

Special Feature: Cyberlaw - Introduction

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Special Feature: Cyberlaw

INTRODUCTION

Aware of the growing importance of cyberlaw, the *Maryland Law Review* sought out articles that would contribute to existing conversations in the field. We hope this issue highlights the promises and the dilemmas that emerging technologies pose. In anticipation of continued scholarship in this field, an annual cyberlaw issue will be dedicated to the topic; rather than selecting a narrow topic for each annual issue, we invite authors to write on any cyberlaw topic of their choosing. The array of pieces, we hope, not only underscores that many subject areas fall under the broad umbrella of cyberlaw and are necessarily implicated by innovation but also demonstrates how each narrow topic implicates similar themes. We are indebted to our own Professor Danielle Citron for her thoughts on this annual issue and for her expertise, encouragement, support, and time.

The articles in this year's cyberlaw issue both highlight the promises that innovative, emerging technologies present as they become intertwined with the "real world" and draw attention to the dangers that existing legal frameworks might impose. In *Open Robotics*, Professor M. Ryan Calo argues that an open approach to robotics could lead to positive rapid growth through third party innovation.¹ Paving the way to this innovation, he states, may require "modest legal intervention," and he identifies what such intervention might entail.² Picking up on the real-world interweaving of innovative technologies, Professor Katherine J. Strandburg, in *Home, Home on the Web and Other Fourth Amendment Implications of Technosocial Change*, suggests that the Fourth Amendment should be interpreted with this realization in mind—"technosocial continuity requires that conceptions of the home and office be extended to encompass certain digital social contexts."³ Professor Susan Freiwald continues on the Fourth Amendment strand and, in *Cell Phone Location Data and the Fourth Amendment: A Question of Law, Not Fact*, provides the guidance that she argues is lacking

1. M. Ryan Calo, *Open Robotics*, 70 MD. L. REV. __, __ (2011).

2. Calo, *supra* note 1, at __.

3. Katherine J. Strandburg, *Home, Home on the Web and Other Fourth Amendment Implications of Technosocial Change*, 70 MD. L. REV. __, __ (2011).

from federal appellate courts: “based on constitutional law, . . . applications for location data must satisfy the probable cause standard of the warrant requirement.”⁴ Finally, demonstrating the wide range of issues implicated by technological innovation, in *Moneybombs and Democratic Participation: Regulating Fundraising by Online Intermediaries*, Nathaniel Gleicher explains how “the Internet has up-ended the world of political fundraising” and “created new intermediaries that capitalize on the rapidly changing ecology of online fundraising.”⁵ The articles in this issue set the tone for what we anticipate will be a lively debate in future issues of the *Maryland Law Review*.

4. Susan Freiwald, *Cell Phone Location Data and the Fourth Amendment: A Question of Law, Not Fact*, 70 MD. L. REV. __, __ (2011).

5. Nathaniel Gleicher, *Moneybombs and Democratic Participation: Regulating Fundraising by Online Intermediaries*, 70 MD. L. REV. __, __ (2011).