

**THE UNIVERSITY OF AKRON SCHOOL OF LAW
AKRON LAW REVIEW CONSTITUTION**

PREAMBLE

Law is the child of history. Without the written word, the heritage of our law would be lost. Those who write about our law today crystallize the law of our present and benefit the practice of law in the future. The Editorial Board and Staff of the *Akron Law Review* welcome this challenge and dedicate themselves to the furtherance of this legal heritage through the publications of the *Akron Law Review*.

PURPOSE

The *Akron Law Review* is a legal periodical that publishes at least four times a year, including a Symposium Issue in each year that the School holds a Symposium in conjunction with the Law Review. The *Akron Law Review* also publishes at least one issue of the *Akron Tax Journal*, two issues of the *Akron Intellectual Property Journal*, and multiple articles in the *Akron Law Review: Strict Scrutiny* each academic year. Through these publications, the Board and Staff of the *Akron Law Review* serve the legal profession by giving statement to legal scholarship under the general supervision of faculty advisors. The student Editorial Board, members of which are selected on the basis of scholarship and evidence of superior aptitude for legal research and writing, guides the progress and shaping of the publication process for the *Akron Law Review* and the *Akron Tax Journal* (collectively referred to as the “Law Review”).

ARTICLE I

Editorial Policy and Process, Deadlines, Meetings, and Web Committee

1) Editorial Policy

The Law Review strives to attract and acquire high quality articles for publication from law professors, judges, legal professionals, and members of the Law Review. Each issue of the Law Review should include more articles by law professors, judges, and other legal professionals than articles authored by Law Review members. While the Law Review strives to publish a lead article authored by a law professor, the Editor-in-Chief and the Board may, in their discretion, choose to publish any high quality article as a lead article in each issue.

2) Editorial Process

In general, the Articles Editors review each submission and extend offers of publication to qualified authors consistent with the Bylaws. Following acceptance of publication, the Editor-in-Chief assigns the articles to Production Editors to ensure that each accepted article undergoes thorough review. This review includes a research check, a cite check, and at least two text checks before the redline version of each article is delivered to the author for finalization. Following finalization, the final printed copy is proofed by the Articles Editor or appropriate managing editor and the Editor-in-Chief. The Editor-in-Chief performs a final proof read of each issue’s contract proof before approving each issue to go to press.

3) Deadlines

Deadlines, essential to the smooth operation of the Law Review, are set by the appropriate Editor for each assigned task. Extensions of set deadlines may only be given by the Editor-in-Chief, and only in the event of highly exceptional circumstances. (including but not limited to a death in the family or a serious illness).

4) Meetings and Voting

Meetings of the Law Review Editorial Board and members will be called by and presided over by the Editor-in-Chief. Each meeting should be scheduled to allow the attendance of at least one faculty advisor, and the Executive Editor shall make the necessary announcements and arrangements as per the Editor-in-Chief's instructions regarding each meeting. A general quorum for voting purposes is formed by two-thirds (2/3) of the filled positions on the Editorial Board. However, a special quorum of three-quarters (3/4) is required to vote on amendments to the Law Review Constitution. A two-thirds (2/3) majority vote of a quorum of the Editorial Board members present shall be required for any motion to pass, unless otherwise provided for in the Law Review Constitution. The Editorial Board may also act by unanimous written consent in lieu of a meeting.

ARTICLE II

Editorial Board, Publication and Subscription Manager, and Law Review Staff

1) Editor-in-Chief

The Editor-in-Chief shall call and preside over all meetings of the Law Review and serve primarily as the coordinator for the Editorial Board and Law Review staff. The Editor-in-Chief is responsible for meeting regularly with Editors to gauge progress of projects, to field suggestions from Board and staff members, and to handle complaints from the Board and staff members. The Editor-in-Chief is also responsible for all matters pertaining to financial arrangements, editing procedures, and compilation of all Law Review materials. Regular consultation with the Faculty Advisors and School of Law administration is expected of the Editor-in-Chief who shall endeavor to ensure good communication and mutual understanding among the Editorial Board, Law Review staff, and Faculty Advisors. The Editor-in-Chief also assists the administration in building the Law Review alumni network and Law Review endowment, participates as a voting member of the SBA, and ensures representation of the Law Review at functions as requested by the administration. The Editor-in-Chief has sole authority to determine the compilation of articles into issues and to make all editorial policy decisions regarding articles and publications. The Editor-in-Chief shall not evaluate or grade Law Review Member's Notes or Comments (Notes) so that only the Editor-in-Chief may objectively adjudicate any challenges to a Note's evaluation. Only one (1) student shall be selected for this position.

2) Executive Editor

The Executive Editor shall serve as the financial and business manager for the Law Review. As the financial manager, the Executive Editor shall prepare and present a

budget to the Assistant Dean for her approval by June 1 annually, make timely deposits, and obtain approval for all requisitions. As the business manager, the Executive Editor shall enforce all deadlines among Law Review members, schedule and announce all meetings called by the Editor-in-Chief, create and distribute all necessary announcements for the Law Review, check and forward as necessary all communications with the Law Review daily (including e-mail, mail and voicemail), maintain a current Law Review member directory, and schedule and track all assignments in the editorial process for both Notes and professional article submissions. The Executive Editor is also responsible for scheduling and coordinating social and educational functions, including Law Review fall training and the Law Review spring banquet, and for ensuring that the Law Review photograph is taken during the academic year. The Executive Editor shall regularly consult with the Editor-in-Chief on all aspects of Law Review, and shall assist the Editor-in-Chief in forming and implementing general editorial and publication policies. The Executive Editor is also responsible for scheduling all Note evaluations and compiling and posting final evaluations for Law Review member Notes. To retain anonymity in the evaluation process, the Executive Editor shall not evaluate or grade Law Review member Notes. At least one (1) student, but no more than two (2) students, shall be selected for this position.

3) Managing Editor of the *Akron Tax Journal*

The Managing Editor of the *Akron Tax Journal* is responsible for acquisition and selection of professional articles for the *Akron Tax Journal*. This Editor shall be responsible for communicating with the authors of articles he or she chooses to publish, and for ensuring that prompt acceptance or rejection letters are sent to authors who submit articles for possible publication. This Editor is responsible for ensuring that each author he or she accepts for publication returns a signed Publication Agreement. In each year that the School of Law holds a Symposium on a Tax issue, this Editor is also responsible for coordinating with the School of Law administration in order to compile publishable quality essays or articles for a Symposium edition of the *Akron Tax Journal*. This Editor shall aid in evaluation and grading of Law Review member Notes and write-on competition submissions as assigned. Only (1) student shall be selected for this position.

4) Managing Editor of *Strict Scrutiny*

The Managing Editor of *Strict Scrutiny* will be elected by the Board each year. *Strict Scrutiny* is part of the *Akron Law Review* and, as such, final editing authority rests with the Editor-in-Chief. In cooperation with the Constitutional Law Center the Managing Editor will be responsible for: selecting and soliciting articles for online publication; securing any advertising that the online journal may need; attending training sessions on website design and management; maintaining and updating the website; checking the research, citations, and text of each article either personally or by assigning the check to an assistant editor; corresponding with authors about any questions or concerns with a particular article; screening and posting relevant, scholarly comments on the website as

they relate to a specific article; and performing any other tasks required in managing an online journal. The Managing Editor will strive for a 2-3 week publication deadline for each article. The Managing Editor will work with the Constitutional Law Center at the Law School in the review, selection, and editing of submissions to ensure that each article meets Law Review publication standards and the goals and purposes of the Constitutional Law Center .

5) Managing editor of the *Akron Intellectual Property Journal*

The Managing Editor of the *Akron Intellectual Property Journal* is responsible for acquisition and selection of professional articles for the *Akron Intellectual Property Journal*. This Editor shall be responsible for communicating with the authors of articles he or she chooses to publish, and for ensuring that prompt acceptance or rejection letters are sent to authors who submit articles for possible publication. This Editor is responsible for ensuring that each author he or she accepts for publication returns a signed Publication Agreement. In each year that the School of Law holds an intellectual property Symposium, this Editor is also responsible for coordinating with the School of Law administration in order to compile publishable quality essays or articles for a Symposium edition of the *Akron Intellectual Property Journal*. This Editor shall aid in evaluation and grading of Law Review member Notes and write-on competition submissions as assigned. Only (1) student shall be selected for this position.

6) Publication and Subscription Manager

The Publication and Subscription Manager is not a student position. The Publication and Subscription Manager is responsible for maintaining subscription lists, subscriber collections, billing, and refunds. This individual also inputs all editorial changes into articles, and aids in the preparation of the articles for final publication through the use of necessary macros. The Publication and Subscription manager also consults regularly with the Editor-in-Chief and/or the Executive Editor, and aids in acquisition of any necessary office supplies. This is an at-will, part-time position.

7) Articles Editors

The Articles Editors are primarily responsible for acquisition and selection of professional articles. The Articles Editors shall be responsible for communicating with the authors of articles he or she chooses to publish, and for ensuring that prompt acceptance or rejection letters are sent to authors who submit articles for possible publication. Each Articles Editor is responsible for ensuring that each author he or she accepts for publication returns a signed Publication Agreement. In each year that the School of Law holds a Symposium, the Articles Editors are also responsible for coordinating with the School of Law administration in order to compile publishable quality essays or articles for a Symposium edition of the *Akron Law Review*. In any year

where there is no Symposium amenable to a Symposium edition. Each Articles Editor shall aid in evaluation and grading of Law Review member Notes and write-on competition submission as assigned. At least two (2), but no more than four (4), students shall be selected for this position.

8) Production Editors

The Production Editors are primarily responsible for ensuring the accuracy, citation format, grammar spelling, and overall quality of each article. The Editor-in-Chief assigns articles to the Production Editors, who, in turn, assign one (1) research check, one (1) text check, and two (2) text checks to Assistant Editors. The Production Editors are responsible for training assistant editors how to complete the checks, assigning the checks, and ensuring the quality and accuracy of each check. The Production Editors will make a recommendation of whether an Assistant Editor will receive credit for each check. Production Editors are also responsible for grading write-on submissions in the summer and fall. At least six (6), but no more than (12) students shall be selected for this position. At least two Production Editors shall maintain a specialty for intellectual property articles.

9) Associate Editors

Upon successful completion of the requirements of an Assistant Editor, each Assistant Editor is automatically promoted to the position of Associate Editor. The Associate Editors are primarily responsible for supervising a group of Assistant Editors. Associate Editor responsibilities include coordinating with the Executive Editor to prepare a deadline for the Assistant Editors to follow, ensuring that Assistant Editors meet deadlines, and promptly reporting any missed deadlines to the Executive Editor. Associate Editors shall regularly consult with their assigned Assistant Editors to ensure smooth communication and to aid each Assistant Editor in successfully completing all credit requirements. Associate Editors may attend and participate through discussion in Editorial Board meetings, but do not have voting privileges. Associate Editors shall evaluate and grade Law Review member Notes (but not Notes of those Assistant Editors specifically assigned to them) and evaluate write-on competition submissions as assigned. The number of Associate Editors shall vary according to need and availability each year, preferably having at least one Associate Editor for each three or four incoming Assistant Editors.

10) Assistant Editors

Assistant Editors are primarily responsible for producing a student Note in compliance with the Law Review Bylaws and performing editing assignments, as requested. Assistant Editors are expected to attend any summer social event, training meeting, and research workshop required by the Editorial Board. Assistant Editors may attend and participate through discussion in Editorial Board meetings, but do not have voting privileges. All students who meet the requirements for Law Review membership may serve as an Assistant Editor.

ARTICLE III

Terms, December Graduates, Membership, Elections

1) Terms

Assistant Editors serve from the date of their acceptance of a position as Assistant Editor until the end of the last final exam the following spring semester. If an Assistant Editor intends to graduate in December of the same year in which he or she serves as an Assistant Editor, the Editorial Board may make appropriate accommodations on a case-by-case basis.

Associate Editors and Editorial Board members serve a term beginning the Friday two weeks prior to the last day of classes in the spring semester, concluding one year later on the Thursday two weeks prior to the last day of classes in the spring semester. Students committed to December graduation in the year in which they begin their term may only serve as an Associate Editor.

2) Candidacy for Membership – Assistant Editors

Assistant Editors are selected based on scholarship and aptitude for legal research and writing. Candidacy is automatically open to those law students ranking in the top fifteen (15) percent of their class, the top fifteen (15) percent of the full-time division, or in the top fifteen (15) percent of the part-time division, and who have completed at least the first-year program as defined by the administration at the School of Law. Students in the top fifteen (15) percent of their class will receive an automatic invitation to join the Law Review. Candidacy is also open to those law students who have attained a 2.6 cumulative grade point average and have completed at least the first-year program as defined by the administration of the School of Law. This category of candidates shall be selected by competitive writing competitions determined and supervised by the Editorial Board, and conducted by the Text and Research Editors. The writing competitions shall occur annually in late June or early July (the “July write-on competition”) and immediately following the Summer II Semester (the “August write-on competition”).

All candidates who are eligible, based on grades, to receive an automatic invitation following the Spring Semester of a year and all candidates who are selected through the July write-on competition shall be notified of their candidacy for Law Review by a letter of invitation to be mailed as soon as practicable following the assessment of the submissions for the July write-on competition. All candidates who are eligible, based on grades, to receive an automatic invitation following the Summer II Semester and all candidates who are selected through the August write-on competition shall be notified of their candidacy for Law Review by a letter of invitation to be mailed as soon as practicable following the assessment of the submissions for the August write-on competition.

3) Candidacy for Membership – Associate Editors

Assistant Editors who successfully complete the requirements of service to Law Review as an Assistant Editor automatically become Associate Editors Elect. Associate Editors Elect may choose to continue as an Associate Editor, interview for an Editorial Board position, or decline to serve on the Law Review for a second term.

4) Candidacy for Membership – Editorial Board

Only Associate Editors Elect are eligible to serve on the Editorial Board. No Associate Editor Elect who is a day student shall be a member of the Editorial Board unless he or she had completed at least the second-year program as defined by the administration of the School of Law. No Associate Editor Elect who is an evening student shall be a member of the Editorial Board unless he or she has completed the second-year program as defined by the administration of the School of Law.

5) Selection – Editorial Board

Editorial Board members are chosen by the outgoing Editorial Board based on interviews, a review of the applicant's resume (with grade point average, class rank, and social security number omitted), consideration of the applicant performance as an Assistant Editor, and any other relevant considerations as determined by the Editorial Board. Preference should be given to applicants whose Note was selected for publication. Each applicant must demonstrate a thorough understanding of the editorial process and of each separate function of the Law Review members as defined in this Constitution and the Bylaws. Selection shall become effective upon a majority vote of a quorum of the Editorial Board present for the interviews. The Editor-in-Chief shall not vote for applicants unless needed to break a tie.

ARTICLE IV

Evaluation, Grading, Selection for Publication of Assistant Editor Notes

1) Associate Editors shall evaluate their Assistant Editor's Notes as scheduled by the Executive Editor. Three (3) members of the Law Review (excluding Assistant Editors) shall evaluate each student Note once each semester. At least one (1) of the three evaluators shall be a member of the Editorial Board.

2) Notes shall be graded by the Law Review once each semester. Each final grading shall be performed by five (5) members of the Law Review (excluding Assistant Editors). At least two (2) of the final graders shall be members of the Editorial Board. All Law Review members involved in final grading of Assistant Editor Notes shall use a standard grading form prepared and distributed by the Executive Editor to award final point totals to each Note. The grading form shall be prepared by the Executive Editor in conjunction with the Editor-in-Chief and Editorial Board. Neither the Editor-in-Chief nor the Executive Editor shall participate in grading, and the Editor-in-Chief shall not participate in any phase of the grading process.

3) Selection for Publication

The number of Notes selected for publication varies with the needs of the Law Review. Generally not more than six (6) and no fewer than three (3) Assistant Editor Notes shall be accepted for publication in the *Akron Law Review*, and not more than two (2) and no fewer than (1) Assistant Editor Note(s) shall be accepted for publication in the *Akron Tax Journal*. The Editorial Board shall determine the number of Notes to be accepted prior to the final grading of Notes. Notes with the highest average point totals from final grading shall be accepted for publication in their corresponding publication. Any ties shall be broken by a process to be determined by the Editorial Board and set out

in the Bylaws. Assistant Editors who wish to challenge the selection process or their final grades must do so as set forth in the Bylaws.

ARTICLE V

Credits, Stipends, Keys

1) Credits and Stipends

Each Assistant Editor shall register for the Law Review Intern Course during the spring semester and shall receive two (2) credits and GWR credit for taking Law Review as a course upon successful completion of all requirements. Assistant Editors do not receive tuition waiver or remission, nor do they receive a stipend for their service as Assistant Editors.

Each Associate Editor shall register for the Law Review Senior Staff course during their final semester of service as an Associate Editor (fall for December graduates; spring for all others). Associate Editors shall receive two (2) credits upon successful completion of their service to Law Review. Associate Editors are not qualified for tuition waiver or remission, nor do they receive a stipend for their service as Associate Editors.

Editorial Board members shall register for the Law Review Editorial Board course during the spring semester and shall receive two (2) credits for successfully completing their service to the Law Review. Editorial Board members do not qualify for tuition waiver or remission, but are awarded stipends for their service to the Law Review. Amount and payment terms of all stipends shall be determined by the administration of the School of Law.

2) Keys

Access keys are bestowed upon Law Review members during their service to the Law Review pursuant to the Bylaws.

ARTICLE VI

Vacancies, Withdrawal, Discipline, Dismissal

1) Vacancies

If a vacancy arises during the course of any given semester, the Editorial Board shall have the discretion to invite a qualifying person to fill that vacancy, or shall have the discretion to leave the position(s) unfilled until the next set of interviews. If the Editorial Board chooses to fill a vacancy, then each member shall submit to the Editor-in-Chief his or her recommendation(s) for the position(s). The Editor-in-Chief will ensure that each proposed candidate meets the eligibility requirements and shall conduct a vote. Any such vacancy shall be filled by a majority vote of a quorum of the Editorial Board.

2) Withdrawal

Except under extraordinary circumstances, voluntary withdrawal must occur no later than the end of the first semester of service on the Law Review in each year in which a student participates.

3) Discipline

All disciplinary matters shall be enforced according to the Bylaws.

4) Dismissal

If a member of the Law Review continues to undermine the success of the Law Review by failing to perform their duties, the member may be dismissed pursuant to the Bylaws.

ARTICLE VII

Amendment to the Constitution and Bylaws, Handbook

1) Amendments – Constitution

Amendments to this Constitution may be recommended by any member of the Law Review, and voted on at any meeting of the Editorial Board provided that:

- a) Copies of the proposed amendment must be in writing to all faculty advisors 30 days prior to any meeting where the proposed amendment may be voted on.
- b) Copies of the proposed amendment must be provided in writing to all Law Review members, including Editorial Board, Associate Editors, and Assistant Editors, 30 days prior to any meeting where the proposed amendment may be voted on.
- c) If copies of a proposed amendment are circulated and the proposed amendment is modified, each new modification shall be considered as a new proposal for the purposes of the 30 day period. After each modification, therefore, a new 30 day period is begun before a vote may be taken
- d) The required 30 day period shall be waived if at least one faculty advisor and all members of the Editorial Board vote to waive the provision after copies have been delivered to all the faculty advisors and all Law-Review members. Such waiver must be in writing, though waiver by e-mail shall be sufficient.

Any amendment shall become effective upon passage by the Editorial Board and notice to the Chairman of the Alumni and Student Affairs Committee. Any such amendment shall remain effective unless it is disapproved by the faculty within the thirty (30) days after the next regular faculty meeting.

2) Amendments – Bylaws

Bylaws consistent with this Constitution may be adopted by a two-thirds (2/3) majority vote of a quorum of the Editorial Board members present at any meeting.

3) The Editorial Board shall ensure that the Law Review Handbook is available to all Law Review members. The Handbook shall outline the editorial process, describe requirements for Assistant Editor credit, and include duty descriptions for the Editorial Board and Associate Editor positions. The Editorial Board may also, in its discretion, include teaching and other materials in this Handbook.

(As amended September 10, 2009)