

# BYU JOURNAL OF PUBLIC LAW BYLAWS

## I. PURPOSES OF THE JOURNAL

The purposes of the Brigham Young University Journal of Public Law are:

1. To produce a high quality publication that will serve as a source of information a scholarly analysis.
2. To provide each Journal member an intensive experience in legal writing, editing, and analysis.
3. To provide each third-year editor with an opportunity to do substantial editing.
4. To provide a forum for publication of outstanding legal writing by BYU law students, members of the legal community and members of the Journal.

## II. MEMBERSHIP GUIDELINES

### A. Membership Through Class Standing [stricken]

### B. Membership Through the Write-on Program

Additional staff members are selected based on performance in the write-on competition. Each year, the Journal holds a write-on competition. First year students wishing to join the Journal must participate; second year students may also participate. The purpose of this requirement is to prepare potential Journal members for the rigors of the Journal experience, while permitting potential members to demonstrate commitment to the organization they are seeking to join. Papers written by first and second year students will be separately graded and ranked. The number of invitations is not fixed but rather is tied to the needs of the Journal. Students participating in a joint degree program may enter the write-on competition for the year they return to law school. Each person may participate once in the first year competition and once in the second year competition. Papers written by first and second year students will be separately graded and ranked. No differentiation is made between members selected based on GPA and members selected based on the write-on competition.

### C. Membership Through an Editing Competition

At the option of the Management Committee, the Journal will hold an editing competition for second-year students in the winter semester if it is determined that there is a need for more Journal editors. The competition will be conducted in a manner similar to the write-on competition.

### D. Membership for Transfer Students

The Journal welcomes transfer students to apply for membership on the Journal as Associate Editors. Transfer students will be asked to submit a copy of their first year legal writing assignment and may be asked to complete a short technical edit. A transfer student's invitation to a journal position at the school they are transferring from may be taken into consideration.

### E. Membership Through Alternative Means

If the Managing Board determines at any time (before the add/drop deadline for each semester) that more editors are needed to complete the Journal's editing requirements than could be obtained through the means described above, the Managing Board may then use reasonable means to acquire qualified editors to fill the deficit. Any and all editors accepted to the Journal through alternative means must have the full support of each member of the Managing Board and are subject to a potential 2/3 override vote from the rest of the Journal.

## **F. Credit for Journal Participation**

Each member will receive one credit per semester for participation on the Journal. It is expected that each member will contribute a minimum of fifty hours of editing. Each member should keep track of his or her hours throughout the semester. Third year law students, in their second year of Journal participation, may earn two additional credits in either the fall or winter semester by writing a comment that meets Journal standards.

## **G. Requirements for Continued Membership**

### **1. Certification of a publishable piece**

During the associate year of Journal membership, each staff member is expected to produce a case note that meets Journal standards. Any member who fails to have a case note certified by a member of the Management Committee will receive a failing grade for the class. Earlier certification deadlines may be assigned by the Management Committee as a prerequisite to serving as an editor during the third year. These deadlines may be staggered to allow for a smooth editing process. A case note certified as meeting Journal standards is not necessarily accepted for publication.

### **2. Completion of production work**

Everyone on the Journal is expected to complete his work by the assigned deadlines. Any problems in meeting deadlines should be discussed with the Managing Editor of Articles. Any member who consistently fails to complete assignments by the assigned deadlines will, upon recommendation of the Managing Editor of Articles, have his membership reviewed by the Management Committee.

### **3. Attendance at Journal meetings**

Each member of the Journal is required to attend meetings scheduled by the Management Committee. The Management Committee must give at least 24 hours notice before each meeting. Consistent unexcused failure to attend meetings will result in a failing grade in the class.

### **4. Grading procedures**

The co-curricular programs grade on a "pass—low pass—fail" system. The following criteria will be considered when grades are determined:

- The quality of the edits - As an editor, you are responsible for the work assigned to you.
- Adherence to deadlines-expect to receive an edit every two weeks. If you are having legitimate problems meeting a deadline, discuss it with your Lead Editor early in the editing process. Last minute excuses and explanations will not be tolerated.
- Completion of requirements in the allotted time - First year editors are required to adhere strictly to case note deadlines.

A pass will be given to those who have consistently produced quality work product by the respective deadlines. Any work that is turned in later than 24 hours after a deadline will receive a warning. The person will be given another 24 hours to complete the work and hand it in. If he fails to do so, it will result in a low pass grade. If it happens a third time, a failing grade will be given. Any work received that is lacking in quality will be returned for completion within 24 hours. The second time this is required results in a low pass. If it happens a third time, a failing grade will be given.

### **III. JOURNAL STRUCTURE**

#### **A. Committees**

The Editorial Board of the Journal will be organized into the following committees:

1. Management Committee  
Editor-in-Chief  
Managing Editors
2. Executive Committee  
Managing Editor of Publication  
Executive Editors
3. Articles Committee  
Managing Editor of Articles  
Managing Editor of Submissions  
Editor-in-Chief

#### **B. Duties of Journal Members**

1. Editor-in-Chief

The Editor-in-Chief has ultimate responsibility for the effective functioning of the Journal. He or she is the Journal's representative to the law school faculty and administration and to the outside legal community. The Editor-in-Chief is also responsible for the final substantive editing of individual articles.

2. Managing Editor(s)

Managing Editors coordinate work assignments and handle the business affairs of the Journal. Managing Editors are periodically called upon to edit articles as the workload demands.

3. Executive Editors

Executive Editors are the final authorities on technical questions such as proper Bluebook form, grammar, and punctuation. They work with the author to finalize each article, note, or comment. They do a final technical edit on all manuscripts, collate corrections on page proofs, and work closely with the printer.

4. Lead Editors

Lead Editors direct the editing of accepted articles, notes, and comments and supervise Associate Editors assigned to their individual pieces. They conduct a final edit of all articles, and work closely with authors.

## 5. Associate Editors

Associate Editors are primarily responsible for substantive and technical editing and for proofreading the articles published by the Journal. Each staff member is also required to write a case note or comment to be substantially completed by the end of fall semester and certified as meeting Journal standards by the middle of winter semester.

# **IV. DECISION-MAKING PROCESS**

## **A. Management Committee**

The main decision-making body for the day-to-day work of the Journal is the management committee. The committee is generally responsible for setting deadlines, assigning work, ensuring the quality of the Journal, and handling business and personnel matters. Binding decisions may be made by majority vote at any management committee meeting where more than fifty percent of the management committee is present or represented. Management committee members may vote by authorized signed proxy.

The Editor-in-Chief is authorized to determine whether a member's status on the Journal should be reviewed. If the Editor-in-Chief decides membership should be revoked, subject to good cause shown, that decision must be ratified by a majority of the entire editorial board. The Management committee, with input from interested lead and Executive Editors, organizes the Journal for the following year.

## **B. Two-thirds Override Vote**

Any decision of the Management committee is subject to a two-thirds override vote by the entire membership of the Journal. Absence of any member from voting does not lessen the requirement of a full two-thirds vote of the entire membership of the Journal to effect an override. Journal members may vote by authorized signed proxy.

Notice of the need for an override vote is provided to the Editor-in-Chief by a petition signed by more than one-third of the membership of the Journal. The Management committee is responsible for providing timely, individual notice to each member of the Journal of the time and place of an override vote.

The Management committee may submit any matter to the Journal for a majority vote.

## **C. Amending These Bylaws**

A two-thirds vote of the entire membership of the Journal shall be required to amend these Bylaws. Absence of any member from voting does not lessen the requirement of a full two-thirds vote of the entire membership of the Journal to amend the Bylaws. Journal members may vote by authorized signed proxy.

The Editor-in-Chief shall direct that a record of the vote be kept in an accessible place as evidence of an amendment's authorization.

## **V. EDITORIAL POLICY**

The purpose of the editing process is to develop each article into the most readable, effective, accurate, and technically correct form possible. Authors should be active participants in the editing process; all editorial changes at all levels of the editing process must be submitted to the authors for review prior to publication.

Editors should make their changes in the form of proposals to the authors. Although the editors are responsible to ensure that the article is publishable, authors are ultimately responsible for their work. However, if an author rejects too many editorial proposals and the article is judged not to meet Journal standards of quality, the article will not be published.

**END OF BYLAWS**