> Posner erred when he failed to flyspeck something that he told the reader he had not flyspecked is to say that failure to flyspeck is an error even with notice and in a context where flyspecking would be practically useless. If you would like to argue in a brief and otherwise appropriate letter that our reading is wrong and that Posner did in fact err, we would be happy to publish it. But you might be inviting a citation to the letter in a future work by Posner. Whether it would be the kind of citation the letter-writer would cherish is another matter.

We heard back from most of the writers of notes. Everyone was as polite as they had been at the outset, and everyone said they did not feel the need to pursue the matter further. Nice and sensible (and probably busy) people, those *Green Bag* readers. But we might be wrong – we could be giving Posner more, less, or different credit than he deserves. We do hope that someday legal scholars will look back on this as a watershed moment, when the tide turned against useless flyspecking in law reviews.[1]

ALMANAC NOMINATING AND VOTING FOR 2016

For our 2016 *Green Bag Almanac & Reader* we are making a few changes to our nominating rules and processes – for the better, we hope.

Nominating

All nominations must be sent to editors@greenbag.org and must include the following in the body of the email: (a) an accurate citation or functional link to the nominated work, (b) the nominator's real name, and (c) an email address and a snailmail address for the nominator (for a tweet, also include a Twitter handle). The nomination deadline is January 1, 2017.

Category #1: Judicial Opinions – *Who can nominate?* Any judge in active service in 2016 on a state or federal court. *What can they nominate?* One or two signed judicial opinions issued in 2016.

Category #2: State Supreme Court Briefs – *Who can nominate?* Anyone listed as counsel on a brief filed in a state supreme court in 2015 or 2016. *What can they nominate?* A brief filed in that court in 2016.

---

[1] *Cf.* Aerosmith, *Aerosmith* side 1, track 3 (1973).

Category #3: Law Review Articles – *Who can nominate?* Anyone who (a) wrote something with a 2015 publication date in any law review at a U.S. law school, and (b) was not a law student at the time. *What can they nominate?* Any article with a 1991 publication date in any law review at a U.S. law school. This is, as it was last year, a test of durability and timeliness: What legal scholarship published 25 years ago is the most readable and worth reading today?

Category #4: Books – *Who can nominate?* We have enlisted a few respectable authorities to handle this category. Each of them will give us a list – which we will publish – of five new law books, with short explanations of why each qualifies as exemplary legal writing.

Category #5: Tweets – *Who can nominate?* Anyone with a Twitter account. *What can they nominate?* An exemplary law-related tweet. Email a link to editors@greenbag.org. Hashtags, likes, and retweets are irrelevant in this context. We will have no stuffing of ballot boxes at the *Green Bag*, or at least we will resist as best we can.

Voting

Who can vote? If you (1) send a valid nomination in any category and (2) follow the instructions under the "*Nominating*" heading on page 229, you can vote in all categories (except Books).

What will they actually vote on? A ballot of finalists winnowed from the pools of nominees. It will be mostly a popularity-and-persuasion contest – opinions, briefs, articles, and tweets receiving the most nominations are most likely to make the ballot. A few others whose nominations are accompanied by especially persuasive explanations of their sterling qualities are likely to make it too. We will probably divide the "Judicial Opinions" nominees into two categories – "Opinions for the Court" and "Dissents, Concurrences, Etc." – again. And we might end up doing similar things in other categories, depending on how the nominations look overall.

Confidentiality & Publication

Confidentiality of nominator–nominee and voter–nominee connections is and will be complete. We will publish as many of the top vote-getters as we can.