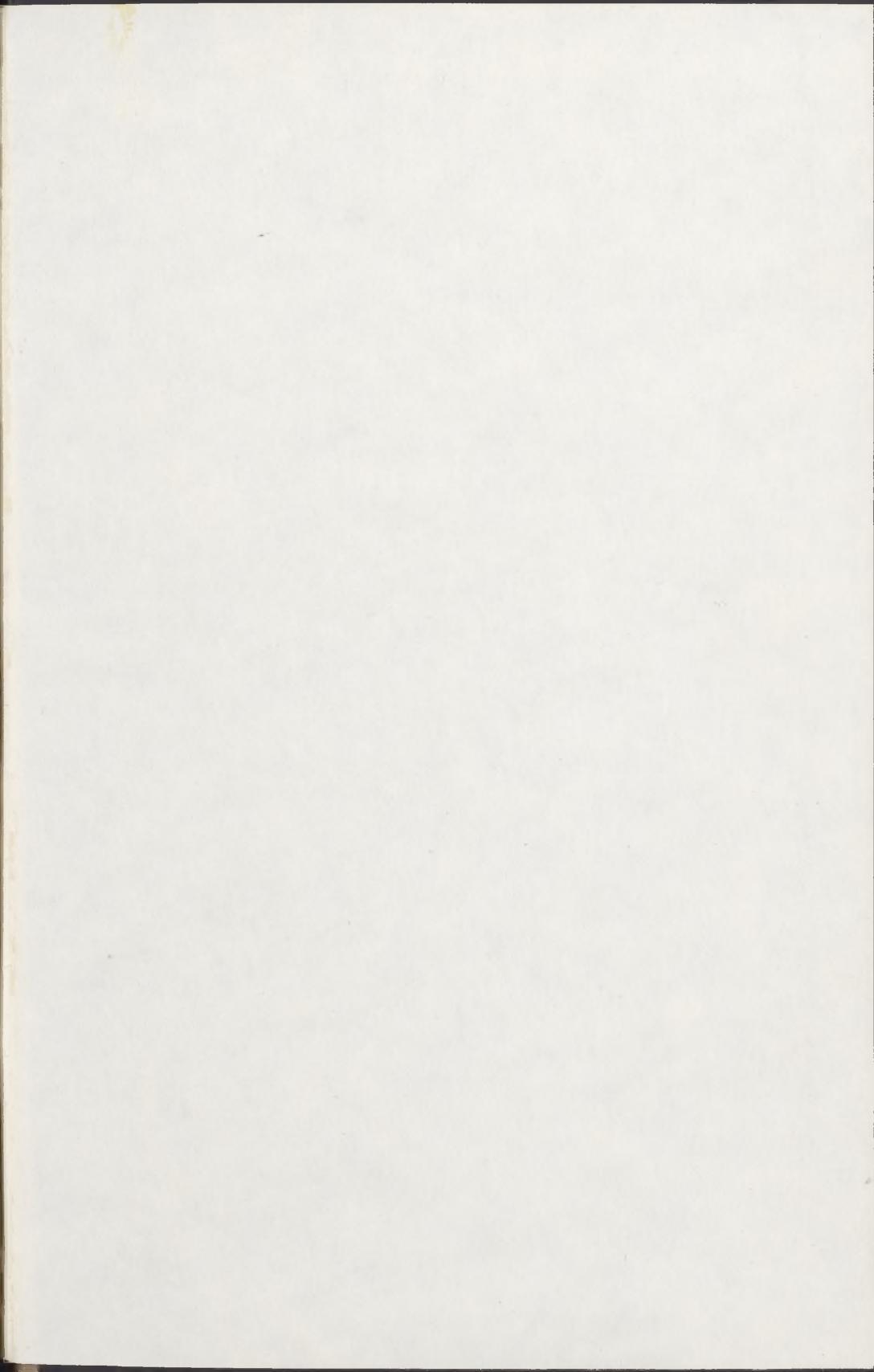
WEIGHT OF EVIDENCE IN CRIMINAL CASES. *See* Constitutional Law, C.

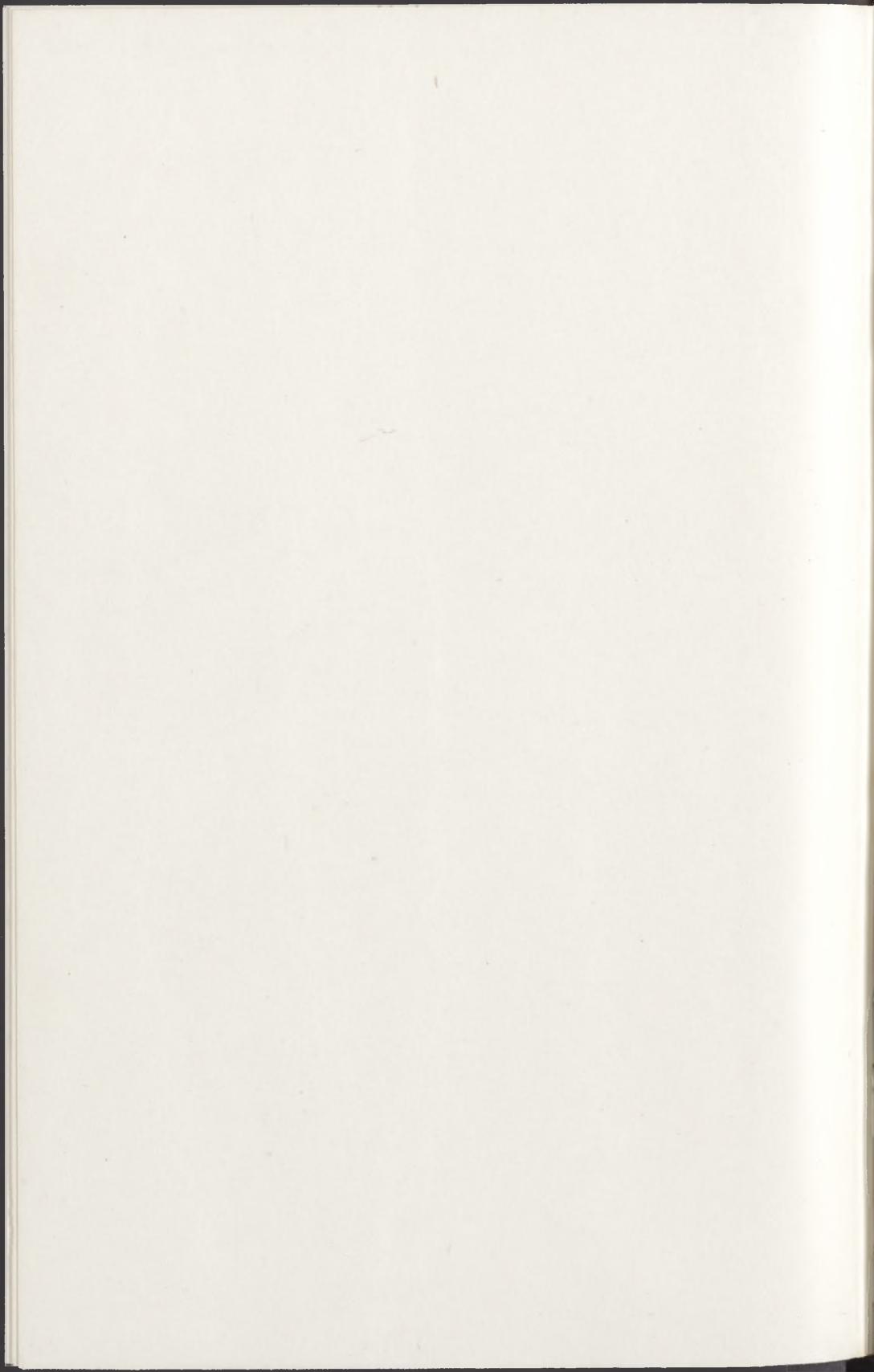


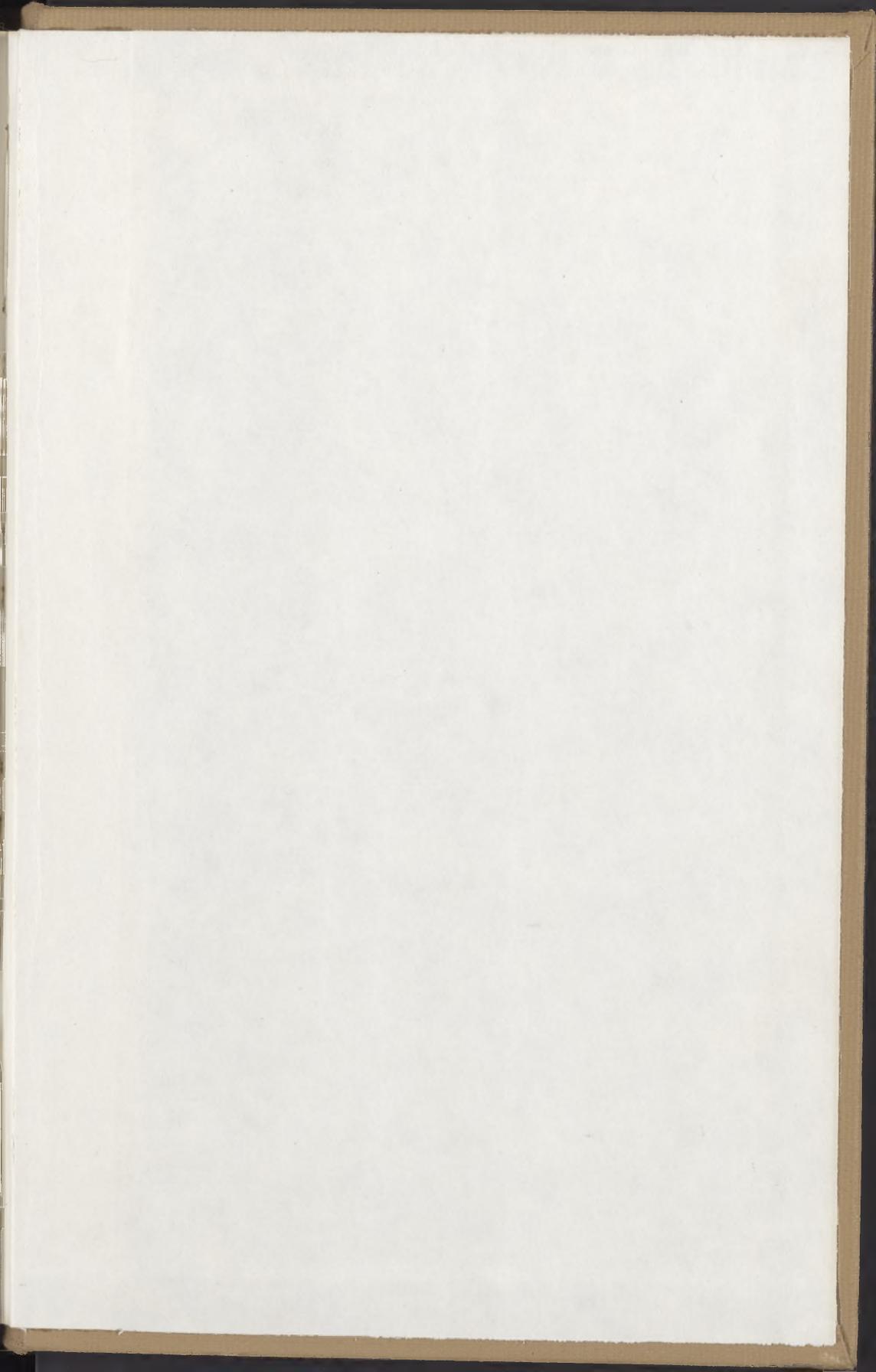














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