



Marquette Benefits and Social Welfare Law Review

By-Laws

The publication, *Marquette Benefits and Social Welfare Law Review* (BSWLR or Law Review) (formerly known as the *Marquette Elder's Advisor* (Volumes 1-16:1)), is a curricular activity of the students and faculty of the Marquette University Law School. Academic credit toward the Juris Doctor Degree is awarded by the faculty for student work on the BSWLR. These By-Laws establish the rules for work on the BSWLR and for earning academic credit. Because it is a curricular activity, the governance of the BSWLR, including the amendment of these By-Laws, is subject to the control of the faculty.

Article I - Organization

- 1) **Faculty Advisors.** The Faculty Advisors provide direct governance and oversight of the Law Review operations on behalf of the Faculty. The Dean shall appoint at least one Faculty Advisor to the Law Review, but may appoint additional Faculty Advisors as circumstances require.
- 2) **Editorial Board.** The Editorial Board of the Law Review shall consist of student editors, which may include the positions of Editor-in-Chief, Managing Editor, Business and Technology Editor, Senior Articles Editor, Articles Editors, Symposium Editor, Comment Editor, and Associate Editors (collectively “Editors”).
- 3) **Executive Editorial Board.** The Editor-in-Chief, Managing Editor, Business and Technology Editor, Senior Articles Editor, Comment Editor, and Symposium Editor shall be members of the Executive Editorial Board and will be required to complete 120 hours of work each semester and will receive two credit hours per semester. The number of Executive Editors may vary from year to year, giving due consideration to the capabilities of Members eligible for, and seeking, Executive Editorial Board positions. In deciding whether there will be a Symposium Editor, the Board shall consult with the Faculty Advisor and take into account the number and complexity of any upcoming symposium issues.
- 4) **Associate Editors.** Second-year Members who write a comment under Article VI and who do not run for a position on the Editorial Board may continue service on the Law Review as Associate Editors as set forth in Article IV(4).
- 5) **Members.** The remaining students associated with the Law Review shall be Members, as defined in Article IV. The number of Members and Editors on the Law Review may vary from year to year depending on the needs of the Law Review, giving due consideration to the capabilities of Members eligible for, and seeking, BSWLR membership, but may not under any circumstance

exceed a total of twenty-four (24) students, of whom no more than twelve (12) shall be first-year Members (i.e., non-Editors). Within these limits, the final number for any given year shall be determined by the Executive Editorial Board, with input from the Faculty Advisor.

6) **Semester Defined.** For the purpose of these By-Laws, the first semester shall be defined as beginning on July 15th and ending January 12th, and the second semester shall be defined as beginning on January 13th and ending on July 14th.

Article II – Executive Editorial Board and Faculty Advisors

1) Subject to the general control reserved to the faculty and to the procedures set forth elsewhere in these By-Laws, the Executive Editorial Board shall have the power with regard to the following matters:

a) formulation of Law Review policy, including amendments to these By-Laws;

b) general governance and oversight of Law Review operations through regular consultation with the Faculty Advisor;

c) discipline up to, and including, discharge with the consent of the Faculty Advisor, of Law Review Members and Editors for nonperformance, improper performance of the duties of a Member or Editor, or for the failure to comply with the requirements of these By-Laws for continued participation as an Editor or Member. An Editor or Member may be discharged for cause by a two-thirds majority of the Executive Editorial Board but only if the Faculty Advisor and the Dean consent to the discharge.

2) The Faculty Advisor approves amendments to the Law Review operational policies and procedures recommended by the Executive Editorial Board, and provides advice and counsel to the Law Review editors on the operations of the Law Review

Article III – Selection of Members of the Executive Editorial Board

Members shall be chosen to replace graduating members of the Executive Editorial Board by February 28th of each year by a vote of the current Editors and Members. A Member may vote regardless of whether her comment is deemed publishable. A candidate for any Executive Editor position must have submitted a comment deemed publishable according to the procedure outlined in Article VI.

Article IV - Members and Editors

1) General Rules of Eligibility for Student Participation.

a) Only a student who is in residence at the Law School is eligible to be an Editor or Member. In the event a student is not in residence or takes a leave of absence, a student may defer his or her membership in the Law Review.

- b) A student, other than a part-time student, must attain Member status no later than the beginning of the first semester of his or her third year.
- c) A part-time student must attain Member status on a schedule established by the Executive Editorial Board in consultation with the Faculty Advisor. In no case, however, may a student be granted such status if her remaining time in residence at the Law School is less than two regular semesters.
- d) Each student who attains Member status shall register for and fulfill all the requirements for one (1) credit of Law Review work per semester during the first academic year of membership. Under no circumstance may a first-year member earn more than two (2) credits. Each student who attains Editor status shall register for and fulfill all the requirements for two (2) credits of Law Review work per semester during the second academic year of membership (and no more than four (4) credits per year), except for Associate Editors, who may only receive one (1) credit of work per semester as to be determined by the Editor-in-Chief and Faculty Advisor.
- e) A student who is on academic probation is not eligible to attain or maintain status as a Member or Editor.

2) Members

- a) To be considered for membership, a student must have completed all courses in the required first year curriculum and a Decisional Analysis (DA), which includes a writing exercise and blue-booking exercise. Two-thirds of the first-year membership will be selected by the Executive Editorial Board on the basis of the DAs as ranked with input from the Faculty Advisor. One-third of the first-year membership will be selected at the discretion of the Faculty Advisor.
- b) Transfer students who have completed the required first year curriculum or the equivalent thereof may participate in the DA competition as provided for in Section 3 of this Article.

3) Decision Analysis Competition

- a) A DA competition shall be held each summer at a time established by the Executive Editorial Board, but no later than July 15th.
- b) The DA shall employ a uniform problem selected by the Executive Editorial Board, containing at least one writing exercise and one blue-booking exercise, with the input of the Faculty Advisor. The rules governing the competition shall be established by the Executive Editorial Board.
- c) Each student writing submitted in compliance with the rules of the DA competition shall be reviewed in accordance with the procedures established in Article V.

4) Editors

- a) A Member whose comment is deemed publishable shall be eligible to run for a position on the Executive Editorial Board as defined in Article I. Such a member who elects not to run may elect to become an Associate Editor the next year.
- b) A Member who fails to submit to the Editorial Board a publishable student comment within two semesters after attaining Member status may not run for an Executive Editorial Board Position. The Executive Editorial Board and the Faculty Advisor shall decide whether or not to invite such a Member to become an Associate Editor the next year.

Article V - Review of Student Writings for Member Status

- 1) A writing submitted to attain Member status shall be reviewed on an anonymous basis by the Executive Editorial Board.
- 2) The Editor-in-Chief, in consultation with the Executive Editorial Board, will establish a procedure by which the DAs will be ranked.
- 3) The Executive Editorial Board shall notify each participant in the DA competition of its and the Faculty Advisor's decision within a reasonable time after completion of the DA process.

Article VI – Review of Member Writings for Editor Status

- 1) All first-year Members of the Law Review must submit a Comment deemed to be publishable to attain Editor status and to be able to run for an Editorial Board position. The Comment shall be reviewed anonymously by selected faculty members and determined to be either publishable or non-publishable. In consultation with the Faculty Advisor, the Editor-in-Chief shall determine the procedure related to Comment submission.
- 2) The Executive Editorial Board will outline the criteria for review of the comment by a faculty member.
- 3) The Executive Editorial Board shall notify each student of the publishability determination within a reasonable time after completion of the review, and so that elections for the Executive Editorial Board occur no later than February 28th of any given year.

Article VII - Non-Written Service

- 1) All Members must complete at least sixty (60) hours of non-written Law Review work each semester, as assigned by the Executive Editorial Board, to maintain their status on the Review. Members are responsible for the timely recording and submission of time spent on non-written work. Any person who does not satisfy this requirement shall receive no academic credit for that semester and shall be removed from the Law Review as of the next succeeding semester in accordance with Article 2, Section 1(c). The Faculty Advisor has the responsibility of promptly notifying those adversely affected by this Rule.

- 2) After an individual has completed sixty (60) hours of required non-written work for the first semester, additional hours completed after the examination period and prior to the commencement of the following second semester may be applied to the hour requirement for the following second semester.
- 3) After an individual has completed sixty (60) hours of non-written work for the second semester, additional hours completed after the examination period and prior to the commencement of the first semester shall be applied to the hour requirement for the following first semester, if the Member does not graduate.

Article VIII - Credits and Grades

- 1) A student who satisfies the non-written service requirement for the first semester shall receive one hour of ungraded credit at the completion of the first semester.
- 2) A student who completes the non-written service requirement for the second semester and writes a Comment, completed by a due date established by the Editor-in-Chief and Comment Editor, shall receive one hour of ungraded credit at the completion of the second semester. No first-year Member of the Law Review may receive more than two academic credits during any academic year.
- 3) A grade of "Satisfactory" shall be awarded by the Faculty Advisor for the credit hours earned under this Article. A grade of "Unsatisfactory" shall be assigned to any student who has attempted and failed to complete assigned requirements under Articles VI or VII.
- 4) A graduating third-year student who fails to complete assigned written and non-written requirements during her/his final semester shall receive no academic credit for that semester.

Article IX – Articles and Comments Considered for Publication

The Executive Editorial Board shall screen all articles submitted for publication and select those it deems acceptable for publication. All Comments deemed publishable will be considered by the Executive Editorial Board for publication. With either articles or comments, the Faculty Advisor must give final approval of all selected articles and comments before publication.

Article X - Definitions

The definitions in the Marquette University Law School Academic Regulations shall apply to these By-Laws.

Article XI - Amendments

Amendments to these By-Laws may be proposed by a majority of the Executive Editorial Board and submitted to the faculty. Amendments are adopted if they receive the consent of a majority of the faculty members voting at a faculty meeting.

Article XII - Effective Date

These By-Laws, as amended, shall take effect immediately upon their approval by the faculty.