

South Carolina Law Review

Volume 48
Issue 1 *ANNUAL SURVEY OF SOUTH CAROLINA
LAW*

Article 2

Fall 1996

Table of Contents

Follow this and additional works at: <https://scholarcommons.sc.edu/sclr>



Part of the [Law Commons](#)

Recommended Citation

(1996) "Table of Contents," *South Carolina Law Review*. Vol. 48 : Iss. 1 , Article 2.
Available at: <https://scholarcommons.sc.edu/sclr/vol48/iss1/2>

This Catalog is brought to you by the Law Reviews and Journals at Scholar Commons. It has been accepted for inclusion in South Carolina Law Review by an authorized editor of Scholar Commons. For more information, please contact digres@mailbox.sc.edu.

SOUTH CAROLINA LAW REVIEW

VOLUME 48

AUTUMN 1996

NUMBER 1

ANNUAL SURVEY OF SOUTH CAROLINA LAW

(January 1-December 31, 1995)

TABLE OF CONTENTS

Case Law Developments

Administrative Law

South Carolina's ALJ: Central Panel, Administrative Court,
or a Little of Both? 1

Civil Procedure

Court Strictly Construes Rule 43(k) to
Settlement Agreements 15

Constitutional Law

Minister's Pension Contract is an "Ecclesiastical Matter"
Not Reviewable by the Court 27

Contract Law

The Economic Loss Rule & UCC Section 36-2-719 35

Corporate Law

Level of Conduct Actionable Under the South Carolina
Business Judgment Rule 45

Creditors' Rights

- I. Court Examines the Application of the Necessaries Doctrine
and the Preconditions of a Person's Liability for the Debts
of a Spouse 53
- II. Are Secured Creditors Liable for Torts of a
Repossession Service? 61

Criminal Law

- I. Stipulation Requires Consent of Solicitor 73
- II. Courts Struggle Towards a Uniform Approach for Resolving
Double Jeopardy Issues in Conspiracy Cases 85
- III. The Admissibility of DNA Statistical Evidence under
State v. Dinkins 93
- IV. The Use of Deadly Force in a Citizen's Arrest 101

Domestic Law

- I. Voluntary Separation Incentive Payments Held to be Marital Property 107
- II. Court Extends Primary Caretaker Doctrine to Cases in Which Neither Parent Takes Clear Responsibility for the Parental Duties 113

Employment Law

- I. Court of Appeals Recognizes Action for Breach of the Implied Covenant of Good Faith and Fair Dealing in Employment Contract 123
- II. Public Policy Exception Open to Possible Expansion in Employment-at-Will Situations 133

Environmental Law

- I. Does a "PRP" Letter Trigger an Insurer's Duty to Defend in South Carolina 139

Evidence

- I. Status of *Jones* Bright-line Test for Peremptory Challenges and the Admissibility of Graphic Photos 149

Property Law

- I. The Meaning of "Knowledge" Under the Innocent Owner Defense 159
- II. Court of Appeals Recognizes Slander of Title Action 165

Tax Law

- I. Counties and Municipalities Given Broad Power to Raise Revenue 175

The Law of Torts

- I. Court of Appeals Adopts Restatement Approach to Determine an Accountant's Duty to Third Party Investors 193
- II. South Carolina Rejects the Lost Chance Doctrine 201
- III. Court of Appeals Holds Negligence and Strict Liability are Separate and Independent Causes in a Products Liability Action 227

Workers' Compensation

- I. The Proper Procedure for Suspending and Terminating Temporary Total Disability Benefits 235

TABLE OF CASES SURVEYED

Ashfort Corp. v. Palmetto Constr. Group, Inc.,
 ___ S.C. ___, 458 S.E.2d 583
 (1995) (per curiam) 15

Bishop Logging Co. v. John Deere Indus. Equip. Co.,
 ___ S.C. ___, 455 S.E.2d 183 (Ct. App. 1995) 35

Bragg v. Hi-Ranger, Inc.,
 ___ S.C. ___, 462 S.E.2d 321 (Ct. App. 1995). 227

Ducworth v. Neely, ___ S.C. ___, 459 S.E.2d 896
 (Ct. App. 1995). 159

Fisher v. Fisher, ___ S.C. ___, 462 S.E.2d 303 (1995). 107

Garner v. Morrison Knudsen Corp.,
 ___ S.C. ___, 456 S.E.2d 907 (1995) 133

Grayson v. Carter Rhoad Furniture,
 ___ S.C. ___, 454 S.E.2d 320 (1995) 235

Hospitality Ass’n v. County of Charleston,
 ___ S.C. ___, 464 S.E.2d 113 (1995) 175

Huff v. Jennings, ___ S.C. ___, 459 S.E.2d 886 (Ct. App. 1995) . . . 165

Jones v. Owings, ___ S.C. ___, 456 S.E.2d 371 (1995) 201

ML-Lee Acquisition Fund, L.P., v. Deloitte & Touche,
 ___ S.C. ___, 463 S.E.2d 618 (Ct. App. 1995) 193

Parris v. Parris, ___ S.C. ___, 460 S.E.2d 571 (1995) 113

Pearson v. Church of God, ___ S.C. ___, 458 S.E.2d 68
 (Ct. App. 1995) 27

Shelton v. Oscar Mayer Foods, ___ S.C. ___, 459 S.E.2d 851 (Ct. App.
 1995), *cert. granted*, Davis Ad. Sh. No. 2312 (Apr. 4, 1996) . . . 123

State v. Anderson, ___ S.C. ___, 458 S.E.2d 56 (Ct. App. 1995) 73

State v. Barroso, ___ S.C. ___, 462 S.E.2d 862 (Ct. App. 1995) 85

State v. Cooney, ___ S.C. ___, 463 S.E.2d 597 (Ct. App. 1995) 101

State v. Dinkins, ___ S.C. ___, 462 S.E.2d 59 (1995) 93

State v. Franklin, ___ S.C. ___, 456 S.E.2d 357 (1995) 149

Trident Reg’l Med. Ctr. v. Evans, 317 S.C. 346,
 454 S.E.2d 343 (Ct. App. 1995) 53

