

CREIGHTON LAW REVIEW

ANNUAL SURVEY OF NEBRASKA LAW

CONTENTS

INTRODUCTION	1
ADMINISTRATIVE LAW	
SUPREME COURT REVIEW	2
CIVIL PROCEDURE	
SUPREME COURT REVIEW	6
LEGISLATION	10
COMMERCIAL LAW	
<i>Casenote: CONTRACTS—PROMISSORY ESTOPPEL— Farmland Services Co-op v. Klein</i>	12
<i>Casenote: UNIFORM COMMERCIAL CODE— ARTICLE NINE—Delay First National Bank & Trust Co. v. Jacobson Appliance Co.</i>	26
SUPREME COURT REVIEW	47
LEGISLATION	63
CONSTITUTIONAL LAW	
SUPREME COURT REVIEW	73
CRIMINAL LAW	
<i>Article: NEBRASKA CRIMINAL CODE REVISION— A DECADE OF LEGISLATIVE PERSEVERANCE</i>	<i>Roland A. Luedtke</i> 78
<i>Article: PLEA BARGAINING IN NEBRASKA— THE PROSECUTOR'S PERSPECTIVE</i>	<i>Fred Kray John Berman</i> 94
<i>Comment: NEBRASKA JAILS: IS THE HANDWRITING ON THE WALL?</i>	150
SUPREME COURT REVIEW	174
DOMESTIC LAW	
SUPREME COURT REVIEW	209
LEGISLATION	215

EVIDENCE	
SUPREME COURT REVIEW	217
INSURANCE	
<i>Casenote: AUTOMOBILE—Grace v. State Farm Mutual Automobile Insurance Co.</i>	222
SUPREME COURT REVIEW	235
LEGISLATION	242
LABOR LAW	
SUPREME COURT REVIEW	244
MOTOR VEHICLES	
SUPREME COURT REVIEW	250
LEGISLATION	251
MUNICIPAL CORPORATIONS	
SUPREME COURT REVIEW	253
LEGISLATION	263
PROPERTY	
SUPREME COURT REVIEW	266
LEGISLATION	277
SECURITIES	
<i>Article: PRIVATE PLACEMENTS AND LIMITED PARTNERSHIP OFFERINGS: CHANGES IN THE RULES</i>	<i>Gregory DuBois Erwin</i> 280
TAXATION	
SUPREME COURT REVIEW	306
LEGISLATION	310
TORT	
<i>Article: INFORMATIONAL PRIVACY AND THE PRIVATE SECTOR</i>	<i>Fred J. Greguras</i> 312
<i>Comment: NEBRASKA AERONAUTICAL LAW: LIABILITY OF AIRCRAFT OWNER-LESSER TO INJURED THIRD PARTIES</i>	352
<i>Casenote: PRODUCTS LIABILITY—STRICT LIABILITY—Waegli v. Caterpillar Tractor Co.</i>	374
SUPREME COURT REVIEW	390
LEGISLATION	395
TRUSTS AND SUCCESSION	
SUPREME COURT REVIEW	397

WORKMEN'S COMPENSATION
SUPREME COURT REVIEW
LEGISLATION

400
407

The Creighton Law Review is published four times annually in October, December, March and June by the students of the Creighton University School of Law. Subscription prices are \$10.00 per annum, \$6.00 for the Annual Survey of Nebraska Law and \$3.00 for each other issue. Copies of volumes one through nine are available from Fred B. Rothman & Co., 57 Leuning Street, South Hackensack, New Jersey 07606. Microfilm editions are available from University Microfilms International, 300 North Zeeb Road, Ann Arbor, Michigan 48106.

All communications should be addressed to:

Creighton Law Review
School of Law
Creighton University
2200 California Street
Omaha, Nebraska 68178

Publication office: 1540 Adams Street, Lincoln, Nebraska 68521

Publication Number: 072990

Second-Class postage paid at Omaha, Nebraska
and additional mailing office at Lincoln, Nebraska.

COPYRIGHT © 1978 BY CREIGHTON UNIVERSITY SCHOOL OF LAW

CREIGHTON UNIVERSITY

SCHOOL OF LAW

ADMINISTRATIVE OFFICERS

REV. JOSEPH J. LABAJ, S.J., M.A., Ph.L., S.T.L., S.T.D., L.H.D.....President
REV. MICHAEL G. MORRISON, S.J., M.A., Ph.L., S.T.L.,
Ph.D., Acting Vice President for Academic Affairs
ROBERT P. HEANEY, B.S., M.D..... Vice President for Health Sciences
WALTER R. JAHN, M.A., C.P.A. Vice President for Financial Affairs;
Treasurer
REV. CARL M. REINERT, S.J., A.M., S.T.L., LL.D. Vice President for University
Relations; President, Creighton University Development Foundation
JAMES R. DOYLE, M.Ed. Vice President for Student Personnel;
Dean of Students
RODNEY SHKOLNICK, B.A., J.D., *Acting Dean*
JOSEPH E. KRYSAKOWSKI, B.A., LL.B., *Assistant Dean*
ROBERT J. SHANAHAN, S.J., Ph.D., *Jesuit Assistant to the Dean*
JACQUELINE M. MASS, *Administrative Assistant to the Dean for Placement
and Alumni*
ROBERT Q. KELLY, B.A., M.A.L.S., J.D., *Director of the Law Library*
ELIZABETH C. KELLY, B.A., B.A.L.S., M.ED., *Associate Director of Law Library*
PAUL F. HILL, B.A., M.L.S., J.D., *Legal Reference Librarian*

FACULTY

TERRY M. ANDERSON, B.A., J.D., LL.M., *Associate Professor of Law*
EDWARD BIRMINGHAM, B.S., J.D., LL.M., *Professor of Law*
THEODORE J. CLEMENTS, B.S.B.A., J.D., *Professor of Law*
MARIANNE CULHANE, B.A., J.D., *Assistant Professor of Law*
JAMES A. DOYLE, Ph.B., LL.B., LL.M., *Dean Emeritus and Professor of Law*
IRVING E. FASAN, B.A., A.M., J.D., LL.M., *Professor of Law*
G. MICHAEL FENNER, B.A., J.D., *Associate Professor of Law*
J. PATRICK GREEN, B.A., J.D., *Professor of Law*
ROBERT Q. KELLY, B.A., M.A.L.S., J.D., *Director of Law Library
and Professor of Law*
JOSEPH E. KRYSAKOWSKI, B.A., LL.B., *Assistant Dean and
Associate Professor of Law*
PATRICK H. MULLIN, B.S.C., J.D., M.B.A., C.P.A., *Professor of Law*
KENT J. NEUMEISTER, B.A., J.D., LL.M., *Associate Professor of Law*
MICHAEL J. O'REILLY, B.A., J.D., LL.M., *Professor of Law*
GEOFFREY W. PETERS, B.A., M.A., J.D., *Associate Professor of Law*
MANFRED PIECK, B.S., J.D., LL.M., *Professor of Law*
FRANCES M. RYAN, B.A., LL.B., LL.M., *Professor of Law*
ROLAND J. SANTONI, B.S., LL.B., *Associate Professor of Law*
RODNEY SHKOLNICK, B.A., J.D., *Acting Dean and Professor of Law*