

Wisconsin Journal of Law, Gender & Society

A continuation of

Wisconsin Women's Law Journal

By-Laws

As amended 04/09/2021

OVERVIEW

The *Wisconsin Journal of Law, Gender & Society* (“*Journal*”), a continuation of the *Wisconsin Women's Law Journal* grew out of two traditions: the University of Wisconsin Law School’s “law in action” approach and the interdisciplinary design of gender studies. Through “law in action” we look beyond the statutes and cases to study the practical effects of the law on both individuals and communities. The interdisciplinary approach offers different perspectives through which to expand and challenge our understanding of the law.

The *Journal*, one of the earliest in the nation devoted to the study of women and the law, has strived to contribute insightful scholarship to this evolving field of study. Recognizing that women are a diverse group with differing beliefs and interests, and moreover that gender stereotyping of any kind inhibits each individual’s full equality under the law, we encourage articles that examine the intersection of law and gender with issues of race, ethnicity, socioeconomic status, and sexual orientation.

We look forward to your contributions for it is through our discussions and debate that we fulfill the motto of the State of Wisconsin by moving “Forward.”

In order to promote the *Journal*’s mission, we adopt these by-laws.

Article I: Structure

1. The *Journal* shall consist of the Editorial Board (“Board”), editing team members, writing program members, students who participate in the *Journal*’s cite-checking program, and a Faculty Advisor.
2. The Board shall consist of the Editor-in-Chief, one Senior Note and Comment Editor, one Senior Submissions Editor, two Senior Managing Articles Editors, one Symposium Editor, one Business Editor, and one Diversity & Inclusion Editor.
3. The editing team will consist of Submissions Editors, Managing Articles Editors, and Note and Comment Editors. Editing team members will be second- or third-year law students appointed by the outgoing Board after spring elections take place.
4. The writing program members will be second- or third-year law students or graduate law students selected through a student writing competition.
5. All first-, second-, and third-year law students are eligible to participate in the *Journal*’s cite-checking program in the fall or both semesters.

6. The *Journal* is subject to review by the Faculty Advisor. The Faculty Advisor is available for consultation on all *Journal* matters and as a resource for the Board, editing team members, and writing program members.

Article II: Job Descriptions, Roles, and Duties of the Senior Board

All members of the Board will be elected by Journal members pursuant to Article IV of these by-laws and election procedures set forth and distributed to eligible candidates each year.

1. Editor-in-Chief (1)

- a. Eligibility: The Editor-in-Chief must
 - i. be a rising third-year student and have prior experience on the *Journal* who has either
 1. completed the writing program, or
 2. been a member of the Board, or
 3. been a member of the editing team;
 - ii. be able to fulfill the entire one-year term;
 - iii. generally make a minimum commitment of three credits per semester.
- b. Roles: The Editor-in-Chief will
 - i. serve as the primary contact person for the *Journal*;
 - ii. deal with the Law School administration;
 - iii. serve as an arbiter for disputes between Board members, editing team members, writing program members, and cite-checking program members;
 - iv. have an understanding of all areas of the *Journal*;
 - v. remain engaged with all other Board members and writers throughout the year;
 - vi. act as the primary recruiter for new members.
- c. Duties: The Editor-in-Chief will
 - i. oversee all activities necessary to ensure that each issue of the *Journal* is released in a timely manner;
 - ii. begin working in the spring immediately after being elected;
 - iii. complete a significant amount of work during the summers before and after the year in which he or she serves as Editor-in-Chief;
 - iv. work with the Senior Managing Articles Editors to edit the articles being published and set publication schedules;
 - v. reads each article before publication and performs the final edit of all articles prior to publication;
 - vi. participate in the selection process for new writers;
 - vii. participate in the selection process for professional pieces that are to be published;
 - viii. be responsible for completing a number of administrative tasks including scheduling meetings;
 - ix. participate in the selection of student pieces that will be published the following year by reading, evaluating, and commenting on each

- student piece; preside over every *Journal* meeting, or in his or her absence, select another Board member to preside over each meeting;
 - x. complete other duties, as needed.
- 2. Senior Note & Comment Editor (1)
 - a. Eligibility: The Senior Note & Comment Editor must
 - i. be a rising third-year student who has either
 - 1. completed the writing program of the *Journal*, or
 - 2. been a Board member or an editing team member of the *Journal* who also completed the writing program of another law journal;
 - ii. generally make a minimum commitment of three credits per semester.
 - b. Role: The Senior Note & Comment Editor supervises and is primarily responsible for all aspects of the writing program.
 - c. Duties: The Senior Note & Comment Editor
 - i. along with the Editor-in-Chief (EIC), is responsible for overseeing the write-on requirement for incoming writing program members, including development of the application process;
 - ii. begin working in the spring immediately after being elected and complete a significant amount of work during the summer after being elected;
 - iii. along with the EIC, shall lead and manage the Writing Program Selection Committee;
 - iv. will schedule and supervise a training program for writing program members including LexisNexis, Westlaw, and library training;
 - v. along with the EIC, will set the deadlines for the writing program including: 1) topic selection, 2) submission of an outline, 3) submission of two drafts, and 4) submission of a final draft for the publication decision;
 - vi. is primarily responsible for implementing deadlines and assisting writing program members who are not on schedule;
 - vii. will assign NCEs to supervise and evaluate the work of individual writing program members;
 - viii. will work with the NCEs to assure writing program members develop viable note and comment topics;
 - ix. will grant final approval for all student note and comment topics;
 - x. along with NCEs, will read and evaluate all writing program member's outlines and drafts and provide constructive comments and suggestions on style, content, and organization;
 - xi. will participate in the selection of student pieces that will be published the following year by reading, evaluating, and commenting on each student piece;
 - xii. will ensure that writing program members whose pieces are accepted for publication are given feedback from Board members who reviewed the pieces;
 - xiii. must attend all Board meetings, unless prior notice of absence is given to the EIC;
 - xiv. complete other duties, as needed.
- 3. Senior Managing Articles Editors (2)
 - a. Eligibility: Each Senior Managing Articles Editor must

- i. be a rising second- or third-year student, and must have had at least one semester of masthead privileges for the *Journal*;
 - ii. generally make a minimum commitment of three credits per semester.
 - b. Role: The Senior Managing Articles Editors have primary responsibility for all aspects of the editing process and for ensuring the near perfection of everything published by the *Journal*.
 - c. Duties: The Senior Managing Articles Editors
 - i. along with the EIC, are responsible for overseeing the entire editing and cite-checking program including training, organization, implementation, and follow-through;
 - ii. complete a significant amount of work in the summer after the year in which they serve as Senior Managing Articles Editors;
 - iii. oversee the work of Managing Articles Editors (MAEs) and assign individual articles to each MAE;
 - iv. recruit cite-checking program members including first-year cite-checkers;
 - v. work with the MAEs to edit articles for overall fluidity, spelling, grammar, typos, and citations;
 - vi. maintain regular communication with the EIC, MAEs, and cite-checking program members;
 - vii. along with MAEs, oversee cite-check training for all writing program members and cite-checking program members;
 - viii. work with MAEs to prepare cite-check packets and assure the availability of cite-checking materials;
 - ix. assist MAEs in reviewing *Bluebook* form for all citations and performing other substantive edits and style edits;
 - x. complete a final read-through of all articles edited by the MAEs;
 - xi. work with the EIC to establish and implement a production schedule;
 - xii. participate in the selection of student pieces that will be published the following year by reading, evaluating, and commenting on each student piece;
 - xiii. attend all Board meetings, unless prior notice of absence is given to the EIC;
 - xiv. manage the Write-On Bluebook exercise grading under the direction of the EIC and SNCE;
 - xv. Complete other duties, as needed.
- 4. Senior Submissions Editor (1)
 - a. Eligibility: The Senior Submissions Editor
 - i. may be a rising second- or third-year student, and must have had at least one semester of masthead privileges for the *Journal*;
 - ii. must generally make a minimum commitment of two credits per semester.
 - b. Role: The Senior Submissions Editor will manage the Submissions process and will be primarily responsible for ensuring that each submission is read and given thoughtful consideration by the Submissions Editors.
 - c. Duties: The Senior Submissions Editor
 - i. along with the EIC, is responsible for overseeing the entire submissions process including soliciting pieces from authors, reading and evaluating submitted pieces, and tracking submitted pieces;

- ii. along with Submissions Editors (SEs), will complete preemption checks before recommending articles for publication;
- iii. will be the primary contact for authors of submitted articles;
- iv. will work in the spring and complete a significant amount of work during the summer after being elected;
- v. will ensure that every author receives a prompt decision on whether the *Journal* decides to accept or reject his or her submission;
- vi. along with SEs and the EIC, will review submissions and determine whether to extend an offer to publish;
- vii. share his or her intention to extend an offer of publication to an author with the EIC prior to extending the offer;
- viii. may require authors to complete a round of organizational, citation, or other changes to an article before giving the articles to the Senior Managing Articles Editors;
- ix. participate in the selection of student pieces that will be published the following year by reading, evaluating, and commenting on each student piece;
- x. may be asked to review student pieces in progress;
- xi. must attend all Board meetings, unless prior notice of absence is given to the EIC;
- xii. complete other duties, as needed.

5. Symposium Editor (1)

- a. Eligibility: The Symposium Editor
 - i. may be a rising second- or third-year student, and must have had at least one semester of masthead privileges for the *Journal*;
 - ii. will be elected based partially on a topic he or she submitted to the EIC before the election day; may run either independently or on a ticket with a Deputy Symposium Editor;
 - iii. must generally make a minimum commitment of two credits per semester.
- b. Role: The Symposium Editor, along with the Deputy Symposium Editor, is responsible for overseeing the selection of articles for the annual symposium issue and organizing and administering the *Journal's* symposium.
- c. Duties: The Symposium Editor
 - i. will participate in the research and development of the symposium topic;
 - ii. along with the Senior Submissions Editor, will solicit submissions related to and focused on the symposium topic, and will participate in publication decisions for symposium-issue pieces;
 - iii. will make a special effort to ensure that all chosen authors can speak at the symposium;
 - iv. will be primarily responsible for developing the symposium format;
 - v. will oversee the symposium budget and fundraising to support the event;
 - vi. will arrange all logistical aspects of the symposium;
 - viii. will participate in the selection of student pieces that will be published the following year by reading, evaluating, and commenting on each student piece.

- ix. must attend all Board meetings, unless prior notice of absence is given to the EIC;
 - x. complete other duties, as needed.
6. Business Editor (1)
- a. Eligibility: The Business Editor
 - i. may be a rising second- or third-year student, and must have had at least one semester of masthead privileges for the *Journal*;
 - ii. must generally make a minimum commitment of one credit per semester.
 - b. Role: The Business Editor will assist the Board with the *Journal*'s financial issues and structure.
 - c. Duties: The Business Editor
 - i. along with the EIC is responsible for managing the finances of the *Journal*;
 - ii. will work in the spring and complete work during the summer after being elected;
 - iii. will serve as a member of the Board and attend all Board meetings;
 - iv. will prepare the subscription list for each issue;
 - v. will address and respond to any issues related to the *Journal*'s copyright or the copyright of articles printed in the *Journal*;
 - vi. will address all missing issue claims;
 - vii. will be primarily responsible for acquiring office supplies at a *Journal* member's request;
 - viii. will, with the assistance of the EIC, compile and report the hours that each *Journal* member has completed each semester;
 - ix. will complete other duties, as needed.
7. Diversity and Inclusion Editor (D&I Editor)
- a. Eligibility: The D&I Editor
 - i. may be a rising second- or third-year student, and must have had at least one semester of masthead privileges for the *Journal*;
 - ii. must generally make a minimum commitment of one credit per semester.
 - b. Role: The D&I Editor will assist the Board with creating and implementing the Diversity and Inclusion Plan.
 - c. Duties: The Diversity & Inclusion Editor
 - i. along with the EIC is responsible for grading all personal statements submitted as part of the annual writing competition (Write-On);
 - ii. will work in the spring and complete work during the summer after being elected;
 - iii. will serve as a member of the Board and attend all Board meetings;
 - iv. will prepare a diversity and inclusion plan to be implemented by the Board prior to the start of the annual writing competition;
 - v. will complete other duties, as needed.
8. Temporary Editorial Position
- a. The Senior Board may approve a temporary editorial position for a period of one semester or one year.
 - b. The election procedure should follow the process set forth in Article II, section C.

Article III: Editorial Board Elections

A. Timing

Elections shall be held in the spring no later than two weeks before finals begin.

B. Positions

1. The following positions should always be elected in the spring election:
 - a. Editor-in-Chief
 - b. Senior Note & Comment Editor
 - c. Senior Managing Articles Editors
 - d. Senior Submissions Editor
 - e. Symposium Editor
 - f. Business Editor
 - g. Diversity and Inclusion Editor
2. In order to run for any position, a person must turn in a brief statement explaining why she or he should be elected to the position for which she or he is running, along with a cover sheet clearly indicating the position(s) for which she or he is running. The same statement may be used for more than one position as long as the statement includes the reasons the person should be elected for each position.
3. The statement and cover sheet must be turned in to the Editor-in-Chief at least three days before the elections are to be held. No additional nominations or applications will be accepted after this day, unless at the time of the election meeting there are not enough nominees to fill a position or positions.
4. The Editor-in-Chief should distribute candidate information sheets identifying who is running for each position and each candidate's statement to all members of the Board, editing team members, writing program members, and candidates.

C. Election Procedures

1. The Editor-in-Chief shall develop the election procedures. The procedures shall be approved by a majority of the Board at the last Board meeting before elections.
2. However, the following procedures should always be followed.
 - a. All Board members, editing team members, and writing members are required to attend elections but are not required to vote.
 - b. All candidates must attend the election meeting unless an exception is given by the Editor-in-Chief.
 - c. Proxy voting will be allowed in exceptional cases and must have clear instructions.
 - d. Proxy voting is in the sole discretion of the Editor-in-Chief.
 - e. All elections shall be by secret ballot.
 - f. Voting privileges for the election process are as follows:
 - i. 1Ls may not vote at all.
 - ii. writing program members may vote.
 - iii. Editing team members may vote.
 - iv. Board members may vote.
 - v. No person who is running for a position may vote in that position's

election.

D. Transition

1. To aid in the continuity of the *Journal* and facilitate the transition to the new Editorial Board, all outgoing Board members shall prepare documents to be presented to the incoming Board.
2. The documents shall contain the current status of all responsibilities of the editorial position, any problems encountered in carrying out the duties of the position and the solution(s) implemented, any suggestions for the newly elected editor(s) regarding the execution of the position, and any other pertinent information that will be necessary for the new editor(s).
3. The former editors shall remain available to assist the new editors.
4. After spring elections, former editors shall retain their enumerated powers only with regard to issues related to the current volume of the *Journal*, and with regard to the completion of the student writing program.
5. Immediately upon election, new editors shall assume all responsibilities enumerated in these by-laws as they pertain to the upcoming volume of the *Journal*.

E. Editorial Board Vacancy

1. If a Board member leaves or is removed from the position, the Editor-in-Chief shall immediately call and hold a special election to fill the vacancy.
 - a. If the Editor-in-Chief leaves or is removed from the position, any Board member may call an emergency Board meeting, without regard to general provisions regarding notice.
 - b. At an emergency Board meeting called pursuant to Article III(E)(1)(a), a quorum of the Board may select from among their members or, if no Board members are available, from among the Editing Team, an Acting Editor-in-Chief, who will immediately call and hold a special election to fill the vacancy, pursuant to the rules below, and who will serve only until said election is duly held and ratified.
2. The Editor-in-Chief shall call a special election within ten days of receiving the Board member's resignation letter or decision to remove the Board member.
3. Any qualified person shall have five days to nominate him or herself for the position.
4. A candidate may write a position paper.
5. The Editor-in-Chief shall distribute all received position papers one day before the special election.
6. The Editor-in-Chief shall develop the election procedures for the special election using the same guidelines given for general elections in Article III, section C.

Article IV: The Editing Team

All members of the editing team will be appointed to the position by outgoing members of the Senior Board following spring elections. Applicants seeking appointment to the editing team should complete a preference sheet as directed by the outgoing Senior Board prior to spring elections.

A. Editing Team Positions

1. Note & Comment Editors

- a. Eligibility: Note & Comment Editors must
 - i. be a rising third-year student who has either
 1. completed the writing program of the *Journal*, or
 2. been a Board member or an editing team member of the *Journal* who also completed the writing program of another law journal;
 - ii. must generally make a minimum commitment of three credits per academic year: two credits in the fall semester and one credit in the spring semester.
- b. Role: Note & Comment Editors are primarily responsible for working one-on-one with writing program members during the writing process to assist them develop note and comment topics into publication-quality drafts.
- c. Duties: Note & Comment Editors will
 - i. work in the spring and complete a significant amount of work during the summer after being elected as a member of the Writing Program Selection Committee;
 - ii. meet frequently with writing program members who have been assigned to them;
 - iii. help each author to choose a topic, develop a thesis, complete an outline, and complete each draft of a note or comment;
 - iv. read and evaluate outlines and each draft and provide constructive comments and suggestions on style, content, and organization;
 - v. meet with the Senior Note & Comment Editor (SNCE) to discuss writers' progress and any problems that arise with individual writers;
 - vi. serve as additional readers of drafts upon request of the SNCE or the EIC;
 - vii. complete other duties, as needed.

2. Managing Articles Editors

- a. Eligibility: Managing Articles Editors
 - i. may be rising second- or third-year students who have had at least one semester of masthead privileges for the *Journal*;
 - ii. must generally make a minimum commitment of two credits per semester.
- b. Role: Managing Articles Editors
 - i. will be responsible for assisting the Senior Managing Articles Editors (SMAEs) in ensuring the near perfection of every article published by the *Journal*;
 - ii. will have primary responsibility for completing all substantive, style and citation edits for one article published in each *Journal* each issue.
- c. Duties: Managing Articles Editors
 - i. edit articles for overall fluidity, spelling, grammar, typos, and citations;
 - ii. review cite-check packets to check the accuracy and the form of the text and footnotes;
 - iii. maintain communication with cite-checkers, editing team members, and authors;
 - iv. organize writing program members and facilitate meetings to discuss large-scale, small-scale, and style edits;
 - v. may be responsible for editing additional pieces;
 - vi. complete any write-on grading assigned by the SMAEs or SNCE during the

- summer;
 - vii. complete other duties, as needed.
3. Submissions Editors
- a. Eligibility: Submissions Editors
 - i. may be rising second- or third-year students who have had at least one semester of masthead privileges for the *Journal*;
 - ii. must generally make a minimum commitment of three credits per academic year: two credits in the fall semester and one credit in the spring semester.
 - b. Role: Submissions Editors
 - i. will be primarily responsible for ensuring that every article submitted to the *Journal* receives complete and thoughtful consideration by doing initial reads;
 - ii. guarantee that each issue of the *Journal* contains timely, interesting, and high-quality articles.
 - c. Duties: Submissions Editors
 - i. will be responsible for reading all professional and student pieces submitted for publication, and participating in publication decisions for those pieces;
 - ii. will perform preemption checks on articles that are being considered for publication;
 - iii. will work in the spring and complete a significant amount of work during the summer after being elected;
 - iv. along with the Senior Submissions Editor, may solicit articles from potential authors;
 - v. complete other duties, as needed.
4. Deputy Symposium Editor (1)
- a. Eligibility: Deputy Symposium Editor
 - i. may be a rising second- or third-year student who must have had at least one semester of masthead privileges on the *Journal*;
 - ii. must generally make a minimum commitment of two credits per semester;
 - b. Election or Appointment
 - i. Election: The Deputy Symposium Editor may be elected on a single ticket with the Symposium Editor; however, the only the Symposium Editor will be a member of the Board.
 - ii. Appointment: If a Symposium Editor is elected without a Deputy, the Board may appoint a Deputy Symposium Editor.
 - c. Role: Deputy Symposium Editor
 - i. will assist the Symposium Editor in all aspects of putting on the symposium, including selection of the topic and articles, outreach to student organizations and the professional community, and fundraising;
 - ii. will work with the Symposium Editor to make sure that the symposium is planned and executed to the highest standards of professionalism.
 - d. Duties: Deputy Symposium Editor
 - i. will, in conjunction with the Symposium Editor, divide responsibilities related to the symposium and carry out those responsibilities as assigned;
 - ii. will read and evaluate each proposal submitted for consideration for the symposium;

- iii. will perform preemption checks on those proposals selected for the symposium;
- iv. will begin work in the spring and complete a significant amount of work in the summer after being elected;
- v. will complete other duties, as needed.

Article V: Student Writing Program

A. Eligibility

1. The Editor in Chief, Senior Note and Comment Editor, Senior Managing Articles Editors, Senior Submissions Editor, and Symposium Editor are not eligible to be part of the writing program.
2. In the event that a law student holds more than one position in the Journal, that student must complete all responsibilities and duties for each position, even if the student may not receive full credit from the law school for both positions.
3. In order to participate in a Write-On Process, students must be enrolled at the University of Wisconsin Law School when the Write-On Process begins.
4. Students may only participate in one Write-On Process. A student will be deemed to have participated in a Write-On Process if the student receives access to the materials provided for that Write-On Process.
5. To participate in a Write-On Process, students must be able to fulfill the terms of the *Wisconsin Journal of Law, Gender & Society's* commitment policy or policies, as drafted by the Editor-in-Chief and Senior Note & Comment Editor and communicated to or made available to potential Write-On Process participants at least fourteen days prior to the start of the Write-On Process.
6. Students may participate in the Spring Write-On Process only, except Transfer J.D. students may participate in the Fall Write-On Process held during their first semester at UW Law School or a subsequent Spring Write-On Process.
7. Graduate students (i.e., non-J.D. students) who have already earned a J.D. degree from an ABA-accredited law school may not participate in a Write-On Process.

B. Number of Writing Members

1. The number of members each year will fluctuate depending on various factors including the *Journal's* staffing needs, diversity goals, and the number of applications received.
2. The combined number of third-year students and graduate students accepted into the writing program should never exceed one fourth (1/4) of the total writing program. This does not mean that the Writing Program Selection Committee should aim for that target.
3. If the selection process does not yield enough second-year applicants, or one or more membership offers to a rising second-year is declined, the Editor-in-Chief, along with the Senior Note and Comment Editor, shall determine whether to accept more than one-fourth (1/4) third-year students and graduate students.

C. Summer Write-On Program

1. The *Journal's* writing program seeks to afford students an opportunity to research and write an original academic article, comment, or case note pertaining to gender and the law. We encourage women and men interested in gender issues to apply.
2. The members of the Writing Program Selection Committee have the discretion to choose

the particular requirements of the program, including the materials from which students may choose, the topics covered by those materials, deadlines for submissions, the minimum and maximum length of submissions, and the method by which submissions shall be evaluated.

3. Write-on packets containing all of the information needed to apply for *Journal* membership will be distributed toward the end of the spring semester. The packets will generally be due a month after the last day of final exams.
4. The personal statement component of the write-on may be considered for the purpose of enhancing the diversity of the *Journal's* membership.

D. Write-On Accommodations

In accordance with applicable state and federal law, the *Journal* will make accommodations for any student unable to participate in the write-on process because of “race, color, creed, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental status.”¹ Accommodations may include, but are not limited to, allowing a student to participate in the Fall transfer write-on process. Accommodation decisions under this section will be made by the Editor-in-Chief and the Senior Note and Comment Editor of the *Journal*.

E. Selection Process

1. The Writing Program Selection Committee (“selection committee”) shall be led by the Editor-in-Chief, the Senior Note and Comment Editor. Selection committee will consist of the EIC, SNCE, the Senior Managing Article Editor(s), the Diversity and Inclusion Editor, the Note and Comment Editors and the Managing Article Editors as needed.
2. The selection committee shall make writing program selection decisions.

¹ Wis. Stat. 36.12 (1) (2009). 36.12 (1) in full states:

No student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course or facility of the system or its institutions because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

Id. See also, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d (“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”); Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 (a) (“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance”); Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 (a) (“No otherwise qualified individual with a disability in the United States, as defined in section 705 (20) of this title, shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.”). Section 705 (20), in relevant part, provides:

(A) In general

Except as otherwise provided in subparagraph (B), the term “individual with a disability” means any individual who— (i) has a physical or mental impairment which for such individual constitutes or results in a substantial impediment to employment; and (ii) can benefit in terms of an employment outcome from vocational rehabilitation services provided pursuant to subchapter I, III, or VI of this chapter. 29 USC § 705 (A).

3. The selection committee shall evaluate the applications using a blind-grading system. A Board member who is not a member of the selection committee will institute the blind-grading process and distribute the write-on packets to the selection committee.
4. The selection committee shall offer acceptance to members with the highest scores, in combination with any written statements or other factors that the selection committee deem important.
5. All acceptance offers shall be made by August 15, and sooner if possible.
6. A certain number of individuals, the amount to be decided by the selection committee, shall be placed on the waiting list.
7. If the total acceptance responses are below the desired number of writers, then the selection committee can offer membership to wait-listed individuals, starting with the highest scores and proceeding downward.

F. Diversity & Inclusion Plan

1. The *Journal* shall have a Diversity & Inclusion Editor (D&I Editor) who shall recommend a Diversity and Inclusion Plan (“the plan”) to be implemented by the Board prior to the start of the annual writing competition. The purpose of the plan shall be to increase diversity in the Journal’s membership. The D&I Editor, along with the EIC, shall consult on the Personal Statement prompt for the Write-On Process and read and evaluate every Personal Statement during the Write-On Process.
2. Goal and Objectives of the plan:
 - a. Goal: Eliminate Bias and Enhance Diversity
 - b. Objectives:
 - i. Promote full and equal participation in the journal, our profession, and the justice system by all persons;
 - ii. promote diversity in the journal’s published legal scholarship;
 - iii. eliminate bias in the legal profession and the justice system.
3. Definition of diversity:
 - a. The term “diversity” has a dynamic meaning that evolves as the demographics in the world change. It is an inclusive concept that encompasses, among other things, race, ethnicity, national origin, religion, gender, gender identity, age, sexual orientation, and disability. Inclusion helps to create a culture that embraces people from the widest range of talent and experience and promotes understanding and respect for all people and different points of view in the legal profession.

G. Responsibilities and Duties of Writers

1. All selected writing members are required to write an article, comment, or case note for possible publication in the following year’s *Journal* under the supervision of a Note & Comment Editor (NCE).
 - a. No writing member may submit an article, comment, or case note that is substantially similar to work that he or she has completed, or is completing for another journal or for a class.
 - i. If a writing member wishes to write his or her article, comment, or case note on a topic about which he or she has already completed or is completing work, the member shall inform his or her assigned NCE and

- the Senior Note & Comment Editor (SNCE). The SNCE and NCE may require the writing member to sufficiently tailor the article, comment, or case note to be acceptable for the *Journal*.
- ii. Not informing the writers assigned NCE and Senior Note & Comment Editor (SNCE) may be considered conduct detrimental to the *Journal* which may be referred to the Faculty Advisor (FA) for disciplinary action.
- b. Each writer must work with her or his assigned NCE, who will supervise the writer's work until the piece is submitted for publication.
 - c. Each writer must submit a minimum of two drafts of her or his article to her or his NCE. In addition, the NCE may require the writer to submit additional drafts or other documents.
 - d. Each writer's article shall be submitted and considered for publication, provided the writer meets the requirements established by the SNCE.
 - i. Each article will be accepted or rejected, or the writer will be asked to revise and resubmit the article.
 - ii. If a student article is accepted for publication, the student will work with a Managing Articles Editor to put the piece in final publishable form. The student must meet all other deadlines and requirements determined by the Board.
 - iii. If a student is asked to revise and resubmit her or his article, the student may work with a NCE or the SNCE to revise her or his piece.
 - e. If the student piece is rejected, the student must continue to fulfill all other duties required for *Journal* membership.
 - f. Acceptance of a student article for publication shall be based upon a comprehensive and detailed list of criteria compiled by the Board and distributed to writing program members at the beginning of the writing program.
 - g. The *Journal* shall generally select a minimum of two (2) articles written by the writing program members for publication in each issue of the *Journal* with the exception of the Symposium issue.
 - h. Writing program members whose pieces are selected for publication shall be notified in writing.
 - i. No amendment shall be made to this section within one month of the final draft deadline.
2. In addition to writing an article, comment, or case note, writing program members are involved in editing professional and student pieces that are pending publication. All writers will be identified as Article Editors on the masthead of each *Journal* in which they were involved in the editing process.
 3. All writing program members are required to cite-check professional and student pieces that are set for publication in accordance with the standards provided to them.

H. Two Year Commitment

All selected rising 2L writing program members shall commit to two years of service with the *Journal*: one year as a writing program member and one year as an editorial team member or editorial board member. Rising 3L writing program members or members graduating within the next academic year shall only be required to commit to one academic year in the writing program with the *Journal*.

Article VI: Cite-Checking Program

A. Eligibility

1. The *Journal* will offer all law students who have received cite-checking training, including first- year law students, the opportunity to cite-check articles that are set for publication.
2. Graduate students are also eligible to participate in the cite-checking program if they have taken or are currently enrolled in Legal Research & Writing (or an equivalent course).
3. Any student who has completed cite-checking training can participate in the fall, spring, or both semesters.

B. Requirements

1. All students who participate in the cite-checking program for the first time are required to receive cite-checking training.
2. All students who participate in the cite-checking program are required to cite-check all the sources assigned to them.
3. Cite-checking should be performed following Bluebook format and the standards set forth in any training materials. This process generally includes locating the source, making sure the source substantiates the article, and making copies of the source as well as making sure that the Bluebook format is correct.
4. All students are also generally required to spend two hours at the proofing session at the end of each semester, unless alternative arrangements are made with a Senior Managing Articles Editor.

C. Masthead Privileges

1. Any student who completes the requirements of the cite-checking program will obtain masthead privileges in that semester's issue. A student who is deficient in meeting the requirements will be so informed by the Senior Managing Articles Editors or the Editor-in-Chief. When appropriate, the Senior Managing Articles Editors and the student may agree on a plan for the student to comply with the requirements.
2. If the student fails to complete the cite-check assignment, or fails to comply with the cite-checking standards detailed by the Senior Managing Articles Editors, she or he will not obtain masthead privileges.

Article VII: Disciplinary Action

A. Grounds for Disciplinary Action

In this section, "members" include *Journal* Board members, editing team members, and writing program members. Members may be subject to disciplinary action for: (1) failing to perform duties adequately; (2) missing writing and editorial deadlines; or (3) substantially using the work product of another individual for *Journal* purposes, or substantially using journal-related work of another journal member for journal, academic, or employment purposes without that individual's consent.

1. Failure to Perform Duties Adequately

- a. All members must perform their respective duties as outlined in these by-laws and other documents that outline member duties.
- b. Any member may file a written complaint with the Editor-in-Chief, against any other member for failure to perform duties adequately. The Editor-in-Chief will review and refer the complaint with their own evaluation of the complaint to the Faculty Advisor. If the complaint is about the Editor-in-Chief, the complaint shall be filed directly with the Faculty Advisor.
- c. The complaint shall state, in detail, the allegations against the member and the complainant's name. The member who is the subject of the complaint shall receive a copy within two (2) days of the date the complaint is filed.
- d. Unless VII.1.o applies, the Editor-in Chief and Faculty Advisor, shall meet with the board member or writing program member who is the subject of the complaint. The Editor-in Chief and Faculty Advisor must have input from, and where appropriate include, the relevant *Journal* members at this meeting. Arrangements for remedying the situation will be made and set out in writing. The entire process will be confidential among those involved in the complaint process. The member shall have a certain amount of time, agreed upon by the Editor, and Faculty Advisor, and the member, to fulfill the arrangements
 - i. The *Journal* member who is subject to the complaint may request for this procedure to be done wholly by the Faculty Advisor once the Faculty Advisor is involved. The Faculty Advisor may deny this request if they feel input from the Editor-in-Chief is necessary for proper resolution of the matter.
- e. After five (5) days, the Editor-in Chief and the Faculty Advisor will make a determination on whether the *Journal* member has adequately responded to the remedial arrangements. If there has been no response, the Faculty Advisor shall issue a written notice to the member stating that additional disciplinary action will be decided in the form of a Grievance Hearing. Notice of the hearing must be provided at least five (5) days in advance. The *Journal* member subject to this action may obtain counsel at their own expense.
- f. The Grievance Hearing shall be presided over by the Faculty Advisor. Either the Faculty Advisor or the *Journal* member subject to the hearing may request the Associate Dean for Student and Academic Affairs (or their equivalent) to preside over the hearing. The Associate Dean for Student and Academic Affairs (or their equivalent) may deny this request if they determine the Faculty Advisor can remain impartial.
- g. The hearing shall be open to all members of the *Journal* unless a written request to close the hearing is made by the *Journal* member two (2) days in advance of the hearing.
- h. Based on the Grievance Hearing, the Grievance Board may take any of the following actions:
 - i. Find the grievance not warranted, in which case the member is automatically restored to good standing;
 - ii. Place the member on probation for a maximum amount of two (2) weeks, after which the Faculty Advisor shall determine if the member has satisfactorily performed the duties;
 - iii. Dismiss the member from the *Journal*;
 - iv. Deny or reduce the member's academic credit;

- v. Deny masthead privileges; or
 - vi. Impose any combination of the above sanctions.
- i. The Grievance Hearings findings of fact and any decisions shall be recorded in a written report and placed in the *Journal* file of the member who was the subject of the complaint. The report shall be made within five (5) days of the hearing and copies of the report shall be delivered to the parties to the complaint.
 - i. If the hearing was closed, only those involved in the resolution of the complaint shall be entitled to review the Grievance Board report. However, if the hearing was open, only members are entitled to review the Grievance Report.
 - ii. The Advisor and Academic Dean of the Law School shall be informed in writing within seven (7) days of any action taken by the *Journal* that affects academic credit.
 - iii. Within five (5) days of receipt of the report, any member who is the subject of a sanction may petition the Dean of the Law School for a special meeting to review the disciplinary action. This meeting shall be held at the convenience of the Dean. The Dean shall be deferential to the Disciplinary Hearings decision unless she or he is convinced by overwhelming evidence that the decision should be overturned or a new hearing is warranted.
 - iv. **Egregious violation:** If the member has egregiously failed to perform his or her duties, the Editor-in-Chief and Faculty Advisor may, in her or his discretion skip VII.1.d (initial meeting and review prior to the Grievance Hearing), convene a Grievance Hearing, and suspend the member pending the outcome of the Grievance Hearing.
2. Missed Deadlines
 - a. All *Journal* members must meet their assigned deadlines.
 - b. Missing one deadline without prior approval from the appropriate Board member or without a compelling reason as determined by the Faculty Advisor will result in either a written warning or written notice that the member will be suspended until he or she completes tasks as described in the notice.
 - c. If a member misses a second deadline without prior approval from the Board member or a reason deemed compelling by the Faculty Advisor, then the Editor-in-Chief, or Board member may file a written complaint to the Faculty Advisor for failure to perform duties adequately. The complaint shall be filed as outlined in the disciplinary procedures in section VII.A.1.b.
 - d. Once the complaint is filed, the disciplinary process shall be followed as set out in section VII.A.1.d.
 3. Using Another's Work Product
 - a. No member may substantially use the work product of another member for academic or employment purposes, nor use another's work product for *Journal* purposes, without the other individual's consent.
 - b. No writing program member may use the work of anyone else for *Journal* work without properly crediting that person.

- c. The disciplinary procedure for violating this rule shall be the same as detailed in section VII.A.1. of this article in addition to any Law School rules and procedures that address such a complaint.

Article VIII: Meetings

A. Journal Meetings

1. Regular Meetings: The Editor-in-Chief shall call and preside at meetings members are required to attend.
2. Special meetings: The Editor-in-Chief or any member may call a special meeting at any time if proper notice is given to all members who are required to attend. Notice: Notice for any meeting is sufficient if it is placed in each member's hangfile, or sent via e-mail no later than five (5) days prior to the meeting.
3. Quorum: One-half of all members required to attend shall constitute a quorum for meetings.
4. Voting:
 - a. An affirmative vote of a majority of members in attendance is required for any action.
 - b. No absentee voting is allowed.
5. The nature of the meetings shall be discussion and approval of the *Journal's* general policies, operations, and procedures.
6. Attendance meetings is mandatory for all members. Failure to attend meetings without prior approval of the Editor-in-Chief may result in disciplinary action.

B. Editorial Board Meetings

1. Regular Meetings: The Editor-in-Chief shall call and preside at meetings throughout the academic year.
2. Special Meetings: The Editor-in-Chief or any two Board members may call a special meeting at any time if proper notice is given.
3. Notice: Notice for any meeting is sufficient if it is placed in each Board member's hangfile, or sent via e-mail no later than five (5) days prior to meeting.
4. Rules: Meetings are open to any member of the *Journal*.
5. Quorum: One-half (1/2) of members of the Board shall constitute a quorum. Formal action may not be taken by the Board unless a quorum is present.
6. Voting: The following rules shall apply to all votes taken by the Editorial Board:
 - a. Generally, the affirmative vote of a majority of all Board members is required for any action requiring a vote of the Board.
 - b. No Board member shall be allowed to vote by absentee ballot.
7. Powers: The Board, under the direction of the Editor-in-Chief, shall have responsibility for the day-to-day operation of the *Journal*.
8. No Board member shall have the power to conduct business on behalf of the *Journal* unless authorized by these by-laws or by the Editor-in-Chief.
9. Attendance at Board meetings is mandatory for all Board members. Failure to attend meetings without prior approval of the Editor-in-Chief may result in disciplinary proceedings.

10. An emergency board meeting called pursuant to Article III(E)(1)(a) is exempt from all of the above requirements, but must meet all of the requirements set forth below:
 - a. Such a meeting can only be called for the purpose of appointing an Acting Editor in Chief; an emergency board meeting called for any other purpose is invalid;
 - b. Notice in the form of e-mail, text message, or voice mail must be provided to every member of the Board; if any member of the Board is not given sufficient notice then the meeting is invalid;
 - c. A quorum of one-half (1/2) of the remaining Board members is necessary for such an emergency meeting to be called to order; any emergency meeting called to order without the requisite quorum is invalid;
 - d. An affirmative vote of four (4) members of the Board is necessary to appoint an Acting Editor in Chief; any such appointment made without the requisite four votes is invalid.

Article IX: General Matters

A. Facilities and Privileges

1. All *Journal* Board, editorial team, and writing program members shall have access to the *Journal* office for *Journal* activities and work.
2. The telephone and computers in the *Journal* office shall be available for *Journal* business only.
3. Each member shall have photocopying privileges including use of the Copy Center commensurate with their *Journal* duties.

B. Reporting Hours

1. Each *Journal* member shall keep a record of the time he or she spends on *Journal* work, and shall submit those records to the Business Editor each semester by the deadline specified by the Editor-in-Chief.
 - a. Each time record entry shall include the date, a brief description of the work completed, and the amount of time spent.
2. The Editor-in-Chief may complete an audit of any *Journal* member's time record at any time. The Editor-in-Chief shall make a written request for the member's time record. The *Journal* member must submit his or her current time record to the Editor-in-Chief within twenty-four hours of the written request.
 - a. The Editor-in-Chief may consult with other Senior Board members regarding the time records submitted as necessary.
 - b. The Faculty Advisor may take disciplinary action against the *Journal* member, as warranted with the input of the Editor-in-Chief, regarding the time records submitted.

Article X: Amendments to By-laws

1. Amendments to these by-laws must be approved by a two-thirds (2/3) majority vote of all *Journal* Board, editing team, and writing program members present and voting. A quorum of two-thirds (2/3) of all *Journal* Board, editing team, and writing program

members is required. One week advance notice shall be given to all Board, editing team, and writing program members concerning such proposed amendment(s). Notice is sufficient if it is placed in each Board, editing team, and writing program member's hangfile or sent via e-mail.