

**OKLAHOMA CITY UNIVERSITY
LAW REVIEW
BYLAWS**

The Academic Standards set forth within the Bylaws were approved by a majority vote of the faculty of Oklahoma City University School of Law on April 13, 2007. Under Articles I(B), III(B) and VII, the Law Review Advisory Committee has the delegated authority to amend the Bylaws. This document reflects duly adopted amendments by the Law Review Advisory Committee as of May 2, 2019. All amended rules have prospective application.

I. STATUS AND ORGANIZATIONAL STRUCTURE

The Oklahoma City University Law Review (Law Review) is a publication and curricular activity of the students and faculty of the Oklahoma City University School of Law for which academic credit toward the Juris Doctor degree is awarded by the faculty under the rules and regulations established in these bylaws. As a curricular activity, the governance of the Law Review, including the amendment of these bylaws, is subject to control of the faculty.

The Law Review provides equality of opportunity for all members, editors, and candidates without discrimination or segregation on the ground of race, color, religion, national origin, sex, gender (including identity and expression), sexual orientation, age, or disability.

A. Status and Organizational Structure

The purposes of the Law Review are:

1. To provide a legal publication in which to publish articles that add to the knowledge and integrity of the legal profession;
2. To inspire and provide a forum for law students who have demonstrated high academic achievement and who desire to enrich their law school experience by rigorous legal analysis, research and writing; and
3. To enhance the quality of the Oklahoma City University School of Law as a diversified institution offering excellence in legal education.

B. Faculty Governance

The governing power of the faculty is delegated to the Law Review Advisory Committee and Academic Director as provided in Article III of these bylaws.

C. Board of Editors

The Board of Editors of the Law Review shall consist of student editors having the following titles and responsibilities:

1. Editor in Chief

The Editor in Chief is responsible for the supervision and direction of all aspects of publication, membership, business management, and budget. He or she is responsible for the approval and final edit of all materials to be published in the Law Review. The Editor in Chief is to serve as liaison between staff, University, publisher, and public. He or she is to chair all meetings. It is expected that the person occupying the position of Editor in Chief will not have outside employment except during the summer.

2. Managing Editor

The Managing Editor is responsible for assigning and managing all work including, but not limited to, editing and proofing. He or she is responsible for assigning and evaluating work groups. The Managing Editor is responsible for sharing with the Editor in Chief the responsibility of final edits, proofs, business correspondence, budgeting, office management, and subscriptions. It is expected that the person occupying the position of Managing Editor will not have outside employment except during the summer.

3. Articles Editor

The Articles Editor is responsible for continually soliciting authors for articles. He or she shall screen all articles received. The Articles Editor shall assist the Editor in Chief with all correspondence with authors and final edits of all materials to be published in the Law Review. Before unsolicited manuscripts are accepted for publication, the Articles Editor may solicit input from faculty who teach in the field or the Editor in Chief. There may be more than one Articles Editor.

4. Notes and Comments Editor

The Notes and Comments Editor is responsible for collecting suitable cases to be written upon by the Law Review candidates and members. Furthermore, he or she is responsible for collecting suitable note topics to be written upon by Law Review candidates and members. He or she is responsible for screening all case comments and notes and assisting the Editor in Chief with the final edits of all materials to be published in the Law Review.

The Board of Editors may decide to eliminate the position of Notes and Comments Editor for an upcoming year if there are insufficient qualified applicants for editorial positions. In the event there is not a large enough Board of Editors to fill this position, the Articles Editor(s) shall fulfill the responsibilities of the Note and Comments Editor. The Board of Editors has the discretion to separate the position of Notes and Comments Editor into separate editorial positions for notes and comments according to the needs of the Law Review.

5. Resource Editor

The Resource Editor is responsible for accurate Bluebooking, source checking, formatting, verifying supporting language, and overall editing the endnotes in items to be published. The Resource Editor shall assure that all resources are available to tech-check articles. The Resource Editor shall assist in the operational responsibility for the assignment of production work and publication of the Law Review. The Resource Editor shall further assist the Editor in Chief and Managing Editor, ensuring timely publication of materials. The Resource Editor shall implement procedures to assure that all published materials comply with *The Bluebook*. There may be more than one Resource Editor.

6. Executive Editor

The Executive Editor is responsible for scheduling and planning all social events, both formal and informal. He or she is responsible for coordinating with the Editor in Chief and school staff the date, location, budget, and details of the events. The Executive Editor shall also assist the Editor in Chief with the final proofing of all materials to be published in the Law Review. The Executive Editor shall also assist with the final editing of all materials published by the Law Review and with correspondence with authors as directed by the Editor in Chief and/or Managing Editor. In addition, the Executive Editor will be responsible for the Law Review's social media accounts and member/alumni updates.

The Board of Editors may decide to eliminate the position of Executive Editor for an upcoming year if there are insufficient qualified applicants for editorial positions.

7. Associate Editor

An Associate Editor is a Staff Editor who is appointed by the Board of Editors with a 2/3rds vote, with the approval of the Academic Director, to fill a vacancy on the Board of Editors. An Associate Editor may enroll in one (1) hour of academic credit under Article IV.A.1.e. Each appointment shall never be for more than one (1) semester, and it may only be made under unforeseeable and exceptional circumstances that cause a vacancy on the Board of Editors. An Associate Editor must perform all of the functions of the vacant Board position that he or she has been appointed to fill. In addition to the qualification set forth in Article II.C. for a Staff Editor, an Associate Editor must have submitted a Note to the Law Review or must supply the Board of Editors with a work product that is equivalent to a Note in academic rigor. An Associate Editor becomes a member of the Board of Editors for the semester for which he or she is appointed.

D. General Duties of All Editors

All editors, with the exception of the Editor in Chief and Managing Editor, are responsible for group leader edits. They are responsible for evaluating members' and Staff Editors' edits and providing the members and Staff Editors with feedback as to the quality of the edits. All editors are responsible for researching and reading candidates' and members' case comments and notes. Each editor shall vote as to the acceptability of each candidate's paper. Editors may expect to chair a committee or project when deemed needed and appropriate. Each editor should feel a duty toward the completion of each issue of the Law Review, the retention of quality membership, author solicitation, and subscriptions.

II. STUDENT PARTICIPATION

A. Students may participate in the production of the Law Review as a member of the Board of Editors, as a Staff Editor, or as a member.

B. Membership and Candidacy for Membership

1. Automatic Membership

a. A student ranked in the top 15% of his or her class, based on cumulative grades after the spring semester of the student's 1L year, is eligible for membership automatically. A person who becomes a member under this provision may write a Case Comment pursuant to the candidacy process described below but is under no obligation to do so. A student eligible for automatic membership becomes a member after signing the required commitment to serve on Law Review under the provisions of these Bylaws by a time set by the Board of Editors.

2. Write-On Candidates for Membership

a. Eligibility for invitations to become candidates: The Board of Editors shall extend candidacy invitations to all students ranked in the top 33% of the 1L class after the fall of their 1L year. The Board of Editors shall extend additional candidacy invitations to all students ranked below the top 15% but in the top 33% of their class, based on cumulative grades after the spring semester of the students' 1L year.

b. Eligibility to apply for candidacy: Upon application to the Board of Editors, a student who is below the top 33% but in the top 50% of his or her 1L class based on fall grades or cumulative spring grades may receive an invitation to participate in the candidacy process if the student has been recommended for candidacy by his or her Legal Research and Writing Professor and has received a CALI award in LRW I or LRW II. To be eligible for candidacy under this provision, a student must submit his or her application within one month after class ranks are released for the semester in which the student became eligible.

c. Candidacy process: In each semester, the Board of Editors shall provide each candidate with a list of cases about which he or she may write a Case Comment. The Board of Editors shall also set the date for mandatory candidate training, the deadline for the candidate's selection of cases from the list, the deadline for submission of the case comment to the Board, and any other dates deemed necessary. A candidate must attend candidate training unless excused for good cause by the Editor in Chief or Managing Editor, meet all deadlines established by the Board, take any other action required by the Board, and submit a Case Comment that is "acceptable for publication" as defined in these Bylaws. The Board shall determine which Case Comments are "acceptable for publication" and shall extend offers of membership to the candidates who wrote them. Candidates who accept the Board's offer become members of the Law Review.

C. Staff Editors

After satisfactorily completing two semesters as a member, a member becomes a Staff Editor for the final semester or semesters of his or her enrollment at OCU. The duties of Staff Editors shall be prescribed by the Board of Editors. A Staff Editor will not serve on the Board of Editors but will be listed under the title Staff Editor on the Law Review's masthead and website.

Part-time students who serve two semesters as Staff Editors and have two or less semesters left before they graduate may be excused from all Law Review work their final year without punishment or a note of resignation on their transcript if they elect to do so by informing the Editor in Chief of their decision.

D. Selection and Term of Board of Editors

1. Nomination procedure: The Board of Editors shall establish a procedure for selecting nominees for the next year's Board. The Board shall choose its nominees before March 31 every year. Nominees must be selected from among the staff members who have written a Note and applied for positions on the Board pursuant to the procedures the Board has established.

2. Approval procedure: The nominations shall be submitted to the Academic Director and to the Dean of the School of Law together with a list of all staff members eligible for positions on the Board of Editors. The nominees of the Board of Editors shall be approved or disapproved by the Dean and Academic Director within five days of the receipt of the nominations. In the case of a nomination being disapproved, the Board of Editors shall submit an additional nomination from among eligible members.

3. Term of office: Following their approval, the newly selected members of the Board shall serve a term of one year beginning May 1 of the year of election and ending the following April 30.

E. Additional Rules

The following rules have general application to this Article:

1. "Acceptable for publication" means that a writing has been judged by the Board of Editors, subject to the review of the Academic Director, to be of sufficient quality to be published in the Law Review, whether or not the writing is actually published.

2. All students participating in Law Review and all candidates for membership must be in good standing under the provisions of the OCU Law Student Handbook at all times.

3. All students participating in Law Review must complete all assigned non-writing Law Review work each semester to maintain their status on the Law Review.

4. No member shall be allowed to resign from his or her membership in Law Review unless extraordinary circumstances are present. If a member believes extraordinary circumstances warrant his or her resignation, the member may write a petition to the Law Review's Advisory Committee explaining why he or she should be allowed to resign. The Advisory Committee will review the petition and, in its discretion, may interview the member. If the Advisory Committee recommends that the member be able to resign, the Board of Editors will vote on its recommendation. A 2/3rds vote by the Board of Editors is needed for the student to be allowed to resign in good standing, with the Editor in Chief's vote being the tie-breaking vote. Upon resignation, the member must remove any reference to Law Review membership on his or

her resume. The Editor in Chief will notify Career Services and the Registrar of the former member's resignation, and a note of resignation will appear on the former member's transcript. If a member's resignation petition is denied and he or she refuses to adequately perform his or her duties, the removal procedures found in Article 6 will be utilized. For purposes of this provision, "member" includes members, Staff Editors, and members of the Board of Editors.

III. FACULTY PARTICIPATION

The School of Law faculty shall participate in the Law Review under the following rules and regulations:

A. Academic Director

1. Responsibilities of the Academic Director

a. To exercise, on a daily basis, the authority of the faculty in the management of the Law Review.

b. To insure that student participants at all levels of Law Review work are complying with the requirements for continued candidacy or members, and to review and grade the work of members.

c. To cooperate with the Board of Editors in obtaining an adequate supply of professional articles for the Law Review.

d. To promptly notify students who are dropped from the Law Review for non-compliance with the provisions of Article II.

2. Authority of the Academic Director

a. In consultation with the Board of Editors and faculty members who have commented on particular manuscripts, to oversee the process by which materials are "accepted for publication," as that term is defined in Section E.1. of Article II, and to oversee the process by which articles are selected for publication.

b. To recommend to the Advisory Committee the discharge or suspension of members of the Board of Editors for nonperformance or improper performance of the duties of editorial office described in Article I, and to discharge the requirements of Article II for continued candidacy, membership, or status as Staff Editors.

c. To approve a nomination of the Board of Editors for Associate Editor to fill a vacancy that results from an editor being unable to fulfill the duties of the position.

B. Law Review Advisory Committee

The Dean will appoint a Law Review Advisory Committee consisting of the Academic Director and four faculty members. Subject to the general control of the Law Review reserved to the faculty in Article I, the Advisory Committee shall have the full power of the faculty with regard to the formulation of Law Review policy.

C. Manuscripts

The faculty shall be involved in the article selection and publication process as follows:

1. Articles

a. The Board of Editors shall screen all manuscripts submitted for publication as articles.

b. Any manuscript under serious consideration for publication may be submitted to the Academic Director and a faculty member associated with the subject matter of the manuscript.

c. The faculty member shall, within a reasonable time, comment on the manuscript and return it to the Board of Editors.

d. Each manuscript submitted to the Law Review for possible publication under the Section C.1.a.-c. process outlined above shall be subject of a final decision regarding its publication by the Law Review. The author of the manuscript shall be notified immediately regarding the Law Review's decision regarding publication.

e. Any manuscript rejected in the initial screening process of the Board of Editors may immediately be forwarded to the Academic Director for comments. Comments upon the rejected manuscript by the Academic Director may be required before a final notice of rejection is communicated to the author.

2. Student Work

a. The Board of Editors shall screen all manuscripts submitted by student authors and select those they deem "acceptable for publication" as that term is defined in Section D.2. of Article II.

b. Those manuscripts the Board deems "acceptable for publication" by the Board of Editors shall be submitted to the Academic Director for review and evaluation.

c. Of those manuscripts deemed "acceptable for publication," the Board of Editors may submit those under serious consideration for publication to a faculty member associated with the subject matter of the manuscript. The faculty member shall, within a reasonable time, comment on the manuscript and return it to the Board of Editors.

d. After reviewing any comments from the faculty member and the Academic Director, the Board of Editors shall make a final decision regarding actual publication of the student manuscript. After a final decision by the Board of Editors, the manuscript shall be immediately forwarded to the Academic Director for final review and evaluation.

IV. ACADEMIC CREDIT

A. Graded Credit

For purposes of this rule, the term “member” includes members, Staff Editors, and members of the Board of Editors unless the context indicates otherwise.

A member shall receive graded credit pursuant to the following system:

1. Enrollment and Grading

a. A member may choose to enroll in one (1) graded credit hour for writing a Case Comment that the Board of Editors has chosen for publication in the Review. A member shall receive credit for no more than two Case Comments. The Academic Director assigns the grade for the one-hour credit for the Case Comment.

b. A member shall receive two (2) graded credit hours for writing a Note which the Board of Editors has deemed “acceptable for publication” as provided by Section E.1. of Article II and Section C.2. of Article III. For the member to receive academic credit, the Note must be supervised by a member of the full-time faculty unless the Associate Dean from Academic Affairs, in his or her discretion, approves a part-time or adjunct faculty member. For satisfaction of the writing requirement, a candidate must have his or her topic approved by the Board of Editors and the supervising professor. The supervising professor of the Note assigns the grade for the two hours’ credit for the Note.

c. Graded credit for written work found “acceptable for publication” shall be awarded at the end of the semester in which it was deemed to be “acceptable for publication” or the fall semester if the decision is made during the summer.

d. Graded credit for written work “acceptable for publication” during the final semester of a member’s senior year shall be granted at the end of the semester, but only if the Board of Editors determines that the written work is “acceptable for publication” before two weeks before the end of that semester and if the work is submitted in conformity with any applicable schedules.

e. The Editor in Chief and the Managing Editor shall enroll in and receive a grade for two (2) credit hours one semester while holding office and either two (2) or three (3) credit hours the other semester. The Editor in Chief and the Managing Editor have discretion to choose the semester in which they enroll in three (3) credit hours. Each member of the Board of Editors, other than the Editor in Chief and Managing Editor, shall enroll in and receive a grade for one (1) hour one semester while holding office and one (1) or two (2) credit hours the other

semester. These Board members have discretion to choose the semester in which they enroll in two (2) credit hours. Grades are assigned by the Academic Director with input from the Board. In assigning grades, the Academic Director may take into account any discipline imposed under Article VI.

f. All Law Review members, other than members of the Board of Editors and Associate Editors filling vacant Board positions, shall enroll in a “zero” credit hour Law Review class each semester they are members of Law Review and will receive a grade of Satisfactory or Unsatisfactory for the zero credit hour class each semester. Members’ grades shall be assigned by the Academic Director upon the recommendation of the Editor in Chief.

g. Graded credit for Law Review work will not be awarded during the summer term.

2. Total Credit Available

A student may earn a maximum of seven (7) hours of academic credit for Law Review work.

3. Certification

The Editor in Chief shall certify in writing to the Academic Director those persons who may be qualified for the awarding of credit hours under this Article.

4. Original Manuscript

A member may receive graded credit under this Article only for manuscripts originally submitted to the Law Review.

B. Summer Credit

To maintain membership on the Law Review, members and Staff Editors must perform all assigned duties during the spring and fall semesters and the summer term. Members of the Law Review shall enroll in the zero-credit-hour Law Review class in the summer term and will receive a grade of Satisfactory or Unsatisfactory for the zero credit hour. This rule may be waived by the Academic Director.

V. SIZE AND CONTENT

A. Size of Volume

The size of each volume of the Law Review shall depend upon the budgetary allocations of the relevant fiscal year.

B. Student Manuscripts Defined

The written contributions of students to the Law Review shall be normally confined to the following types of manuscript.

1. Note

A Note is an exhaustive study of a particular area of the law in need of penetrating examination. By thorough analysis, the Note traces the development of pertinent concepts, examines the current state of a particular issue or area in a critical fashion, and attempts to arrive at a constructive resolution of the problems raised.

2. Case Comment

A Case Comment is a concise, analytical treatment of the issue or issues dealt with in a recent opinion. The writing should explain the court's holding on the issue, evaluate the reasoning employed and, by detailed exploration, demonstrate the effect of the decision on existing law by posing questions left unanswered by the court's approach.

3. Submissions

The Law Review does not accept submission of written works by law students who are not enrolled at Oklahoma City University School of Law. In addition, the Law Review will accept submission of a written work by a law student enrolled at Oklahoma City University School of Law only if he or she is a member. Staff Editor, or member of the Board of Editors of the Law Review.

VI. DISCIPLINE OF MEMBERS AND EDITORS

For purposes of this Article, the term "member" includes members, Staff Editors, and members of the Board of Editors unless the context indicates otherwise.

Failure to satisfactorily perform Law Review duties may result in disciplinary sanctions.

A. Grounds for Disciplinary Action

1. Plagiarism or other academic dishonesty
2. Failure to complete task in assigned time period
3. Failure to complete task in a satisfactory manner
4. Unexcused absence from mandatory Law Review activity

B. Disciplinary Action

1. Verbal Warning

a. Any member of the Board of Editors may make a recommendation to the Editor in Chief that an editor or member should receive a verbal warning. Written substantiation documenting the specific violation of the Law Review bylaws must accompany the recommendation. Such recommendation will be placed in the member's file.

b. The Editor in Chief shall have sole discretion to determine whether a verbal warning should be administered, and the Editor in Chief or the Managing Editor may provide the verbal warning.

c. The purpose of the verbal warning shall be to address the unsatisfactory performance and to discuss the necessary steps that the member must take to adequately perform the duties of a member of the Law Review.

2. Written Warning

a. After a member has received a verbal warning, regardless of the subject matter of the previous verbal warning, he or she may receive a written warning documenting either the member's failure to correct the previous violation or the commission of another violation of the Law Review bylaws or standards.

b. Any member of the Board of Editors may make a recommendation to the Editor in Chief that an editor or member should receive a written warning. Written substantiation documenting the specific violation of the Law Review bylaws must accompany the recommendation.

c. Each written warning will state the specific violation of the member, provide a deadline for correction, and make recommendations for future improved performance.

d. The Editor in Chief or Managing Editor will draft the written warning and mail such warning to the member's current mailing address and current student email address.

3. Grade of Unsatisfactory

a. If both verbal and written warnings have been issued to a member, the Editor in Chief may make a recommendation to the Academic Director that a member who fails to perform to the standards of the Law Review receive a grade of Unsatisfactory in the zero-credit hour Law Review class on his or her transcript.

b. The Academic Director shall have sole discretion to determine whether a member should receive a grade of Unsatisfactory on his or her transcript for Law Review performance.

4. Removal from the Law Review

a. If both verbal and written warnings have been issued to a member who still fails to perform to the standards of the Law Review, the member shall be removed from the Law Review following a majority vote of the Board of Editors. If the member being disciplined is a member of the Board of Editors, the member shall not be allowed to vote on his or her own removal.

b. If a member fails to maintain required academic honesty, as prescribed by the Student Conduct Code, the Academic Director may elect to give the member an Unsatisfactory or a failing grade on his or her transcript, and the Advisory Committee may elect to remove the member. If the member has failed to remain academically honest, the member need not have received a prior verbal or written warning for these measures to be taken. This removal procedure does not require a vote by the Board of Editors.

c. An editor may make a recommendation to the Editor in Chief that an editor or member should be removed. Written substantiation documenting the specific violation of the Law Review bylaws must accompany the recommendation.

d. The Board will review the member's work and past disciplinary actions before taking a vote.

e. The member at issue shall be given the opportunity to address the Board in writing before the vote is taken. The Board of Editors will have the discretion to allow the member to address the Board verbally before the vote is taken if the member requests a meeting in his or her writing to the Board.

f. Following a majority vote of the Board of Editors to remove a member, the Academic Director will provide notification to the Law School registrar to indicate removal from Law Review on the member's transcript.

g. The Law Review Advisory Committee may reverse a decision of the Board of Editors for removal of a member if it finds, by a majority vote, that the Board's decision is erroneous or arbitrary.

VII. AMENDMENTS OF THE BYLAWS

The Law Review Advisory Committee may amend the bylaws by a majority vote. The Board of Editors may propose amendments to the bylaws to the Law Review Advisory Committee. Any change in academic credit awarded for the Law Review or any amendment that impacts the academic standards of the School of Law must be approved by the full-time faculty of the School of Law in accordance with the duly established rules of the law faculty.