

# Constitution of the Seton Hall Law Review

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## Article One: Statement of Purpose

The Seton Hall Law Review is a non-profit unincorporated association and is a direct arm of Seton Hall University School of Law, a non-profit coeducational institution.

This Constitution sets forth the rules, policies, and procedures that govern the Law Review and defines the rights and duties of Law Review members. All powers not specifically delegated within this Constitution are reserved to the Board of Officers. This Constitution is effective as of February 19, 2005, and supercedes and replaces all previous Constitutions of the Seton Hall Law Review.

## Article Two: Definitions

- Section 1     Member: Any student of Seton Hall University School of Law who has been accepted for Law Review membership regardless of his or her title on the Law Review. Members may be designated either Voting or Non-Voting Members pursuant to Section Eleven of this Article.
- Section 2     Board of Officers: The Board of Officers shall consist of one Editor-in-Chief; one Business Editor; one Managing Editor; one Executive Editor; one Senior Articles Editor; several Article Editors and Comment Editors, the exact number of which shall be determined in the discretion of the Editor-in-Chief; and as many other positions as shall from time to time be established by the Editor-in-Chief.
- Section 3     Associate Editor: The title of a Member of the Law Review in his or her first year of membership.
- Section 4     Senior Editor: The title of a Member of the Law Review in his or her second year of membership, who is not a member of the Board of Officers.
- Section 5     Manuscript Ready for Publication: The Faculty Advisor, with the advice of Editor-in-Chief, shall make the final determination as to whether a manuscript is ready for publication. A student manuscript shall be recommended to the Faculty Advisor as ready for publication only upon (i) the determination of the Editor-in-Chief that all interim deadlines and requirements established for the student have been satisfied and (ii) that the Editor-in-Chief, as informed by the Managing Editor, considers the manuscript ready for publication by the last day of classes of the student's second semester of membership. An extension to satisfy clause (ii) may be granted if the Editor-in-Chief, Managing Editor, and Executive Editor determine, by simple majority vote, that exigent circumstances prevent a timely completion of the manuscript.
- Members should be notified as early as possible if their manuscript is at risk of not being recommended as ready for publication. In such circumstances, the Managing Editor or the Editor-in-Chief, or both, shall provide, to the greatest extent possible, substantive instruction as to how to improve a manuscript such that it can be recommended as ready for publication.
- An appeal from a determination that a manuscript is not ready for publication may be brought by the member to the Faculty Advisor.
- Section 6     Member in Good Standing: Any Member, who, in the opinion of the Board of Officers, has both satisfactorily completed all assigned tasks and is reasonably certain to have completed a manuscript ready for publication pursuant to Section Five of this Article.

- Section 7      Membership: The collective body of all Members as defined in Section One of this Article.
- Section 8      Membership Meeting: A meeting of all Members of the Law Review. The Membership shall receive notice one week in advance of all Membership meetings.
- Section 9      Quorum: A quorum for a vote shall consist of not less than three quarters of all Voting Membership as defined in Section Twelve of this Article, except that for an election of the Editor-in-Chief, a quorum shall consist of not less than three quarters of the Membership as defined in Section Seven of this Article.
- Section 10     Sergeant-at-Arms: The Sergeant-at-Arms is a Member appointed by the Editor-in-Chief to assist in the electoral process. The Sergeant-at-Arms may not be either a candidate for or a Member of the Board of Officers.
- Section 11     Voting Member: Any Member who has, in fact, completed a manuscript ready for publication, as defined in Section Five of this Article, at the time of the election. This restriction shall not apply to the election or removal of Members of the Board of Officers.
- Section 12     Voting Membership: The collective body of all Voting Members as Defined in Section Eleven of this Article.
- Section 13     Voting Membership Meeting: A meeting of all Voting Members of the Law Review.

### **Article Three: Amendments**

- Section 1      Generally: All provisions of the Constitution may be amended or repealed by a three-quarters vote of a quorum of the voting Membership. Any voting Member may propose an amendment to the Constitution.
- Section 2      Amendment Meetings: The Membership shall be given a minimum of ten days notice of any meeting at which an amendment to the Law Review Constitution shall be voted upon. The Membership may review any proposed amendment during this ten-day period. Only voting Members as defined in Article Two, Section Eleven, may vote on proposed amendments; however, any Member may comment on any proposed amendment prior to vote, subject to reasonable time restrictions to be imposed by the Editor-in-Chief.
- A) Any Voting Member who is unable to attend the meeting may give actual power to vote to another Voting Member who will be attending the election.
  - B) In such a case, the Member unable to attend the meeting shall give a letter to the Editor-in-Chief expressly authorizing the Member who will be attending the meeting to vote on his or her behalf. The non-attending Member must give this letter to the Editor-in-Chief at least one half hour prior to the meeting. The non-attending Member should also give a copy of that letter to the Member who will be attending and voting.
  - C) The Member who is not attending the meeting shall not be permitted to vote prior to the meeting.

- D) The non-attending Member may revoke the power vested in the Member in attendance by letter to the Editor-in-Chief or by arriving at the amendment meeting and informing the Sergeant-at-Arms that he or she will now be voting for him or herself.

#### **Article Four: Election of the Board of Officers**

##### Section 1 Election of the Editor-in-Chief:

- A) Time for Election: The election of the Editor-in-Chief for the following academic year shall be held no later than the first weekend of April of each year.
- B) Method of Election: The Editor-in-Chief shall be elected by a vote of all Members of the Law Review in good standing as defined by Article Two, Section Six.
- C) Eligibility to Run:
- i) Letter of Intent: Each Associate Editor who wishes to stand for election to the position of Editor-in-Chief shall submit a letter of intent to the current Editor-in-Chief at least twenty-one (21) days prior to the date of the election.
  - ii) Membership Status: Each Associate Editor who wishes to stand for election to the position of Editor-in-Chief must be designated a Member in Good Standing as defined in Article Two, Section Six, by the current Editor-in-Chief before he or she shall be allowed to stand for election.
  - iii) Interviews: Members of the current Board of Officers shall conduct a brief interview with each Associate Editor who wishes to stand for election to the position of Editor-in-Chief for the following academic year.
  - iv) Board of Officers' Recommendations for Editor-in-Chief: Following the interviews, the Board of Officers may recommend individuals for the position of Editor-in-Chief following a discussion of each candidate's qualifications at a closed meeting. These recommendations shall be available for inspection by any Member, together with all letters of intent, during the two weeks prior to the election.
  - v) Petitions: Notwithstanding the recommendations of the Board of Officers, any Associate Editor, who is a Member in good standing, shall be eligible to run for Editor-in-Chief by fulfilling the requirements of Subsections (i), (ii), and (iii) of this Section, and by submitting a petition signed by at least twenty percent (20%) of the eligible voters (all Members in good standing), provided that no current member of the Board of Officers may sign any petition, and that the signature of any Member who signs more than seven (7) petitions will be void and of no effect. Petitions must be submitted to the Editor-in-Chief at least seven (7) days prior to the election.

All petitions received shall be made available for inspection during the week prior to the election.

The requirements of this Subsection shall not apply to any Associate Editor who has been recommended by the Board of Officers pursuant to Subsection (D) of this

Section, nor shall they apply if the Board of Officers has not exercised its right to recommend candidates, as provided in Subsection (iv) of this Section.

- D) Eligibility to Vote for Editor-in-Chief: All Members in good standing, as defined by Article Two, Section Six are eligible to vote for Editor-in-Chief, notwithstanding the provisions of Article Two, Section Eleven.
- E) Editor-in-Chief Election Meeting: The Membership shall be given notice of the annual Editor-in-Chief election meeting one month prior to the date of the meeting. The notice shall contain:
- i) the date and time at which the Editor-in-Chief election will commence;
  - ii) a list of the restrictions imposed on Editor-in-Chief by Article Six;
  - iii) the date by which letters of intent must be submitted to the Editor-in-Chief.
- F) Editor-in-Chief Election Procedures:
- i) Generally: The current Editor-in-Chief shall oversee the proceedings. After the Editor-in-Chief has welcomed the Faculty Advisor, and Members, the Sergeant-at-Arms shall take attendance in order to ensure that only those eligible to vote are present. Any individual not eligible to vote (excepting the Faculty Advisor) will be asked to leave by the Sergeant-at-Arms. The Sergeant-at-Arms will then determine whether a quorum is present. When the Sergeant-at-Arms determines that a quorum is present, the Editor-in-Chief shall commence the election proceedings, as described starting with Subsection (ii) of this subsection. Throughout the entire proceeding, the Sergeant-at-Arms shall:
    - (1) give ballots to each Member immediately before the vote for Editor-in-Chief is taken;
    - (2) maintain control of the ballot box; and
    - (3) ensure that each Member casts only one ballot.

Once all ballots have been cast, the Sergeant-at-Arms shall remove the ballot box from the election room to the Editor-in-Chief's office, and shall tally the votes in the presence of the Faculty Advisor.
  - ii) Lottery for Speeches: The Sergeant-at-Arms will conduct a lottery, in the presence of the quorum, to determine the order of speeches for each candidate.
  - iii) Speeches: Each candidate may give a speech, of no more than ten (10) minutes in length, to the quorum, to be followed by a brief question and answer session to be moderated by the current Editor-in-Chief. The current Editor-in-Chief shall have the authority to disallow any inappropriate questioning. The question and answer session shall not extend more than ten (10) minutes beyond the conclusion of the candidate's speech. The Sergeant-at-Arms shall be responsible for enforcing the above time restrictions.

- iv) Voting: Following the question and answer period for the last candidate, the Sergeant-at-Arms shall distribute secret ballots to the quorum. Each voter shall cast one vote for Editor-in-Chief and return the ballot to the Sergeant-at-Arms.
- (1) Any Member who is eligible to vote under Article Four, Section One, subsection (D), but is unable to attend the meeting may give actual power to vote to another Member who is eligible to vote under Article Four, Section One, subsection (D), and who will be attending the election.
  - (2) In such a case, the Member unable to attend the meeting shall give a letter to the Editor-in-Chief expressly authorizing the Member who will be attending the meeting to vote on his or her behalf. The non-attending Member must give this letter to the Editor-in-Chief at least one half hour prior to the meeting. The non-attending Member should also give a copy of that letter to the Member who will be attending and voting.
  - (3) The Member who is not attending the meeting shall not be permitted to vote prior to the meeting. The procedure set forth in Article Four, Section One, subsection (F)(iv)(1) – (2), shall not permit direct voting (prior to the election) by the non-attending Member.
  - (4) The non-attending Member may revoke the power vested in the Member in attendance by letter to the Editor-in-Chief or by arriving at the election meeting and informing the Sergeant-At-Arms that he or she will now be voting for him or herself.
  - (5) The winner of the election for Editor-in-Chief must receive a simple majority of the votes cast. In the event no candidate receives a simple majority after the first ballot, a second ballot shall be held with the three candidates who received the highest amount of votes in the first ballot. If no candidate receives a simple majority after the second ballot, a third ballot shall be held with the two candidates who received the highest amount of votes in the second ballot. If a tie results after the third ballot, the tie shall be broken in the Editor-in-Chief's office by a private, majority vote of the Members of the Board of Officers.

Section 2 Election of the Remainder of the Board of Officers:

- A) Time for Election: The election of the Board of Officers, other than the Editor-in-Chief, for the following academic year shall be held no more than two weeks after the election of the Editor-in-Chief.
- B) Method of Election: The Executive Editor, Managing Editor, Business Editor, Senior Articles Editor, Articles Editors, Notes or Comments Editors, and any other Board of Officer positions that the current Editor-in-Chief may from time to time ordain and establish, shall be elected by a vote of all current members of the Board of Officers who are Members in good standing as defined by Article Two, Section Six.
- C) Eligibility to Run:
  - i) Letter of Intent: Each Associate Editor who wishes to stand for election to a position on the Board of Officers shall submit a letter of intent to the current Editor-in-Chief,

indicating which positions he or she would like to be considered for in order of preference, at least twenty-one (21) days prior to the date of the Editor-in-Chief election.

- ii) Membership Status: Each Associate Editor who wishes to stand for election to a position on the Board of Officers must be designated a Member in Good Standing as defined in Article Two, Section Six, by the current Editor-in-Chief before he or she shall be allowed to stand for election.
  - iii) Interviews: Members of the current Board of Officers, and if possible the newly elected Editor-in-Chief, shall conduct a brief interview with each Associate Editor who wishes to stand for election to a position on the Board of Officers for the following academic year.
- D) Eligibility to Vote for the Board of Officers: All members of the current Board of Officers, who are Members in good standing, as defined by Article Two, Section Six are eligible to vote for the members of the incoming Board of Officers, notwithstanding the provisions of Article Two, Section Eleven.
- E) Election of the Board of Officers:
- i) Generally: The current Board of Officers shall have a private meeting where at the direction of the current Editor-in-Chief the Board shall discuss the qualifications of each applicant for each Board position. The newly elected Editor-in-Chief shall be in attendance at this meeting and shall offer his or her advice on each candidate. The discussion should consider, among other things, each candidate's interview and performance in fulfilling his or her duties to the law review as an Associate Editor.
  - ii) Voting: Following the discussion of all candidates for one particular Board position, the current Editor-in-Chief shall distribute secret ballots to the members of the Board of Officers and the newly elected Editor-in-Chief. Each Member of the current Board of Officers and the newly elected Editor-in-Chief shall cast one vote for that Board position and return the ballot to the current Editor-in-Chief.
    - (1) Any member of the Board of Officers who is eligible to vote under Article Four, Section Two, subsection (D), but is unable to attend the meeting may give actual power to vote to another member of the Board of Officers who is eligible to vote under Article Four, Section Two, subsection (D), and will be attending the Board meeting.
    - (2) In such a case, the member of the Board of Officers unable to attend the meeting shall give a letter to the current Editor-in-Chief expressly authorizing the member of the Board of Officers who will be attending the meeting to vote on his or her behalf. The non-attending member of the Board of Officers must give this letter to the Editor-in-Chief at least one half hour prior to the meeting. The non-attending member of the Board of Officers should also give a copy of that letter to the member of the Board of Officers who will be attending and voting.
    - (3) The member of the Board of Officers who is not attending the meeting shall not be permitted to vote prior to the meeting. The procedure set forth in



Article Four, Section Two, subsection (E)(ii)(1) - (2), shall not permit direct voting (prior to the election) by the non-attending member of the Board of Officers.

- (4) The non-attending member of the Board of Officers may revoke the power vested in the member of the Board of Officers in attendance by letter to the Editor-in-Chief or by arriving at the election meeting and informing the Editor-in-Chief that he or she will now be voting for him or herself.
- (5) The winner of the election for a particular Board of Officers position must receive a simple majority of the votes cast. In the event no candidate receives a simple majority after the first ballot, a second ballot shall be held with the three candidates who received the highest amount of votes in the first ballot. If no candidate receives a simple majority after the second ballot, a third ballot shall be held with the two candidates who received the highest amount of votes in the second ballot. If a tie results after the third ballot, the tie shall be broken in the Editor-in-Chief's office by a private, majority vote by the Editor-in-Chief, Executive Editor, and Managing Editor.

F) Vacancies in Board of Officers

- i) In the event a Board position is not filled through the election process or becomes vacant, the Editor-in-Chief, or the Managing Editor or Executive Editor if requested by the Editor-in-Chief, shall solicit candidates from the membership. To be considered for the position, candidates shall submit a letter of intent and a resume (without rank or GPA). The Editor-in-Chief, in conjunction with the Executive Editor and Managing Editor, shall select the candidate(s) for the vacant position(s) by simple majority vote.
- ii) A formal announcement of the vacancy may be made to the entire membership at the discretion of the Editor-in-Chief. If this alternative is chosen, candidates will have seven (7) days to submit a letter of intent and a resume (without rank or GPA). The Editor-in-Chief, in conjunction with the Executive Editor and Managing Editor, shall select the candidate(s) for the vacant positions by simple majority vote.
- iii) If there is a vacancy in the Editor-in-Chief, Executive Editor, or Managing Editor position, the remaining members of the incoming Board shall select the candidate(s) for the vacant positions by simple majority vote.

## **Article Five: Membership**

Section 1 Minimum Membership Requirements: Each Member is required to contribute the time necessary to fulfill his or her obligations and duties to publishing the Law Review. In addition to the timely completion of all tasks assigned by the Editorial Board, each Member is responsible for the following:

- A) completion of any and all sourcebooks and subchecks of Student pieces or outside articles assigned by the Board of Officers;

- B) completion of any and all assignments for the production of the articles for the Law Review;
- C) completion of a manuscript ready for publication, as defined in Article Two, Section Five;
- D) to attend all readings days as prescribed by the Board of Officers;
- E) to complete at least two (2) hours of office hours each week during the academic year;
- F) to complete promptly and thoroughly all readings assigned by the Board of Officers;
- G) to attend all mandatory Membership meetings;
- H) to check regularly the Law Review mailboxes for messages and assignments;
- I) to complete promptly and thoroughly any other assignments given by the Board of Officers.

Membership is contingent upon the timely and satisfactory fulfillment of these requirements. Failure to fulfill any of the above requirements may result in (1) removal of the Member from the Law Review (Article Ten) and (2) withholding of academic credit by the Faculty Advisor at the request of the Editor-in-Chief (Article Eleven), or both.

**Section 2**     Membership Restrictions:

- A) No Member shall be a Member of any other journal at Seton Hall University School of Law.
- B) No Member who is a second year law student shall engage in outside employment during the academic year that requires a commitment of more than fifteen (15) hours of work per week, except
  - i) part-time students, whose commitment to outside employment shall not exceed forty (40) hours per week, and
  - ii) Members who have completed their publication-ready manuscript as defined under Article Two, Section Five. Such members are not restricted from engaging in outside employment in any manner.

**Section 3**     Membership Term: A student's membership on the Law Review will be for the period of time that the student remains enrolled at Seton Hall University School of Law, and continues to fulfill the Member's Law Review obligations as defined by this Article.

**Article Six: Board of Officers**

**Section 1**     Restrictions on Officers: There are no restrictions imposed on Members of the Board of Officers so long as, in the judgment of the Editor-in-Chief, they are able to fulfill the duties of their office.

Minimum Responsibilities and Duties of Officers: The duties of all persons on the Board of Officers may overlap as the needs of the Law Review dictate.

- A) Editor-in-Chief: All powers not specifically granted to the Board of Officers or to the general Membership are vested in the Editor-in-Chief. The Editor-in-Chief has overall responsibility for that which the Law Review does or fails to do. The Editor-in-Chief shall have the authority to make and effectuate all decisions pertinent to the day-to-day operation of the Law Review and shall supervise all phases of the Law Review's operation; call meetings of the Editorial Board and of the general Membership or any portion thereof whenever necessary and preside over such meetings; actively supervise the entire editorial process; and coordinate all Law Review activities. The Editor-in-Chief shall coordinate the development and strengthening of the Law Review's relationship with its alumni. The Editor-in-Chief shall conduct the final edit of each issue of the Law Review, and shall make the final determination as to what is to be printed in the Law Review. The Editor-in-Chief is responsible for representing the Law Review in all dealings with the Law School Administration and Faculty, including the Law Review's Faculty Advisor, all other University organizations, and all outside organizations and persons. In order to publish the book, the Editor-in-Chief has full responsibility for implementing the desktop publishing process, which may include preparing pieces for the macro, contacting the printer, placing all printer's signals on manuscripts, sending proofs to the outside authors, and signing off the book at the printers.
- B) Executive Editor: The Executive Editor is responsible for evaluating and preparing for publication, the outside articles that appear in each individual issue of the Law Review, and for delegating tasks necessary in order to fulfill these responsibilities to the Senior Articles Editor, Article Editors, Senior Editors and Associate Editors.
- i) Article Evaluation: The Executive Editor is responsible for directing the evaluation of solicited and unsolicited outside articles for publication in the Law Review. This duty may include soliciting articles from prospective authors and reviewing contacts with all outside authors. Solicitation may entail researching noteworthy topics for future publications and contacting prospective contributors to request submissions or proposals for articles. Reviewing unsolicited submissions shall entail immediately notifying the contributor to acknowledge receipt of the manuscript, researching the topic to ascertain its noteworthiness, and reviewing the index to legal periodicals to determine when and if similar articles have been published. The Executive Editor shall apprise the Editor-in-Chief of all articles being considered for publication. The decision to publish or reject an article shall be made by the Editor-in-Chief, upon the advice of the Executive Editor.
- ii) Preparing Articles for Publication: After an article is selected for publication in the Law Review by the Editor-in-Chief, it is the Executive Editor's duty to check the article for both substantive and technical accuracy, and to edit the piece accordingly.
- iii) Delegation of Office Hour Assignments to Associate Editors and Senior Editors: Pursuant to fulfilling the aforementioned duties, the Executive Editor shall assign office hour assignments to the Associate and Senior Editors. Assignments may include, but are not limited to: research, photocopying, proofreading, substantive and/or technical checks of the articles, sourcebook compilations, library duty, and various other duties incident to evaluating and preparing the articles for publication.

- iv) Delegation of Duties to Officers: The Executive Editor may delegate responsibilities pursuant to fulfilling the aforementioned duties listed in Article Six, Section 2.B.i - iii to the Senior Articles Editor and Articles Editors as he or she sees fit.
- C) Managing Editor: The Managing Editor is responsible for evaluating and preparing for publication, the student-written notes or comments that appear in each individual issue of the Law Review, and for delegating tasks necessary to fulfill these responsibilities to the Comment Editors, Senior Editors, and Associate Editors. The Managing Editor is also responsible for directing, and providing guidance to, the Associate Editors in developing the topic for, and writing their notes or comments.
- i) Note or Comment Evaluation: The Managing Editor is responsible for directing the evaluation of student written notes or comments for publication in the Law Review. The Managing Editor shall apprise the Editor-in-Chief of all notes or comments being considered for publication. The decision to publish or reject an article shall be made by the Editor-in-Chief, upon the advice of the Managing Editor.
  - ii) Preparing Notes or Comments for Publication: After a note or comment is selected for publication in the Law Review by the Editor-in-Chief, it is the Managing Editor's duty to check the note or comment for both substantive and technical accuracy, and to edit the piece accordingly.
  - iii) Delegation of Office Hour Assignments to Associate Editors and Senior Editors: Pursuant to fulfilling the aforementioned duties, the Managing Editor shall assign work projects to the Associate and Senior Editors. Assignments may include, but are not limited to: research, photocopying, proofreading, substantive and/or technical checks of the notes or comments, sourcebook compilations, library duty, and various other duties incident to publishing the notes or comments.
  - iv) Directing the Development of Associate Editors' Notes or Comments: The Managing Editor is also responsible for directing, and providing guidance to, the Associate Editors in developing the topic for, and writing their notes or comments.
  - v) Delegation of Duties to Officers: The Managing Editor may delegate responsibilities pursuant to fulfilling the aforementioned duties listed in Article Six, Section 2.C.i – iv to the Comment Editors as he or she sees fit.
- D) Senior Articles Editor: The Senior Articles Editor is responsible for assisting the Executive Editor in fulfilling his or her duties and for the oversight and coordination of the duties of the Articles Editors.
- E) Articles Editors: . As directed by the Executive Editor, the Articles Editors shall be responsible for overseeing the day-to-day preparation of articles for publication in the Law Review, which may include assuring the preparation of sourcebooks, conducting a substantive and technical check of each article, verifying all direct quotations, and correcting all grammatical errors. Upon completion of the initial editorial work, the editor shall submit the article to the author for approval. Following author approval, the Articles Editor shall submit the piece to the Executive Editor for further review and preparation for publication. The Articles Editors are also responsible for the completion of any other tasks delegated by the Executive Editor and Senior Articles Editor.

- F) Notes or Comments Editors: As directed by the Managing Editor, the Notes or Comments Editors shall be responsible for assuring the preparation of notes or comments for publication in the Law Review, which may include assuring the preparation of sourcebooks, conducting a substantive and technical check of each note or comment, verifying all direct quotations, and correcting all grammatical errors. Upon completion of the initial editorial work, the editor shall submit the note or comment to the author for approval. Following author approval, the Notes or Comments Editor shall submit the piece to the Managing Editor for further review and preparation for publication. The Notes or Comments editors shall also be responsible for overseeing the day-to-day selection and/or approval of topics for student written pieces. The process shall involve keeping abreast of important developments in the law, screening new opinions and proposed topics, and researching each topic to ascertain its note or comment worthiness. Notes or Comments Editors are responsible for assigning topics to every candidate whom the Board of Officers has deemed ready to write. No topic shall be assigned until it has been determined to be note or comment worthy. Notes or Comments Editors may permit a student-author to choose a paper topic of his or her own determination. Determinations as to note or comment worthiness shall be made by the Editor-in-Chief, upon the suggestion of the Managing Editor as advised by the Notes or Comments Editors. Notes or Comments Editors are responsible for supervising all student-authors during every stage of the writing process. This includes:
- i) providing each student with a workable writing schedule;
  - ii) assisting each student throughout the writing process;
  - iii) editing each writer's piece in a timely fashion;
  - iv) ensuring that each student piece is substantively publishable; and
  - v) performing second edits upon other notes and comments at the discretion of the Managing Editor.
- G) Business Editor: The Business Editor shall be responsible for maintaining the accuracy of the Law Review's subscription list, which is submitted to the Law Review's publisher upon the submission of each issue of the Law Review. In addition, the Business Editor shall be responsible for checking the Law Review's mailbox and e-mail account and for distributing incoming messages and letters to their proper recipients. The Business Editor shall also oversee the distribution of office hour assignments to the Associate and Senior Editors by the Executive and Managing Editors (and their editors) to assure the Law Review is meeting the deadlines set in its overall publication schedule. The Business Editor shall also be responsible for any tasks delegated to him or her by the Editor-in-Chief.
- H) Symposium Editor: The Symposium Editor will be responsible for selecting and implementing an annual Symposium for the Law Review. The Symposium Editor shall be responsible for selecting, in conjunction with the Editor-in-Chief, a topic for the annual Law Review Symposium. The Symposium Editor shall coordinate with necessary faculty, staff, and administration to coordinate the event. The Symposium Editor shall be responsible for selecting articles for the Symposium issue of the Law Review and selecting the content and theme of both the Law Review issue and live Symposium. The Symposium Editor may delegate tasks in order to accomplish the tasks of the Symposium

Editor. The Symposium Editor shall also serve as an Articles editor when requested by the Editor-in-Chief.

Section 3 Appointment of Assistants to Law Review Officers: The Editor-in-Chief may, with the advice and counsel of the Board of Officers, appoint Associate or Senior Editors to act as Assistant Editors to members of the Board of Officers.

#### **Article Seven: Faculty Advisor**

Section 1 A faculty Member appointed by the Law School Administration shall Serve the Law Review in an advisory capacity. The Editor-in-Chief is responsible for keeping the Faculty Advisor fully informed as to the workings of the Law Review. The Faculty Advisor shall offer advice to the Editorial Board as he/she deems appropriate. Copies of all important correspondence between the Law Review and the University and the Law School Administration, as well as all important correspondence with outside vendors, shall be sent to the Advisor.

The Advisor shall be invited to attend all meetings of the general Membership, and shall receive advance notice of all such meetings. If the Advisor is unable to attend any meeting, the Editor-in-Chief shall within seven (7) days send a memorandum of the proceedings to the Advisor. The awarding of academic credit shall be at the discretion of the Faculty Advisor, with input from the Editor-in-Chief.

#### **Article Eight: Selection of New Members**

Section 1 New Members: New Members shall be selected from competitions comprised of both writing and grade components. The specific requirements of such competitions shall be determined by the Editorial Board.

Section 2 Spring Competition: At the discretion of the Board of Officers, a membership competition may be held following the completion of all exam grading for the fall semester. This competition shall be open to

- A) any first-year and second-year full time student who satisfies the requirements established by the Board of Officers, and
- B) any second-year or third-year part time student who satisfies the requirements established by the Board of Officers.

Section 3 Summer Competitions: At least one membership competition shall be held following the completion of the spring semester exam period. This competition shall be open to

- A) any first-year or second-year full time student who satisfies the requirements established by the Board of Officers, and
- B) any second-year or third-year part time student who satisfies the requirements established by the Board of Officers.

Section 4 Transfer Student Competition: At the discretion of the Board of Officers a membership competition may be held in September of each year for students who would have been eligible for the prior summer competition under Article Eight, Section Three, but could not participate because they were enrolled at a law school other than Seton Hall in the prior academic year.

Students who were enrolled at Seton Hall University School of Law in the prior academic year and thus, could have participated, or did participate in the prior summer competition, are ineligible for a transfer student competition.

Section 5 Grading of Competition Papers: Papers shall be graded by the Board of Officers. The Editor-in-Chief may appoint other Members to assist in the grading. Each grader shall certify that he or she has no conflicts of interest that would impair objectivity in grading. The Editor-in-Chief shall advise all potential graders of this requirement prior to the commencement of grading.

Section 6 Letter of Acceptance of Membership: Each candidate who is selected for Membership in any competition shall submit a Letter of Acceptance of Membership to the Editor-in-Chief within ten (10) days of notice of selection.

### **Article Nine: Academic Credit**

Section 1 Members: All Members may purchase as many academic credits as prescribed by the Faculty Curriculum Committee and the Board of Officers.

Section 2 Board of Officers: All Members of the Board of Officers may purchase as many academic credits as prescribed by the Faculty Curriculum Committee and the Board of Officers.

Section 3 Credit Contingent Upon Performance of Assigned Duties: Academic credit for participation in the Law Review is controlled by the Faculty Advisor. At the end of each semester the Editor-in-Chief shall forward to the Faculty Advisor a list of those students registered for credit who have fulfilled their Law Review duties. The Editor-in-Chief shall be required to enforce credit sanctions against any Member who has failed to fulfill his or her Law Review duties to the satisfaction of the Editorial Board.

Section 4 Registration: No Member shall be permitted to receive academic credit until he or she has completed a Manuscript Ready for Publication as defined under Article Two, Section Five.

### **Article Ten: Removal of Members**

Section 1 All Members: Any Member of the Law Review who does not substantially fulfill his or her duties under this Constitution, or who fails to abide by the restrictions imposed on Members by this Constitution, shall be removed from the organization by a Membership vote, provided that the following procedure is adhered to:

- A) If any Board Member believes that a Member has not substantially fulfilled his or her duties, the Board Members so believing must call a full Board meeting. Alternatively, any ten (10) Members in good standing of the Law Review may compel such a Board meeting by petition.
- B) At the Board meeting, two (2) of the Board Members must vote for removal to compel a full Membership meeting for removal. In the alternative, twenty (20) Members in good standing may compel such a Membership meeting by petition.

- C) Notice of a full Membership removal vote must be given at least one (1) week prior to the date of the vote. The meeting must be held within fourteen (14) days of the date that the Board is first apprised of the removal problem.
- D) A quorum of seventy-five percent (75%) of the full Membership must be present to conduct a removal meeting. The Faculty Advisor shall moderate the removal meeting, but the Advisor's role is limited. The Advisor may not express opinions on the removal of the Member in question, nor may the Advisor vote.
- E) The Member so charged may make a brief statement on his or her behalf prior to the vote. The statement shall not extend for more than three (3) minutes. Further deliberation and discussion of the Membership out of the presence of the Member so charged shall be permitted at this point. A vote shall then be taken out of the presence of the Member so charged.
- F) If seventy-five percent (75%) of those present at the removal meeting vote for removal, the removal is effectuated.
- G) As soon as practicable after removal is effectuated a notice as described in (H) of this Article shall be circulated by the Editor-in-Chief to the following:
  - i) The Dean of the Law School;
  - ii) The Associate Dean of the Law School;
  - iii) The Law School Office of Career Services;
  - iv) Any current employer of the removed Member;
  - v) Any employer obligated to employ the removed Member as of the date of removal.
- H) Pursuant to section (G) of this Article, the Editor-in-Chief must circulate a notice of removal stating: "Please be advised that as of [date] [student name] is no longer a Member of the Seton Hall Law Review." Additional comments may be added upon the vote of a simple majority of the Editorial Board.

Section 2 Assistant Editors: Any Member appointed pursuant to Article Six, Section Three may be reduced to Associate Editor or Senior Editor status by the Editor-in-Chief, with the advice and counsel of the Board of Officers.

Section 3 Board of Officers: Any member of the Board of Officers who has not substantially fulfilled his or her duties as a Board Member, or who fails to abide by the restrictions imposed on Board Members by this Constitution, may be removed as a Board Member and reduced to Senior Editor status by a Membership vote, provided that the following procedure is adhered to:

- A) If any Board Member believes that another Board Member has not substantially fulfilled his or her duties as a Board Member, the Board Member so believing must call a full Board meeting. Alternatively, any ten (10) Members in good standing of the Law Review may compel such a Board meeting by petition.



- B) At the Board meeting, two (2) of the Board Members (excluding the Board Member charged) must vote for removal to compel a full Membership meeting for removal. In the alternative, twenty (20) Members in good standing may compel such a Membership meeting by petition.
- C) Notice of a full Membership removal vote must be given at least one (1) week prior to the date of the vote. The meeting must be held within fourteen (14) days of the date that the Board is first apprised of the removal problem.
- D) A quorum of seventy-five percent (75%) of the full Membership must be present to conduct a removal meeting. The Faculty Advisor shall moderate the removal meeting, but the Advisor's role is limited. The Advisor may not express opinions on the removal of the editor in question, nor may the Advisor vote.
- E) The Editor so charged may make a brief statement on his/her behalf prior to the vote. The statement shall not extend for more than three (3) minutes. Further deliberation and discussion of the Membership out of the presence of the Editor so charged shall be permitted at this point. A vote shall then be taken out of the presence of the editor so charged.
- F) If seventy-five percent (75%) of those present at the removal meeting vote for removal, the removal is effectuated.

Section 4 Effect of Removal: Any person removed under this Article shall not be eligible for the Law Review credits he or she otherwise would have been entitled to for the semester during which removal occurs.

### **Article Eleven: Satisfaction of Writing Requirement**

Section 1 Any Member who wants his or her student article to be recognized as satisfying his or her law school Advanced Writing Requirement shall submit a typed copy of the article (accompanied by typed footnotes) to the Editor-in-Chief at least one (1) month before the first day of his or her last semester at the law school. The Editor-in-Chief will then timely submit these articles to the Faculty Advisor for substantive approval. Upon approval of a paper by the Advisor, the Editor-in-Chief shall submit a letter to the Associate Dean, signed by the Editor-in-Chief and the Faculty Advisor, certifying that the paper has been approved for publication and may be viewed as satisfying the Member's writing requirement. Approval by the Associate Dean must be secured by the Editor-in-Chief before the add/drop deadline of the Member's final semester at the law school. Upon approval of the article by the Associate Dean, the Editor-in-Chief shall inform the concerned candidate(s)/Members(s) of such approval, either verbally or in writing.

### **Article Twelve: Publication of Student Pieces**

Section 1 Selection of Student Pieces for Publication: The Editor-in-Chief shall, in his or her discretion, and considering the advice of the Managing Editor, determine whether a student article shall be published in the Seton Hall Law Review. Factors to be considered include, but are not limited to, timeliness of the topic, quality of the writing, and the author's adherence to his or her writing schedule. All decisions of the Editor-in-Chief as to whether a manuscript shall be published are final.

Section 2 Right of First Refusal: The Seton Hall Law Review retains a right of first refusal for the publication of all notes or comments produced by its members to satisfy the membership requirement of Article Five, Section 1.J. Without prior approval from the Editor-in-Chief, no member may submit their piece for publication in any other journal.

**Article Thirteen: Statement of Diversity**

Section 1 The Law Review recognizes the value of a diverse, inclusive membership. Diverse backgrounds affect the way people see the world, and these differences bring important perspectives to our scholarly work. To achieve that diversity, each Board of Officers shall take appropriate actions to ensure that the Law Review benefits from a rich breadth of viewpoints, life experiences, and intellectual approaches.