

A Collection of Law Review Articles Citing Legal Blogs

Compiled and Edited by Ian Best (3L, Ohio State University)

Available for Downloading at:

http://3lepiphany.typepad.com/3l_epiphany/2006/04/lawrevsciteblog.html

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Available for Downloading at:

http://3lepiphany.typepad.com/3l_epiphany/2006/04/lawrevsciteblog.html

Althouse (1)

URL: <http://althouse.blogspot.com>

1. Ann Bartow, *Some Dumb Girl Syndrome: Challenging and Subverting Destructive Stereotypes of Female Attorneys*, 11 Wm. & Mary J. of Women & L. 221 (Winter, 2005)

Bag and Baggage (5)

URL: <http://bgbg.blogspot.com>

1. Paul S. Gutman, *Say What?: Blogging and Employment Law in Conflict*, 27 Colum. J.L. & Arts 145 (Fall, 2003)
2. Carole Levitt *et al*, *Computer Counselor: Keeping Up-to-Date with Blogs*, 27 Los Angeles Lawyer 47 (Dec., 2004)
3. Alan R. Nye, *Blog Wars: A Long Time Ago in an Internet Far, Far Away*, 20 Maine Bar J. 102 (Spring, 2005)
4. David D. Smyth III, *A New Framework for Analyzing Gag Orders Against Trial Witnesses*, 56 Baylor L. Rev. 89 (Winter, 2004)
5. Christopher Sprigman, *Reform(aliz)ing Copyright*, 57 Stan. L. Rev. 485 (Nov., 2004)

Balkinization (14)

URL: <http://www.balkin.blogspot.com>

1. Graeme W. Austin, *Symposium: Metamorphosis of Artists' Rights in the Digital Age: Keynote Address*, 28 Colum. J.L. & Arts 397 (Summer, 2005)
2. Ben Depoorter, *The Several Lives of Mickey Mouse: The Expanding Boundaries Of Intellectual Property Law*, 9 Va. J.L. & Tech. 4 (Spring, 2004)
3. Laura A. Dickinson, *Government for Hire: Privatizing Foreign Affairs and the Problem of Accountability under International Law*, 47 Wm and Mary L. Rev. 135 (Oct., 2005)
4. Michael C. Dorf, *Review: After Bureaucracy*, 71 U. Chi. L. Rev. 1245 (Summer, 2004)
5. David J. Gottlieb, *Law-Free Zones*, 15 Kan. J.L. & Pub. Pol'y 7 (Fall, 2005)

6. Ken I. Kersch, *The New Legal Transnationalism, the Globalized Judiciary, and the Rule of Law*, 4 Wash. U. Global Stud. L. Rev. 345 (2005)
7. Harold Hongju Koh, *A World Without Torture*, 43 Colum. J. Transnat'l L. 641 (2005)
8. Ira C. Lupu & Robert W. Tuttle, *The Faith-Based Initiative and the Constitution*, 55 DePaul L. Rev. 1 (Fall, 2005)
9. Stephen M. McJohn, *Eldred's Aftermath: Tradition, the Copyright Clause, and the Constitutionalization of Fair Use*, 10 Mich. Telecomm. Tech. L. Rev. 95 (Fall, 2003)
10. Ernest Miller, *First Amendment Scrutiny of Expanded Secondary Liability in Copyright*, 32 N. Ky. L. Rev. 507 (2005)
11. Adam Mossoff, *Is Copyright Property?*, 42 San Diego L. Rev. 29 (Feb./Mar., 2005)
12. Lawrence B. Solum, *Judicial Selection: Ideology versus Character*, 26 Cardozo L. Rev. 659 (Jan. 2005)
13. W. Bradley Wendel, *Legal Ethics and the Separation of Law and Morals*, 91 Cornell L. Rev. 67 (Nov., 2005)
14. Peter K. Yu, *The Escalating Copyright Wars*, 32 Hofstra L. Rev. 907 (Spring, 2004)

The Becker-Posner Blog (6)

URL: <http://www.becker-posner-blog.com>

1. Colin F. Camerer, *Wanting, Liking, and Learning: Neuroscience and Paternalism*, 73 U. Chi. L. Rev. 87 (Winter, 2006)
2. Stephen Choi & G. Mitu Gulati, *Mr. Justice Posner? Unpacking the Statistics*, 61 N.Y.U. Ann. Surv. Am. L. 19 (2005)
3. Nancy J. Knauer, *A Marriage Skeptic Responds to the Pro-Marriage Proposals to Abolish Civil Marriage*, 27 Cardozo L. Rev. 1261 (Jan., 2006)
4. Aaron G. Murphy, *Note: The Migratory Patterns of Business in the Global Village*, 2 N.Y.U. J. L. & Bus. 229 (Fall, 2005)
5. Karen M. Wieghaus, *Note: The Medicare Prescription Drug, Improvement, and Modernization Act of 2003: The Wrong Prescription for our Nation's Senior Citizens?*, 11 Conn. Ins. L.J. 401 (2004/2005)
6. Adam Wolfson, *Note: "Electronic Fingerprints": Doing Away with the Conception of Computer-Generated Records as Hearsay*, 104 Mich. L. Rev. 151 (Oct., 2005)

Blakely Blog (inactive) (2)

URL: <http://blakelyblog.blogspot.com>

1. Steven L. Chanenson, *The Next Era of Sentencing Reform*, 54 Emory L.J. 377 (Winter, 2005)
2. Lenell Nussbaum, *Sentencing in Washington after Blakely v. Washington*, 18 Fed. Sent. R. 23 (Oct., 2005)

The Common Scold (1)

URL: <http://commonscolld.typepad.com/commonscolld>

1. *Feature: Some War-Winning Law Blogs*, 20 Maine Bar J. 107 (Spring 2005)

The Confrontation Blog (8)

URL: <http://www.confrontationright.blogspot.com>

1. Joshua Deahl, *Note: Expanding Forfeiture without Sacrificing Confrontation after Crawford*, 104 Mich. L. Rev. 599 (Dec. 2005)
2. Richard D. Friedman, *Symposium: Crawford and Beyond: Exploring the Future of the Confrontation Clause in Light of Its Past: Grappling with the Meaning of "Testimonial,"* 71 Brooklyn L. Rev. 241 (Fall, 2005)
3. Brooks Holland, *Symposium: Crawford and Beyond: Exploring the Future of the Confrontation Clause in Light of Its Past: Testimonial Statements under Crawford: What Makes Testimony... Testimonial?*, 71 Brooklyn L. Rev. 281 (Fall, 2005)
4. Laurie E. Martin, *Note: Child Abuse Witness Protections Confront Crawford v. Washington*, 39 Ind. L. Rev. 113 (2005)
5. David L. McColgin & Brett G. Sweitzer, *Grid & Bear It: Post-Booker Sentencing Litigation Strategies*, 29 Champion 42 (Dec., 2005)
6. Lynn McLain, *Post-Crawford: Time to Liberalize the Substantive Admissibility of a Testifying Witness's Prior Consistent Statements*, 74 UMKC L. Rev. 1 (Fall, 2005)
7. Daniel E. Monnat & Paige A. Nichols, *The Kid Gloves are Off: Child Hearsay After Crawford v. Washington*, 30 Champion 18 (Jan./Feb., 2006)
8. Jeanine Percival, *Note: The Price of Silence: The Prosecution of Domestic Violence Cases in Light of Crawford v. Washington*, 79 S. Cal. L. Rev. 213 (Nov., 2005)

CONSEJO – Intellectual Property & Legal Commentary (inactive) (1)

URL: <http://www.consejo.blogspot.com>

1. Christopher D. Birrer, *Note: A Jurisdictional “Nightmare”: Determining When an Interdependent Copyright and Contract Claim “Arises Under” the Copyright Act in Scholastic Entertainment, Inc. v. Fox Entertainment Group, Inc.*, 11 Vill. Sports & Ent. L.J. 271 (2004)

ContractsProf Blog (2)

URL: http://lawprofessors.typepad.com/contractsprof_blog

1. Robert A. Hillman, *Online Boilerplate: Would Mandatory Website Disclosure of E-Standard Terms Backfire?*, 104 Mich. L. Rev. 837 (March 2006)
2. Ruth S. Stevens, *Libraries and Legal Research: Contract Law Resources*, 84 MI Bar Jnl. 58 (Sept. 2005)

Crime and Federalism (1)

URL: <http://federalism.typepad.com>

1. *Feature: Some War-Winning Law Blogs*, 20 Maine Bar J. 107 (Spring 2005)

Customs Law (1)

URL: <http://www.customslaw.blogspot.com>

1. Lawrence M. Friedman, *Riding Circuits: Knee Deep in the Blawg Bog*, 19 CBA Record 46 (May, 2005)

Death and Taxes – The Blog (1)

URL: <http://jas-law.typepad.com>

1. Tom Mighell, *Estate Planning on the Web*, 68 Tex. B. J. 384 (May 2005)

Discourse.net (1)

URL: <http://www.discourse.net>

1. Srividhya Ragavan & Michael S. Mireles, Jr., *The Status of Detainees from the Iraq and Afghanistan Conflicts*, 2005 Utah L. Rev. 619 (2005)

Elder Law Prof Blog (1)

URL: http://lawprofessors.typepad.com/elder_law

1. Stephen Zamora *et al*, *Book Review: Why Mexico? Why Mexican Law? Why Now?*, 24 Penn St. Int'l L. Rev. 373 (Fall 2005)

Electronic Court Records (inactive) (1)

URL: <http://e-courtrecords.blogspot.com>

1. Cass C. Butler, *Ten Reasons You May Just Like CM/ECF*, 17 Utah Bar J. 17 (June/July 2004)

Electronic Discovery and Evidence (1)

URL: <http://arkfeld.blogs.com>

1. David K. Isom, *Electronic Discovery Primer for Judges*, 2005 Fed. Cts. L. Rev. 1 (Feb., 2005)

Eminent Domain Watch (2)

URL: <http://www.emdo.blogspot.com>

1. Thomas E. Baker, *Constitutional Theory in a Nutshell*, 13 Wm. & Mary Bill of Rts. J. 57 (Oct., 2004)
2. Alberto B. Lopez, *Weighing and Reweighing Eminent Domain's Political Philosophies Post-Kelo*, 41 Wake Forest L. Rev. 237 (Spring, 2006)

Equal Vote (2)

Current URL: <http://moritzlaw.osu.edu/blogs/tokaji>

Former URL: <http://equalvote.blogspot.com>

1. Daniel P. Tokaji, *Symposium: Early Returns on Election Reform: Discretion, Disenfranchisement, and the Help America Vote Act*, 73 Geo. Wash. L. Rev. 1206 (Aug. 2005)
2. Michael Waterstone, *Civil Rights and the Administration of Elections - Toward Secret Ballots and Polling Place Access*, 8 J. Gender Race & Just. 101 (Spring 2004)

ER Law & News (inactive) (1)

URL: <http://erlaw.blogspot.com>

1. Joan C. Williams, *Employment, Family, and Activism: Hibbs as a Federalism Case; Hibbs as a Maternal Wall Case*, 73 U. Cin. L. Rev. 365 (Winter, 2004)

Ernie the Attorney (1)

URL: <http://ernieattorney.typepad.com>

1. Toby Brown, *Tune In and Blog On: New Marketing Technology for Lawyers*, 53 RI Bar Jnl. 19 (May/June 2005)

Ex Parte (1)

Current URL: <http://exparte.powerblogs.com>

Former URL: <http://fedsoc.blogspot.com>

1. Courtney Megan Cahill, *Same-Sex Marriage, Slippery Slope Rhetoric, and the Politics of Disgust: A Critical Perspective on Contemporary Family Disclosure and the Incest Taboo*, 99 Nw. U.L. Rev. 1543 (Summer, 2005)

excited utterances (2)

URL: <http://excitedutterances.blogspot.com>

1. Jason Coomer *et al*, *The Attorney as Knowledge Worker*, 68 Tex. B. J. 794 (Oct., 2005)
2. *Feature: Some War-Winning Law Blogs*, 20 Maine Bar J. 107 (Spring, 2005)

How Appealing (19)

Current URL: <http://legalaffairs.org/howappealing>

Former URL's: <http://appellateblog.blogspot.com> and
<http://20q-appellateblog.blogspot.com> ("20 Questions" Series)

1. Thomas E. Baker, *Constitutional Theory in a Nutshell*, 13 Wm. & Mary Bill of Rts. J. 57 (Oct., 2004)
2. Howard Bashman, *20 Questions for Judge Kleinfeld*, 27 AK Bar Rag 1 (May/June, 2003)
3. Jay S. Bybee & Thomas J. Miles, *Symposium: Empirical Measures of Judicial Performance: Judging the Tournament*, 32 Fla. St. U.L. Rev. 1055 (Summer, 2005)
4. James E. DiTullio & John B. Schochet, *Note: Saving This Honorable Court: A Proposal to Replace Life Tenure on the Supreme Court with Staggered, Nonrenewable Eighteen-Year Terms*, 90 Va. L. Rev. 1093 (June, 2004)
5. Gregory S. Fisher, *Breaking Up is Hard to do: A Brief Summary of New Congressional Action to Split the Ninth Circuit Court*, 27 AK Bar Rag 9 (June, 2003)
6. Paul S. Gutman, *Say What?: Blogging and Employment Law in Conflict*, 27 Colum. J.L. & Arts 145 (Fall, 2003)

7. Arthur D. Hellman, *Assessing Judgeship Needs in the Federal Courts of Appeals: Policy Choices and Process Concerns*, 5 J. App. Prac. & Process 239 (Fall, 2003)
8. Max Huffman, *A Review of Judge Mark Painter, the Legal Writer: 40 Rules for the Art of Legal Writing*, 72 U. Cin. L. Rev. 1011 (Spring, 2004)
9. Keenan D. Kmiec, *Comment: The Origin and Current Meanings of "Judicial Activism,"* 92 Calif. L. Rev. 1441 (Oct. 2004)
10. Jefferson Lankford, *To Blog or Not to Blog*, 40 AZ Attorney 10 (Feb., 2004)
11. David Narkiewicz, *Blogs, Bloggers and Blawgs*, 25 Pennsylvania Lawyer 49 (May/June, 2003)
12. Martha Dragich Pearson, *Citation of Unpublished Opinions as Precedent*, 55 Hastings L.J. 1235 (May, 2004)
13. Shira A. Scheindlin & Matthew L. Schwartz, *With All Due Deference: Judicial Responsibility in a Time of Crisis*, 32 Hofstra L. Rev. 795 (Spring, 2004)
14. David D. Smyth III, *A New Framework for Analyzing Gag Orders Against Trial Witnesses*, 56 Baylor L. Rev. 89 (Winter, 2004)
15. Sean Unger, *Judge Arnold's Four Rules: A Model for a Life in the Law*, 27 U. Ark. Little Rock L. Rev. 387 (Spring, 2005)
16. Niketh Velamoor, *Recent Development: Proposed Federal Rule of Appellate Procedure 32.1 To Require That Circuits Allow Citation to Unpublished Opinions*, 41 Harv. J. on Legis. 561 (Summer, 2004)
17. Stephen L. Wasby, *Publication (or Not) of Appellate Rulings: An Evaluation of Guidelines*, 2 Seton Hall Cir. Rev. 41 (Fall, 2005)
18. Stephen L. Wasby, *Unpublished Court of Appeals Decisions: A Hard Look at the Process*, 14 S. Cal. Interdis. L.J. 67 (Fall, 2004)
19. Jim Westwood, *Prevailing with Class: A Review of "Winning on Appeal,"* 63 Or. St. B. Bull. 33 (Aug./Sept., 2003)

Ideoblog (4)

URL: <http://busmovie.typepad.com/ideoblog>

1. Stephen M. Bainbridge, *Symposium: Unincorporation: A New Age?: Abolishing LLC Veil Piercing*, 2005 U. Ill. L. Rev. 77 (2005)
2. Jonathan Macey, *Delaware: Home of the World's Most Expensive Raincoat*, 33 Hofstra L. Rev. 1131 (Summer 2005)

3. Andrea B. Short, *Comment: "Adequate and Full" Uncertainty: Courts' Application of Section 2036(a)(1) of the Internal Revenue Code to Family Limited Partnerships*, 84 N.C.L. Rev. 694 (Jan. 2006)
4. Jeffrey Evans Stake, *Symposium: The Next Generation of Law School Rankings: Ranking Methodologies: The Interplay Between Law School Rankings, Reputations, and Resource Allocation: Ways Rankings Mislead*, 81 Ind. L.J. 229 (Winter 2006)

Instapundit (9)

URL: <http://instapundit.com>

1. Marvin Ammori, *A Shadow Government: Private Regulation, Free Speech, and Lessons from the Sinclair Blogstorm*, 12 Mich. Telecomm. Tech. L. Rev. 1 (Fall, 2005)
2. Bill Haltom, *Instapundit done it: The blog that ate Dan Rather*, 40 Tenn. B.J. 30 (Nov., 2004)
3. Deborah J. La Fetra, *Kick it up a Notch: First Amendment Protection for Commercial Speech*, 54 Case W. Res. 1205 (Summer, 2004)
4. Jefferson Lankford, *To Blog or Not to Blog*, 40 AZ Attorney 10 (Feb., 2004)
5. *Let's Blog!*, 65 Tex. B. J. 398 (May, 2002)
6. Aaron Nielson, *Good History, Good Law (and by Coincidence Good Policy Too): Granholm v. Heald*, 125 S. Ct. 1885 (2005), 29 Harv. J.L. & Pub. Pol'y 743 (Spring 2006)
7. Gary O'Connor & Stephanie Tai, *Legal and Appellate Weblogs: What They Are, Why You Should Read Them, and Why You Should Consider Starting Your Own*, 5 J. App. Prac. & Process 205 (Spring, 2003)
8. Michael S. Vogel, *Unmasking "John Doe" Defendants: The Case Against Excessive Hand-Wringing over Legal Standards*, 83 Or. L. Rev. 795 (2004)
9. Christopher P. Zubowicz, *The New Press Corps: Applying the Federal Election Campaign Act's Press Exemption to Online Political Speech*, 9 Va. J.L. & Tech. 6 (Spring, 2004)

Intel Dump (1)

Current URL: <http://www.intel-dump.com>

Former URL: <http://philcarter.blogspot.com>

1. Diane H. Mazur, *Why Progressives Lost the War When They Lost the Draft*, 32 Hofstra L. Rev. 553 (Winter, 2003)

I/P Updates (1)

URL: <http://ip-updates.blogspot.com>

1. *Feature: Some War-Winning Law Blogs*, 20 Maine Bar J. 107 (Spring, 2005)

IPKat (1)

URL: <http://www.ipkitten.blogspot.com>

1. Melissa E. Roth, *Note: Something Old, Something New, Something Borrowed, Something Blue: A New Tradition in Nontraditional Trademark Registrations*, 27 Cardozo L. Rev. 457 (Oct., 2005)

Is That Legal? (3)

URL: <http://www.isthatlegal.org>

1. David D. Smyth III, *A New Framework for Analyzing Gag Orders Against Trial Witnesses*, 56 Baylor L. Rev. 89 (Winter, 2004)
2. Wallace Tashima, *Judgments Judged and Wrongs Remembered: Examining the Japanese American Civil Liberties Cases on Their Sixtieth Anniversary: Play It Again: Uncle Sam*, 68 Law & Contemp. Prob. 7 (Spring, 2005)
3. Tung Yin, *The Role of Article III Courts in the War on Terrorism*, 13 Wm. & Mary Bill of Rts. J. 1061 (April, 2005)

Jim Calloway's Law Practice Tips (1)

URL: <http://jimcalloway.typepad.com/lawpracticetips>

1. Toby Brown, *Tune In and Blog On: New Marketing Technology for Lawyers*, 53 RI Bar Jnl. 19 (May/June 2005)

Jottings by an Employer's Lawyer (2)

URL: <http://employerslawyer.blogspot.com>

1. *Feature: Some War-Winning Law Blogs*, 20 Maine Bar J. 107 (Spring, 2005)
2. Paul S. Gutman, *Say What?: Blogging and Employment Law in Conflict*, 27 Colum. J.L. & Arts 145 (Fall, 2003)

Law Department Management (1)

URL: <http://lawdepartmentmanagement.typepad.com>

1. *Feature: Some War-Winning Law Blogs*, 20 Maine Bar J. 107 (Spring 2005)

Legal Blog Watch (1)

URL: http://legalblogwatch.typepad.com/legal_blog_watch

1. *Feature: Some War-Winning Law Blogs*, 20 Maine Bar J. 107 (Spring 2005)

Legal Theory Blog (24)

Current URL: <http://lsolum.blogspot.com>

Former URL: <http://legaltheorylexicon.blogspot.com> (archives and lexicon)

1. Michael Abramowicz, *On the Selection of Judges in International Figure Skating*, 6 Green Bag 2d 339 (Summer, 2003)
2. Larry Alexander & Lawrence B. Solum, *Book Review: Popular? Constitutionalism? The People Themselves: Popular Constitutionalism and Judicial Review*, by Larry D. Kramer, 118 Harv. L. Rev. 1594 (March, 2005)
3. Kenneth Anderson, *Book Review: Squaring the Circle? Reconciling Sovereignty and Global Governance through Global Governance Networks: A New World Order*, by Anne-Marie Slaughter, 118 Harv. L. Rev. 1255 (Feb., 2005)
4. Thomas E. Baker, *Constitutional Theory in a Nutshell*, 13 Wm. & Mary Bill of Rts. J. 57 (Oct., 2004)
5. J. Cam Barker, *Note: Grossly Excessive Penalties in the Battle Against Illegal File-Sharing: The Troubling Effects of Aggregating Minimum Statutory Damages for Copyright Infringement*, 83 Tex. L. Rev. 525 (Dec., 2004)
6. Craig Estlinbaum, *South Texas Law Review at Fifty: Looking Back and Looking Ahead*, 46 S. Tex. L. Rev. 25 (Fall, 2004)
7. Tracey E. George, *An Empirical Study of Empirical Legal Scholarship: The Top Law Schools*, 81 Ind. L.J. 141 (Winter, 2006)
8. Steven G. Gey & Jim Rossi, *Symposium: Empirical Measures of Judicial Performance: An Introduction to the Symposium*, 32 Fla. St. U.L. Rev. 1001 (Summer, 2005)
9. Edward A. Hartnett, *Recess Appointments of Article III Judges: Three Constitutional Questions*, 26 Cardozo L. Rev. 377 (Jan., 2005)
10. Michael Herz, *Abandoning Recess Appointments?: A Comment on Hartness (and Others)*, 26 Cardozo L. Rev. 443 (Jan., 2005)
11. David A. Hoffman, *The "Duty" To Be a Rational Shareholder*, 90 Minn. L. Rev. 537 (Feb., 2006)
12. Brian Leiter, *The Law School Observer*, 6 Green Bag 2d 421 (Summer, 2003)

13. Karl M. Manheim & Lawrence B. Solum, *An Economic Analysis of Domain Name Policy*, 25 *Hastings Comm. & Ent. L.J.* 359 (Spring/Summer, 2003)
14. Glenn H. Reynolds & Brannon P. Denning, *What Hath Raich Wrought? Five Takes*, 9 *Lewis & Clark L. Rev.* 915 (Winter, 2005)
15. John Schietinger, *Note: Bridgeport Music, Inc. v Dimension Films: How the Sixth Circuit Missed a Beat on Digital Music Sampling*, 55 *DePaul L. Rev.* 209 (Fall 2005)
16. Kenneth J. Schmier & Michael K. Schmier, *Legislative Reform: Has Anyone Noticed the Judiciary's Abandonment of Stare Decisis?*, 7 *J.L. & Soc. Challenges* 233 (Fall, 2005)
17. Paul M. Secunda, *A Public Interest Model for Applying Lost Chance Theory to Probabilistic Injuries in Employment Discrimination Cases*, 2005 *Wis. L. Rev.* 747 (2005)
18. Theodore P. Seto, *Originalism vs. Precedent: An Evolutionary Perspective*, 38 *Loy. L.A. L. Rev.* 2001 (Dec., 2005)
19. Steven D. Smith, *The Iceberg of Religious Freedom: Sub-Surface Levels of Nonestablishment Discourse*, 38 *Creighton L. Rev.* 799 (June, 2005)
20. Lawrence B. Solum, *The Aretaic Turn in Constitutional Theory*, 70 *Brooklyn L. Rev.* 475 (Winter, 2004)
21. Lawrence B. Solum, *Book Review: The Future of Copyright-Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity*, by Lawrence Lessig, 83 *Tex. L. Rev.* 1137 (March, 2005)
22. Lawrence B. Solum, *Judicial Selection: Ideology versus Character*, 26 *Cardozo L. Rev.* 659 (Jan., 2005)
23. Lawrence B. Solum, *Symposium: Empirical Measures of Judicial Performance: A Tournament of Virtue*, 32 *Fla. St. U.L. Rev.* 1365 (Summer, 2005)
24. Howard M. Wasserman, *Jurisdiction and Merits*, 80 *Wash. L. Rev.* 643 (Aug., 2005)

Leiter Reports (6)

URL: <http://leiterreports.typepad.com>

1. Bernard S. Black & Paul L. Caron, *Symposium: The Next Generation of Law School Rankings: Ranking Law Schools: Using SSRN to Measure Scholarly Performance*, 81 *Ind. L.J.* 83 (Winter 2006)
2. Anita Bernstein, *Symposium: Calabresi's The Costs of Accidents: A Generation of Impact on Law and Scholarship: Whatever Happened to Law and Economics?*, 64 *Md. L. Rev.* 303 (2005)

3. Robert S. Chang & Adrienne D. Davis, *Defining the Voices of Critical Race Feminism: The Adventure(s) of Blackness in Western Culture: An Epistolary Exchange on Old and New Identity Wars*, 39 U.C. Davis L. Rev. 1189 (March 2006)
4. Simon Critchley, *Symposium: Derrida/America: The Present State of America's Europe: Philosophy: Derrida: The Reader*, 27 Cardozo L. Rev. 553 (Nov. 2005)
5. William D. Henderson & Andrew P. Morriss, *Symposium: The Next Generation of Law School Rankings: Ranking Methodologies: Student Quality as Measured by LSAT Scores: Migration Patterns in the U.S. News Rankings Era*, 81 Ind. L.J. 163 (Winter 2006)
6. Linda Silberman, *Interpreting the Hague Abduction Convention: In Search of a Global Jurisprudence*, 38 U.C. Davis L. Rev. 1049 (April 2005)

Lessig Blog (17)

URL: www.lessig.org/blog

1. Ann Bartow, *Women in the Web of Secondary Copyright Liability and Internet Filtering*, 32 N. Ky. L. Rev. 449 (2005)
2. David Bollier, *Why We Must Talk about the Information Commons*, 96 Law Libr. J. 267 (Spring, 2004)
3. Stephen J. Choi & G. Mitu Gulati, *Mr. Justice Posner? Unpacking the Statistics*, 61 N.Y.U. Ann. Surv. Am. L. 19 (2005)
4. Adam Giuliano, *Steal this Concert? The Federal Anti-Bootlegging Statute Gets Struck Down, But Not Out*, 7 Vand. J. Ent. L. & Prac. 373 (Summer, 2005)
5. James Grimmelman, *Note: Regulation by Software*, 114 Yale L.J. 1719 (May, 2005)
6. Julie Erin Land, *Legislative Update: The Risks of Using Secondary Liability Legislation as a Means of Reducing Digital Copyright Infringement*, 5 DePaul-LCA J. Art & Ent. L. 167 (Fall, 2004)
7. Arlen W. Langvardt & Kyle T. Langvardt, *Unwise or Unconstitutional?: The Copyright Term Extension Act, the Eldred Decision, and the Freezing of the Public Domain for Private Benefit*, 5 Minn. Intell. Prop. Rev. 193 (2004)
8. Edward Lee, *The Public's Domain: The Evolution of Legal Restraints on the Government's Power to Control Public Access Through Secrecy or Intellectual Property*, 55 Hastings L.J. 91 (Nov., 2003)
9. Penina Michlin, *The Broadcast Flag and the Scope of the FCC's Ancillary Jurisdiction: Protecting the Digital Future*, 20 Berkeley Tech. L.J. 907 (2005)

10. Ernest Miller, *First Amendment Scrutiny of Expanded Secondary Liability in Copyright*, 32 N. Ky. L. Rev. 507 (2005)
11. Adam Mossoff, *Is Copyright Property?*, 42 San Diego L. Rev. 29 (Feb./March, 2005)
12. Michael Raucci, *Congress Wants to Give the RIAA Control of Your iPod: How the Induce Act Chills Innovation and Abrogates Sony*, 4 J. Marshall Rev. Intell. Prop. L. 534 (Spring, 2005)
13. Paul Rosenzweig, *Response: On Liberty and Terror in the Post-9/11 World: A Response to Professor Chemerinsky*, 45 Washburn L.J. 29 (Fall, 2005)
14. Patrick S. Ryan, *Application of the Public-Trust Doctrine and Principles of Natural Resource Management to Electromagnetic Spectrum*, 10 Mich. Telecomm. Tech. L. Rev. 285 (Spring, 2004)
15. Cass R. Sunstein, *Group Judgments: Statistical Means, Deliberations, and Information Markets*, 80 N.Y.U.L. Rev. 962 (June, 2005)
16. Russ Taylor, *Book Review: An Introduction to Lessigian Thought: Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity*, by Lawrence Lessig, 57 Fed. Comm. L.J. 161 (Dec., 2004)
17. Anthony E. Varona, *Changing Channels and Bridging Divides: The Failure and Redemption of American Broadcast Television Regulation*, 6 Minn. J.L. Sci. & Tech. 1 (Dec., 2004)

Mauled Again (1)

URL: <http://www.mauledagain.blogspot.com>

1. Linda M. Beale, *Congress Fiddles While Middle America Burns: Amending the Amt (And Regular Tax)*, 6 Fla. Tax Rev. 811 (2004)

Ms. Morality (inactive) (1)

URL: <http://msmorality.blogspot.com>

1. Alexandra Bak-Boychuk, *Comment: Liar Laws: How MPC § 241.3 and State Unsworn Falsification Statutes Fix the Flaws in the False Statements Act (18 U.S.C. § 1001)*, 78 Temp. L. Rev. 453 (Summer, 2005)

Navigating the Patent Maze (4)

URL: http://lorac.typepad.com/patent_blog

1. Natasha N. Aljalian, *The Role of Patent Scope in Biopharmaceutical Patents*, 11 B.U. J. Sci. & Tech. L. 1 (Winter 2005)

2. Eileen M. Kane, *Splitting the Gene: DNA Patents and the Genetic Code*, 71 Tenn. L. Rev. 707 (Summer 2004)
3. Cynthia D. Lopez-Beverage, *Should Congress Do Something about Upstream Clogging Cause by the Deficient Utility of Expressed Sequence Tag Patents?*, 10 J. Tech. L. & Pol'y 35 (June 2005)
4. Harold C. Wegner, *Developments in Patent Law 2004*, 4 J. Marshall Rev. Intell. Prop. L. 1 (Fall 2004)

New York Civil Law (1)

URL: <http://nylaw.typepad.com>

1. Alan J. Pierce, *Survey of New York Law: Insurance Law*, 55 Syracuse L. Rev. 1163 (2005)

Ninomania (1)

URL: <http://ninomania.blogspot.com>

1. David M. Wagner, *Marriage: An Achievement of Centuries for the Protection of Women and Children*, 38 New Eng.L. Rev. 683 (2004)

Ninth Circuit Blog (2)

URL: <http://circuit9.blogspot.com>

1. Steven G. Kalar *et al*, *A Booker Advisory: Into the Breyer Patch*, 29 Champion 8 (March, 2005)
2. David L. McColgin & Brett G. Sweitzer, *Grid & Bear It: Post-Booker Sentencing Litigation Strategies – Part 2*, 29 Champion 42 (Dec., 2005)

Nomination Nation (inactive) (1)

URL: <http://nominations.blogspot.com>

1. David Lane, *Bush v. Gore, Vanity Fair, and a Supreme Court Law Clerk's Duty of Confidentiality*, 18 Geo. J. Legal Ethics 863 (Summer, 2005)

the [non]billable hour (1)

URL: <http://thenonbillablehour.typepad.com>

1. *Feature: Some War-Winning Law Blogs*, 20 Maine Bar J. 107 (Spring 2005)

Opinio Juris (2)

Current URL: <http://www.opiniojuris.org>
Former URL: <http://lawofnations.blogspot.com>

1. Vicki C. Jackson, *World Habeas Corpus*, 91 Cornell L. Rev. 303 (Jan., 2006)
2. Julian G. Ku, *International Delegations and the New World Court Order*, 81 Wash. L. Rev. 1 (Feb., 2006)

OrCon Law (1)

URL: <http://orconlaw.blogs.com>

1. *Briefs: Another Link for the Webroll*, 65 Or. St. B. Bull. 7 (June, 2005)

Patently-O: Patent Law Blog (4)

URL: <http://patentlaw.typepad.com>

1. Matthew Bye *et al* (panelists), *Symposium: Do Overly Broad Patents Lead to Restrictions on Innovation and Competition?*, 15 Fordham Intell. Prop. Media & Ent. L.J. 947 (Summer, 2005)
2. Donald S. Chisum, *Reforming Patent Law Reform*, 4 J. Marshall Rev. Intell. Prop. L. 336 (Spring, 2005)
3. John M. Eden, *Unnecessary Indeterminacy: Process Patent Protection after Kinik v. ITC*, 2006 Duke L. & Tech. Rev. 9 (2006)
4. James G. McEwen, *Is the Cure Worse Than the Disease? An Overview of the Patent Reform Act of 2005*, 5 J. Marshall Rev. Intell. Prop. L. 55 (Fall 2005)

The Patry Copyright Blog (1)

URL: <http://williampatry.blogspot.com>

1. Laura R. Bradford, *Parody and Perception: Using Cognitive Research to Expand Fair Use in Copyright*, 46 B.C. L. Rev 705 (July, 2005)

PrawfsBlawg (2)

URL: <http://prawfsblawg.blogs.com>

1. Ethan J. Leib, *On Collaboration, Organizations, and Conciliation in the General Theory of Contract*, 24 Quinnipiac L. Rev. 1 (2005)
2. Claire Tuck, *Note: Policy Formulation at the NLRB: A Viable Alternative to Notice and Comment Rulemaking*, 27 Cardozo L. Rev. 1117 (Nov., 2005)

ProfessorBainbridge.com (11)

URL: <http://www.professorbainbridge.com>

1. Stephen M. Bainbridge, *The Case for Limited Shareholder Voting Rights*, 53 UCLA L. Rev. 601 (Feb., 2006)
2. Paul L. Caron & Rafael Gely, *Book Review: What Law Schools Can Learn from Billy Beane and the Oakland Athletics*, by Michael Lewis, 82 Tex. L. Rev. 1483 (May, 2004)
3. Stuart P. Green, *Uncovering the Cover-Up Crimes*, 42 Am. Crim. L. Rev. 9 (Winter, 2005)
4. Steven M. Haas, *Note: Toward a Controlling Shareholder Safe Harbor*, 90 Va. L. Rev. 2245 (Dec., 2004)
5. M. Todd Henderson & James C. Spindler, *Corporate Heroin: A Defense of Perks, Executive Loans, and Conspicuous Consumption*, 93 Geo. L.J. 1835 (Aug., 2005)
6. Renee M. Jones, *Dynamic Federalism: Competition, Cooperation and Securities Enforcement*, 11 Conn. Ins. L.J. 107 (Fall, 2004)
7. Ian B. Lee, *Is There a Cure for Corporate "Psychopathy"?*, 42 Am. Bus. L.J. 65 (Winter/Spring, 2005)
8. Drew D. Massey, *Dueling Provisions: The 21st Amendment's Subjugation to the Dormant Commerce Clause Doctrine*, 7 Transactions 71 (Fall, 2005)
9. James E. Rogers, *Comment: Going Too Far is Worse than Not Going Far Enough: Principle-Based Accounting Standards, International Harmonization, and the European Paradox*, 27 Hous. J. Int'l L. 429 (Winter, 2005)
10. Guhan Subramanian, *Bargaining in the Shadow of Takeover Defenses*, 113 Yale L.J. 621 (Dec., 2003)
11. Jared Wessel, *Judicial Policy-Making at the International Criminal Court: An Institutional Guide to Analyzing International Adjudication*, 44 Colum. J. Transnat'l L. 377 (2006)

Religion Clause (1)

<http://religionclause.blogspot.com>

1. William M. Richman, *Women of the Courts Symposium: Dedication: Howard Friedman*, 36 U. Tol. L. Rev. 813 (Summer, 2005)

(The Return of) Ignatz (inactive) (1)

URL: <http://sheldman.blogspot.com>

1. Theodore W. Ruger *et al*, *The Supreme Court Forecasting Project: Legal and Political Science Approaches to Predicting Supreme Court Decisionmaking*, 104 Colum. L. Rev. 1150 (May, 2004)

RiskProf (1)

URL: <http://riskprof.typepad.com>

1. James A. Higgins, *Recent Development: Oklahoma's Tort Reform Act: Texas-Style Tort Reform or Texas-Style Compromise?*, 57 Okla. L. Rev. 921 (Winter 2004)

SCOTUSBlog (19)

Current URL: <http://www.scotusblog.com>

Former URL: <http://www.goldsteinhowe.com/blog>

1. Jonathan H. Adler, *Is Morrison Dead? Assessing a Supreme Drug (Law) Overdose*, 9 Lewis & Clark L. Rev. 751 (Winter, 2005)
2. Nicole L. Aeschleman, *Comment: The Vienna Convention on Consular Relations: Quo Vadis, America?*, 45 Santa Clara L. Rev. 937 (2005)
3. Thomas E. Baker, *Constitutional Theory in a Nutshell*, 13 Wm. & Mary Bill of Rts. J. 57 (Oct., 2004)
4. Robert M. Chesney, *Leaving Guananamo: The Law of International Detainee Transfers*, 40 U. Rich. L. Rev. 657 (March, 2006)
5. Ronald K.L. Collins & David M. Skover, *What is War? Reflections on Free Speech in "Wartime,"* 36 Rutgers L. J. 833 (Spring, 2005)
6. Jason Costa, *Comment: Alone in the World: The United States' Failure to Observe the International Human Right to Compensation for Wrongful Conviction*, 19 Emory Int'l L. Rev. 1615 (Fall, 2005)
7. Craig Estlinbaum, *South Texas Law Review at Fifty: Looking Back and Looking Ahead*, 46 S. Tex. L. Rev. 25 (Fall, 2004)
8. Jason Hernandez, *Blakely's Potential*, 38 Colum. J.L. & Soc. Probs. 19 (Fall, 2004)
9. Susan R. Klein, *The Return of Federal Judicial Discretion in Criminal Sentencing*, 39 Val. U.L. Rev. 693 (Spring, 2005)
10. Julian G. Ku, *Structural Conflicts in the Interpretation of Customary International Law*, 45 Santa Clara L. Rev. 857 (2005)

11. *Leading Case: I. Constitutional Law*, 118 Harv. L. Rev. 248 (Nov., 2004)
12. David Narkiewicz, *Blogs, Bloggers and Blawgs*, 25 Pennsylvania Lawyer 49 (May/June, 2003)
13. Gary O'Connor & Stephanie Tai, *Legal and Appellate Weblogs: What They Are, Why You Should Read Them, and Why You Should Consider Starting Your Own*, 5 J. App. Prac. & Process 205 (Spring, 2003)
14. John T. Parry, "*Society Must Be [Regulated]*": *Biopolitics and the Commerce Clause in Gonzales v. Raich*, 9 Lewis & Clark L. Rev. 853 (Winter, 2005)
15. Glenn H. Reynolds & Brannon P. Denning, *What Hath Raich Wrought? Five Takes*, 9 Lewis & Clark L. Rev. 915 (Winter, 2005)
16. Stephen J. Schulhofer, *Checks and Balances in Wartime: American, British and Israeli Experiences*, 102 Mich. L. Rev. 1906 (Aug., 2004)
17. Kevin S. Schwartz, *Note: Applying Section 5: Tennessee v. Lane and Judicial Conditions on the Congressional Enforcement Power*, 114 Yale L.J. 1133 (March, 2005)
18. Sean Kevin Thompson, *Note: The Legality of the Use of Psychiatric Neuroimaging in Intelligence Interrogation*, 90 Cornell L. Rev. 1601 (Sept., 2005)
19. Charles D. Weisselberg, *The Detention and Treatment of Aliens Three Years After September 11: A New New World?*, 38 U.C. Davis L. Rev. 815 (March, 2005)

Scrivener's Error (1)

URL: <http://scrivenerserror.blogspot.com>

1. Jonathan Kerry-Tyerman, *No Analog Analogue: Searchable Digital Archives and Amazon's Unprecedented Search Inside the Book Program as Fair Use*, 2006 Stan. Tech. L. Rev. 1 (2006)

Sentencing Law and Policy (60)

URL: <http://sentencing.typepad.com>

1. American Bar Association, Criminal Justice Section, *Report on Booker and Recommendation*, 17 Fed. Sent. R. 335 (June, 2005)
2. Robert J. Anello & Jodi Misher Peikin, *Evolving Roles in Federal Sentencing: The Post-Booker/Fanfan World*, 2005 Fed. Cts. L. Rev. 9 (Oct. 2005)
3. Jeffrey R. Babbin *et al*, *Developments in the Second Circuit: 2003-2004*, 37 Conn. L. Rev. 963 (Summer 2005)

4. Eric G. Barber, *Judicial Discretion, Sentencing Guidelines, and Lessons from Medieval England*, 27 W. New Eng. L. Rev. 1 (2005)
5. Rachel E. Barkow, *Separation of Powers and the Criminal Law*, 58 Stan. L. Rev. 989 (Feb. 2006)
6. Douglas A. Berman, *Punishment and Crime: Reconceptualizing Sentencing*, 2005 U Chi Legal F 1 (2005)
7. Douglas B. Bloom, *United States v. Booker and United States v. Fanfan: The Tireless March of Apprendi and the Intracourt Battle To Save Sentencing Reform*, 40 Harv. C.R.-C.L. L. Rev. 539 (Summer 2005)
8. Frank O. Bowman, III, *Train Wreck? Or Can the Federal Sentencing System be Saved? A Plea for Rapid Reversal of Blakely v. Washington*, 41 Am. Crim. L. Rev. 217 (Spring 2004)
9. Frank O. Bowman, III, *Punishment and Crime: Beyond Band-Aids: A Proposal for Reconfiguring Federal Sentencing After Booker*, 2005 U Chi Legal F 149 (2005)
10. Frank O. Bowman, III, *Symposium: Panel Four: The Institutional Concerns Inherent in Sentencing Regimes: The Failure of the Federal Sentencing Guidelines: A Structural Analysis*, 05 Colum. L. Rev. 1315 (May 2005)
11. Frank O. Bowman, III, *Mr. Madison Meets a Time Machine: The Political Science of Federal Sentencing Reform*, 58 Stan. L. Rev. 235 (Oct. 2005)
12. Ellen Byers, *Mentally Ill Criminal Offenders and the Strict Liability Effect: Is There Hope for a Just Jurisprudence in an Era of Responsibility/Consequences Talk?*, 57 Ark. L. Rev. 447 (2004)
13. Paul G. Cassell, *Recognizing Victims in the Federal Rules of Criminal Procedure: Proposed Amendments in Light of the Crime Victims' Rights Act*, 2005 B.Y.U.L. Rev. 835 (2005)
14. Steven L. Chanenson, *Hoist with their Own Petard?*, 17 Fed. Sent. R. 20 (Oct. 2004)
15. Steven L. Chanenson & Daniel F. Wilhelm, *Evolution and Denial: State Sentencing after Blakely and Booker*, 18 Fed. Sent. R. 1 (Oct. 2005)
16. Steven L. Chanenson, *Guidance from Above and Beyond*, 58 Stan. L. Rev. 175 (Oct. 2005)
17. Steven L. Chanenson, *The Next Era of Sentencing Reform*, 54 Emory L.J. 377 (Winter 2005)
18. Jonathan Chiu, *Comment: United States v. Booker: The Demise of Mandatory Federal Sentencing Guidelines and the Return of Indeterminate Sentencing*, 39 U. Rich. L. Rev. 1311 (May 2005)
19. Timothy Cone, *Double Jeopardy, Post-Blakely*, 41 Am. Crim. L. Rev. 1373 (Fall 2004)

20. David J. D'Addio, *NOTE: Sentencing After Booker: The Impact of Appellate Review on Defendants' Rights*, 24 Yale L. & Pol'y Rev. 173 (Winter 2006)
21. M.K.B. Darmer, *The Federal Sentencing Guidelines After Blakely and Booker: The Limits of Congressional Tolerance and a Greater Role for Juries*, 56 S.C. L. Rev. 533 (Spring 2005)
22. Nicholas J. Eichenseer, *Comment: Reasonable Doubt in the Rear-View Mirror: The Case for Blakely-Booker Retroactivity in the Federal System*, 2005 Wis. L. Rev. 1137 (2005)
23. Alan Ellis & James H. Feldman, Jr., *Representing White Collar Clients in a Post-Booker World*, 29 Champion 12 (Sept./Oct. 2005)
24. Amie N. Ely, *Note: Prosecutorial Discretion as an Ethical Necessity: The Ashcroft Memorandum's Curtailment of the Prosecutor's Duty to "Seek Justice,"* 90 Cornell L. Rev. 237 (Nov. 2004)
25. Timothy Liam Epstein, *The Importance of Juries: The Impact and Implications of U.S. v. Booker: The Sixth Amendment versus Mandatory Sentencing Guidelines*, 19 CBA Record 44 (Feb./Mar. 2005)
26. George Fisher & Jennifer L. Mnookin, *Book Review: Uncertain Bargains: The Rise of Plea Bargaining in America* *Plea Bargaining's Triumph: A History of Plea Bargaining in America*, 57 Stan. L. Rev. 1721 (April 2005)
27. Phil Fortino, *A Post-Blakely Era or Post-Blakely Error?*, 38 Colum. J.L. & Soc. Probs. 1 (Fall 2004)
28. Jackie Gardina, *Compromising Liberty: A Structural Critique of the Sentencing Guidelines*, 38 U. Mich. J.L. Reform 345 (Winter 2005)
29. Michael Goldsmith, *Reconsidering the Constitutionality of Federal Sentencing Guidelines After Blakely: A Former Commissioner's Perspective*, 2004 B.Y.U.L. Rev. 935 (2004)
30. Isaac M. Gradman, *Note: Hot Under the White Collar: What the Rollercoaster in Sentencing Law from Blakely to Booker Will Mean to Corporate Offenders*, 1 N.Y.U. J. L. & Bus. 731 (Summer, 2005)
31. Jason Hernandez, *Blakely's Potential*, 38 Colum. J.L. & Soc. Probs. 19 (Fall 2004)
32. David E. Johnson, *Note: Justice for All: Analyzing Blakely Retroactivity and Ensuring Just Sentences in Pre-Blakely Convictions*, 66 Ohio St. L.J. 875 (2005)
33. Marc E. Johnson, *Everything Old is New Again: Justice Scalia's Activist Originalism in Schriro v. Summerlin*, 95 J. Crim. L. & Criminology 763 (Spring 2005)
34. Sandra D. Jordan, *Have We Come Full Circle? Judicial Sentencing Discretion Revived in Booker and Fanfan*, 33 Pepp. L. Rev. 615 (2005)

35. Steven G. Kalar *et al*, *A Booker Advisory: Into the Breyer Patch*, BY, 29 Champion 8 (March 2005)
36. Nancy J. King & Rosevelt L. Noble, *Felony Jury Sentencing in Practice: A Three-State Study*, 57 Vand. L. Rev. 885 (April 2004)
37. Susan R. Klein, *The Return of Federal Judicial Discretion in Criminal Sentencing*, 39 Val. U.L. Rev. 693 (Spring 2005)
38. Andrew D. Leipold, *Why are Federal Judges So Acquittal Prone?*, 83 Wash. U. L. Q. 151 (2005)
39. Erik Luna, *Gridland: An Allegorical Critique of Federal Sentencing*, 96 J. Crim. L. & Criminology 25 (Fall 2005)
40. *Memorandum: Presenting a Proposal for Bringing the Federal Sentencing Guidelines into Conformity with Blakely v. Washington*, 16 Fed. Sent. R. 364 (Feb. 2004)
41. Marc L. Miller, *The Foundations of Law: Sentencing Equality Pathology*, 54 Emory L.J. 271 (2005)
42. Richard E. Myers II, *Symposium: Locating the Constitutional Center: Centrist Judges and Mainstream Values: A Multidisciplinary Exploration: Restoring the Peers in the "Bulwark": Blakely v. Washington and the Court's Jury Project*, 83 N.C.L. Rev. 1383 (June 2005)
43. Christopher Nalls, *Notes and Comments: Bait and Switch: Criminal Sentencing from a Due Process Perspective*, 27 T. Jefferson L. Rev. 159 (Fall 2004)
44. Teresa R. Nelson, *Note: The Sixth Amendment Right to Trial by Jury: A Constitutional Guarantee versus the Demise of Sentencing Guidelines, Blakely v. Washington*, 124 S. Ct. 2531 (2004), 5 Wyo. L. Rev. 317 (2005)
45. *Note: Criminal Law - Federal Sentencing Guidelines - Ninth Circuit Holds That Shaming Punishment Does Not Violate the Sentencing Reform Act.--United States v. Gementera*, 379 F.3d 596 (9th Cir. 2004), 118 Harv. L. Rev. 825 (Dec. 2004).
46. *Primary Material: Petition for Rehearing on Behalf of The State of Washington in Blakely v. Washington*, No. 02-1632 (filed July 26, 2004), 17 Fed. Sent. R. 71 (Oct. 2004)
47. William H. Pryor Jr., *Symposium: Sentencing: What's at Stake for the States? Keynote Address: Lessons of a Sentencing Reformer from the Deep South*, 105 Colum. L. Rev. 943 (May 2005)
48. Aaron Rappaport, *What the Supreme Court Should Do: Save Sentencing Reform, Gut the Guidelines*, 17 Fed. Sent. R. 46 (October, 2004)
49. Kevin R. Reitz, *Symposium: Sentencing: What's at Stake for the States? Panel Two: Considerations at Sentencing – What Factors are Relevant and Who Should Decide? The New*

- Sentencing Conundrum: Policy and Constitutional Law at Cross-Purposes*, 105 Colum. L. Rev. 1082 (2005)
50. Peter B. Rutledge, *The 2004 Gundersen Lecture: Apprendi, Blakely and Federalism*, 50 S.D. L. Rev. 427 (2005)
 51. O. Dean Sanderford, *Comment: The Feeney Amendment, United States v. Booker, and New Opportunities for the Courts and Congress*, 83 N.C.L. Rev. 736 (March 2005)
 52. Douglas M. Schneider, *Note: But I was Just a Kid! Does Using Juvenile Adjudications to Enhance Adult Sentences Run Afoul of Apprendi v. New Jersey?* 26 Cardozo L. Rev. 837 (2005)
 53. Laura M. Schulteis, *Note: In re United States of America: An Isolated Showdown Between a Prosecutor and a Judge or the Result of a Seismic Shift of Power from the Judiciary to the Executive?*, 2005 Wis. L. Rev. 297 (2005)
 54. Neil S. Siegel, *A Theory in Search of a Court, and Itself: Judicial Minimalism at the Supreme Court Bar*, 103 Mich. L. Rev. 1951 (Aug. 2005)
 55. Kate Stith, *Crime and Punishment Under the Constitution*, 2004 Sup. Ct. Rev. 221 (2004)
 56. *The Supreme Court, 2004 Term: Leading Cases*, 119 Harv. L. Rev. 189 (Nov. 2005)
 57. Ben Trachtenberg, *Note: State Sentencing Policy and New Prison Admissions*, 38 U. Mich. J.L. Reform 479 (Winter 2005)
 58. Ian Weinstein & Nathaniel Z. Marmor, *Federal Sentencing During the Interregnum: Defense Practice as the Blakely Dust Settles*, 17 Fed. Sent. R. 51 (Oct. 2004)
 59. Ronald Wright, *Blakely and the Centralizers in North Carolina*, 18 Fed. Sent. R. 19 (Oct. 2005)
 60. Ronald F. Wright, *Trial Distortion and the End of Innocence in Federal Criminal Justice*, 154 U. Pa. L. Rev. 79 (Nov. 2005)

Southern District of Florida Blog (1)

URL: www.sdfra.blogspot.com

1. Milton Hirsch & David Oscar Markus, *Fourth Amendment Forum*, 29 Champion 54 (Dec., 2005)

Sports and the Law Report (inactive) (1)

URL: http://robhagy.typepad.com/sports_law_blog

1. Zachary Hugo Hoying, *Ohio Supreme Court Decisions: 2004: State ex rel. WBNS TV, Inc. v. Dues*, 31 Ohio N.U.L. Rev. 566 (2005)

Statutory Construction Zone (inactive) (1)

URL: <http://www.statconblog.blogspot.com>

1. Gary E. O'Connor, *Restatement (First) of Statutory Interpretation*, 7 N.Y.U. J. Legis. & Pub. Pol'y 333 (2003/2004)

Supreme Court Blog (inactive) (1)

URL: <http://scotus.blogspot.com>

1. Jefferson Lankford, *Internet Browser: To Blog or Not to Blog*, 40 AZ Attorney 10 (Feb., 2004)

Tax & Business Law Commentary (1)

URL: <http://taxbiz.blogspot.com>

1. Anthony Q. Fletcher, *Publish or Perish: The New York Limited Liability Company Law Publication Requirement: The Fundamental Flaw of an Otherwise Flawless Law*, 1 N.Y.U. J. L. & Bus. 139 (Fall, 2004)

TaxProf Blog (2)

URL: <http://taxprof.typepad.com>

1. Linda M. Beale, *Congress Fiddles While Middle America Burns: Amending the Amt (And Regular Tax)*, 6 Fla. Tax Rev. 811 (2004)
2. Natalie C. Cotton, *Comment: The Competence of Students as Editors of Law Reviews: A Response to Judge Posner*, 154 U. Pa. L. Rev. 951 (April 2006)

Texas Law Blog (inactive) (1)

URL: <http://texaslaw.blogspot.com>

1. Craig Estlinbaum, *South Texas Law Review at Fifty: Looking Back and Looking Ahead*, 46 S. Tex. L. Rev. 25 (Fall 2004)

Trial Ad Notes (1)

URL: <http://trialadnotes.blogspot.com>

1. Mary Whisner, *Practicing Reference: Cool Web Sites*, 97 Law Libr. J. 721 (Fall, 2005)

The TTABlog (1)

URL: <http://thettablog.blogspot.com>

1. Todd Anten, *Note: Self-Disparaging Trademarks and Social Change: Factoring the Reappropriation of Slurs into Section 2(A) of the Lanham Act*, 106 Colum. L. Rev. 388 (March, 2006)

Underneath Their Robes (1)

URL: <http://underneaththeirrobes.blogs.com>

1. Jay S. Bybee & Thomas J. Miles, *Empirical Measures of Judicial Performance: Judging the Tournament*, 32 Fla. St. U.L. Rev. 1055 (Summer, 2005)

Utah District Court CMECF Updates (1)

URL: <http://utd-cmecf.blogspot.com>

1. Toby Brown, *Tune In and Blog On: New Marketing Technology for Lawyers*, 53 RI Bar Jnl. 19 (May/June, 2005)

The Volokh Conspiracy (41)

Current URL: <http://www.volokh.com>

Previous URL: <http://volokh.blogspot.com> (now "SEO Reviewer")

1. Michael Abramowicz, *Information Markets, Administrative Decisionmaking, and Predictive Cost-Benefit Analysis*, 71 U. Chi. L. Rev. 933 (Summer, 2004)
2. Alexandra Bak-Boychuk, *Comment: Liar Laws: How MPC § 241.3 and State Unsworn Falsification Statutes Fix the Flaws in the False Statements Act (18 U.S.C. § 1001)*, 78 Temp. L. Rev. 453 (Summer, 2005)
3. Anita Bernstein, *Whatever Happened to Law and Economics*, 64 Md. L. Rev. 303 (2005)
4. Bradford Bigler, *Comment: Sexually Provoked: Recognizing Sexual Misrepresentation as Adequate Provocation*, 53 UCLA L. Rev. 783 (Feb., 2006)
5. Grace Ganz Blumberg, *Legal Recognition of Same-Sex Conjugal Relationships: The 2003 California Domestic Partner Rights and Responsibilities Act in Comparative Civil Rights and Family Law Perspective*, 51 UCLA L. Rev. 1555 (Aug., 2004)

6. Jason A. Cade, *Note: If the Shoe Fits: Kasky v. Nike and Whether Corporate Statements about Business Operations Should Be Deemed Commercial Speech*, 70 Brooklyn L. Rev. 247 (Fall, 2004)
7. Courtney Megan Cahill, *Same-Sex Marriage, Slippery Slope Rhetoric, and the Politics of Disgust: A Critical Perspective on Contemporary Family Discourse and the Incest Taboo*, 99 Nw. U.L. Rev. 1543 (Summer, 2005)
8. Winston E. Calvert, *Note: Judicial Selection and the Religious Test Clause*, 82 Wash. U. L. Q. 1129 (Fall, 2004)
9. Dale Carpenter, *Is Lawrence Libertarian*, 88 Minn. L. Rev. 1140 (May, 2004)
10. Patrick B. Cates, *Comment: Faith-Based Prisons and the Establishment Clause: The Constitutionality of Employing Religion as an Engine of Correctional Policy*, 41 Willamette L. Rev. 777 (Fall, 2005)
11. Eric R. Claeys, *Raich and Judicial Conservatism at the Close of the Rehnquist Court*, 9 Lewis & Clark L. Rev. 791 (Winter, 2005)
12. Teresa Stanton Collett, *Restoring Democratic Self-Governance through the Federal Marriage Amendment*, 2 U. St. Thomas L.J. 95 (Fall, 2004)
13. John C. Eastman, *Challenging the Legislature's Actions in the Wake of Guinn v. Legislature*, 4 Nev. L.J. 543 (Spring, 2004)
14. *Feature: Some War-Winning Law Blogs*, 20 Maine Bar J. 107 (Spring, 2005)
15. Adam Fraser, *Protected from Their Own Beliefs: Religious Objectors and Paternalistic Laws*, 18 BYU J. Pub. L. 185 (2003)
16. Joseph Gratz, *Note: Reform in The "Brave Kingdom": Alternative Compensation Systems For Peer-To-Peer File Sharing*, 6 Minn. J.L. Sci. & Tech. 399 (Dec., 2004)
17. Paul S. Gutman, *Say What?: Blogging and Employment Law in Conflict*, 27 Colum. J.L. & Arts 145 (Fall, 2003)
18. Ruth K. Khalsa, *Note: Polygamy as a Red Herring in the Same-Sex Marriage Debate*, 54 Duke L.J. 1665 (April, 2005)
19. *Leading Case: Fourth and Fifth Amendments - Stop-and-Identify Statutes*, 118 Harv. L. Rev. 286 (Nov., 2004)
20. Daniel J. Lowenberg, *Comment: The Texas Cave Bug and the California Arroyo Toad "Take" on the Constitution's Commerce Clause*, 36 St. Mary's L. J. 149 (2004)
21. Nelson Lund & John O. McGinnis, *Lawrence v. Texas and Judicial Hubris*, 102 Mich. L. Rev. 1555 (June, 2004)

22. Brett H. McDonnell, *Responses to Lawrence v. Texas: Is Incest Next?*, 10 *Cardozo Women's L.J.* 337 (Winter, 2004)
23. John O. McGinnis, *Foreign to Our Constitution*, 100 *Nw. U.L. Rev.* 303 (2006)
24. Stephen M. McJohn, *Eldred's Aftermath: Tradition, the Copyright Clause, and the Constitutionalization of Fair Use*, 10 *Mich. Telecomm. Tech. L. Rev.* 95 (Fall, 2003)
25. Ryan McKaig, *Comment: Aid and Comfort n1: Rasul v. Bush and the Separation of Powers Doctrine in Wartime*, 28 *Campbell L. Rev.* 123 (Fall, 2005)
26. Mark P. McKenna, *The Right of Publicity and Autonomous Self-Definition*, 67 *U. Pitt. L. Rev.* 225 (Fall, 2005)
27. Adam Mossoff, *Is Copyright Property*, 42 *San Diego L. Rev.* 29 (Feb./Mar., 2005)
28. Nina Paul & Will Trachman, *Fidos and Fi-don'ts: Why the Supreme Court Should Have Found a Search in Illinois v. Caballes*, 9 *Cal. Crim. Law Rev.* 1 (2005)
29. *Note: The Plaintiff as Person: Cause Lawyering, Human Subject Research, and the Secret Agent Problem*, 119 *Harv. L. Rev.* 1510 (March, 2006)
30. Saikrishna B. Prakash, *Branches Behaving Badly: The Predictable and Often Desirable Consequences of the Separation of Powers*, 12 *Cornell J. L. & Pub. Pol'y* 543 (Summer, 2003)
31. Patrick S. Ryan, *War, Peace, or Stalemate: Wargames, Wardialing, Wardriving, and the Emerging Market for Hacker Ethics*, 9 *Va. J.L. & Tech.* 7 (Summer, 2004)
32. Timothy Sandefur, *A Private Little Bush v. Gore, or, How Nevada Violated the Republican Guarantee and Got Away With It*, 9 *Tex. Rev. Law & Pol.* 105 (Fall, 2004)
33. Alan E. Sears, *Civil Marriage & Same-Sex Couples: Wrong in the Law and in the Culture*, 40 *AZ Attorney* 15 (March, 2004)
34. David D. Smyth III, *A New Framework for Analyzing Gag Orders Against Trial Witnesses*, 56 *Baylor L. Rev.* 89 (Winter, 2004)
35. Cass R. Sunstein & Randy E. Barnett, *Constitutive Commitments and Roosevelt's Second Bill of Rights: A Dialogue*, 53 *Drake L. Rev.* 205 (Winter, 2005)
36. Anthony E. Varona, *Changing Channels and Bridging Divides: The Failure and Redemption of American Broadcast Television Regulation*, 6 *Minn. J.L. Sci. & Tech.* 1 (December, 2004)
37. Anthony E. Varona, *Out of Thin Air: Using First Amendment Public Forum Analysis to Redeem American Broadcasting Regulation*, 39 *U. Mich. J.L. Reform* 149 (Winter, 2006)
38. Amy L. Wax, *The Conservative's Dilemma: Traditional Institutions, Social Change, and Same-Sex Marriage*, 42 *San Diego L. Rev.* 1059 (Summer, 2005)

39. Jared Wessel, *Judicial Policy-Making at the International Criminal Court: An Institutional Guide to Analyzing International Adjudication*, 44 Colum. J. Transnat'l L. 377 (2006)
40. Geoffrey M. Wyatt, *The Third Amendment in the Twenty-First Century: Military Recruiting on Private Campuses*, 40 New Eng.L. Rev. 113 (Fall, 2005)
41. Todd J. Zywicki, *An Economic Analysis of the Consumer Bankruptcy Crisis*, 99 Nw. U.L. Rev. 1463 (Summer, 2005)

White Collar Crime Prof Blog (5)

URL: http://lawprofessors.typepad.com/whitecollarcrime_blog

1. Jose Gabilondo, *Financial Moral Panic! Sarbanes-Oxley, Financier Folk Devils, and Off-Balance-Sheet Arrangements*, 36 Seton Hall L. Rev. 781 (2006)
2. Ellen S. Podgor, *Arthur Andersen, LLP and Martha Stewart: Should Materiality be an Element of Obstruction of Justice?*, 44 Washburn L.J. 583 (Spring 2005)
3. Ellen S. Podgor, *Reviews in Review*, 30 Champion 71 (March 2006)
4. Ellen S. Podgor, *Reviews in Review: Perjury and Obstruction*, 30 Champion 47 (Jan./Feb. 2006)
5. Adam Weiskittel & Brian Collins, *2005: The Year in Review: Corporate Fraud*, 69 Tex. B. J. 26 (Jan. 2006)

Wills, Trusts & Estates Prof Blog (1)

URL: http://lawprofessors.typepad.com/trusts_estates_prof

1. Tom Mighell, *Estate Planning on the Web*, 68 Tex. B. J. 384 (May 2005)