

# **BYLAWS OF THE THOMAS JEFFERSON LAW REVIEW ASSOCIATION**

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## **Article I**

### *Name of Organization and Publication*

The name of this organization shall be the Thomas Jefferson Law Review Association (the “Association”). The Association’s publication shall be known as the *Thomas Jefferson Law Review*.

## **Article II**

### *Mission Statement*

The primary mission of the Association is to promote high standards of legal scholarship and research by publishing a legal periodical. The periodical shall contain legal scholarship authored by professors, judges, and attorneys within the legal community, and also may contain articles by students from the Thomas Jefferson School of Law. The secondary mission of the Association is to advance the writing, research, and editorial skills of Association members. The tertiary mission of the Association is to stimulate greater interest, knowledge, and awareness of the *Thomas Jefferson Law Review* throughout the legal community.

## **Article III**

### *Association Membership*

The Association shall be composed of the Editorial Board, Members, and Staff Associates.

## **Article IV**

### *Editorial Board, Managing Board, and Committees*

A. The Editorial Board shall consist of all Editors, including the Managing Board and any such editors as the Managing Board may appoint. Members of the Editorial Board shall have votes of equal weight on any matter on which the Editorial Board may vote.

B. The Managing Board shall consist of the Editor-in-Chief, the Executive Editor, and the Managing Editor. Members of the Managing Board shall have votes of equal weight in any matter in which the Managing Board may vote.

C. The Articles Committee shall consist of the Editor-in-Chief, the Executive Editor, and the Chief Articles Editor. This committee shall be responsible for selecting lead articles for publication. In the event the Articles Committee is deadlocked on any matter, the Editor-in-Chief shall possess the controlling vote.

D. The Notes Committee shall consist of the Editor-in-Chief, the Executive Editor, and the Chief Notes Editor. This committee shall be responsible for the selection of student Notes for publication and shall judge the annual Writing Competition. In the event the Notes Committee is deadlocked on any matter, the Editor-in-Chief shall possess the controlling vote. If a member of the Notes Committee submits a student Note to be considered for publication, that member shall recuse himself or herself from the committee and the Editor-in-Chief shall select another member of the Editorial Board to serve in his or her place.

## **Article V**

### *Election of the Managing Board*

A. The Editor-in-Chief, Executive Editor, and Managing Editor shall be selected by the outgoing Editorial Board at its annual election meeting. This meeting shall be held no later than the first day of April. Candidates who meet the qualifications for these positions may submit an application to the outgoing Managing Board prior to the election meeting. The outgoing Managing Board will review these applications and may choose to meet with the applicants at the Board's discretion. Nominations may also be made from the floor of the election meeting. The election meeting shall not be held without a quorum present, which for purposes of the election meeting is defined as two-thirds of the Editorial Board.

B. The Editor-in-Chief shall call the meeting to order and preside over the elections. *Robert's Rules of Order* shall govern the conduct of the elections where not otherwise specified herein. The Editor-in-Chief shall state the names of all candidates who have applied for each of the three positions, and may make any recommendation based upon the Managing Board's review of the applicants. Any other Editorial Board member present at the meeting may then make a nomination from the floor. All candidates for election shall be allowed a short period of time to speak, and the Editorial Board shall have an opportunity to question the candidates. Only those factors and qualifications relevant to the law review position shall be considered.

C. Once the nominations and discussion have been concluded, the Editor-in-Chief shall supervise the election process. Only those Editorial Board members present shall be entitled to vote. Balloting for each office will be conducted separately, first for the Editor-in-Chief, second for the Executive Editor, and third for the Managing Editor. Written ballots shall be taken until one candidate has a majority of the votes cast. The candidate with the least number of votes on a written ballot shall be eliminated from consideration on the succeeding ballot. In the event of a tie, the Managing Board shall determine the winner by written ballot.

## **Article VI**

### *Appointment of Other Editorial Board Positions; Transfer of Authority*

A. The Managing Board-elect shall appoint the remaining members of its Editorial Board. Members and Staff Associates who meet qualifications for Editorial Board positions may submit an application to the Managing Board-elect, which may interview the candidates at its discretion.

B. The Managing Board-elect shall appoint the remaining members of the Editorial Board within 22 days of the Managing Board's election. The Editor-in-Chief-elect shall then make an announcement to the students, staff, and faculty of Thomas Jefferson School of Law, naming the members of the new Editorial Board. Management of the Association shall transfer to the new Editorial Board on the last day of classes of the spring semester. This transfer of authority shall not absolve the outgoing Managing Board of the responsibility to publish issues of the *Thomas Jefferson Law Review*.

C. In the event of a vacancy in any Editorial Board position which arises during the year, the Managing Board shall meet within ten days of the position becoming vacant to select a new person for that position.

## **Article VII**

### *Qualifications of Editors*

A. All candidates for Editorial Board positions must have rank within the top 35 percent of their class.

B. All candidates for Editorial Board positions must have completed the writing requirement.

C. Candidates for Editor-in-Chief, Managing Editor, Executive Editor, Chief Articles Editor, Chief Notes Editor, Lead Articles Editor, Special Project Editor, and Literary Editor must have one full year—two consecutive semesters, excluding summer semester—remaining prior to graduation.

D. Candidates for Articles Editor, Notes Editor, Book Reviews Editor, Business Editor, Production Editor, Alumni Relations Editor, and Electronic Media Editor must have at least one semester—excluding summer semester—remaining prior to graduation.

## **Article VIII**

### *Duties and Powers of Editors*

A. Editor-in-Chief

1. The Editor-in-Chief shall have overall responsibility for the management, control, and direction of the Association and for the production and distribution of the *Thomas Jefferson Law Review*, and shall have authority commensurate with this responsibility (see Article XIX.G). The Editor-in-Chief shall have the power to allocate to and among the members of the Editorial Board such powers and

duties as seem appropriate and necessary for the proper functioning of the Association, provided such allocation is consistent with these Bylaws. He or she shall serve as the Association's representative to the administration, faculty, and students of Thomas Jefferson School of Law.

2. Duty to Communicate: The Editor-in-Chief shall provide a tentative schedule of anticipated Association activities to the Editorial Board and the Faculty Law Review Committee no later than two weeks after the close of the semester of his or her election. The Editor-in-Chief shall, at least twice per semester, provide detailed written reports on the progress of the *Thomas Jefferson Law Review* to the Editorial Board and the Faculty Law Review Committee. The Editor-in-Chief shall provide prompt written responses to written inquiries from members of the Editorial Board and the Faculty Law Review Committee.

3. The Editor-in-Chief shall be a member of the Managing Board and shall preside over meetings of the Managing Board and the Editorial Board.

4. The Editor-in-Chief shall be a member of the Articles Committee and of the Notes Committee, and shall possess the controlling vote in the event those Committees are deadlocked.

5. The Editor-in-Chief shall publish at least two editions during his or her tenure. This responsibility shall not be annulled by the election of the new Managing Board or by the Editor-in-Chief's graduation. Failure to timely publish any edition may be grounds for impeachment under Article XVI.

## B. Managing Editor

1. The Managing Editor has the responsibility for the day-to-day work assignments and operation of the business and managerial aspects of the Association's work.

2. The Managing Editor is responsible for business accounts, disbursements and funds of the Association, liaison with the printer of the journal, solicitation of advertising, subscriber servicing, and the keeping of all books and records of the Association.

3. The Managing Editor shall directly supervise the Business Editor and Electronic Media Editor.

4. Duty to communicate: The Managing Editor shall provide the Editor-in-Chief with a tentative schedule of work within the scope of the Managing Editor's authority no later than one week after the close of the semester of his or her election. At least twice per semester, the Managing Editor shall provide a written report to the Editor-in-Chief on matters within the scope of the Managing Editor's

authority. The Managing Editor shall provide prompt written responses to written inquiries from the Editor-in-Chief, members of the Editorial Board, and the Faculty Law Review Committee.

5. The Managing Editor shall be responsible for distributing copies of each issue of the *Thomas Jefferson Law Review* to the faculty mailboxes and the drop points for student copies as soon as each issue becomes available.

6. The Managing Editor shall serve as a member of the Managing Board.

7. The Managing Editor shall publish at least two editions during his or her tenure. This responsibility shall not be annulled by the election of the new Managing Board or by the Managing Editor's graduation. Failure to timely publish any edition may be grounds for impeachment under Article XVI.

#### C. Executive Editor

1. The Executive Editor has the responsibility for the day-to-day work assignments and operation of the editorial aspects of the Association's work.

2. The Executive Editor's responsibilities include coordinating the selection of lead articles and book reviews, assisting and supervising the Chief Notes Editor and Chief Articles Editor, supervising the editorial and technical aspects of preparing articles for publication, and other duties to assist the Editor-in-Chief as assigned.

3. Duty to communicate: The Executive Editor shall provide the Editor-in-Chief with a tentative schedule of work within the Executive Editor's authority no later than one week after the close of the semester of his or her election. At least twice per semester, the Executive Editor shall provide a written report to the Editor-in-Chief on matters within the scope of the Executive Editor's authority. The Executive Editor shall provide prompt written responses to written inquiries from the Editor-in-Chief, the Editorial Board and the Faculty Law Review Committee.

4. The Executive Editor shall be a member of the Managing Board, the Articles Committee, and the Notes Committee.

5. The Executive Editor shall publish at least two issues during his or her tenure. This responsibility shall not be annulled by the election of the new Managing Board or by the Executive Editor's graduation. Failure to timely publish any edition may be grounds for impeachment under Article XVI.

#### D. Chief Articles Editor

1. The Chief Articles Editor shall have the overall responsibility for the solicitation and editing of articles from authors who are professionals in a legal or law-related field, including lead articles, symposium articles, and book reviews. The Chief Articles Editor shall be responsible for the prompt review of article submissions to the *Thomas Jefferson Law Review*, and shall work with the Articles Committee to select articles for publication.
2. The Chief Articles Editor shall be a member of the Articles Committee.
3. The Chief Articles Editor shall directly supervise the Articles Editors, and shall preside over meetings of the Articles Editors. The Chief Articles Editor shall supervise the Book Reviews Editor in soliciting book reviews for publication.
4. The Chief Articles Editor shall be responsible for distributing cite-checking assignments to the early admission Staff Associates and for supervising them in their cite-checking duties.

#### E. Chief Notes Editor

1. The Chief Notes Editor shall have the overall responsibility of ensuring that Staff Associates satisfactorily progress through and complete the process of writing their Notes. The Chief Notes Editor shall also be responsible for overseeing the cite-checking of all Notes selected for publication in the *Thomas Jefferson Law Review*. The Chief Notes Editor shall communicate directly with the Editor-in-Chief and the Executive Editor regarding progress of the Staff Associates.
2. The Chief Notes Editor shall be a member of the Notes Committee.
3. The Chief Notes Editor shall directly supervise the Notes Editors and shall preside over meetings of the Notes Editors. The Chief Notes editor shall ensure that the Notes Editors are providing satisfactory guidance to the Staff Associates.
4. The Chief Notes Editor shall assist the Editor-in-Chief in the creation and administration of the Writing Competition.

#### F. Literary Editor

1. The Literary Editor shall be responsible for aspects of the Journal concerning Bluebooking, writing style, grammar, and training of editors.
2. The Literary Editor shall work closely under the direction of the Executive Editor in creating and executing his or her objectives.

#### G. Lead Articles Editor

1. The Lead Articles Editor shall be responsible, under the supervision of the Chief Articles Editor, for aspects related to the solicitation and acquisition of articles.
2. In coordination with the Chief Articles Editor, the Lead Articles Editor shall create and execute a procedure for promptly addressing articles submitted, either by mail or Expresso, to the Journal. In addressing such articles, the Lead Articles Editor shall screen articles, using an objective criteria, in order to present articles to the Articles Committee. The Lead Articles Editor may reject articles which utterly fail the objective criteria. Additionally, the Lead Articles Editor shall independently solicit articles from prestigious authors. Lastly, the Lead Articles Editor shall be responsible for any matters related to use of the Expresso account, with the exception of finances related to the Expresso account.

In addition to article solicitation responsibilities, the Lead Articles Editor may be asked to edit articles, including source-checking and cite-checking assignments.

#### H. Articles Editors

Articles Editors, under the direction of the Chief Articles Editor, shall be responsible for the editing of lead articles, symposium articles, and book reviews to be published in the *Thomas Jefferson Law Review*. This includes ensuring the accuracy of all citations in each article. Articles editors may also be required to assist the Chief Articles Editor in the prompt review of article submissions.

#### I. Notes Editors

1. Notes Editors, under the direction of the Chief Notes Editor, shall be primarily responsible for the supervision of Staff Associates in the process of writing their Notes. Notes Editors shall work with Staff Associates to develop finished Notes within the established deadlines. This includes all facets of composition, editing, writing, theme, thesis, structure, and grammar, as well as style. Notes Editors shall also ensure that footnotes are in the proper citation format.
2. Each Notes Editor shall be assigned to work as the primary editor to one or more Staff Associates. However, the Notes Editors as a whole have the responsibility to ensure that all Staff Associates write a scholarly article of publishable quality, and that each Note published in the *Thomas Jefferson Law Review* is supported by accurate citations.

#### J. Business Editor

The Business Editor shall be responsible, under the supervision of the Managing Editor, for the business aspects of the Association's work. The Business Editor

shall be responsible for soliciting and serving subscription accounts, preparing all books and the records of the Association, for advertising and banking, and for any related tasks assigned by the Managing Editor.

#### K. Book Reviews Editor

The Book Reviews Editor shall have the responsibility for the selection of books to be reviewed in the *Thomas Jefferson Law Review*, for solicitation of reviews of these books, and for assisting in the editing of book reviews selected for publication. The Book Reviews Editor shall work closely with the Chief Articles Editor in soliciting works for publication.

#### L. Production Editor

The Production Editor shall be responsible, under the direction of the Managing Editor, for formatting all articles and pages in the *Thomas Jefferson Law Review* to submit for publication. The Production Editor shall also assist Association members with technical problems and questions as they arise.

#### M. Special Projects Editor

The Special Projects Editor shall be responsible for planning the special events of the Association. These may include symposia, guest lectures, the fall and spring socials, dinners, the end of the year banquet, and any other special projects created by the Managing Board.

#### N. Electronic Media Editor

1. The Electronic Media Editor shall be responsible for the maintenance and development of the Association's web site and ensuring the Internet accessibility of current and previous *Thomas Jefferson Law Review* articles. The Electronic Media Editor will also be responsible for basic maintenance and virus protection on the Association's computers.

2. Furthermore, the Electronic Media Editor shall be responsible for placing items on TWEN and acting as a liaison between the Law Review and technology faculty or any third parties which correspond with the Law Review for purposes of electronic media.

#### O. Alumni Relations Editor

1. The Alumni Relations Editor, under the supervision of the Managing Editor, shall have the responsibility of creating and maintaining relations with Law Review alumni. The tasks of the Alumni Relations Editor shall include, but are

not limited to creating and maintaining Law Review alumni databases and serving as a liaison to Law Review alumni.

2. The Alumni Relations Editor may be requested to contact alumni for various reasons, including but not limited to updating databases and for soliciting alumni support for the Journal.

#### P. Other Editors

1. The Editor-in-Chief, with the approval of the Managing Board, may create new editorial positions as are deemed necessary to effectuate the proper functioning of the Law Review. The Editor-in-Chief, after consultation with the Managing Board, may appoint Members and Staff Associates to these positions. Commensurate with the power to create new editorial positions, the Managing Board may also eliminate unnecessary editorial positions and create new Committees. The Managing Board may also redefine the tasks, duties, and responsibilities of all Editorial Board positions except for the tasks, duties, and responsibilities of the Managing Board, which would require a Bylaw Amendment and vote by the Editorial Board. Such changes in editorial positions and functions shall be reflected in the Staff Manual and, as soon as is practicable, by appropriate amendments to these Bylaws.

2. There shall be only one Editor-in-Chief, Executive Editor, and Managing Editor. For all other editorial positions, the Managing Board may appoint multiple editors to hold the same position if it deems it necessary. The Managing Board may also choose not to fill an editorial position if it deems it necessary.

### **Article IX**

#### *Invitations to Join the Association*

Students who demonstrate the ability to accomplish superior legal work, either in their courses at Thomas Jefferson or in the annual writing competition, shall be extended offers to become Staff Associates in the Thomas Jefferson Law Review Association.

#### A. Based on Grades

1. Early invitation, Full-Time Students: Full-time students ranked in the top 5% of their class after their first semester of study, provided they have completed at least 15 units, shall be extended early invitations to become Staff Associates. Students electing not to accept this early invitation will be invited again after their first year of study, provided they meet the requirements set forth in section A.3 of this Article.

2. Early invitation, Part-Time Students: Part-time students ranked in the top 5% of their class after their second semester of study, provided they have completed at

least 15 units, shall be extended early invitations to become Staff Associates. Students electing not to accept this early invitation will be invited again after the semester in which they complete 27 units, provided they meet the requirements set forth in section A.4 of this Article.

3. Standard Invitation, Full-Time Students: Full-time students ranked in the top 15% of their class after their first year of study, provided they have completed at least 30 units, shall be extended invitations to become Staff Associates.

4. Standard Invitation, Part-Time Students: Part-time students ranked in the top 15% of their class after the semester in which they complete 27 units shall be extended invitations to become Staff Associates.

5. Students extended an invitation based on grades will not be required to compete in the writing competition. Students will be invited on for the fall semester (based upon their class standing after the previous spring), and for the spring semester (based upon their standing after the previous fall).

#### B. Based on the Writing Competition

1. Students ranked in the top 35% of their class, who have completed at least 27 units and have at least two semesters (excluding summer) remaining in their course of study, shall be eligible to participate in the Writing Competition.

2. The competition will take place annually in the summer, with class standing determined after calculation of spring grades. The Editor-in-Chief shall announce the exact dates of the competition as soon as is practicable, but no later than one week after the end of the spring semester. The competition shall end no later than two weeks before the beginning of the fall semester.

3. The exact format and subject matter of the competition shall be determined by the Editor-in-Chief after consultation with the Notes Committee. The Notes Committee shall be the sole entity with knowledge of the topic(s) selected prior to the commencement of the competition and shall not disclose the selected topic(s) to any other person before the competition begins.

4. Anonymous Grading: The Writing Competition shall be judged anonymously. The Notes Committee shall have discretion to run the Writing Competition in a Paper Format or Electronic Format.

(a) Paper Format: Students who enter the writing competition shall be required to have identifying information only on a cover sheet attached to their submissions. Students will not be assigned an identification number until after their submissions have been turned in to the Director of Student Services. The Director of Student Services will then assign a number to each submission and

remove the cover sheet placed on the paper by the writer. The list of the corresponding names and numbers shall be kept confidential by the Director of Student Services until the Notes Committee has determined which competitors, if any, will receive invitations to join the Association.

(b) Electronic Format: The Writing Competition will be run through a secure electronic medium, chosen by the Notes Committee, which ensures the anonymity of the competitors. Students who are invited to compete will be instructed to request an anonymous identification number from the Director of Student Services via email. The Director of Student Services will provide anonymous numbers only to the students who request them. This number shall be kept strictly confidential and is not to be shared with anyone not specifically outlined in these rules. Competitors shall use only this anonymous identification number to identify their electronic submissions. Any intentional or unintentional use of any other identifying information in a submission will result in automatic disqualification.

Submissions shall only be accepted through the secure electronic medium chosen by the Notes Committee. Any attempt to make a submission in any way not prescribed by the Notes Committee will result in automatic disqualification. Competitors will be required to remove any metadata or other electronic tracers that may intentionally or unintentionally reveal the identity of the student. The Director of Student Services shall keep the list of corresponding names and anonymous competitor numbers confidential until the Notes Committee has made a determination as to which competitors, if any, will receive invitations to join the Association.

5. The Notes Committee shall evaluate all submissions and determine which submissions, if any, are sufficient to merit an invitation to join the Association. The decision of the Notes Committee shall be final (subject to Article XIX.D). Students who have written a qualifying submission shall be extended an invitation to become a Staff Associate. Those submissions not selected for invitation will be destroyed immediately after the selection process.

### C. Transfer Students

1. Transfer students accepted by Thomas Jefferson School of Law from a law school accredited by the American Bar Association, and who were ranked in the top 15% of their class at that school, may be extended an invitation to join the Association as Staff Associates. This invitation will be made at the discretion of the Managing Board, which will review the eligibility of transfer students on a case-by-case basis.

2. Transfer students shall be eligible to compete in the writing competition if they have completed a total of 27 semester-hours or the equivalent and were ranked in the top 30% of their class at the school from which they have transferred.

**Article X**  
*Duties of Staff Associates*

A. Early Invitation Staff Associates: First-year students who accept an early invitation to become Staff Associates will not begin their writing requirement until the first semester of their second year. In their first semester as an Early Invitation Staff Associate, they shall be required to perform cite-checking and source-checking duties under the supervision of a Chief Notes Editor or Chief Articles Editor. Early Invitation Staff Associates may also be required to perform other duties as well. Once an Early Invitation Staff Associate starts the Note-writing process, he or she shall be referred to as a Staff Associate.

1. Discipline: Early Invitation Staff Associates shall be subject to all the provisions of Article XI.
2. Credit: With prior approval of the Editor-in-Chief, Early Invitation Staff Associates who register with the Registrar's Office and complete 50 hours of cite-checking or source-checking work combined, may earn one unit of law review credit. They shall keep a time sheet detailing this work. Time sheets must be turned in to the Editor-in-Chief on or before the last day of class for each semester.
3. Technical Requirements: All assignments by Early Invitation Staff Associates must conform to the technical requirements specified by the delegating authority.
4. Good-Faith Effort: Early Invitation Staff Associates shall make a good-faith effort to follow the feedback and guidance given by the Editorial Board.

B. Staff Associates are provisional members of the Association; full membership is contingent on satisfying the writing requirement of Article X.B.1–2. Any student who fails to satisfy the writing requirement may not list Law Review membership on his or her resume or other application for employment.

1. Note-Writing Process: Staff Associates shall write a scholarly article of publishable quality, termed a "Note." After accepting the offer to join the Association, Staff Associates will be given a schedule detailing major assignments, requirements, and deadlines over the two semesters in which they will write their Notes. It is the responsibility of the Staff Associates to be aware of all assignments, requirements, and deadlines. Staff Associates may also be called upon for cite-checking and source-checking assignments as needed.
2. Publishable Quality Determination: The final draft of a Staff Associate's Note must be a finished scholarly work of publishable quality. The Notes Committee shall be the final judge of whether a Note meets this standard. Failure to submit a finished scholarly work of publishable quality will be deemed a failure to complete the writing requirement and will result in the Staff Associate's removal from the Association.

3. Credit: Staff Associates may earn one unit of law review credit in each of their two semesters as a Staff Associate. If they elect to receive the one credit, then Staff Associates must register for this credit and must keep time sheets of work completed. Time sheets must be turned in to the Editor-in-Chief on or before the last day of class for each semester. Staff Associates must complete 50 hours of work in order to earn one credit. However, this requirement is in no way a limit on the amount of work a Staff Associate must perform.

4. Technical Requirements: All assignments by Staff Associates during the Note-writing process must conform to the technical requirements specified by a Chief Notes Editor. All general cite-checking and source-checking assignments must conform to the requirements of the delegating authority.

5. Good-Faith Effort: Staff Associates shall make a good-faith effort to follow the feedback and guidance given by the Notes Committee.

6. Membership: Staff Associates who successfully complete the writing requirement shall become Members of the Association.

## **Article XI**

### *Discipline*

#### A. Staff Associates

##### 1. Technical Requirement Violation

(a) Violations of the technical requirements mentioned in Article X.A.3 and X.B.4 will result in additional cite-checking, source-checking, or other punitive assignments from a Chief Articles Editor or Chief Notes Editors.

(b) Consistently not meeting technical requirements is equal to lack of good faith and may require a demerit.

2. “Lack of Good Faith” Violation: This includes consistent failure to meet technical requirements, failure to incorporate edits, poor quality of writing, poor quality of cite-checking, poor quality of source-checking, and poor quality of bluebook use. This list of examples is not exhaustive. Such violations shall be subject to penalties as follows:

(a) First offense—Verbal Warning.

(b) Second offense—First Demerit and meeting with the Executive Editor.

- (c) Third offense—Second Demerit and meeting with the Managing Board.
- (d) Fourth offense—Third Demerit and removal from the Association.
- (e) Demerits, with the exception of the third demerit, may be appealed by petition to the Managing Board detailing the reason for the appeal.
- (f) Third Demerits may be appealed through the process in Article XI.F.

### 3. Automatic Removal Violation

- (a) This refers to missing a deadline by not turning in an assignment at the date and time due, or failure (with regard to the Note requirement) to submit a finished scholarly work of publishable quality. Missed deadlines do not include a technical requirement violation or a performance that resembles the items detailed as lack of good faith.
- (b) Automatic removals may be appealed by petition to the Editorial Board as governed by Article XI.F.

## B. Members and Editorial Board

### 1. “Lack of Good Faith” Violation: This includes poor quality of editing, including substantive editing of Articles and Notes, cite-checking, and source-checking. This list of examples is not exhaustive. Such violations shall be subject to penalties as follows:

- (a) First offense—Verbal warning.
- (b) Second offense—First Demerit and meeting with the Executive Editor.
- (c) Third offense—Second Demerit and meeting with the Managing Board.
- (d) Fourth offense—Third Demerit and removal from the Association. Removal for Members is governed by Article XVI.A. Removal for Editorial Board Members is governed by Article XVI.B.
- (e) Demerits, with the exception of the Third Demerit, may be appealed by petition to the Managing Board detailing the reason for the appeal.
- (f) Third Demerits may be appealed through the process in Article XI.F and Article XVI.
- (g) This discipline scheme in Article XI does not apply to members of the Managing Board. Managing Board Members may be impeached pursuant to Article XVI.C.

### 2. Automatic Removal Violation

(a) Members of the Association may be removed for missing a deadline. This refers to missing a deadline by not turning in assignment at the date and time due. Law Review Members may appeal an automatic removal by petition to the Editorial Board as detailed in Article XI.F.

(b) Editorial Board Members may be impeached for good cause shown through Article XVI.B, but are not subject to automatic removal.

C. Calculation of Demerits:

1. Demerits will be calculated cumulatively throughout a student's affiliation with the Association. For example, a student's demerits from when he or she was a Staff Associate will carry over to when he or she becomes a Law Review Member.
2. If a demerit is over one year old, a Law Review Member may petition for removal of the demerit from his or her record. The written petition must be sent to the Editor-in-Chief. The Managing Board, Notes Committee, and Articles Committee will review said petition. Upon unanimous agreement of the Managing Board, Notes Committee, and Articles Committee, the old demerit will be removed.

D. Additional Punitive Assignments:

1. At the direction of the relevant Editor, the student at fault shall correct the assignment, which resulted in the violation or demerit, within a reasonable time.
2. The Editor-in-Chief or Executive Editor may impose additional punitive source-checking, cite-checking, or other Law-Review-related assignments to any Staff Associate or Member of the Association upon receipt of a warning or demerit.
  - a) The assignments may be given contemporaneously, or within a reasonable time of the demerit or warning.
  - b) It is permissible to give an assignment that is unknown at the time of warning or demerit, but will be known in quantity and difficulty in the future. For example, a permissible additional punitive assignment may be cite-checking on an article that has not been submitted yet.

E. Absence from Mandatory Meetings

1. Certain meetings may be deemed mandatory meetings. Mandatory meetings include all Editorial Board meetings, all training sessions, and any meeting deemed by the Notes Committee or the Articles Committee as a mandatory meeting. Other meetings aside from those listed here may also be deemed mandatory.

2. Staff Associates and Members: Failure to attend a mandatory meeting may result in removal from the Association. Upon missing a mandatory meeting, the absent Staff Associate or Member must petition the Managing Board within five (5) business days, detailing the reason for the absence. The Managing Board, within its discretion, may remove the student from the Association. Upon removal, the student may petition for reinstatement in accordance with Article XI.
3. Editorial Board Members: Failure of an Editorial Board Member to attend a mandatory meeting may result in impeachment proceedings pursuant to Article XVI.B. Upon missing a mandatory meeting, the absent Editorial Board Member must notify the Managing Board within five (5) business days, detailing the reason for the absence.
4. The Managing Board shall disclose to the Editorial Board every time a Staff Associate, Member, or Editor has missed a mandatory meeting. The Managing Board must also disclose whether the student was removed from the Association for missing the meeting. The Managing Board, at its discretion, may inform the Editorial Board of the reason for the absence from the mandatory meeting, and any its reasoning in deciding whether to remove the student.
5. In cases of legitimate emergency, an excuse for absence from the mandatory meeting may be requested from the Executive Editor within a reasonable time. A reasonable time shall be defined as the time when it should have been known that the member or associate could not attend the mandatory meeting. The Executive Editor, with approval from the Editor-in-Chief, shall determine whether an excuse is warranted.

#### F. Petition for Reinstatement

Removed Staff Associates, Members, or Editors may petition the Editorial Board for reinstatement within 14 days of dismissal. To be successful in his or her petition, the removed individual must persuade the Editorial Board that exceptional circumstances necessitated the event which resulted in removal. Reinstatement shall only occur if two-thirds of the Editorial Board votes to reinstate the Staff Associate, Member, or Editor. If a Staff Associate, Member, or Editor fails to petition within 14 days of removal, he or she will be permanently removed.

### **Article XII**

#### *Publishing Student Notes*

A. Members may submit their completed Notes to be considered for publication in the *Thomas Jefferson Law Review*. Members may also submit for publication other suitable scholarly papers they have written. The Notes Committee will select those Notes, if any, suited for publication. If a Note is accepted for publication, the Member will be required to complete further rounds of editing and proofreading before his or her Note is published. Actual publication is contingent on the Member's timely completion of such editing and proofreading to the satisfaction of the Editor-in-Chief. Final approval of any

Note to be published in the *Thomas Jefferson Law Review* lies with the Editor-in-Chief (subject to Article XIX.G).

B. Students who are not members of the Association may also submit Notes to the Notes Committee for consideration. To be eligible, the student must receive the approval of the professor for whom the paper was written, if the paper was completed as part of a class or directed study at Thomas Jefferson. Approval must then be obtained from the Faculty Law Review Committee. Once the Faculty Law Review Committee has approved the paper for submission, the decision regarding whether the paper is to be accepted for publication will be made solely by the Notes Committee. If a student's paper is published in the *Thomas Jefferson Law Review* through this process, he or she shall be invited to become a Member of the Association.

### **Article XIII**

#### *Satisfaction of the School's Upper-Level Writing Requirement*

A Staff Associate may seek to use his or her Note to satisfy the law school's Upper Level Writing Requirement. It is the responsibility of the Staff Associate to locate a professor willing to supervise the Staff Associate in a Directed Study for this purpose, and to register for Directed Study, in accordance with all applicable law school rules. Staff Associates proceeding in this manner are still responsible for meeting all Association deadlines and requirements.

### **Article XIV**

#### *Duties of Members*

A. All Members of the Association who are qualified to join the Editorial Board, must join the Editorial Board. This provision is effective immediately towards all Staff Associates and any future Members of the Association.

B. All Members of the Association shall be required to timely perform editing, proofreading, cite checking, pre-emption checking, and other appropriate tasks as assigned by the Editor-in-Chief or by an appropriate Editor as directed by the Editor-in-Chief. Additional assigned tasks may involve assisting with the Writing Competition and assisting with staffing the Association business office. Members of the Association may discharge such obligations by qualifying for, and performing the duties of, an appropriate position on the Editorial Board, as appointed by the Managing Board. But all Members of the Association are, in any event, mandatorily obligated to perform such assigned work as a condition of continued membership in the Association.

### **Article XV**

#### *Disputes*

Disputes involving the Association that cannot be settled through these bylaws shall be settled by the following procedure:

1. The student or Association member shall seek resolution through a discussion of the matter with the Editor-in-Chief.

2. If resolution is not achieved, the student or Association member may seek relief from a meeting of the Managing Board. The meeting shall be called by either the Editor-in-Chief or the Managing Editor.

3. If resolution is still not achieved, the matter shall be referred to the Faculty Law Review Committee, whose decision shall be conclusive on all parties.

## **Article XVI**

### *Impeachment, Removal, Suspension, and Transfer*

A. Removal of Staff Associates or Members shall be in accordance with the provisions set forth in Article XI.

B. Impeachment of Editorial Board Members: For good cause shown, the Managing Board may, upon prior petition by any Member of the Association, remove or transfer to any other position any Editor not on the Managing Board. Good cause may include, but is not limited to, missed deadlines, unsatisfactory work product, or failure to communicate or work with other Editorial Board Members or Staff Associates under their supervision. The Editor subject to such a removal or transfer shall be given reasonable notice and opportunity to respond to specific allegations before a removal or transfer vote may be taken. A unanimous vote of the Managing Board shall be required to initiate removal.

C. Impeachment of Managing Board Members: For good cause shown, a petition, reviewed by the Faculty Law Review Committee prior to circulation and signed by 50% of the Editorial Board, must be presented to the Faculty Law Review Committee to compel a vote for removal. The Managing Board Member subject to such a removal petition shall be given reasonable notice and opportunity to respond to specific allegations before a removal vote may be taken. A vote of 75% of the Editorial Board shall be required to remove any Managing Board member from his or her position. The vote shall be taken by secret ballot and counted by a member of the Faculty Law Review Committee.

D. Suspension: A member of the Association shall be suspended from further participation on Law Review for being placed on academic probation or being issued an academic warning, unless a waiver has been granted by the Managing Board with the approval of the Faculty Law Review Committee. A Member may be reinstated by the Managing Board once he or she is no longer on academic probation.

E. Vacancies: A vacancy in the Managing Board shall be filled by a vote of the Editorial Board, subject to the qualifications set forth in these Bylaws. All other editorial vacancies shall be filled by appointment by the Editor-in-Chief, after consultation with the Managing Board.

F. Upon graduation or other permanent severance of connection from Thomas Jefferson School of Law, Association members in good standing at the time of severance will be deemed inactive members of the Association.

G. The Faculty Law Review Committee shall be promptly notified of any removal, reinstatement, impeachment, transfer, or suspension under this Article or Article XI, but shall have no further role except as provided by this Article or to the extent the dispute resolution procedure of Article XV may be invoked.

## **Article XVII**

### *Receiving Credit for Law Review Work*

A. Each Association Member and Staff Associate may earn one unit of credit for each fifty (50) hours of Association work completed. Staff Associates and Members not on the Editorial Board may earn only one unit per semester. Editors may earn more than one unit per semester with the prior approval of the Editor-in-Chief. Staff Associates and Members not on the Editorial Board may not register for law review credit without the prior approval of the Editor-in-Chief.

B. The Editor-in-Chief shall submit a list of all eligible Association Members and Staff Associates to the Registrar at the beginning of the fall and spring semesters. Registration for Law Review credit must be made prior to the beginning of each semester in order to receive credit.

C. Each individual registered for Law Review credit shall keep a time sheet which records the hours worked and work done. The completed time sheet shall be turned in to the Editor-in-Chief on or prior to the last day of the semester for which the individual is registered. Persons who fail to timely submit time sheets may not receive credit for their Association work. The Editor-in-Chief shall provide the Registrar with a list of all individuals who have completed their work requirements.

D. Pursuant to the policy of Thomas Jefferson School of Law, no more than six units of Law Review, Moot Court, Mock Trial and Directed Study combined may be used to satisfy degree requirements.

## **Article XVIII**

### *Finances of the Association*

A. All funds of the Association shall be kept at a local bank to be determined by the Managing Board. Checks for the Association must be signed by the Managing Editor, by the Editor-in-Chief, or (under the direct supervision of one of those officers) by the Business Editor.

B. The Managing Editor shall maintain, at the Association offices, a full and current record of the financial accounts of the Association, including all bank statements. These

records shall be open to inspection on request by the Editor-in-Chief, the Faculty Law Review Committee, or the Director of Student Services. The Managing Editor shall submit a detailed and current statement of the Association's finances to the Editor-in-Chief, in the last report each semester required by Article VIII.B.4, and upon the termination of the Managing Editor's term of office (copied to the succeeding Managing Editor). The Editor-in-Chief shall in turn forward all such statements to the Faculty Law Review Committee, either separately or as part of one of the Editor-in-Chief's reports each semester to the Editorial Board and the Faculty Law Review Committee, as required by Article VIII.A.2.

C. All funds of the Association shall be used for the betterment of the Association. Any misuse of Association funds shall be grounds for impeachment, removal, or suspension under Article XVI.

D. Any expenditure greater than \$250 shall be approved by the Faculty Law Review Committee or the Director of Student Services, in accordance with the policies of Thomas Jefferson School of Law (see Article XIX.A).

### **Article XIX**

#### *Relationship with Thomas Jefferson School of Law*

A. The Association and all of its activities shall be subject to the policies of Thomas Jefferson School of Law regarding student activities in general and the Association in particular.

B. The *Thomas Jefferson Law Review* shall be distributed free of charge to the students, faculty, and staff of the Thomas Jefferson School of Law.

C. The *Thomas Jefferson Law Review* is an important academic program of Thomas Jefferson School of Law, both benefitting from and having a profound effect upon the good name and academic reputation and standing of the law school and its students, alumni, faculty, and staff. The Association shall operate in a spirit of respect for this profound responsibility to the broader law school community, in compliance with these Bylaws and the policies and oversight of the law school. The law school, through the Faculty Law Review Committee, shall in turn deal with the Association in a spirit of respect for the editorial and managerial independence of the Association as a student-run organization. The faculty oversight authority set forth in these Bylaws shall be exercised in light of these principles and shall only be used in rare cases when, in the judgment of the faculty, it is clearly necessary to safeguard the integrity or reputation of the law review or the law school.

D. The Faculty Law Review Committee shall be afforded a timely opportunity to review and comment upon any Writing Competition entry which the Notes Committee is inclined to approve (see Article IX.B), and the Notes Committee shall consider any such comments and consult with the Faculty Law Review Committee if requested, before

making a final decision. The Faculty Law Review Committee shall also be afforded a timely opportunity to review and comment upon, and, when necessary in the judgment of that Committee (subject to the standard set forth in section C of this Article), shall have the right to disapprove: (1) any article, essay, note, or other material selected for publication, before any offer of publication is conveyed to the author; (2) page proofs of each issue of the *Thomas Jefferson Law Review*; and (3) any proposed amendment to these Bylaws (see Article XX).

E. The members of the Faculty Law Review Committee shall serve as *ex officio* members of all Boards and Committees of the Association.

F. Each year the *Thomas Jefferson Law Review* shall extend invitations to participants in the annual Conference on Women and the Law, held at Thomas Jefferson School of Law, to submit articles and essays relating to the Conference for possible publication as part of one issue of each annual volume. This general commitment shall be subject to all of the usual procedures and authority of the Articles Committee and the Editor-in-Chief, including (but not limited to) deciding whether or not to extend an offer to publish, and deciding whether to ultimately publish, any particular article or essay. The Articles Committee and the Editor-in-Chief shall have the same right, as with all articles and other materials submitted for publication, to decline to offer or to disapprove publication of any particular article or essay, based on any substantive, procedural, deadline, editing, or other concerns.

G. Subject to this Article and all provisions of these Bylaws, the Editor-in-Chief shall have final editorial control over all material published in the *Thomas Jefferson Law Review*. This shall include the right to disapprove publication of any article, essay, note, or other material.

## **Article XX** *Amendment of Bylaws*

A. These Bylaws may be amended only as follows:

1. By unanimous recommendation of the Managing Board to submit a proposed amendment to the Editorial Board for consideration;
2. By approval of such amendment by written ballot of seventy-five percent (75%) of the Editorial Board; and
3. By confirmation of such amendment by the Faculty Law Review Committee (subject to the standard set forth in section C of this Article).

B. These Bylaws are effective March 23, 2009, superseding any and all previous or other bylaws pertaining to the Association.