

## OTHERS' MISTAKES, MAYBE

Much to our surprise, we have no new confessions of editorial error to make at the moment. Not, we suspect, because there are no more errors to confess, but, rather, because no one has brought them to our attention yet.

This surely temporary lapse in attentiveness and pickiness by our readers does give us an opportunity to comment on one of our favorite approaches to errors in legal scholarship. David Kopel – research director of the Independence Institute and adjunct professor at the University of Denver Sturm College of Law – is a prolific author of both traditional-form law review articles and modern-form blog posts (mostly at the *Volokh Conspiracy*). Responding in September 2010 to a post by Professor Orin Kerr of the George Washington University Law School, Kopel wrote:

As Orin wisely notes in the immediately preceding post [*Because We Thought The Errors In Your Article Were Cass Sunstein's Fault*, VOLOKH CONSPIRACY, [www.volokh.com](http://www.volokh.com), Sept. 6, 2010], the typical law review article first footnote disclaimer “all errors are the author’s alone” provides no useful information to the reader. Below are some alternatives which I have used:

“All errors are society’s fault.” 29 Hamline L. Rev. 520.

“Any errors are the fault of no-one in particular; rather, society itself is to blame.” 68 Alb. L. Rev. 305.

“All errors are the authors’ sole responsibility, but persons aggrieved by any such errors are encouraged to sue the companies which manufactured our computers.” 34 Conn. L. Rev. 157.

“Any errors in this article are the fault of society, and cannot be blamed on an individual.” 18 St. Louis U. Pub. L. Rev. 99.

“Errors are entirely the responsibility of sinister unknown forces, not the authors.” 30 Conn. L. Rev. 59.

Feel free to use any of these, provided of course that you include a citation to the original source. :)

David Kopel, *An alternative approach to footnote \**, VOLOKH CONSPIRACY, [www.volokh.com](http://www.volokh.com), Sept. 7, 2010.