



**TOURO COLLEGE**  
JACOB D. FUCHSBERG LAW CENTER  
*Where Knowledge and Values Meet*

**Touro Law Review**

---

Volume 13 | Number 3

Article 1

---

1997

## Table of Contents

Follow this and additional works at: <https://digitalcommons.tourolaw.edu/lawreview>



Part of the [Legal Writing and Research Commons](#)

---

### Recommended Citation

(1997) "Table of Contents," *Touro Law Review*. Vol. 13 : No. 3 , Article 1.

Available at: <https://digitalcommons.tourolaw.edu/lawreview/vol13/iss3/1>

This Prefatory Matter is brought to you for free and open access by Digital Commons @ Touro Law Center. It has been accepted for inclusion in Touro Law Review by an authorized editor of Digital Commons @ Touro Law Center. For more information, please contact [lross@tourolaw.edu](mailto:lross@tourolaw.edu).

---

## Table of Contents

Cover Page Footnote

13-3

# LAW REVIEW

---

Vol. 13, No. 3

---

TOURO COLLEGE

JACOB D.  
FUCHSBERG



LAW CENTER

---

Spring 1997

---

## CONTENTS

## FOREWORD

### DEDICATION TO THE HONORABLE RICHARD D. SIMONS

Patrick M. Connors ..... 587

## ARTICLES

### THINGS JUDGES DO: STATE STATUTORY INTERPRETATION

Hon. Judith S. Kaye..... 595

### “DOUBTS ABOUT OUR PROCESSES”: RICHARD D. SIMONS AND THE JURISPRUDENCE OF RESTRAINT IN STATE CONSTITUTIONAL ANALYSIS

David E. McCraw..... 613

### RIGHTS AND FREEDOMS UNDER THE STATE CONSTITUTION: A NEW DEAL FOR WELFARE RIGHTS

Helen Hershkoff..... 631

## NOTES AND COMMENTS

### *BROWN v. STATE OF NEW YORK*: JUDGE SIMONS SAYS NEW YORK STATE CAN BE HELD LIABLE FOR MONEY DAMAGES

Eric J. Stockel..... 653

### *GASPERINI* IN LINE WITH *ERIE*: NEW YORK LAW DETERMINES EXCESSIVENESS OF VERDICT IN DIVERSITY CASES

Edie C. Grinblat..... 675

### EMPLOYER REGULATION OF ROMANTIC RELATIONSHIPS: THE UNSETTLED LAW OF NEW YORK STATE

Alyce H. Rogers ..... 687

**NEW YORK STATE CONSTITUTION: 1996**

NEW YORK STATE CONSTITUTIONAL DECISIONS: 1996

COMPILATION ..... 715

# TOURO LAW REVIEW

---

Vol. 13, No. 3

---

TOURO COLLEGE



---

Spring 1997

---

## NEW YORK STATE CONSTITUTIONAL DECISIONS: 1996 COMPILATION\*

### CONTENTS

A NOTE TO OUR READERS .....	719
CONTRACTS CLAUSE	
<i>Court of Appeals</i>	
Ballentine v. Koch.....	721
DOUBLE JEOPARDY	
<i>Court of Appeals</i>	
Davis v. Brown .....	727
<i>Second Department</i>	
People v. Boneta .....	735
People v. May .....	739
<i>Supreme Court, Monroe County</i>	
People v. Gerstner.....	744

---

\* *Editor's Note:* The timeliness of this issue did not allow for all reporters to be in print by the time we went to publication. Therefore, there are citations that do not include all reporters.

*THE TOURO LAW REVIEW*

## DUE PROCESS

*Court of Appeals*

People v. Bryce .....	753
People v. Scott .....	759
Pringle v. Wolfe .....	769

*First Department*

T.D. v. New York State Office of Mental Health.....	773
--	-----

*Second Department*

Miriam Osborn Memorial Home Ass'n v. Chassin.....	781
--	-----

*Third Department*

Moghimzadeh v. College of Saint Rose .....	789
--	-----

*Supreme Court, Rockland County*

United States Trust Co. v. Town of Ramapo .....	799
--	-----

## EQUAL PROTECTION

*Third Department*

Prodell v. New York.....	807
--------------------------	-----

## ESTABLISHMENT OF RELIGION

*Third Department*

Grumet v. Cuomo .....	815
-----------------------	-----

## EX POST FACTO LAWS

*Supreme Court, New York County*

People v. Griffin.....	823
------------------------	-----

## FREEDOM OF SPEECH AND PRESS

*Second Department*

Tillman v. Distribution Sys. of America .....	829
---	-----

*Fourth Department*

Time Square Books, Inc. v. City of Rochester.....	832
--	-----

*Supreme Court, New York County*

Stringfellow's v. City of New York.....	840
---	-----

## GIFT OR LOAN OF STATE MONEY

*Court of Appeals*

Gagliardo v. Dinkins.....855

## LEGISLATIVE POWER

*Court of Appeals*

Blue Cross and Blue Shield v. McCall .....865

## PRIVILEGES AND IMMUNITIES

*Criminal Court, New York County*

People v. Moore .....873

## PUBLIC WELFARE

*Supreme Court, Monroe County*

Brown v. Wing.....881

## RIGHT TO COUNSEL

*Second Department*

People v. Taylor .....889

## RIGHT TO A JURY TRIAL

*Court of Appeals*

People v. Foy .....897

People v. Knowles.....904

People v. Page .....912

*Fourth Department*

People v. Perkins .....919

## SEARCH AND SEIZURE

*Court of Appeals*

People v. Batista .....925

People v. Gonzalez.....932

People v. Quackenbush.....937

*Supreme Court, Bronx County*

People v. Williams .....943

**SELF-INCRIMINATION**

*Court of Appeals*

People v. Siegel .....951

*Second Department*

People v. Hendricks .....957

**SEPARATION OF POWERS**

*Court of Appeals*

Cayuga-Onondaga Counties Bd. Of Co-op

Educational Services v. Sweeney .....963