

INTRODUCTION

Anna Ivey[†]

Much has transpired since our inaugural edition of *The Post* came out at the end of 2011. Most excitingly, in our Superbowl for lawyers and policy geeks, the Supreme Court has finally ruled on the constitutionality of the Patient Protection and Affordable Care Act (ACA).

In an interesting paradox for *The Post*, so much has been written about the ACA in the run-up to the decision that our panel of expert confessed to “ACA fatigue.” As an editorial matter, *The Post* agreed that we didn’t want to swamp this entire edition with health-reform-related posts. Among our winners being showcased in this edition, you’ll find only one post on the ACA (although we read many fine related pieces), amidst five others on entirely unrelated subjects. No doubt many more worthwhile posts will be written in the wake of the opinion, so while we’ve restricted ourselves to one post on that topic in this edition, it is perhaps not the last. Incidentally, we selected this ACA post before the ruling was handed down, and we decided *ex ante* that its worthiness did not depend on the ultimate holding.

It is with great interest that we have also observed the (sometimes heated) conversation about the influence of bloggers on the ACA debate, in particular a fair amount of hand-wringing over Randy Barnett’s blogging on the subject.¹ For a journal whose founding mission has been to consider the influence of blogging on law (whether in legal practice or on the legal academy), *The Post* now has another important data point confirming that legal bloggers

[†] Founder and president, Ivey Consulting, Inc.

¹ E.g., Adam Teicholz, “Did Bloggers Kill the Healthcare Mandate?” at www.theatlantic.com/national/archive/2012/03/did-bloggers-kill-the-health-care-mandate/255182 (March 28, 2012).

do in fact influence the debate, either to one's delight or chagrin, depending on the circumstances. Legal bloggers as riffraff or gadflies? The conversation continues, and *The Post* enjoys the front-row seats.

We have also enjoyed watching legal academics use blogs as a forum to test their ideas and elicit feedback. Glenn Cohen, for example, posted this appeal on PrawfsBlog²:

I don't normally post drafts on SSRN until they are in page proofs (this draft is before the editors have had a chance to improve it) but am doing so early in this case because the topic is developing and I want my views to be part of the conversation. Still, it is a work-in-progress, so if you have any feedback you want to give me I always value it; though I think it makes more sense just to email me comments on the paper directly rather than post it on here so as not to clog the blog . . . but happy for more editorial/conversational comments to be added on here.

Blogging as academic crowdsourcing – a fascinating development.

And speaking of popular legal blogs, we wish a very happy 10th birthday to the *How Appealing* blog, one of the longest-running and most widely read legal blogs that just so happens to have been founded by one of our panelists, the prolific Howard Bashman. *The Post* herewith lights a virtual candle on a virtual cake. Congratulations, Howard.

In a more somber spirit, *The Post* also notes the passing of the widely respected law professor and legal blogger Larry Ribstein, a friend to many of *The Post's* panelists and editorial team. In this edition we reproduce a fine tribute to him by Stephen Bainbridge that originally appeared on the *ProfessorBainbridge.com* blog. We are proud to republish it here. //

² Glenn Cohen, "Circumvention Tourism: Traveling for Abortion, Assisted Suicide, Reproductive Technology, Female Genital Cutting, Stem Cell Treatments, and More . . .," at prawfsblawg.blogs.com/prawfsblawg/2011/12/circumvention-tourism-traveling-for-abortion-assisted-suicide-reproductive-technology-female-genital.html (December 5, 2011).