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LACK OF EFFECTIVE LEGAL RECOURSE FOR WRONGFUL INCLUSION
IN SPAM FILTERS

By Jonathan I. Ezor

February 2, 2011

Dear Readers:

The *Richmond Journal of Law and Technology* is proud to present its second issue of the 2010–2011 academic year.

In pursuit of our mission to address the crossroads of law and technology, it is the *Journal's* goal to produce scholarly analysis that both identifies and resolves issues where the law and technology intersect. In our first article, “The Admissibility of Electronic Evidence Under the Federal Rules of Evidence,” Jonathan Frieden and Leigh Murray explore the current state of electronic evidence, structuring their article as a practitioner’s “How To” guide for admitting electronic evidence in Federal courts.

In a similar vein, Joseph Oluwole’s article, “Teacher Cell Phone Searches in Light of *Ontario v. Quon*,” examines the United States Supreme Court’s ruling in *Ontario v. Quon*. Oluwole applies the Court’s ruling to teacher cell phone searches in public schools, and calls for the application of two existing approaches to ensure the effectiveness of a search without violating the sanctity of an individual’s right to privacy.

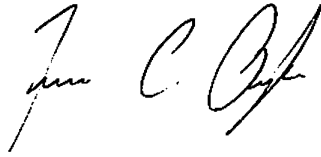
Our final article, “Busting Blocks: Revisiting 47 U.S.C. § 230 to Address the Lack of Effective Legal Recourse for Wrongful Inclusion in Spam Filters,” examines the negative, and relatively unknown, side of spam filtering, which leaves e-mail senders who are wrongfully accused of spamming technologically stranded with little to no remedy. Author Jonathan Ezor begins his article with an outline of the process by which spam filters and block lists unjustly label an e-mail sender as a spammer. Then, after identifying the disastrous consequences that result from such an unwarranted designation, Ezor articulates the need to adopt certain characteristics of the Digital Millennium Copyright Act as a means to rectify occurrences of improper spam blocking or filtering.

On behalf of the entire *Journal* staff, I extend our deepest gratitude and sincerest thanks for your continued readership and support. The *Journal* also appreciates the continuing support and assistance of the faculty and

staff at the University of Richmond School of Law, most especially the guidance we receive from our faculty advisors, Professors Melanie Holloway and Christopher Cotropia.

We are confident you will enjoy our second issue. As always, your comments and suggestions are welcome at jolt@richmond.edu.

Best regards,

A handwritten signature in black ink, appearing to read "Francis C. Oroszlan". The signature is written in a cursive style with a large, stylized initial "F".

Francis C. Oroszlan
Editor-in-Chief

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