

# 關鍵詞中英索引

I-第一輯	II-第二輯	Government Act of 1978)	VI-219
III-第三輯	IV-第四輯	1985年平衡預算和緊急赤字控制	
V-第五輯	VI-第六輯	法 (the Balanced Budget and	
		Emergency Deficit Control Act of	
		1985)	VI-211
		1995年私人證券訴訟改革法	
		(Private Securities Litigation	
		Reform Act of 1995, PSLRA)	
			VI-285, 310
		1996年兒童色情防制法	
		(The Child Pornography	
		Prevention Act of 1996)	VI-22
		1996年通訊端正法	
		(Communications Decency Act	
		of 1996)	VI-31
		1998年著作權存續期延長法案	
		(1998 Copyright Term	
		Extension Act)	IV-517
		1998年證券訴訟統一標準法	
		(Securities Litigation Uniform	
		Standards Act of 1998, SLUSA)	VI-285
		Birnbaum原則 (Birnbaum rule)	VI-285
		一九九〇年美國身心障礙者(保護)法；	
		一九九〇年美國身心障礙人士法	
		(Americans with Disabilities Act of	
		1990)	
		1978年政府倫理法 (Ethics in	II-136; IV-99 ; V-43, 45, 49, 53, 57
<b>一劃</b>			
10b-5訴訟 (10b-5 action)	VI-254		
1933年聯邦證券法			VI-285, 310
(The Securities Act of 1933)	VI-297		
1933年證券法			
(Securities Act of 1933)	VI-277		
1934年證券交易法 (the Securities			
Exchange Act of 1934)			
	V-377 ; VI-272,310		
1934年證券交易法Section 10(b)			
(Section 10(b) of the Securities			
Exchange Act of 1934)			
	VI-277, 285, 293		
1934年證券交易法Section 10			
(Section 10 of the Securities			
Exchange Act of 1934)	VI-243		
1976年著作權法			
(1976 Copyright Act)	IV-517		
1976年美國著作權法			
(the Copyright Act of 1976)	V-412		

一九九三年布瑞迪手鎗暴力防制法 (Brady Handgun Violence Prevention Act of 1993)	II-99	一九七三年復健法 (Rehabilitation Act of 1973)	V-53
一九九三年宗教自由復興法 (Religious Freedom Restoration Act of 1993)	II-96	一人一票 (one person, one vote)	IV-104
一九九六年傳播通訊管理法 (Communication Decency Act of 1996)	III-71	一次一步 (one step at a time)	III-2
一九八七年地面交通與統一徙置補 助法 (Surface Transportation and Uniform Relocation Assistance Act of 1987)	III-16	"一致和比例"審查標準 (congruence and proportionality standard of review)	IV-518
一九八五年低輻射廢料政策修正法 (Low-Level Radioactive Waste Policy Amendments Act of 1985)	II-91	一致性行爲 (concerted action)	II-237
一九六七年就業年齡歧視法 (Age Discrimination in Employment Act of 1967)	II-136	一致拒絕 (concerted refusal)	II-223
一九三四年證券交易法 (Securities Exchange Act of 1934)	V-320; 392	一夫多妻 (polygamy)	V-141
一九六三年同酬法 (Equal Pay Act of 1963)	I-153	一目了然 (plain view)	V-70; 207
一九六四年民權法 (Civil Rights Act of 1964)	V-10	<b>二劃</b>	
一九六四年民權法第七章 (Title VII- of the Civil Rights Act of 1964)	I-179, 229, 233, 238	人工重新計票 (manual recount)	IV-186, 202
一九七〇年職業安全與衛生法 (Occupational Safety and Health Act (OSHA) of 1970)	V-57	人身扣押 (seizure of the person)	VI-89
		人身保護令 (writ of habeas corpus)	I-56; II-86 ; V-219
		人身保護令的申請 (habeas corpus petition)	IV-428
		人身保護救濟 (habeas relief)	III-123
		人質法 (Hostage Act)	II-102
		人種多元化 (ethnic diversity)	VI-69
		人種背景 (ethnic background)	VI-69
		人權法案 (Bill of Rights)	III-153; IV-428
		人權法案 (the Bill of Rights)	VI-104
		入學申請審核準則 (admission guidelines)	V-20
		入學許可方案 (admissions program)	VI-69

**三劃**

「山姆之子」法律 (Son of Sam law)	IV-250
三K黨 (Ku Klux Klan)	VI-12
三分期架構 (trimester framework)	I-193, 203
三軍訓練與服務法 (Universal Military Training and Service Act)	I-345
三倍損害賠償 (treble damages)	II-276
三權分立 (three great divisions of power in the government)	I-100
下級官員 (inferior officer)	II-127
上級法院調閱下級法院判決的命 令 (certiorari)	IV-428
上訴 (審) 管轄權 (appellate jurisdiction)	I-36, 103
上訴可能性 (appealable)	IV-488
上網費用折扣計畫 (Discounted rates under E-rate program)	VI-1
口水歌 (parody)	III-287
口頭協議 (oral agreement)	VI-272
土地利用 (land use)	I-285
土地使用分區管制規定 (zoning)	I-285
土地所有權人 (landowner)	I-281
大陪審團 (grand jury)	III-130; VI-42
大憲章 (Magna Carta)	III-153
女同性戀者 (lesbian)	III-83
小型企業法 (Small Business Act)	III-16
工作條件 (working conditions)	I-153
工作場所父權思想 (workplace	

paternalism) V-57

工作場所性騷擾 (sexual harassment in  
the workplace) I-228, 241, 245

工作評估制度  
(job evaluation system) I-153

工作資格 (job qualification) V-45

干涉或家父主義 (paternalism) III-103

**四劃**

不公平、古老且過廣的刻板印象  
(invidious, archaic and  
overbroad stereotypes) IV-30

不公平競爭方法 (unfair method  
of competition) II-291

不公正歧視  
(invidious discrimination) III-2

不可改變的特徵  
(immutable characteristic) I-147

不平等但善意  
(unequal but benign) III-16

不平等待遇 (unequal treatment) III-64

不合理作為  
(unreasonable practice) II-288

不合理的搜索和扣押  
(unreasonable searches and  
seizures) VI-104

不自證己罪之特權 (privilege  
against self-incrimination) II-61

不自證其罪的特權 (privilege  
against self-incrimination) VI-104

不受允許的動機

(impermissible motive)	V-10	互為性騷擾 (quid pro quo sexual harassment)	I-246
不受保護之表達			
(unprotected expression)	I-314	什一稅 (tithes)	IV-334
不追溯條款		內含費用措施	
(grandfather clause)	II-223	(cost-containment measures)	II-292
不理性、獨斷或專擅 (irrational, arbitrary or capricious)	I-269	內容中立 (content neutral)	V-94, 129
不雅 (indecent)	III-71	內容控制 (content control)	III-64
不當困難 (undue hardship)	V-53	內容管制	
「不當負擔」審查標準		(content-based regulation)	III-64
("undue burden" test)	I-203	內部人 (insider)	V-331
不當挪用 (misappropriation)	V-392	內部消息 (inside information)	II-201
不實地陳述 (falsely represent)	VI-297	內線交易 (insider trading)	V-294; 331
不實陳述 (misrepresentation; misstatement)		公司內部管理失當 (internal corporate mismanagement)	VI-293
	II-169; V-353; VI-261, 277	公司行為 (corporate action)	V-377
不影響判決之錯誤之理論		公平審判 (fair trial)	
(harmless-error doctrine)	V-331		I-326; IV-362, 428; V-242
不懂法律的外行人 (layman)	IV-428	公平價值 (fair value)	VI-243
不懷孕的人 (nonpregnant persons)	III-2	公正的代表性	
中立的治安法官		(fair representation)	IV-37
(neutral magistrate)	V-70	公民/軍人課程	
中立陳述，利與不利之間中立		(citizen-soldier program)	I-160
(neutral statements)	V-193	公民訴訟當事人適格	
中度審查		(citizen standing)	I-70
(intermediate scrutiny)	V-150	公民權 (citizenship)	I-258
中度審查標準		公立學校 (public school)	IV-67, 78
(intermediate scrutiny)	V-129	公立醫療院所人員與設施	
中密度審查基準 (intermediate-level scrutiny; intermediate scrutiny)		(public employees and facilities)	III-32
	III-16, 27, 103	公共事務 (a matter of public)	I-59
中間上訴 (interlocutory appeal)	II-96	公共政策 (public policy)	V-276
		公共秩序 (public order)	III-64

- |                                       |                |   |         |
|---------------------------------------|----------------|---|---------|
| 公共財產 (public domain; public property) | IV-315, 517    | (tender offer)  | V-392   |
| 公共教育 (public education)               | IV-67, 78      | 公開展示 (public display)                                       | III-205 |
| 公共設施 (public transportation)          | V-49           | 公益徵收 (taking of private property for public use)            | VI-195  |
| 公共場所 (public forum)                   | IV-327         | 公開發行 (public offering)                                      | VI-254  |
| 公共運輸 (public accommodation)           | V-49           | 公開說明書   |         |
| 公共區域 (common area)                    | VI-99          | (offering memorandum)                                       | VI-261  |
| 公共福利 (general welfare)                | I-269          | 公開說明書詐欺   |         |
| 公共福利給與                                |                | (prospectus fraud)  | VI-261  |
| (public welfare benefits)             | V-228          | 公開審判 (public trial)   | IV-362  |
| 公共論壇 (public forum)                   | III-64 ; V-129 | 公開播送 (a communication to the public)                        | III-183 |
| 公共論壇原則                                |                | 公開權 (the right of publicity)                                | V-123   |
| (public forum principles)             | VI-2           | 公路檢查哨專案   |         |
| 公共頻道 (public airwaves)                | III-256        | (checkpoint program)  | III-136 |
| 公共關心事項                                | I-338          | 分配 (apportionment)  | I-130   |
| (matters of public concern)           |                | 分層功能表指令   |         |
| 公序良俗 (public moral)                   | I-298          | (menu command hierarchy)                                    | III-243 |
| 公法人 (public entity)                   | II-136         | 分類違憲  |         |
| 公害 (public nuisance)                  | I-303          | (suspect classification)                                    | III-53  |
| 公務員 (civil servant)                   | I-288          | 反托拉斯法 (antitrust law)                                       | VI-304  |
| 公眾安全 (public safety)                  | II-76          | 反托拉斯法之域外執行 (extra-territorial enforcement of antitrust law) | II-237  |
| 公眾住宿場所                                |                | 反詐欺條款   |         |
| (public accommodation)                | III-83         | (antifraud provisions)                                      | III-147 |
| 公眾福祉                                  |                | 反訴 (cross petition)   | I-288   |
| (public welfare; public interest)     | I-276          | 反證券條款 (antifraud provision)                                 | VI-277  |
| 公設辯護律師                                |                | 反競爭 (anticompetitive)                                       | II-216  |
| (public defender)                     | IV-436         | 天然優勢 (natural advantages)                                   | II-276  |
| 公費補助 (public fund)                    | III-32         | 少數股東 (minority shareholder)                                 | VI-277  |
| 公開司法程序                                |                | 少數族群 (minority group)                                       | VI-69   |
| (public broadcast of a trial)         | I-326          |   |         |
| 公開收購股份要約                              |                |   |         |

少數族裔保障方案 (affirmative action program)	III-16	主權州 (sovereign state)	I-45
少數族裔優惠保障方案 (affirmative action)	IV-37	主權豁免 (sovereign immunity)	II-102
心中保留 (secret reservation)	VI-272	主觀之意圖 (state of mind)	VI-310
心神喪失 (insane)	III-27	主觀善意相信 (subjective good-faith belief)	VI-100
心神喪失的抗辯 (defense of insanity)	V-219	以事實為準之分析 (fact intensive analysis)	V-53
心智能力 (mental capacity)	V-219	以物易物之交換條件 (quid pro quo)	IV-518
心智障礙 (mentally retarded)	V-172	以種族為限制條件之協定 (racial restrictive covenant)	I-97
心腹共犯 (a trusted accomplice)	II-47	仔細審酌 (narrowly tailored)	IV-104
月暈效果 (penumbra)	IV-130	代位求償 (subrogate)	VI-254
欠缺可裁判性 (nonjusticiability)	I-122	代位訴訟 (derivative suit)	VI-297
水平限制 (horizontal restraint)	II-216	代表性不足 (underrepresentation)	IV-37
<b>五劃</b>		代理法則 (agency law)	I-234
比對指紋 (comparison of fingerprint)	V-178	充分而獨立之州法 (adequacy and independence of state law)	I-111
主要生活活動 (major life activity; major life activities)	IV-99 ; V-43	充分而獨立之州法基礎 (adequate and independent state grounds)	I-111
主要物流原則 ("staple article of commerce" doctrine)	III-256	充分證據 (a preponderance of the evidence)	III-123
主要商品 (tying product)	IV-511	出示公權力 (show of authority)	VI-89, 94
主要競爭武器 (major competitive weapon)	II-276	出版自由 (freedom of press; freedom of the press)	IV-261 ; V-150
主計長 (Comptroller General)	VI-210	出租 (lease)	I-285
主動遵從 (voluntary compliance)	VI-121, 183	加工侵害 (contributory infringement)	VI-317
主權 (sovereignty)	I-45	加強審查 (heightened scrutiny)	I-160
主權；公權力 (sovereign power)	I-276, 298		

- 加稅基金 (tax-raised funds) IV-334
- 功能測試 (functional test) I-293
- 功能等同  
(functional equivalent) III-199
- 占有性取得 (possessory taking) II-303
- 可分開處理且互不影響效力  
(severable) V-113
- 占領令 (possessory orders) VI-195
- 可司法性 (Justiciability) IV-489
- 可容許限制  
(permissible restriction) IV-305
- 可航行空間  
(navigable airspace) I-281
- 可推定受威脅之環境 (presumable  
coerced environment) II-76
- 可訟性；達於可訴訟狀態；可裁判性  
(justiciability) I-62, 103, 122
- 可訟性質 (justiciable character) I-59
- 可責性 (culpability; reprehensibility)  
V-172; VI-114
- 可獲法院補償之實際損害 (actual  
injury redressed by the court) I-73
- 古柯鹼 (cocaine) V-207
- (司法)管轄權 (jurisdiction) I-56, 63, 111,  
122, 169; III-19, 29, 53, 58, 64; IV-6, 93
- 司法自我約束  
(judicial self-governance) I-83
- 司法自制原則  
(judicial self-restraint) V-160
- 司法行爲 (judicial act) I-56
- 司法救濟 (judicial remedies) II-181
- 司法責任 (judicial duty) I-36
- 司法程序之完整性 (integrity of  
the judicial process) I-326
- 司法搜索令 (judicial warrant) V-70
- 司法管轄之立法分配權 (acts of  
Congress granting jurisdiction) I-56
- 司法審查 (judicial review)  
I-108, 288; IV-327
- 司法審查的標準 (standard of  
judicial review) V-21
- 司法機關以判決創立之救濟途徑  
(judicially created remedy) V-183
- 司法權 (judicial power) I-100
- 司法權限 (limitation of judicial  
power) I-73, 115
- 外交 (foreign relations) V-276
- 外交政策 (foreign policy) II-102
- 失能保險 (disability insurance) III-2
- 市容、美學的 (aesthetic) IV-315
- 市場力量 (market power)  
II-230, 249; IV-511
- 平行輸入 (parallel importation) III-219
- 平等法律保護 (equal protection of laws)  
IV-44, 66, 78
- 平等保障(護)條款 (equal protection  
clause) I-97, 160, 169, 249, 285;
- 平等保障；平等權 (equal protection)  
I-130, 140, 144, 331; III-2; IV-104, 202
- 平等保護 (equal protection) V-2; 63
- 平等保護原則  
(equal protection doctrine) I-293

平等保護高密度審查標準 (strict scrutiny equal protection test)	III-16	未持有管制 (nonpossession regulation)	I-345
平等保護條款 (the Equal Protection Clauses ; Equal Protection Clause)	V-80 ; VI-73, 132, 173	未獲得適當代表的少數族群 (underrepresented minorities)	V-20
平等就業機會委員會 (Equal Employment Opportunity Commission: EEOC)	I-233 ; IV-99 ; V-57	正犯 (principal)	V-242
平等適用 (equal application)	IV-93	正當目的 (legitimate objectives)	III-64
平衡原則 (balancing test)	II-96	正當年資制度 (bona fide seniority system)	VI-144
必要手段 (necessary means)	I-45	正當法律(司法)程序 (due process of law; due process)	I-97, 258, 264, 269; IV-334, 362, 428, 489
必要而適當 (necessary and proper)	I-45	正當法律(司法)程序條款 (due process clause; due process of law clause)	I-169, 285, 303; III-55, 193, 263, 288; IV-6, 93, 139, 162, 407, 428
必要的醫療服務 (medically necessary services)	VI-232	正當法律程序 (due process ; due process of law)	V-38 ; VI-104, 114
必要設備原則 (essential facilities doctrine)	II-230	正當程序 (due process)	I-249, 326, 331
必要與適當 (necessary and proper)	VI-195	正當程序條款 (due process clause)	V-2 ; VI-158
必然發現 (inevitable discovery)	III-123	民兵 (militia)	II-109
本身違法原則 (illegal per se rule)	II-253	民事上之藐視法庭 (civil contempt)	VI-158
本質上 (per se)	V-45	民事救濟 (civil remedies)	II-175
本質上不公平 (inherently unfair)	V-331	民權 (Civil Rights)	IV-44
本質上具有違憲嫌疑 (inherently suspect)	I-147	民權法第7章 (Title VII of the Civil Rights Act)	VI-121, 144, 158, 183
本質違法 (illegal per se)	II-207, 216	民權法第七編 (Title VII of the Civil Rights Act of 1964)	IV-37
未予補償的徵收 (uncompensated taking)	V-279	永久身心受損 (permanent impairment)	V-49
未成年子女家庭津貼 (aid for family with dependent children)	III-19		
未列舉權力 (unenumerated powers)	VI-195		





II-207, 211, 222, 227, 249; III-153; IV-514	刑事審判報導 (broadcast coverage of criminal trials)	I-326
仲裁人 (arbitrator) II-146	刑法 (criminal statute、criminal law)	I-118
仲裁條款 (arbitration provision) II-146	印第安娜州牙醫協會 (Indiana Dental Association)	II-292
任命條款 (appointment clause) II-127	同工同酬 (equal wages for equal work)	I-153
任命條款 (Appointment Clause) VI-219	同性戀(者) (homosexuals)	I-173; IV-139, 162
任意反對權 (peremptory strike) IV-30	同級及同品質 (like grade and quality)	II-273
企業主 (entrepreneur) V-362	向特定對象寄發招攬業務信件 (targeted directed-mail solicitation of business)	III-103
企圖獨佔 (attempt to monopolize) VI-304	名義損害 (nominal damages)	I-320
先例遵循原則 (stare decisis) III-32	合作企業 (joint venture)	II-207, 216
全國大專院校運動協會 (NCAA) II-215	合作聯邦主義 (Cooperative Federalism)	II-91
全國共識 (national consensus) V-172	合法有效選票 (legal vote)	IV-202
共犯 (accomplice) V-242	合法政府利益 (legitimate government interests)	III-55
共同侵權行為人 (joint tortfeasor) VI-254	合法逮捕而為附帶搜索 (searches incident to lawful arrests)	II-16
共同訴求 (collective point) III-83	合法逮捕的附帶搜索 (search incident to a lawful arrest)	V-70
共謀動機 (motive to conspire) II-237	合理之專業判斷 (reasonable professional judgment)	IV-436
共謀罪 (conspiracy) II-276	合理而非恣意 (reasonable, not arbitrary)	I-144
共謀獨佔 (conspire to monopolize) II-249	合理使用 (fair use)	
再版、改版 (revision) VI-317		
再僱用 (re-employment) I-179		
刑之加重 (penalty enhancement) III-96		
刑事被告要求法院以強制手段促使有利於被告之證人出庭作證的權利 (right to compulsory process) V-242		
刑事被告要求律師協助辯護的權利 (right to assistance of counsel) IV-428		
刑事訴訟 (criminal prosecution) IV-428		

- III-167, 199, 205, 231, 256, 274, 287
- 合理使用的抗辯  
( fair use defense ) IV-518
- 合理法則 ( rule of reason )  
II-216, 222, 253, 292
- 合理的可能性  
( reasonable possibility ) II-257
- 合理的投資報酬期待 ( reasonable investment-backed expectation ) V-289
- 合理的負擔  
( reasonable exactions ) V-279
- 合理的懷疑 ( reasonable suspicion ) VI-94
- 合理的關係  
( reasonable relationship ) V-279
- 合理相信 ( reasonable belief ) II-41
- 合理個人 ( reasonable person ) I-234
- 合理送運費率 ( reasonable rates ) II-211
- 合理基礎 ( reasonable basis ) III-2
- 合理處置或措施 ( reasonable accommodation ) V-49
- 合理被害人 ( reasonable victims ) I-234
- 合理期待的隱私權 ( reasonable expectation of privacy ) VI-84
- 合理評論 ( fair comment ) IV-261
- 合理補償 ( just compensation ) I-169, 285
- 合理審查基準 ( rational basis review; reasonable scrutiny ) IV-162; III-27
- 合理關係 ( rational relationship; reasonable relationship ) I-144; 269
- 合理關係標準 ( reasonable-relationship standard ) V-94
- 合理關聯性審查標準 ( rational relationship test ) IV-23
- 合夥關係 ( partnership ) V-294
- 合憲性 ( constitutionality ) IV-23
- 因果關係 ( causation ) VI-310
- 因法律模糊不明確而無效  
( void for vagueness ) VI-50
- 回復原狀之損害  
( rescissory damage ) VI-261
- 地位平等 ( equality of status ) III-64
- 地役權 ( easement or servitude ) I-281
- 地標保存法 ( Landmarks Preservation Law ) II-300
- 多數族群之白人  
( the white majority ) VI-69
- 宅第 ( cartilage ) VI-84
- 安樂死 ( euthanasia ) III-53, 55
- 州法 ( state law ) I-111
- 州長 ( governor ) II-109
- 州長否決權 ( gubernatorial veto ) II-109
- 州執法首長 ( state's chief law enforcement officers ) II-99
- 州際商業 ( interstate commerce ) II-227
- 州際貿易委員會 ( Interstate Commerce Commission ) II-287
- 州際貿易法  
( Interstate Commerce Act ) II-287
- 年金 ( annuity ) II-149
- 年金契約 ( annuity contract ) II-149
- 年資制度 ( seniority system ) V-53
- 年齡歧視 ( age discrimination ) I-185

年齡歧視證據確鑿案件 (prima facie case of age discrimination)	I-185	收購 (acquisition)	V-300
年齡確認 (age verification)	III-83	收購要約 (tender offer)	II-163
成文憲法 (written constitution)	I-36	有形證據 (physical evidence)	III-119
次承攬人補償條款 (subcontractor compensation clause)	III-16	有足夠的心智能力接受司法審判 (competence to stand trial)	V-219
次要官員 (inferior official)	VI-219	有效價格競爭 (effective price competition)	II-276
死亡風險 (morality risk)	II-149	有益競爭的 (procompetitive)	II-216
死亡給付 (survivors' benefits)	V-2	有價證券 (securities)	VI-297
死刑 (capital punishment; death penalty)	II-116 ; V-160, 172 ; V-160, 166	有證明力之證據 (relevant evidence)	VI-114
米蘭達警告 (Miranda warning)	II-76, 81	有證據能力 (admissible)	V-193
自由及財產利益 (liberty and property interests)	I-273	有關市場 (relevant market)	II-249
自由投稿作家 (freelancer)	VI-317	色情資訊 (sexually explicit material)	III-71
自由意志 (free will)	III-119	血汗論 (sweat of the brow)	III-215
自白 (admission)	III-119	血液採樣 (blood sample)	VI-104
自我事前審查 (self-censorship)	IV-261	行政命令 (Executive Order)	VI-195
自我實現 (self-fulfillment)	III-64	行政延誤 (administrative delay)	V-207
自動法律責任 (automatic liability)	I-241	行政便利 (administrative convenience)	I-147
自動施行 (self-executing)	II-96	行政便宜之舉 (administrative leeway)	V-57
自願性 (voluntariness)	II-30	行政規則 (regulations)	V-45
自願性供述 (voluntarily given statement; voluntary statement)	II-61	行政權 (executive power)	VI-195
成本抗辯 (cost justification)	II-267, 273	行爲 (conduct)	III-96
成本差異 (cost difference)	II-267	行動自由 (freedom of movement)	VI-94
成本效益比較理論 (balancing approach)	III-130		
扣押 (attachment ; seizure)	II-102 ; VI-195	<b>七劃</b>	
		佐證 (corroboration)	III-119
		佔有權益 (possessory interests)	V-207

- |   |              |   |   |
|---|--------------|---|---|
| 作者身分 (authorship)   | VI-317       | 投機者 (speculator)  | II-181                                  |
| 作業準則 (work rule)  | II-292       | 改作 (revision)   | III-226                                 |
| 伯恩公約 (Berne Convention for<br>the Protection of Literary and<br>Artistic Works) | IV-518       | 沉默 (silence)  | V-331                                   |
| 免於受到差別待遇的權利 (rights<br>to nondiscriminatory treatment)                          | V-20         | 汽車搜索例外<br>(automobile exception)  | II-35                                   |
| 免責抗辯<br>(affirmative defense)   | I-241, 246   | 男同性戀者 (gay)   | III-83                                  |
| 免責條款 (safe harbor)  | IV-202       | 私人 (private party)  | II-181                                  |
| 免稅 (tax-exempt)   | I-92         | 私人物品 (personal effects)   | V-70                                    |
| 免職權 (power of removal)  | VI-211       | 私有財產 (private property)   | I-281                                   |
| 判決先例 (precedent)  | I-111        | 私法起訴理由<br>(private cause of action)   | II-181                                  |
| 判例(先例)拘束原則<br>(stare decisis)   | IV-162, 407  | 私契約 (private contract)  | I-276                                   |
| 判例拘束原則 (stare decisis)  | V-160        | 肛交 (禁止) 法<br>(sodomy law)   | IV-139, 162                             |
| 利益衝突 (conflict-of-interest)   | I-293        | 角色典範 (role model)   | VI-173                                  |
| 即決裁判<br>(summary judgment)  | V-43; 45; 53 | 言詞證據 (verbal evidence)  | III-119                                 |
| 否決法律 (vetoing of laws)  | VI-195       | 言論自由 (freedom of speech; liberty<br>of speech; free speech; freedom of<br>expression) | I-108, 303; IV-261, 327; V-94, 113, 150 |
| 呈送條款 (Presentment Clause)   | IV-458       | 言論自由權利<br>(right to freedom of speech)  | V-235                                   |
| 告示板 (billboard)   | IV-315       | 身心障礙 (disability)   | V-43                                    |
| 告知後同意原則<br>(informed consent)   | I-249        | 身心障礙中立規則<br>(disability-neutral rule)   | V-53                                    |
| 扼要判斷 (summary judgment)   | II-223       | 身心障礙之狀態<br>(disability status)  | V-49                                    |
| 批發商 (wholesale dealer)  | II-204       | 身心障礙者 (disabled persons)  | V-43                                    |
| 投票權 (right to vote)   | IV-202       | 身體虐待與性侵害<br>(physical and sexual abuse)   | IV-436                                  |
| 投資人 (investor)  | II-181       | 車禍或災變事故受害者 (victims)  |   |
| 投資契約 (investment contract)  | VI-297       |   |   |
| 投資風險承擔<br>(investment risk-taking)  | II-149       |   |   |

of an accident or disaster)	III-103	其他適格之個人 (otherwise qualified individual)	V-53
<b>八劃</b>		刻板印象 (stereotype)	I-147
事先審查、事先限制 (previous restraint)	I-303	制定行政規定 (rule-making)	V-57
事前審查 (prior restraint)	I-314, 320, IV-327	協助自殺 (assisted-suicide)	III-53
事前審查 (prior restraint)	V-129	協助自殺禁令 (assisted-suicide ban)	III-55
事務性錯誤 (clerical errors)	V-183	協議式費率政策 (Negotiated Rates Policy)	II-288
事實上之損害 (injury in fact)	I-73	協議價格 (list prices)	II-204
事實認定 (findings)	II-292	取得 (taking)	I-281
事實錯誤 (factual mistake)	VI-99	受任人義務 (fiduciary duty)	V-392
依米蘭達案享有之權利事項 (Miranda rights)	II-61, 76	受刑人互相通信 (correspondence between inmates)	V-94
依據性別的分類 (gender-based classification)	IV-23	受刑人結婚 (inmate marriage)	V-94
例行性法律業務 (routine legal service)	III-103	受保護之身分 (protected status)	III-96
兒童色情 (child pornography)	VI-2, 22	受僱人 (employee)	V-412
兒童網際網路保護法 (Children's Internet Protection Act)	VI-2	受僱人退休收入安全法 (Employee Retirement Income Security Act (ERISA))	VI-232
兒童線上保護法 (the Child Online Protection Act)	VI-31, 37	受僱者期待權 (employee expectation)	V-53
兩院共同行使權力制度 (bicameralism)	VI-211	和解命令 (consent decree)	VI-121, 132, 144
兩院制 (Bicameralism)	V-250	固有權力 (inherent power)	VI-195
具有特定目的之公共論壇 (designated public forum)	VI-2	固定收益 (fixed return)	II-149
具體損害 (concrete injury)	I-70	垃圾搜索 (garbage search)	VI-84
「具體損害」要件 (requirement of "injury in fact.")	I-70	委託書之徵求 (proxy solicitation)	V-300; 377
		宗教自由 (free exercise of religion)	V-150

- 宗教信仰 (religious belief) V-141
- 宗教意見 (religious opinion) IV-305
- 忠誠義務 (fiduciary obligation) I-320
- 忠實執行業務義務 (fiduciary) V-331
- 性別分類 (gender classification;  
gender-based classification) IV-1, 17
- 性別成見 (sex stereotyping) V-10
- 性別取向 (sexual orientation) III-83
- 性別歧視 (sex discrimination; sex-based  
discrimination) I-153, 229, 237; III-2
- 性別區分  
(gender-based distinction) III-8
- 性侵害受害者  
(sexual assault victim) V-105
- 性騷擾 (sexual harassment) I-228, 237
- 所有被告在法庭之前一律平等 (every  
defendant stands equal before the law)  
IV-429
- 所有經濟上可行之使用  
(all economically viable use) V-283
- 所有經濟上有益的使用 (all  
economically beneficial use) V-289
- 承保風險 (underwriting of risk) II-149
- 承諾禁反言理論  
(promissory estoppel theory) VI-60
- 拒絕交易  
(refuse to deal) II-230; VI-304
- 招攬人員 (solicitation) V-150
- 招攬業務限制  
(solicitation restriction) III-103
- 拘禁中 (in custody) II-61, 76
- 拘禁中之訊問  
(custodial interrogation) II-76, 81
- 於代理關係下本人之法律責任  
(vicarious liability) I-241, 246
- 明顯令人不悅  
(patently offensive) III-71
- 明顯而令人信服之證據標準 (clear and  
convincing evidence) V-353
- 明顯而令人信服的證據  
(clear and convincing evidence) I-249
- 明顯具有性意味  
(sexually explicit) VI-22
- 明顯違憲 (patently  
unconstitutional on its face) III-64
- 杯葛 (boycott(s)) I-227; II-223, IV-514
- 武力 (physical force) VI-89
- 歧視性分類  
(discriminatory classification) IV-23
- 法定減輕或加重事由 (statutory  
mitigating or aggravating  
circumstances) V-166
- 法官 (judge) II-127
- 法律上因果關係  
(proximate cause) VI-243
- 法律上的平等保護 (the equal  
protection of the laws) VI-69
- 法律之形式合憲性  
(constitutionality of a statute  
"on its face") I-115
- 法律代理 (legal representation) III-103
- 法律平等保護 (equal protection

of the law)	I-258	初審管轄權	
法律限制 (legal restrictions)	VI-69	(primary jurisdiction)	I-36
法律權利 (legal rights)	VI-69	表面證據 (prima facie evidence)	VI-12
法院判決命令 (court order)	VI-132, 158	表現(性質的)行爲	
法院命令 (mandate)	IV-202	(expressive conduct)	I-354, 366
法院權限 (court's authority)	VI-144	表現自由; 言論自由; 表意自由	
爭議 (controversies)	I-62	(freedom of expression)	
版次 (edition)	VI-317		I-314, 345, 366; III-64
直接侵權 (direct infringement)	III-167	表意活動 (expressive activity)	IV-315
直接威脅 (direct threat)	V-57	表達 (expression)	III-243; IV-518
直接責任 (direct liability)	VI-254	表達目的 (expressive purpose)	III-83
直接結果原則		表達自由	
( "direct product" rule)	VI-261	(freedom of expression)	IV-305
直接損害 (direct injury)		表達性之行爲	
知識基礎 (foundation of knowledge)	II-8	(expressive conduct)	VI-12
社會安全 (social security)	V-2	金跳傘合約	
社團 (association)	I-83	(golden parachute agreement)	II-163
空檔期 (safe harbor)	IV-186	長期身心受損	
肢體或心智缺陷 (physical or		(long-term impairment)	V-49
mental impairment)	IV-99	附條件的免責權	
肢體或精神損害 (impairments)	V-43	(Qualified immunity)	V-264
股利 (dividend)	VI-297	附隨陳述, 即附隨於不利陳述之	
股東 (stockholder)	V-294	陳述 (collateral statements)	V-193
股東會 (shareholder meeting)	V-300	非公立學校 (nonpublic school)	IV-346
股票 (stock)	VI-297	非自願性勞務	
臥底警察、臥底人員 (undercover		(involuntary servitude)	I-258
agent; undercover dectective)	II-81	非明知或可得而知	
初步禁令		(unknown or unknowable)	V-362
(preliminary injunction)	I-173	非法扣押下的產物	
初期合併談判 (preliminary		(fruit of the illegal seizure)	VI-89
merger discussions)	III-147	非法拘禁 (unlawful detention)	V-178



- 非法的青少年懷孕 (illegitimate teenage pregnancy) IV-17
- 非法侵入 (trespass) II-2
- 非法搜索 (unlawful search) III-119
- 非法搜索或扣押 (unlawful search or seizure) III-130
- 非商業性錄影重製 (noncommercial recording) III-256
- 非價格性垂直限制 (nonprice vertical restraint) II-252
- ## 九劃
- 信教自由條款 (Free Exercise Clause, Const. 1st Amend.) II-96; IV-346
- 信賴 (reliance) VI-243
- 侵權行爲 (torts) I-281
- 侵權求償法 (Tort Claims Act) VI-243
- 保密承諾 (promise of confidentiality) VI-60
- 保險 (insurance) II-149
- 保險給付申報表 (claim forms) II-292
- 保證條款 (Guarantee Clause, Const. IV, §4) II-91
- 保護性掃描 (protective sweep) II-41
- 冒犯性思想 (offensive thought) III-96
- 咨送總統批准條款 (Presentment Clause) V-250
- 契約條款 (contract clause) I-276
- 契約損害 (impairment of contract) I-298
- 契約義務 (contractual obligation; obligation of contract) I-276, 298
- 契約關係 (contractual relationship) I-276
- 契據 (instrument) V-362
- 威脅恐嚇之意圖 (the intent to intimidate) VI-12
- 孩童猥褻物品 (child pornography) II-52
- 宣示性判決 (declaratory judgment) I-118
- 宣示性救濟 (declaratory relief) I-118
- 律師仲介服務所 (lawyer referral service) III-103
- 律師協助辯護的權利 (right to counsel) VI-104
- 律師廣告 (lawyer advertising) III-103
- 急迫性的國家目的 (compelling state purpose) VI-173
- 急迫政府利益 (compelling government interest) VI-132
- 持有人請求權 (holder claims) VI-285
- 持械搶劫 (armed robbery) V-166
- 持標語牌抗議 (picketing) III-64
- 指派一名公設辯護律師 (appointment of counsel) IV-428
- 指紋證據 (fingerprint evidence) V-178
- 挑釁言語(論) (fighting words) III-96; IV-261
- 挑釁性言論 (fighting words) VI-12
- 政府的共和體制 (republican form of government) I-122
- 政府與宗教間之糾葛

( entanglement between government and religion )	IV-346	( probable cause )	II-8, 35, 41; III-119, 130 ; V-70, 207 ; VI-84, 99, 104
政府審查		相當程度限制	
( government censorship )	III-64	( substantially limits )	V-43
政治行爲 ( political act )	I-36	約略比例原則	
政治問題		( rough proportionality )	V-279; 283
( political question )	I-122, 137, 140	美國憲法第十四條增修條文的平等保護	
政治問題「不受司法審查」之原則		條款 ( the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution )	V-20
( political question doctrine )	I-134	美國憲法著作權條款之"有限期	
政教分離的隔牆 ( a wall of separation between Church and State )	IV-334	間"的規定 ( Copyright Clause's limited times prescription )	IV-517
故意 ( scienter )	VI-254	美國憲法著作權與專利權條款	
既存著作		( Copyright and Patent Clause )	IV-517
( the preexisting material )	VI-317	美國聯邦憲法增修條文第一條	
毒品 ( narcotics )	V-70; 207	( First Amendment )	V-150
毒品交易 ( drug trafficking )	V-207	耶和華的見證人	
毒品販賣 ( narcotic trafficking )	VI-84	( Jehovah's Witness )	V-150
毒樹果實		胎兒獨立存活能力之檢驗標準	
( fruit of poisonous tree )	III-119	( the tests of viability )	III-32
毒樹果實理論 ( fruit of the poisonous tree doctrine )	V-207	衍生責任 ( derivative liability )	VI-254
為羈押嫌犯而對嫌犯進行的逮捕		衍生著作 ( derivative works )	III-226
( custodial arrest )	V-70	衍生證據 ( derivative evidence )	V-207
相同品牌產品間之經銷限制 ( intrabrand restraints on distribution )	II-252	負責抗辯 ( affirmative defense )	V-57
相容性條款		負擔 ( exactions )	V-283
( compatibility provisions )	III-188	軍事上訴法院 ( court of appeals for the armed forces )	II-127
相當且實質的關連		軍事審判 ( court martial )	II-116
( fair and substantial relation )	IV-1	迫切之公共必要	
相當原因; 相當理由; 相當事由			
( 相當或相信被告之犯罪合理根據 )			

- |   |                       |   |                    |
|---|-----------------------|---|--------------------|
| ( Pressing public necessity )                               | IV-87                 | 限制貿易 ( restrained trade )                             | II-204             |
| 迫切的公共目的   |                       | 限制過廣 ( overbreadth )                                  | IV-315             |
| ( compelling public purpose )                               | V-289                 | 限制權力 ( limited power )                                | I-36               |
| 迫切的政府利益 ( compelling government interest )                  |                       | 限縮言論自由  |                    |
|   | IV-104 ; V-20 ; VI-69 | ( abridge free speech )                               | I-345              |
| 重大不實或誤導之聲明  |                       | 音樂市場 ( music market )                                 | III-287            |
| ( materially false or misleading statement )                | V-377                 | 飛行 ( flight )   | I-281              |
| 重大且迫切之利益  |                       | 個人的權利 ( personal rights )                             | VI-69              |
| ( Compelling Interests )                                    | IV-6                  | 個人資料 ( biographical data )                            | VI-69              |
| 重大利益 ( compelling interest ; vital interest )               | I-298 ; IV-250        | 個人養老給付保護法 ( Private Pension Benefits Protection Act ) | I-276              |
| 重大的 ( material )  | V-300 ; VI-261        | 個別判斷  |                    |
| 重大政府利益 ( compelling ( substantial ) governmental interest ) | II-96 ; III-103       | ( individualized assessment )                         | V-49               |
| 重大訊息充分公開 ( full disclosure of material information )        | II-175                | 個別納稅人與聯邦政府關係  |                    |
| 重大過失 ( gross negligence )                                   | II-139                | ( relation of a taxpayer to the federal government )  | I-59               |
| 重要性 ( materiality )   | III-147               | 個別著作 ( contribution )                                 | VI-317             |
| 重要施政目標 ( important governmental objective )                 | III-8                 | 個案和爭議 ; 案件與爭議 ( case and controversy )                | I-73, 97, 100, 103 |
| 重要基本原則  |                       | 個案或爭議   |                    |
| ( essential postulates )                                    | II-99                 | ( case or controversy )                               | I-83, 92           |
| 重要關聯 ( essential link )                                     | V-377                 | 「個案與爭議」要件 ( "case or controversy" requirement )       | I-70               |
| 重新分配 ( reapportionment )                                    | I-130                 | 個案與爭議原則 ( case-and-controversy doctrine )             | I-63               |
| 重罪 ( felony )   | II-40                 | 個體懷疑  |                    |
| 重製權 ( reproduction right )                                  | VI-317                | ( indivisualized suspicion )                          | III-136            |
| 限制交易 ( restraint of trade )                                 | III-157               | 剝權法案條款  |                    |
| 限制交易契約 ( contract in restraint of trade or commerce )       | II-211, 215           | ( Bill of Attainder Clause )                          | I-293              |
|   |                       | 原初、最高意志   |                    |
|   |                       | ( original and supreme will )                         | I-37               |

原則性協議 (agreement-in-principle)	III-147	特別訂做或委託製作的著作 (a work specially ordered or commissioned)	V-412
原創性 (originality)	III-298; IV-518	特別檢察官 (Special Prosecutor)	IV-489
「若非因為」因果關係 (but-for causation)	V-10	特定及可敘明的事實 (specific and articulable facts)	II-19, 41
<b>十劃</b>		特定的受侵害者 (specific victim)	VI-121, 144
候補名單 (waiting list)	VI-69	特權 (privilege)	VI-317
倉庫效應 (warehousing)	V-331	特權及豁免權 (privileges and immunities)	I-258
兼管行政與司法的治安法官 (magistrate)	VI-104	特權及豁免權條款 (Privileges or Immunities Clause)	III-58
家用錄音法 (Audio Home Recording Act, AHRA)	III-183	病人識別 (patient- identification)	III-47
差別待遇 (disparate treatment; discrimination)	I-237; II-257, 262; III-83	真誠的年資制度 (bona fide seniority system)	I-185
差別待遇、歧視 (discrimination)	IV-44	真誠職業資格 (bona fide occupational qualification)	I-185
差異行爲 (differentials)	II-262	真實抗辯 (defense of truth)	IV-261
弱視 (amblyopia)	V-45	真實威脅 (true threats)	VI-12
恣意 (wantonly)	V-166	真實報導權利 (truthful reporting rights)	VI-61
恣意專斷且和州所欲達成之目的 無合理關聯 (arbitrary and without reasonable relation to any end within the competency of the state)	V-37	真實惡意 (actual malice)	IV-261
時段挪移 (time-shifting)	III-256	真實價值 (true value)	VI-243
時間、地點、方法管制 (time- place-manner-based regulation)	III-64	祕密協商 (secret negotiation)	II-288
晉升 (advancement)	V-53	租稅利益 (tax benefit)	VI-261
根本的連結 (essential nexus)	V-279	租稅利益原則 (tax benefit rule)	VI-261
浪漫的父權主義 (romantic paternalism)	I-147	租稅庇護 (tax shelter)	VI-261
		站崗糾察 (picket)	V-129
		紐約證券交易所 (New York Stock Exchange)	II-222

- |   |                  |  |                |
|---|------------------|--|----------------|
| 納入 (incorporate)  | V-242            | (cease and desist order)                                   | II-273         |
| 納稅人 (taxpayer)  | I-63             | 健康保險 (Health insurance)                                    | IV-511         |
| 納稅人訴訟當事人適格<br>(taxpayer standing)                                 | I-70             | 健康維護機構 (health maintenance<br>organization)                | VI-232         |
| 草擬憲法增修條文第14條的制憲<br>者 (the Framers of the<br>Fourteenth Amendment) | VI-69            | 偏見 (prejudice)   | V-166          |
| 記者特權 (reportorial privilege)                                      | VI-42            | 偏激思想 (bigoted thought)                                     | III-96         |
| 訊問 (interrogation)  | V-178            | 兜攬人員 (canvasser)   | V-150          |
| 財政完整性 (fiscal integrity)  | III-2            | 動機 (motive)  | III-96         |
| 財產上現有利益<br>(present interest of property)                         | I-83             | 區隔但平等 (separate but equal)                                 | III-16         |
| 財產利益 (property interest)  | V-228; 235       | 商品期貨交易法 (Commodity<br>Exchange Act)                        | II-181         |
| 送呈總統簽署 (presentment)  | VI-211           | 商業言論<br>(commercial speech)                                | I-331, III-103 |
| 追逐救護車之招攬客戶手法<br>(ambulance chasing)                               | III-103          | 商標專屬 (proprietary brand)                                   | II-276         |
| 追躡人犯 (hot pursuit)  | II-2, 19         | 國民兵 (national guard)                                       | II-109         |
| 酒後駕車 (drinking and driving)                                       | III-8            | 國防與軍隊事務 (national<br>defense and military affairs)         | III-12         |
| 酒醉駕車 (driving under the<br>influence of intoxicating liquor)      | VI-104           | 國家行爲 (state action)  | VI-61          |
| 配額制 (quota system)  | VI-132, 158, 183 | 國族主義 (nativism)  | IV-93          |
| 針對個人的特質作出個別考量<br>(individualized consideration)                   | V-21             | 國會 (Congress)  | V-264          |
| 除性別以外之因素<br>(factor other than sex)                               | I-153            | 國會本意 (congressional intent)                                | V-57           |
| 高度 (altitude)   | I-281            | 國會行爲的合憲性 (constitutionality<br>of the legislative act)     | I-100          |
| <b>十一劃</b>  |                  | 國會所通過的立法之有效性<br>(validity of Congressional<br>legislation) | I-100          |
| 偽證 (perjury)  | V-243            | 國會意旨 (congressional intent;<br>intent of Congress)         | I-293; II-181  |
| 停止命令 (stay order; stay)   | IV-194, 202      | 國會意思 (congressional intent)                                | V-377          |
| 停止處分令   |                  | 國會議員資格 (qualifications of<br>Congress members)             | I-134          |

國旗保護法 (Flag Protection Act)	I-366	婚姻隱私權 (marital privacy)	IV-130
國際耗盡 (International Exhaustion)	III-219	密室調查 (in camera inspection)	IV-489
國際緊急經濟權力法 (International Emergency Economic Power Act)	II-102	專屬裁量 (conclusive discretion)	I-36
基於內容而採取之管制措施 (content-based restriction)	VI-2	專屬權 (exclusive right)	
基於內容的管制 (content-based regulation)	V-129		IV-518 ; VI-317
基於性別的區分 (sex-based distinction)	V-2	將議員選區劃成不規則形狀 (political gerrymander)	I-140
基於觀點所為之差別待遇 (discrimination on the basis of viewpoint)	VI-50	強制令 (injunction)	II-227, 276
基礎權利 (fundamental rights)	IV-139, 162	強制性優越地位 (mandatory preference)	I-144
執行委員會 (executive committee)	II-204	強制退休 (compulsory retirement)	I-185
執行條款之補救性質 (remedial nature of the enforcement clause)	II-96	強制處分令 (mandamus)	I-36
執行業務必要 (business necessity)	V-57	強制證人出庭作證 (compel witness to testify)	V-242
執行權 (enforcement power)	II-99	強取合併 (squeeze-out merger; “freeze-out” merger)	II-163 ; V-377
執法人員誘人犯罪勾當 (sting operation)	II-52	強盜罪 (robbery)	II-40
執照和許可制度 (licenses and permits)	V-113	從犯 (accessory)	V-242
婚前性行爲 (premarital sexual relations)	V-63	從事犯罪行爲之意向 (disposition to commit a criminal act)	II-42
		從陪審員候選人名單中選定陪審 員 (impanel the jury)	V-219
		掠奪性手段 (in predatory tactics)	II-276
		掠奪性訂價 (predatory pricing)	II-237
		控訴程序 (accusatory stage)	V-178
		推定成立 (a prima facie case)	II-276
		推定的損害賠償 (presumed damages)	I-338
		推薦信 (letters of recommendation)	VI-69

- |   |         |   |                |
|---|---------|---|----------------|
| 授權 (authorize 、delegate)                                | IV-458  | 現行專業基準的合理性<br>(reasonableness under<br>prevailing professional norms)         | IV-436         |
| 授權範圍<br>(the scope of the license)                      | III-188 | 現狀 (status quo)   | V-207          |
| 採集新聞資料 (newsgathering)                                  | VI-42   | 現金公開收購股份要約<br>(cash tender offer)   | II-201         |
| 採對抗制度的刑事審判<br>(adversary system of criminal<br>justice) | IV-429  | 異族婚姻 (interracial marriage)   | IV-93          |
| 採證 (evidential hearing)                                 | I-273   | 異族通婚 (miscegenation)  | IV-93          |
| 排他性區域計畫 (exclusionary<br>zoning practices)              | I-83    | 移審令 (writ of certiorari)  | I-169, 173     |
| 排除 (abatement)  | I-303   | 移審狀 (certiorari)  | II-249; IV-294 |
| 排除證據的聲請 (motion to<br>suppress the evidence)            | VI-99   | 第10(b)條 (Section 10(b))   | VI-272         |
| 救濟 (remedy)   | IV-78   | 第一次表達 (first impression)  | III-243        |
| 教材 (instructional text)                                 | V-412   | 第一次銷售原則<br>(first sale doctrine)  | III-219        |
| 教育多元化 (educational diversity)                           | V-21    | 第七章 (Title VII)   | V-10           |
| 教育保障名額方案 (educational<br>affirmative action)            | IV-23   | 第十四條增修條文之正當司法程<br>序條款 (the due process clause<br>of the Fourteenth Amendment) | V-242          |
| 教會學校<br>(church-affiliated school)                      | IV-346  | 終止懷孕<br>(terminate the pregnancy)   | I-193          |
| 條文解釋 (statutory construction)                           | V-320   | 終止懷孕之權利 (right to<br>terminate the pregnancy)                                 | I-203          |
| 條約 (treaty)   | V-276   | 終局性要件<br>(finality requirements)  | IV-488         |
| 條約批准 (ratification of a treaty)                         | I-137   | 終身監禁 (life imprisonment)  | V-172          |
| 條約廢止 (abrogation of a treaty)                           | I-137   | 處死重罪 (capital felony)   | V-166          |
| 條項否決 (item veto)  | IV-458  | 處境 (不) 相當<br>( (not) similarly situated)                                      | IV-17          |
| 深思熟慮的選擇<br>(a reasoned choice)                          | IV-436  | 被認為身心障礙<br>(regarded as disabled)   | V-43           |
| 淨損害額<br>(out-of-pocket damages)                         | VI-261  | 規制範圍過廣 (overbroad)  |                |
| 理性人 (reasonable mind)                                   | II-292  |   |                |
| 理性的基礎 (rational basis)                                  | V-279   |   |                |

	VI-22, 31, 37	最高法 (a superior, paramount law)	I-37
規則10b-5 (Rule 10b-5)		最高軍事統帥 (Commander in	
	VI-243, 254, 272, 277, 285, 293, 310	Chief of the Armed Forces)	VI-195
規範對象範圍不周延		最高國法 (supreme law of the land)	I-36
(under-inclusive)	V-63	最終的處分 (final decision)	V-289
規範衝突 (two laws conflict with		勞資爭議 (labor disputes)	VI-195
each other)	I-36	勞資關係 (employee-management	
貧窮的刑事被告 (indigent		relations)	V-53
criminal defendant)	IV-514	單一性別入學政策	
貧窮的被告 (indigent defendant)	IV-428	(single-sex admissions policy)	IV-23
通訊會員 (non-resident member)	II-204	單一性別教育	
通訊錄 (telephone directory)	III-215	(single-sex education)	IV-23
通商條款 (Commerce Clause,		單純持有 (mere possession)	V-331
Const. Art. I, §8, cl. 3)	II-91	單純過失 (simple negligence)	II-139
連鎖商 (grocery store chain)	II-267	報紙 (newspaper)	V-105
連鎖超市 (chain supermarket)	III-153	報復 (vindictiveness)	II-86
連續複製管理系統 (Serial Copy		媒介 (medium)	IV-315
Management System, SCMG)	III-183	「媒介中立」的概念	
陪審員 (juror)	IV-30	(concept of media neutrality)	VI-317
陪審團指示 (jury instruction)	VI-12	媒體 (media)	V-123
陳腐觀念 (stereotype view)	IV-23	寒蟬效應 (discouraging effect,	
章程 (by-laws)	II-204	chilling effect)	I-315; III-96; IV-261
麥克卡蘭·法格生法		就業上身心障礙歧視 (disability	
(McCarran-Ferguson Act)	VI-232	discrimination in employment)	IV-99
<b>十二劃</b>		就業上性別歧視 (sex	
備徵登記 (registration)	III-12	discrimination in employment)	I-233, 241, 245
最少限制方法		就業年齡歧視法 (Age Discrimination in	
(least restrictive means)	II-96	Employment Act)	I-185
最低設籍期間 (durational residency		就業歧視 (employment discrimination)	
requirements)	III-58	I-229, 237; VI-121, 132, 144, 158, 183	



- 就罪刑分別審判  
 ( bifurcate the sentencing ) IV-436
- 就職安全 ( job security ) V-53
- 惡意 ( actual malice ) I-338
- 揣摩 ( conjure up ) III-287
- 提升科學與實用性文化的發展  
 ( to promote the progress of  
 science and useful art ) IV-517
- 提出減刑的請求  
 ( present a mitigation case ) IV-436
- 提出證據傳票  
 ( Subpoena duces tecum ) IV-488
- 提審 ( to grant habeas corpus ) I-56
- 散佈權 ( distribution right ) VI-317
- 普通法 ( common law ) II-139
- 普通法或衡平法上的個案  
 ( a case in law or equity ) I-100
- 普通法的代理學說 ( the  
 common-law agency doctrine ) V-413
- 普遍刻板印象  
 ( common stereotypes ) VI-69
- 智障者 ( mentally retarded ) III-27
- 替代方案 ( alternative ) I-293
- 替代利益 ( alternative benefits ) II-292
- 替代侵權  
 ( vicarious infringement ) III-167, 256
- 替代責任 ( vicarious liability ) III-261
- 替代溝通管道 ( alternative  
 channels of communication ) V-129
- 期刊 ( periodical ) VI-317
- 期貨交易 ( futures trading ) II-181
- 殘酷且不尋常處罰 ( cruel and unusual  
 punishment ) V-172; 160; 166
- 減刑的證據 ( mitigating evidence ) IV-436
- 減緩措施 ( mitigating measures ) V-43
- 測驗的解答  
 ( answer material for a test ) V-412
- 無可回復之損害  
 ( irreparable harm ) IV-194
- 無限制的裁量  
 ( unlimited discretion ) V-113
- 無效的律師協助辯護 ( ineffective  
 assistance of counsel ) IV-436
- 無特別合約的自由創作者  
 ( freelance creators ) V-412
- 無被害人犯罪  
 ( victimless crimes ) IV-139
- 無搜索令的搜索  
 ( warrantless search ) V-70
- 無搜索令的搜索和扣押  
 ( warrantless search and seizure ) VI-84
- 無懷疑情形下之搜索或扣押  
 ( suspicionless searches or  
 seizures ) III-136
- 無證據能力 ( inadmissible ) II-61, 76
- 猥褻 ( obscene ) III-71
- 猥褻 ( obscenity ) VI-2, 22
- 猥褻性言論  
 ( obscenity speech ) VI-31, 37
- 發回 ( remand ) I-179; II-249
- 短線交易之利益  
 ( “short-swing.” profits ) V-294

短線交易利益 ( short-swing profits )	II-200	( copyright duration )	IV-517
程序性正當法律程序 ( procedural due process of law )	V-228	著作權所有權 ( copyright ownership )	V-412
程序性正當程序 ( procedural due process )	I-273	著作權法裡的合理使用 ( fair use )	VI-317
程序性正當程序權利 ( procedural due process right )	V-235	著作權侵害 ( copyright infringement )	VI-317
程序保障措施 ( procedural safeguards )	IV-327	著作權侵權訴訟 ( an action for copyright infringement )	III-188
結合著作 ( collective work )	V-412 ; VI-317	著作權標示 ( copyright notice )	VI-317
結社自由 ( freedom of association )	IV-130	虛偽不實之陳述 ( misrepresentation )	VI-310
結婚的基本權利 ( fundamental right to marry )	V-94	虛偽陳述 ( misrepresentation )	VI-261, 272, 277
結婚權 ( right to marry )	V-80	虛偽陳述或誤導 ( false or misleading )	V-300
結論性的 ( conclusory )	V-377	街道 ( street )	IV-315
絕對的免責權 ( Absolute immunity )	V-264	裁量 ( discretion )	I-288; III-64
善良管理人注意(義務) ( reasonable care )	I-241, 246	裁量上訴 ( petition )	IV-194
善意 ( bona fide 、 good faith )	II-262	裁量上訴受理令狀；移審令；調卷令 ( certiorari )	IV-186, 194, 202
善意例外 ( good faith exception )	III-130	裁量權 ( discretionary authority )	IV-459
善意和有補償性目的 ( benign, compensatory purpose )	IV-23	視力敏銳度 ( dvisual acuity )	V-45
善意的懷疑 ( bona fide doubt )	V-219	視力標準 ( vision standards )	V-45
腕骨隧道症候群 ( carpel tunnel syndrome )	V-49	視覺侵擾 ( visual clutter )	IV-315
著作人 ( author )	V-412	視聽著作 ( audiovisual work )	V-412
著作權存續期		詐欺 ( defraud )	V-331
		詐欺 ( fraud )	V-353
		詐欺行爲 ( fraudulent conduct )	II-181
		訴之利益 ( interest at stake )	I-288
		訴訟參加 ( intervention )	VI-121

- 訴訟參加人，法院之友  
 (amicus curiae) IV-67, 78
- 訴訟當事人適格 (standing to sue) I-70
- 訴訟雙方的辯護律師對有關審理  
 的任何事項所達成的協議  
 (stipulation) V-219
- 訴願 (administrative appeal) I-288
- 象徵性行動 (symbolic acts) III-83
- 象徵性言論 (symbolic speech) I-345
- 買受人自負瑕疵結果、貨物既出  
 概不退换 (caveat emptor) V-331
- 超然中立之治安法官 (detached  
 and neutral magistrate) III-130
- 超越合理懷疑 (beyond a  
 reasonable doubt) V-166
- 逮捕 (arrest) II-41
- 進化中的正當行為標準 (evolving  
 standards of decency) V-166; 172
- 鄉鎮市規約 (ordinance) V-150
- 開支條款 (Spending Clause, Const.  
 Art. I, §8, cl. 1) II-91
- 集體杯葛 (group boycott) III-160
- 集體訴訟 (class action)  
 I-108; II-169 ; V-20
- 集體訴訟的代表  
 (class representative) V-20
- 集體談判 (collective bargaining) VI-195
- 雇主法律責任 (employer liability)  
 I-229, 234, 237, 241, 246
- 順從式分析 (deferential analysis) I-160
- 黑人歧視法  
 (Jim Crow Laws) IV-44, 67, 78
- 黑人族群 (the Negro race) VI-69
- 嫌疑分類  
 (suspect classification) III-2; IV-1
- 意思表示傳達證據  
 (testimonial evidence) VI-104
- 意圖獨占  
 (attempt to monopolize) II-249
- 搭售 (tying; tying arrangements)  
 III-157; 160, IV-511
- 搭售商品 (tie product) IV-511
- 搜索 (search) II-41
- 搜索狀(票) (search warrant) II-8; III-130
- 搜索與扣押 (search and seizure)  
 II-2, 16, 19, 35
- ## 十三劃
- 傳統公共論壇  
 (traditional public forum) VI-2
- 傳統的主僕關係 (the conventional  
 master-servant relationship) V-413
- 傳單 (handbill) IV-315
- 損失因果關係 (loss causation) VI-310
- 損害 (injury) I-92
- 損害賠償 (damages ; compensatory  
 damage) II-169, 181 ; VI-114
- 損害填補 (make whole relief)  
 VI-121, 144 ,158
- 新聞自由 (liberty of press; freedom of  
 the press; freedom of press)  
 I-303; II-227 ; V-113 ; VI-61

新聞自由保障條款 (the Press Clause)	VI-42	畸形選區劃分 (gerrymandering)	IV-104
業餘精神 (amateurism)	II-216	禁止設立國教條款 (Establishment Clause; establishment of religion clause)	IV-334, 346
極具說服力的(重大) 正當理由 (exceedingly persuasive justification)	IV-23, 30	禁止焚燒十字架的立法 (cross-burning statute)	VI-12
極度可能 (dangerous probability)	II-249	禁止證據呈堂 (suppression of evidence)	V-207
極端過當 (grossly excessive)	IV-452	禁制令或禁止處分 (injunction)	I-118, 303
概括授權 (blanket license; catchall clause)	II-207 ; V-331	經同意之搜索 (consent searches)	II-30
概括搜索 (general search)	VI-99	經保密之資訊 (classified information)	I-320
毀謗案件 (defamation cases)	I-338	經過嚴密設計 (narrowly tailored)	V-129
準強制性交 (statutory rape)	IV-17	經銷加盟契約 (franchise agreement)	II-252
準違憲嫌疑分類 (quasi-suspect classification)	III-27	經濟自由 (economic freedom)	III-153
準徵收 (inverse condemnation)	V-283	經濟負擔 (financial burden)	IV-250
準徵收訴訟 (inverse condemnation action)	V-289	經濟淨損 (net economic loss)	VI-261
準據法條款 (choice-of-law provision)	II-146	經營權之移轉 (the transfer of control)	V-362
當代法律背景 (contemporary legal context)	II-181	聘僱決定 (employment decision)	V-10
當代社區標準 (contemporary community standard)	VI-31, 37	聘僱著作 (works made for hire)	V-412
當事人適格 (standing)	I-62, 73, 92, 97, 122, 169	聘僱著作學說 (the work for hire doctrine)	V-412
當事人適格法則 (rules of standing)	I-83	補充著作 (supplementary work)	V-412
當然違法 (illegality per se)	II-207	補救方案 (remedial plan)	I-160
當然違法原則 (per se rule)	IV-514	補償 (compensation)	I-281
當然過失 (negligence per se)	V-105	補償性損害賠償 (compensatory damages)	IV-289, 452 ; VI-60

- 補償性賠償 (general damages) IV-261
- 補償過去的經濟歧視 (remedy of past economic discrimination) IV-1
- 解釋準則 (canon of construction) II-136
- 資料庫 (database) III-215
- 資訊 (message) IV-315
- 資訊聲明 (informational statement) V-377
- 資產凍結 (frozen assets) II-102
- 跨部門任命 (interbranch appointments) VI-219
- 較低程度限制 (narrowly tailored means) V-105
- 較嚴格審查標準 (heightened scrutiny) V-129
- 違反刑事利益陳述之傳聞例外 (the against penal interest exception) V-193
- 違禁品 (contraband; controlled substances) V-207; VI-94
- 違憲 (unconstitutional) I-36; III-64
- 違憲立法無效 (legislative act contrary to the constitution is not law) I-36
- 違憲嫌疑分類 (suspect classification) VI-69
- 遏止效果 (deterrent effect) V-183
- 過多的懲罰性賠償 (excessive punitive damage) VI-114
- 過度 (excessive) V-166; 172
- 過度(於)廣泛 (overreaching; overbroad) III-19, 96
- 過度且不必要之刑罰 (excessive and unnecessary penalty) V-160
- 過度狹隘 (underinclusiveness; underinclusive) III-2, 19
- 過廣的一般化 (overbroad generalization) IV-17
- 過濾 (filtering) VI-31, 37
- 過濾軟體 (filtering software) VI-2
- 隔離但平等 (separate but equal) IV-44, 67, 78
- 電子資料庫 (electronic database) III-226; VI-317
- 電子監察 (electronic surveillance) II-2, 47
- 電子聽得之陳述 (electronically overheard statements) II-47
- 電子竊聽 (electronic eavesdropping) II-47
- 電視轉播訴訟 (televising court proceedings) IV-362
- 電腦資料 (computerized data) III-47
- ## 十四劃
- 預算支出條款 (Spending Clause) VI-2
- 僱主責任 (respondeat superior) IV-289
- 僱用人 (employer) V-412
- 僱用特權 (privilege of employment) I-185
- 僱傭(職務)範圍之內 (within the scope of employment) V-412
- 團體和解 (class settlement) VI-254

團體訴訟 (class action)	VI-285	on the place and manner)	IV-305
圖書館服務與科技法 (Library Services and Technology Act)	VI-1	對行政規則之詮釋 (regulatory interpretations)	V-49
奪掠性或反競爭行為 (predatory or anticompetitive conduct)	II-249	對於表現自由合理之時間、地點及方式之限制 (a reasonable time, place, or manner restriction of expression)	I-354
實際出賣人 (actual sellers)	II-169	對律師產生反感 (erosion of confidence in the profession)	III-103
實際損害 (actual damages)	I-320	對被告或嫌疑人不利之陳述 (inculpatory statement; incriminating statement)	II-61, 76
實際損害原則 (actual damages principle)	VI-261	對被告或嫌疑人有利之陳述 (exculpatory statement)	II-61
實際購買人 (actual purchasers)	II-169	對等訴訟程序 (adversary process)	III-123
實質上非侵權使用 (substantial noninfringing use)	III-256	對精神狀態問題的聽證會 (sanity hearing)	V-219
實質正當法律程序 (substantive-due-process)	III-55	對質與交互詰問權利 (rights of confrontation and cross-examination)	V-228
實質政府利益，實質的政府政策目的 (substantial government interest)	I-354; III-64	慣犯條例 (Habitual Criminal Act)	II-86
實質相似(性) (substantial similarity)	III-205, 298	撤銷或更正定罪裁決 (post-conviction relief)	IV-436
實質惡意 (actual malice)	IV-289, 295	監獄激勵訓練營 (Prison Motivational Boot Camp)	II-136
實質關連 (substantially related)	III-8	福利成本之擲節 (saving of welfare costs)	III-2
對己不利陳述 (self-inculpatory statements)	V-193	福利受益人 (welfare recipient)	I-273
對己有利陳述 (self-serving statements)	V-193	福利金 (welfare benefits)	III-58
對他人造成威脅 (threat-to-others)	V-57	種族分類 (racial classifications)	
對市場詐欺理論 (the fraud-on-the-market theory)	VI-310		
對本身造成威脅 (threat-to-self)	V-57		
對地點及方式之限制 (restriction			

- V-21 ; VI-173
- 種族歧視 ( racial discrimination )  
I-92, 179, 237; IV-93 ;  
VI-69, 121, 132, 144, 158, 183
- 種族歧視 ( 差別待遇 )  
( racial discrimination ) V-20
- 種族歧視證據確鑿案件  
( prima facie case of racial  
discrimination ) I-179
- 種族配額 ( racial quota ) VI-69
- 種族偏好 ( racial preference ) V-20
- 種族偏見 ( racial prejudice ) IV-87
- 種族隔離措施  
( segregations ) IV-44, 67, 78
- 種族職業區隔  
( racial segregation ) VI-183
- 管制命令 ( regulations ) V-289
- 管制性取私產為公用  
( regulatory taking ) II-300, 306
- 管制準徵收 ( regulatory taking ) V-283
- 管理監督者所造成之性騷擾 ;  
主管性騷擾 ( supervisory  
sexual harassment ) I-241, 246
- 管轄權 ( jurisdiction ) VI-297
- 精神耗弱 ( feeble-minded ) III-27
- 精神痛苦 ( emotional distress ) IV-295
- 緊急狀態 ( emergency ) I-298
- 緊密結合  
( narrowly tailored ) VI-132, 173
- 網路色情 ( Internet pornography ) VI-2
- 網際網路 ( Internet ) III-71, 184
- 網際網路接近使用  
( Internet access ) VI-2
- 維吉尼亞軍校  
( Virginia Military Institute ) I-160
- 與毒品交易有關的配備  
( drug paraphernalia ) V-207
- 誤信 ( mislead ) VI-297
- 誤導 ( false light ) IV-289, 295
- 誘陷犯罪 ( entrapment ) II-52
- 誘導犯罪  
( induce commission of a crime ) II-52
- 賓夕法尼亞州非公立中小學教育  
法 ( Pennsylvania Nonpublic  
Elementary and Secondary  
Education Act ) IV-346
- 賓州場陷法 ( Pennsylvania  
Subsidence Act ) II-306
- 輔助侵權 ( contributory infringement )  
III-167, 256, 261, 274, 298
- 銀行 ( bank ) II-139
- 銀盤原則  
( Silver Platter Doctrine ) IV-407
- ## 十五劃
- 價格固定 ( price fixing ) III-160
- 價格差別待遇 ( price  
discrimination ) II-267, 273, 276
- 價格差異 ( price difference ) II-262
- 價格差異制度  
( discrimination in price ) II-257
- 價格控制 ( price control ) I-269

價格操縱 (price manipulation)	II-181	敵意或惡劣之工作環境 (hostile or abusive work environment)	I-237
增修條文第十四條 (the Fourteenth Amendment)	V-37	數位錄音裝置 (digital audio recording device)	III-183
增修條文第十四條正當法律程序條款 (Due Process Clauses of the Fourteenth Amendment)	V-80	暫時失能 (temporarily disabled)	III-2
增修條文第六條之與證人對證條款 (the confrontation clause of the Sixth Amendment)	V-242	暫時禁制令 (preliminary injunction)	VI-31, 37
墮胎 (abortion)	I-193	歐洲人權法院 (European Court of Human Rights)	IV-162
墮胎診所 (abortion clinic)	V-129	潛在生命 (potential life)	I-193, 203
墮胎管制措施 (abortion regulations)	III-32	潛在購買人 (potential buyer)	VI-272
墮胎權 (abortion right; right to abortion)	I-203; III-32	(確切載明搜索地點及被搜索人或物品) 要件 (the particularity requirement)	VI-99
審判前之證據排除聽審 (suppression hearing)	V-183	確定的歧視受害者 (specific victim)	VI-158
審判律師協會 (trial lawyers association)	IV-514	締約自由 (liberty to contract)	I-264
廢棄 (reverse)	I-140; II-249	編輯作品 (compilation)	III-215
徵收 (eminent domain)	II-300, 303, 306	編輯或彙整著作 (compilation or collective work)	III-226
徵收主張 (takings claim)	V-283; 289	編輯著作 (compilation)	V-412
徵收條款 (Takings Clause)	V-283; 289	編輯著作 (compilations)	III-298
徵兵 (draft)	III-12	請辯護人之權利 (right to counsel)	II-61
徵信調查報告 (credit report)	I-338	課外活動表現 (extracurricular activities)	VI-69
徵稅權 (power of taxation)	I-45	調查性追捕 (investigatory pursuit)	VI-94
徵稅權競合 (power of taxation to be concurrently exercised)	I-45	調查程序 (investigatory stage)	V-178
敵意(工作)環境性騷擾 (hostile environment sexual harassment)	I-228, 223, 246	調職 (reassignment)	V-53
		賠償 (compensation)	IV-250
		賠償 (remedy)	I-298
		賦稅減免 (tax exemption)	IV-1



- 賭場廣告 (advertising of casino gambling) I-331 VI-61, 132, 173
- 質疑之適格 (standing to make that challenge) I-315
- 適格標準 (qualification standards) V-57
- 遷徙自由 (right to travel) III-58
- 養老金 (pension) I-276
- ## 十六劃
- 學生總體多元化 (diverse student body) VI-69
- 學術自由 (academic freedom) VI-69
- 憲法中明文列舉的權利 (enumerated constitutional right) VI-69
- 憲法明文承諾 (textually demonstrable constitutional commitment; textual commitment) I-134
- 憲法疑義原則 (doctrine of constitutional doubt) II-136 ; V-172
- 憲法增修條文 (Amendment to Constitution) I-173
- 憲法增修條文第1條 (First Amendment ; the First Amendment) VI-2, 12, 22, 42, 50, 61, 69
- 憲法增修條文第4條 (the Fourth Amendment ; the Fourth Amendment of the Constitution) VI-84 , 94
- 憲法增修條文第5條 (First Amendment) VI-50, 158
- 憲法增修條文第14條 (the Fourteenth Amendment ; Fourteenth Amendment) VI-61, 132, 173
- 憲法增修條文第14條法律平等保護條款 (the Equal Protection Clause of the Fourteenth Amendment) VI-69
- 憲法增修條文第一條 (First Amendment ; First Amendment to the Constitution) I-331, 345, 354, 366; III-64; IV-250, 261, 289, 294, 301, 305, 327, 346, 514 V-105, 123, 141
- 憲法增修條文第一條之言論自由保障 (First Amendment's free speech guarantee) III-103; IV-517
- 憲法增修條文第八條 (Eighth Amendment) V-160, 166, 172
- 憲法增修條文第十三條 (Thirteenth Amendment) IV-44
- 憲法增修條文第十四條 (Fourteenth Amendment) II-19, 30; III-47, 64, 103; IV-44, 261, 289, 295, 362, 407, 428, 452, 301 ; V-123; 160; 166
- 憲法增修條文第十四條的正當司法程序 (due process of law under the Fourteenth Amendment) V-219
- 憲法增修條文第十四條第五項國會執行權 (congressional enforcement power under U.S. Const. 14th Amend., §5) II-96
- 憲法增修條文第五條 (Fifth Amendment)

	I-281, 362 ; V-276	( independent source )	III-119, 123
憲法增修條文第六條		獨立承包商	
( Sixth Amendment )	IV-428	( independent contracts )	V-57
憲法增修條文第六條賦與被告得		獨立承攬人	
以要求律師有效協助辯護的權		( independent contractor )	V-413
利 ( Sixth Amendment right to		獨立消息來源	
effective assistance of counsel )	IV-436	( independent source )	V-207
憲法增修條文第四條 ( Fourth		獨立商 ( independently	
Amendment )	II-2, 19, 30, 40 ; V-141	owned store )	II-267
憲法賦予刑事被告之律師協助		獨立檢察官	
辯護的權利 ( constitutional		( independent counsel )	VI-219
right to counsel )	IV-428	獨佔行爲 ( monopolization )	II-230
戰鬥 ( combat )	III-12	獨家 ( 排他 ) 契約	
戰場 ( theater of war )	VI-195	( exclusive contract )	IV-511
操作方法 ( method of operation )	III-243	積極行動方案 ( affirmative action )	
操控 ( manipulative )	V-331	VI-121, 132, 144, 158, 173, 183	
操縱行爲 ( manipulative act )	II-163	積極性會員 ( active member )	II-204
機動車輛搜索的例外		衡平判決 ( decree )	IV-67, 78
( automobile exception )	V-70	衡平法上的救濟	
機密消息 ( tip )	V-331	( equitable relief )	VI-158
機器重新計票		親子關係 ( paternity )	IV-30
( machine recount )	IV-186, 202	謀殺 ( murder )	V-166
機關內部爭議		遵循判決先例原則 ( stare decisis )	I-203
( intra-branch dispute )	IV-489	選票稀釋 ( vote dilution )	IV-104
獨占 ( monopoly; monopolize )		選擇性排除 ( selective exclusion )	III-64
II-211, 230; III-157, 249		選擇性壓制 ( selective suppressing )	III-64
獨占地位 ( monopolistic position )	II-276	選擇權	
獨占地位的濫用		( option; voting right )	II-201; IV-104
( monopolization )	VI-304	選舉訴訟 ( election contest )	IV-186, 202
獨立存活能力 ( viability )	I-193, 203	遺產法院 ( probate courts )	I-144
獨立來源		錯誤復審令 ( writ of error )	IV-44

- 默示 (acquiescence) II-102
- 默示私訴因 (implied private cause of action) V-377
- 默示授權 (implied power) I-45
- 默示訴因 (implied cause of action) VI-277
- 默示訴權 (implied private right ; implied right of action) VI-254 ,285
- 默示請求權 (implied rights of action) II-181
- 優先承購權 (first refusal right) VI-243
- 優先股 (preference stock) II-201
- 優先適用 (preemption) VI-232
- 優惠性 (affirmative) IV-1
- 優惠待遇 (preferential treatment) III-16 ; VI-69
- 優勢證據 (a preponderance of the evidence) V-10
- 優勢證據標準 (preponderance of evidence) V-353
- 擬制信託 (constructive trust) I-320
- 濫用 (misappropriate) V-331
- 濫訟 (nuisance litigation) V-377
- 營業讓與理論 (sale of business doctrine) V-362
- 矯正及減輕殘障措施 (corrective and mitigating measures) IV-99
- 總平均成績 (grade point average) VI-69
- 總統 (President) V-264
- 總統行政特權 (Executive Privilege) IV-488
- 總統軍事權 (President's military power) VI-195
- 總統選舉 (Presidential election) IV-186, 194, 202
- 總統選舉人 (presidential elector) IV-202
- 總統選舉人團 (electoral college) IV-202
- 總統權力 (Presidential powers) VI-195
- 聯合定價 (price fixing) II-207, 211
- 聯合配銷權 (syndicated right) III-256
- 聯邦反托拉斯法 (federal antitrust laws) II-276
- 聯邦仲裁法 (Federal Arbitration Act(FAA)) II-146
- 聯邦刑事訴訟規則第十七條第C項 (Federal Rule of Criminal Procedure 17 (c)) IV-489
- 聯邦法 (federal law) I-111
- 聯邦法優先於州法適用 (state law preempted by federal regulation) II-91
- 聯邦社會安全法 (Federal Social Security Act) III-19
- 聯邦宣示性判決法 (Federal Declaratory Judgment Act) I-118
- 聯邦政府 (government of the Union) I-45
- 聯邦貿易委員會 (Federal Trade Commission) II-262, 292
- 聯邦貿易委員會法案 (Federal Trade Commission Act) II-291
- 聯邦貿易委員會法第五條 (Federal Trade Commission Act §5) IV-514

聯邦禁制令 (federal injunction) I-115  
 聯邦經費補助 (federal assistance) VI-2  
 聯邦憲法增修條文第十四條  
 (Fourteenth Amendment) IV-66, 78  
 聯邦憲法增修條文第十四條之平等保  
 護條款 (equal protection clause of the  
 Fourteenth Amendment) IV-23  
 聯邦權限爭議問題  
 (federal questions) IV-186  
 舉證責任 (burden of showing;  
 burdens of proof) IV-23; V-10

## 十七劃

豁免 (exempting; waiver; immunity)  
 III-64; V-45; VI-304  
 豁免條款 (exemption provision) II-149  
 購併 (takeover) II-201  
 購買人—出賣人限制  
 (purchaser-seller limitation) VI-285  
 避孕 (contraception) V-63  
 避孕器材 (contraceptives) IV-130  
 避免家庭內部爭議 (avoiding  
 intrafamily controversy) I-144  
 避險 (hedging) II-181  
 還原工程 (reverse engineering) III-231  
 隱含之請求權基礎  
 (implied cause of action) V-320  
 隱私 (privacy) III-47  
 隱私的侵犯  
 (intrusion on privacy) III-103  
 隱私權 (right to privacy; privacy;

right of privacy)  
 II-2; IV-130, 289, 301;  
 V-63, 80, 105; VI-104  
 隱私權之期待  
 (expectations of privacy) II-47  
 隱私權益  
 (privacy interests) V-70; 207  
 隱匿 (omission) VI-261, 277, 310  
 禮貌準則 (civility code) I-237  
 簡易合併 (short-form merger) VI-277  
 簡易判決 (Summary Judgment) IV-301  
 薛曼法 (The Sherman Act) VI-304  
 藉口的證明 (proof of pretext) I-179

## 十八劃

翻譯 (translation) V-412  
 醫療診斷 (medical diagnosis) V-49  
 雙性戀 (bisexual) III-83  
 雙重主權 (dual sovereignty) II-99  
 雙重保障 (double security) II-99  
 雙倍損害賠償 (double damages) I-185  
 雙階程序 (bifurcated procedure) V-166  
 額外顧客服務  
 (optional customer service) II-267

## 十九劃

壟斷 (monopoly) II-227  
 懲戒性賠償, 懲罰性 (損害) 賠償  
 (punitive damages)  
 I-320, 338; II-146; IV-261, 289, 295, 452  
 懲罰性賠償 (punitive damage) VI-114

- 懷孕 (pregnancy) III-2
- 羅賓森派特曼法案  
(Robinson-Patman Act) II-223, 262
- 羅德島州薪資補助法 (Rhode  
Island Salary Supplement Act) IV-346
- 藝術與人文國家基金會法  
(The National Foundation on  
Arts and Humanities Act) VI-50
- 藥物管制 (drug control) III-47
- 證人證詞 (witnesses testimony) V-243
- 證券 (securities; security)  
II-149 ; V-331, 362
- 證券交易法  
(Securities Exchange Act) V-300
- 證券交易法 (Securities Exchange  
Act of 1934) V-294, 353 ; VI-294
- 證券交易法案  
(Stock Exchange Act) II-223
- 證券交易委員會 (Securities and  
Exchange Commission) VI-310
- 證券法 (Securities Act of 1933)  
V-353 ; VI-253, 287, 294
- 證券商公會規則 (Rules of the  
National Association of Securities  
Dealers) II-146
- 證券詐欺 (securities fraud)  
VI-243, 261, 285, 293
- 證券管理委員會 (Securities and  
Exchange Commission (SEC  
Rule) ) V-392
- 證券管理委員會規則 (the Securities and  
Exchange Commission's Rule) V-377
- 證書 (certification) V-43
- 證詞證據 (testimonial evidence) VI-104
- 證據可採納性  
(admissibility of evidence) V-207
- 證據的可靠性  
(trustworthiness of the evidence) V-178
- 證據的滅失  
(destruction of evidence) V-70
- 證據的湮滅銷毀  
(destruction of evidence) VI-104
- 證據能力  
(admissibility of evidence) II-81
- 證據排除法則 (exclusion of evidence;  
exclusionary rule ; the exclusionary rule)  
II-61, 76; III-119, 123, 130; IV-407;  
V-178, 183, 207 ; VI-89, 104
- 證據聽證 (evidentiary hearing) II-292
- 關於管理發表言論之時間、地點  
或方法之規則 (time, place and  
manner regulation) IV-327
- 類比 (analogy) VI-317
- 類似的分擔額原則  
(like contribution rule) VI-254
- 嚴重的種族比例不平衡  
(manifest racial imbalance) VI-183
- 嚴格審查標準 (strict scrutiny ; strict-  
scrutiny standard)  
V-21; 129; VI-31, 37, 69, 132
- 嚴格標準 (strict scrutiny) VI-173

嚴密/嚴格的司法審查 (close/strict  
judicial scrutiny, heightened judicial  
scrutiny) I-147; III-2; IV-517

## 二十劃

攔阻與拍搜 (stop and frisk) II-19  
競爭 (competition) II-273  
警戒盯梢 (stakeout) V-207  
警察權 (police power)  
I-169, 264, 285, II-300, 303, 306; IV-44  
贍養費 (alimony) I-169  
屬地主義  
(doctrine of territoriality) III-219

## 二十一劃

辯論式訴訟程序  
(adversary proceeding) I-314  
辯護策略決定  
(strategic decision) IV-436

## 二十二劃

驅離令 (Exclusion Order) IV-87  
權力分立 (separation of powers)  
I-92; II-116; IV-459, 489 ;  
V-250, 264 ; VI-210

權力分立原則 (principle of  
separation of powers) VI-219  
權力制衡 (checks and balances) IV-489  
權利法案 (Bill of Rights) IV-130  
權利耗盡 (right exhausted) III-219  
聽證 (hearing) I-288 ; V-228, 235  
聽證陳述機會  
(opportunity to be heard) V-228; 235  
贖回 (redeem) I-298

## 二十三劃以上

竊用 (appropriation) V-123  
變額年金 (variable annuities) II-149  
邏輯關連性 (logical connection) V-94  
顯不相稱 (disproportionate) V-166  
讓與 (release and assignment) V-276