

CONSTITUTION

Article I: Name

The name of the organization is the "University of Massachusetts Law Review" ("Law Review"), and the name of the publication is the "*University of Massachusetts Law Review*."

Article II: Purpose

The purpose of the Law Review shall be to publish legal periodicals, to provide a forum for legal scholarship and debate, and to enhance the legal research, writing, professional, and analytical skills of all members.

The Law Review shall also serve as a vehicle to provide meaningful engagement with legal scholarship through service and to empower our members to advance the study and development of law within the Commonwealth and beyond.

Article III: Membership and Faculty Advisor(s)

A. Membership

1. Classes of Membership

The membership of the Law Review shall consist of "Full Members" (including the Editorial Board and Editorial Staff) and "Associate Members" (including Associate Editors). Students who join Law Review will serve as Associate Members for one academic year. Associate Members are not eligible to receive academic credit for participation in Law Review. Following their first academic year on Law Review, Associate Members who have satisfied the requirements of Article IX may be promoted to Full Members for another academic year. Full Members receive six academic credits for participation in Law Review.

Under exceptional circumstances, a student who meets all other eligibility requirements of Article IX but has an anticipated December graduation date, may petition for Full Membership on the Law Review. Petitions must be filed with the Associate Dean by the last day of classes for the spring semester and a decision must be rendered prior to acceptance of an invitation to join Law Review. Upon successful petition, a student may be promoted to Full Membership for one semester and receive half the academic credits available to Full Members under Article XIII.

2. Eligibility

To be eligible for membership on Law Review students must be in good academic standing and must have completed a year of full-time study or its equivalent, with a minimum of 24 core curriculum academic credits. Notwithstanding said eligibility requirements, the UMass Law Dean reserves the right to deny a student's registration for Law Review. Associate Members who have completed the requirement of Article IX are eligible to serve as full members. A student who has completed the Associate Member year and has satisfied the requirements of Article IX but is not in good academic may not participate as a Full Member.

Under exceptional circumstances and with the Faculty Advisor's approval, said student may volunteer to serve as a Provisional Full Member with the understanding that he or she may not represent themselves



as an official member of the Law Review during that semester and will not be eligible for academic credit for the fall semester.

If the student is in good academic standing after the fall semester, he or she may petition the Editorial Board for readmission to Full Member status for the spring semester by emailing a written statement with supporting documentation to the Editor-in-Chief. The petition and statement must be received within seven business days of the date when the student was notified of the change in academic standing. The submitted materials must include (1) a written statement identifying with specificity the reasons why, in the student's opinion, he or she should be reinstated to Full Member status and (2) a letter of support from the Law Review faculty advisor attesting to the student's good academic standing.

The Editorial Board will not consider reinstatement unless the student has demonstrated by clear and convincing evidence that the student performed satisfactorily in his or her duties as a Provisional Full Member.

B. Faculty Advisor(s)

1. Selection of Faculty Advisor(s)

The UMass Law Dean shall appoint one or more members of the regular or adjunct faculty as Faculty Advisor(s).

2. Duties

Faculty Advisors work with the Editorial Board to aid in the execution of the goals of the Law Review. Faculty Advisors ensure all members of the law review receive proper training and instruction and provide guidance to members when guidance is warranted.

C. Research and Scholarship Advisor(s)

1. Selection of Research and Scholarship Advisor(s)

The UMass Law Dean shall appoint one or more members of the regular or adjunct faculty to be the Research and Scholarship Advisor(s).

2. Duties

Research and Scholarship Advisors work with the Editorial Board to aid in the execution of the publication and scholarship goals of the Law Review. Advisors will work with the Editorial Board to ensure and maintain the quality of publication and scholarship, and provide guidance to members when guidance is warranted.

Article IV: Editorial Board

A. Definition

The Editorial Board ("Board") shall serve as the officers and governing body of the Law Review. The Board shall consist of an Editor-in-Chief, Managing Editor(s), an Executive Articles Editor, a Business Editor, an Information Technology (I.T.) Editor, and an Executive Notes Editor.

B. Terms of Office

Following their selection Board members shall take office no later than May 1. Board Members shall serve until their assigned journals are published and all applicable tasks have been completed.

C. Voting Power

The members of the Board shall be of equal rank for purposes of voting power, and, except as hereinafter provided, shall be entitled to votes of equal weight on any matter on which the Board may vote. A quorum of the Board shall consist of a majority of Board members. Unless otherwise specified in this Constitution, votes by the Board shall be decided by a simple majority vote. In the event of a tie, the Editor-in-Chief shall cast a second vote to serve as the tiebreaker. Electronic or telephonic voting is permissible with the prior approval of the Editor-in-Chief. Voting by proxy is permissible with the prior approval of the Editor-in-Chief.

D. Board Appointments

1. Time of Appointment

The selection of a new Board shall be conducted at one or more meetings of the Board and Faculty Advisors called for that purpose by March 1. The incoming Board shall take office by May 1.

2. Eligibility

Eligibility for appointment to the Board shall be limited to Associate Members who have completed the Associate Editors' writing and training requirements outlined in Article IX. Prospective Board members must be willing to serve for at least two but not more than three full semesters (not including summer sessions).

3. Method of Selection

Selection for Board positions shall be made by the Board and must be confirmed by the Faculty Advisor(s). Board members may nominate and vote to appoint new Board members. Appointments become effective upon confirmation from the Faculty Advisors'.

4. Vacancies

If a vacancy should arise on the Board the vacancy shall be filled by vote of the Board with confirmation by the Faculty Advisors.

5. Removals

Any Board member may be removed for failure to perform the duties of the member's office according to the procedure outlined in Article X.

Article V: Powers and Duties of Board Members



The powers and duties of the Editorial Board are as described in the Law Review Handbook, which shall be updated annually by the Editor-in-Chief and the Managing Editor in consultation with the other members of the Board.

Article VI. Staff Editors

Only Full Members of Law Review may serve as Staff Editors. The Board may assign Staff Editors to any manuscript accepted for publication. Staff Editors are responsible for performing substantive and technical edits, as well as locating and-reviewing the" source material for each footnote to ensure technical accuracy and Bluebook compliance. Notwithstanding the use of editing teams, all Staff Editors are responsible to ensure the completion of all editing tasks within the applicable deadlines.

Article VII. Associate Editors

A. Duties

Associate Editors must attend the Law Review Training Program and complete all reading, editing, citation, and other training assignments and examinations. Associate Editors must also complete a publishable student Note, Case Comment, or Case Note within a time frame as established by the Board, but not later than February 1 of their second semester on Law Review. The Board and Faculty Advisor(s) shall interpret the term "publishable." Associate Editors shall also assist with publication tasks as required by the Board.

Associate Editors who do not attend training meetings, satisfactorily complete all reading, editing, citation, and other training assignments and examinations, and/or complete a publishable student Note, Case Comment, or Case Note are not eligible for Full Membership or academic credit for participation in Law Review.

B. Representation of Associate Membership

Associate Editor status on the Law Review permits a student to represent such status to the legal and professional community. An Associate Editor who resigns or is removed from law review should ensure that all resumes and biographies (including communications to current or prospective employers) indicate that the student served as an "Associate Editor" only for the period of time for which he or she maintained that status.

C. Law Review Training Program

Each Associate Editor shall participate in the Law Review Training Program as designed by the Editorial Board and Faculty Advisor. The Law Review Training Program may consist of research, writing, citation, editing, source retrieval, and proving assignments.

Article VIII. Associate Editor Selection

A. Selection

Associate Membership on Law Review opens following the spring semester of each academic year and closes at the beginning of the fall semester. Students who will graduate within a single academic semester are not eligible to become Associate Members. The Editorial Board may extend invitations to join Law Review as Associate Members to the top 15 eligible students based on cumulative grade point average.



The remaining Associate Membership positions will be open to all students who satisfy the eligibility requirements of Article III. The application process for Associate Membership shall take the form of a writing competition. The Editorial Board will have discretion each year to extend the writing competition to a maximum of three students who will graduate within a single academic year and satisfy the eligibility requirements of Article III to fill any spots of students who have not accepted their offer to grade-on or have decided to discontinue their time on Law Review.

B. Writing Competition

1. Format

The Board and Faculty Advisors shall determine the contents of the writing competition. The writing competition may include a writing exercise, a citation exercise, an editing exercise, a personal statement, or any other requirements defined by the Board. The Board shall make the writing competition available to eligible students not later than June 1.

2. Selection

The Board shall consider only applications that meet all conditions of eligibility. Offers for Associate Membership shall be made upon three-quarters vote of the Board with approval from the Faculty Advisors. The Board shall invite all new Associate Editors to join Law Review by the beginning of the fall semester.

C. Transfer Students

Transfer students are not eligible to join law review by invitation but may participate and join law review through the writing competition. The Board may adopt additional procedures for transfer students to join the law review as Associate Editors.

Article IX. Requirements for Full Membership

A. Writing Requirement

All Associate Editors shall complete a Note or Comment of publishable quality in order to achieve Full Member status. The Editorial Board shall provide a written policy statement to all Associate Members outlining the requirements, including all deadlines, involved in creating a Note or Comment of publishable quality.

1. Assignment Schedule

Associate Members shall select a Note or Comment topic during the Fall Semester. The final product shall be due on a date designated by the Board, but not later than February 1.

2. Approval

The Board and Faculty Advisors will review and assess the Note or Comment. If the Note or Comment is found to be of publishable quality the writing requirement is deemed met. While strongly encouraged to publish, Associate Editors are not required to publish their Notes or Comments to complete the writing requirement.

3. Failure to Meet Writing Requirement

Associate Editors who fail to meet the requirements established by the Board are not eligible to serve as Full Members on the Law Review.

B. Training Requirement

Full membership is contingent on satisfactory completion of the Law Review Training Program.

C. Selection for Full Member Status

The Board and Faculty Advisors shall review all papers submitted by Associate Editors. If the Associate Editor has satisfactorily completed the Law Review Training Program and has met all deadlines and other requirements associated with the drafting of the publishable note, the Board will Vote concerning whether to appoint the Associate Editor to the Law Review as a Full Member. A majority vote by the Board and approval of the Faculty Advisors is required to bestow Full Membership.

Article X. Disciplinary Action

A. Academic Probation

Any member who is placed on academic probation, according to the academic provisions of UMass Law, shall be dismissed from the Law Review. Such dismissal shall result in the granting of no academic credit for Law Review membership.

B. Disciplinary Action for Cause

In extraordinary circumstances, members may be removed from Law Review by a two-thirds vote of the non-abstaining members of Law Review present at a meeting called and held for that purpose by the Editor-in-Chief, at the request of any member of the Editorial Board or upon the written petition signed by one-half of the entire membership of Law Review. Grounds for removal from the Review shall include, but are not limited to:

1. Refusal to perform membership duties as outlined above;
2. Lack of reasonable diligence in performing these same duties;
3. Substantial inability to perform these same duties.

A member whose name is to be presented to the membership for removal shall receive notice of this fact at least five days prior to the date of the meeting at which his or her name is to be presented. At this meeting, the member shall be given the opportunity to present any evidence that he or she feels justifies retention as a member. All votes of the membership are final. Appeals shall be addressed to the faculty advisor for administrative review in accordance with the procedures for grade reviews at the University of Massachusetts School of Law—Dartmouth.

Article XI. Material for Publication

A. Articles, Student Notes, Comments

Each issue of the law review shall contain one or more articles, essays, or book reviews and shall contain no more than four student-writers Notes or Comments.

B. Selection

The Board, with the approval of the Editor-in-Chief, shall select all articles, notes, book reviews, transcripts or other manuscripts submitted for publication in the law review.

C. Copyright or License

The Board shall obtain a copyright or license agreement from each author.

Article XII. Symposia Conferences

A. Topics

The Board may select a prospective symposium issue topic as the focus for a Symposium conference to be sponsored by the Law Review and hosted by UMass Law.

B. Timeline

The Board shall vote by November 1 on whether to sponsor a Symposium Conference for a prospective symposium journal topic. If a majority of the Board votes to sponsor a Symposium conference at least one Conference Editor shall be appointed to the Board by November 1.

C. Approval and Financing

The Conference Editor(s) shall draft and send a Symposium Conference Prospectus to the Dean and Associate Dean of UMass Law by January 1. The Symposium Conference Prospectus will detail the proposed Symposium Conference. The Dean or Associate Dean of UMass Law must approve the Symposium Conference Prospectus and must provide authorization to the Law Review before the Law Review may formally announce or schedule a Symposium Conference.

Article XIII. Academic Credit

Full Members of the Law Review who have satisfactorily completed all of their duties as provided in this Constitution and in the Law Review Handbook shall be eligible to receive academic credit in such amount as the UMass Law Faculty allows. The Board may assist the Faculty Advisors in determining whether the students have satisfactorily completed their duties.

Article XIV. Amendments to the Constitution

Any Full Member, Associate Editor, or Faculty Advisor may propose, in writing, amendments to the Constitution. Proposed "amendments shall be submitted to the Board. Proposed amendments or changes to the Constitution shall become effective if approved by a majority of the full Board, ratified by a majority of Full Members, and ratified by the faculty and/or UMass Law as applicable.

Article XV. Ratification

Ratified this 30th day of April, 2018 by the undersigned University of Massachusetts Law Review Editorial Board. This Constitution shall be effective immediately upon approval of the Faculty and the UMass Law. Approved by the Faculty on May 3rd, 2018.