



Bylaws

The publication, *Marquette Law Review*, 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 Law Review. These By-Laws establish the rules for work on the Law Review and for earning academic credit. Because it is a curricular activity, the governance of the Law Review, 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 two Faculty Advisors to the Law Review.
- 2) Editorial Board. The Editorial Board of the Law Review shall consist of student editors, including the positions of Editor-in-Chief, Managing Editor, Senior Articles Editor, Articles Editors, Senior Comment Editor, Comment Editors, Business Editor, Technology Editor, Symposium Editor (if one is selected), Write-on Editor, and Associate Editors.
- 3) Executive Editorial Board. The Editor-in-Chief, Managing Editor, Senior Articles Editor, Articles Editors, Senior Comment Editor, Comment Editors, Business Editor, Symposium Editor, Web Editor, Write-on Editor, and Technology 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. The number shall be determined by the Executive Editorial Board. In deciding whether there will be a Symposium Editor, the Board shall consult with the Faculty Advisors and take into account the number and complexity of any upcoming symposium issues.
- 4) Senior Executive Editorial Board – The Editor in Chief, Managing Editor, Senior Articles Editor, Senior Comment Editor, Business Editor, Symposium Editor, and Technology Editor shall be members of the Senior Executive Editorial Board. The Senior Executive Editorial Board will have the power to amend these By-Laws and the Policies and Procedures. A simple majority is required to submit a proposed change to the faculty. In the event of a tie, the motion will fail.
- 5) Associate Editors. Each Editor, including Associate Editors, shall be offered a position on the Editorial Board.
- 6) Members. The remaining students associated with the Law Review shall be Members, as defined in Article IV. The number of Members may vary from year to year depending on the needs of the Law Review. The number shall be determined by the **Senior** Executive Editorial Board.
- 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 – Senior Executive Editorial Board, 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 Senior 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 Advisors;
- 2) 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) discipline, up to and including discharge with the consent of the Faculty Advisors, of Law Review Members and Editors for nonperformance or improper performance of the duties of a Member or Editor or for 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 a majority of the Faculty Advisors consent to the discharge. If the Faculty Advisors are equally divided, then the Dean of the Law School shall cast the deciding vote.
- 3) The Faculty Advisors approve amendments to the Law Review operational policies and procedures recommended by the Executive Editorial Board, and provide 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 March 31 of each year by a vote of the current Editors and Members who submit a satisfactory comment to qualify as an Editor in the coming year. A Member may vote regardless of whether her/his comment is deemed publishable. A candidate for any Executive Editor position must have submitted a comment deemed publishable according to the procedure outlined in the Comment Writing Manual.

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 Senior Executive Editorial Board in consultation with the Faculty Advisors. In no case, however, may a student be granted such status if his or 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 credit of Law Review work per semester during the first academic year of membership. Each student who attains Editor status shall register for and fulfill all the requirements for two credits of Law Review work per semester during the second academic year of membership, except for Associate Editors, who may only receive one credit of work per semester as to be determined by the Editor-in-Chief.

e) A student who is on academic probation is not eligible to attain Membership or Editorship.

2) Members

a) A student who has completed all courses in the required first year curriculum and whose grade point average in those courses falls within a certain top percentage of the class shall be invited to become a Member of the Law review. That percentage—and thus the number of students who shall be invited—shall be determined each year by the faculty advisor(s) and the Dean in consultation with one another, but in no event (i) shall that number be greater than 30 students or (ii) shall any student with a grade point average below a 3.33 be so invited (i.e., to join the Law Review through this “grade-on” process). The class for the purposes of calculating the student’s percentile, shall consist of all students, full-time and part-time, who become eligible at the close of the designated spring semester. For each student, the course grades on which the calculation is based must have been determined with the use of the normalizing curve in use for large classes, if such a curve has been used in determining grades for any student in the class. The invitation shall be made at the end of the first spring semester when all required first year courses have been completed.

b) A student who has completed all courses in the required first year curriculum and who satisfies the eligibility requirements established in Section 1 of this Article may participate in a Writing Competition as provided for in Section 3 of this Article. A student whose writing competition submission is accepted in accordance with Article V shall be invited to be a Member of the Law Review.

c) Transfer students who have completed the required first year curriculum or the equivalent thereof and who have satisfied the eligibility requirements established in Section 1 of this Article may participate in a Writing Competition as provided for in Section 3 of this Article. A student whose writing competition submission is accepted in accordance with Article V shall be invited to be a member of the Law Review.

3) Writing Competition

a) A writing competition shall be held each summer at a time established by the Senior Executive Editorial Board.

b) Part One of the writing competition shall require students to analyze a legal issue selected by the Senior Executive Editorial Board. The Senior Executive Editorial Board shall provide students with a uniform packet containing all information necessary to complete the writing competition. No outside research will be allowed. Further rules governing the competition shall be established by the Senior Executive Editorial Board.

c) Part Two of the writing competition will be a short Bluebook exercise.

c) Each student writing submitted in compliance with the rules of the competition shall be reviewed in accordance with the procedures established in Article V.

4) Editors

a) Any student who is a Member shall attain Editor status by submitting to the Editorial Board a student comment that is accepted in accordance with Section 4(c) of this Article. The Editor-in-Chief, in consultation with the Faculty Advisors, shall establish rules to govern the submission, content, and form of such comments. These criteria will be outlined in the Comment Writing Manual.

b) A Member who fails to submit to the Editorial Board a satisfactory student comment within two semesters after attaining Member status shall be dismissed from the Law

Review and shall not receive credit for the semester. A satisfactory determination will be based on a list of criteria printed in the Comment Writing Manual. The Editor-in-Chief will determine, after consulting with the Senior Comment Editor, if a comment is satisfactory. If the Editor-in-Chief finds the comment unsatisfactory, then the Editor-in-Chief shall submit the matter to the Executive Editorial Board. The Executive Editorial Board and the Faculty Advisors shall decide whether to expel the Member pursuant to the procedures established in Article II.

c) A student who satisfies the eligibility requirements established in Section 1 of this Article and who submits to the Editorial Board a satisfactory comment, shall be invited to become an Editor of the Law Review. A Member whose comment is determined satisfactory but unpublizable according to Article VI and the Comment Writing Manual will be invited to become an Associate Editor in accordance with Article I. A Member whose comment is determined publishable shall be eligible to run for a position on the Executive Editorial Board as defined in Article I.

Article V - Review of Student Writings for Member Status

- 1) A writing submitted to attain Member status shall be reviewed by the Executive Editorial Board and either accepted or rejected.
- 2) The Editor-in-Chief, in consultation with the Senior Comment Editor, will establish a procedure by which the writing submissions will be judged and will make the final determination of whether a submission is accepted. If the writing submission is accepted, the author of the submission will be invited to join the Law Review as a Member.
- 3) The Executive Editorial Board shall notify each participant in the writing competition of its decision within a reasonable time after completion of the evaluation.

Article VI – Review of Student Writings for Editor Status

- 1) A writing submitted to attain Editor status shall be reviewed by the Executive Editorial Board and determined either publishable or not publishable. In consultation with the Faculty Advisors, the Editor in Chief shall determine the procedure related to this determination, and this procedure shall be outlined in the Comment Writing Manual.
- 2) The Comment Writing Manual 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.

Article VII - Non-Written Service

- 1) All students associated with the Law Review must complete at least 60 hours of non-written Law Review work each semester, as assigned by the Executive Editorial Board, to maintain their status on the Law Review. 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. The Faculty Advisors have the responsibility of promptly notifying those adversely affected by this Rule.
- 2) After an individual has completed 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 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.

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 satisfactory comment, completed by a due date established by the Editor-in-Chief and Senior Comment Editor, shall receive one hour of ungraded credit at the completion of the second semester.
- 3) A grade of "Satisfactory" shall be awarded by the Faculty Advisors 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 and 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 Considered for Publication

The Executive Editorial Board shall screen all articles submitted for publication and select those it deems acceptable for 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 Senior 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.