Blogging On

The immediate response to current legal events and groundbreaking decisions makes weblogs an energizing vehicle for legal writings.

By Ruth E. Thaler-Carter

The tide of information flowing through the weblogs of the legal world is rising daily, and UMLaw has jumped into the deep end. Professor of Law Lisa Fairfax, director of the Business Law Program, was invited to join the corporate blog The Conglomerate (www.theconglomerate.org) by its fellow creators from university law schools all around the country. Professor of Law and Government Mark Graber is a regular contributor to Balkinization (balkin.blogspot.com), one of the leading legal blogs of the day. And Professor of Law Sherrilyn Ifill is a respected contributor at blackprof.com, for which she recently provided live online coverage of the first Democratic presidential candidates’ debate as a credentialed member of the electronic media.

Amalgamations of commentary and posted papers, questions, and heated opinions, blogs are becoming yet another quiver in the information-rich arsenal of today’s lawyer and lawyers-to-be.

“Blogs do not allow for traditional legal discourse, where one scholar provides an in-depth analysis of an issue and another responds,” says Fairfax. “But certainly, more law professors appear to be using blogs to advance their ideas and generate discussion, particularly on cutting-edge topics. Blogs also allow people to put forth novel ideas and generate scholarly discussion that could help inform their later, more in-depth research, and enable legal scholarship to be informed by the views of a broader range of people.”

“I’m not sure blogs are really a substitute for publishing in journals,” says Janet Sinder, associate director for research services at Maryland’s Thurgood Marshall Law Library. “They aren’t replacing traditional publishing. They serve a different purpose—most are newsy, less researched, and involve more opinions.”

Ironically, the rise of blogs has come alongside an increase in the number of print-version law reviews—some law schools now publish several, focusing on specific areas of the law, from sports to ancestry. UMLaw has launched its own journals on health care, business and technology, and on race, religion, gender, and class.

UMLaw professors agree that the traditional law review will remain an important resource, with the more practical in approach being the most valued. "I think attorneys are increasingly going to find the top ten law reviews reflecting current practice,” Graber says. "Maryland Law Review will still be here, because it is a practical analysis of what law actually means, where a Harvard review might be more esoteric and say, ‘Here’s how a French impressionist would interpret it.’”

Gordon Young, UMLaw’s Marbury Research professor and a regular contributor to The Conglomerate blog, sums up the beauty of both old and new: “In the short term, traditional legal scholarship will increasingly be presented initially in tentative form, for comments, to be followed...by a final printed publication in a traditional review. This scholarship will continue to exist alongside shorter blog entries, some of which are quite learned and imaginative.”

Ruth Thaler-Carter writes on law and health from upstate New York.

The Write Stuff

Professor of Law Robert Condlin (below) is one of the law school’s most plugged-in faculty when it comes to the world of blogs. Here’s his list of some of the most important—or simply entertaining—legal weblogs. (To find them online, do a simple search on their titles.)

Volokh Conspiracy—a conservative take on contemporary legal issues

Balkinization—the corresponding liberal take on contemporary legal issues

Leiter’s Law School Reports—law school gossip

Above the Law—Big Law gossip, mostly about money

LawPros Blawg—academic schmoozing about all types of legal subjects

Legal Ethics Forum—discussion of hot issues in ethics regulation

Freivogel on Conflicts—summaries of new conflicts of interest cases

Juris Novus—headlines of stories on a dozen other blogs

Blog of the Legal Times—a discussion of serious legal issues and D.C. gossip

Wall Street Journal Law Blog—the same, but for New York