

**CONSTITUTION OF THE  
SOUTHERN ILLINOIS UNIVERSITY LAW JOURNAL<sup>1</sup>**

**PREAMBLE**

The Editors of the *Southern Illinois University Law Journal*, in order to safeguard their commitment to legal scholarship of the highest order, to provide a steady flow of quality material for each issue, to provide a means by which students of the law school can be capably trained to assume tenure on the editorial board, and to fulfill their function as a reliable liaison between the SIU School of Law and the legal community, do ordain and establish this Constitution.

**I. ARTICLE I. ORGANIZATION.**

A. **General Structure.** The *Southern Illinois University Law Journal* shall be composed of the following personnel:

1. **Board of Editors.**
  - a Executive Committee.
  - b Associate Editors.
2. **Staff.**

B. **Description and Function.**

1. **Board of Editors**
  - a **Executive Committee.**

(1) **Composition.** The Executive Committee of the *Law Journal* shall be composed of an Editor in Chief, a Managing Editor, and a Survey of Illinois Law Editor in Chief, and a Chief Articles Editor. The Executive Committee may, at its discretion, appoint an Administrative Editor, a Research Editor, and/or a Production Editor, who each may also be appointed a member of the Executive Committee. The Editor in Chief may, at the Editor in Chief's discretion, decide to appoint the Survey of Illinois Law Editor in Chief (as opposed to electing an individual to this position).

(2) **Duties and Responsibilities.**

(a) **Editor in Chief.** The Editor in Chief is ultimately responsible for all aspects of the *Law Journal*, including administrative, editorial, and fiscal matters. All written material appearing in the *Law Journal* is subject to final approval and edit by the Editor in Chief. This person is responsible for all communications with the publisher and for meeting all deadlines required for publication of the *Law Journal*. This person is responsible for promulgating the deadlines and publication schedule for all four editions in the Bylaws.

(i) If the Editor in Chief is temporarily absent or incapacitated, the duties shall be performed by the Board of Editors in the following order:

- 1) Managing Editor;
- 2) Illinois Law Editor;
- 3) Chief Articles Editor;

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<sup>1</sup> As amended August 13, 2018.

- 4) Administrative Editor;
- 5) Research Editor
- 6) Production Editor
- 7) Articles Editors; and
- 8) Notes Editors;

(ii) Administrative matters include, but are not limited to, faculty and administrative relations, Staff and board discipline, scheduling meetings, and presiding over meetings of the Executive Committee and the Board of Editors.

(b) **Managing Editor.** The Managing Editor is responsible for assigning duties to *Law Journal* personnel, and such other assignments as directed by the Editor in Chief. This includes the maintenance of a system of recording the amount of time each assignment has required and a report of the quality. The Managing Editor shall report unreasonable lack of cooperation or failure by a *Law Journal* participant to complete work assigned to the Editor in Chief. The Managing Editor is also responsible to the Editor in Chief for the technical accuracy of all material published. In addition, this editor shall assign cite check schedules and page proofing to *Law Journal Staff members*. The Managing Editor and Editor in Chief will work together to formulate policies for the Journal's operation, such policies to remain in effect unless rescinded by the current or subsequent Editor in Chief and Managing Editor. The Managing Editor shall distribute the *Law Journal Staff Handbook*, the Constitution of the *Southern Illinois University Law Journal*, and the Bylaws to the Staff by the second Friday of the fall semester. The Managing Editor will also work with advertisers and subscribers. In addition, this editor shall administer the staff writing competition and shall supervise the work of the *Law Journal* staff and the Notes Editors.

(c) **Survey of Illinois Law Editor in Chief.** This editor is responsible for soliciting authors to write articles on Illinois law for the annual survey issue (each year, one issue of the *Law Journal* is dedicated to Illinois law). The Illinois law issue should be composed of a range of articles that provide informative, thoughtful, and practical information for Illinois lawyers and may consist of: (1) survey articles; (2) case notes; and (3) law journal articles. The editor must also ensure that all statutory and case materials on survey topics are properly chosen and researched, and that any case notes and journal articles provide a thoughtful critique on issues related to Illinois law. The survey articles are edited through the normal process (by Articles Editors), but the Survey Editor will closely supervise the editing process and will maintain communications with the authors. Each year, one of the *Law Journal* issues will be devoted to a survey of Illinois law. This issue shall be dedicated to Dean Hiram Lesar, the founder of SIU School of Law, and shall be entitled The Hiram Lesar Annual Survey of Illinois Law.

(d) **Chief Articles Editor.** The Chief Articles Editor, at the direction of the Editor in Chief, is responsible for coordinating the article selection process, and is responsible for maintaining the flow of articles between the

Editor-in-Chief and the Articles Editors. The Chief Articles Editor assigns articles to the Articles Editors for review and editing, supervises the work of the Articles Editors, sets and enforces deadlines for Articles Editors, receives reports of time spent on assignments from Articles Editors and forwards the reports to the Managing Editor, does whatever is required to enable the Articles Editors to complete their reviewing and editing tasks, and shall perform such other duties as the Editor in Chief or Managing Editor may assign.

(e) **Administrative Editor.** The Administrative Editor, if appointed, and at the direction of the Editor in Chief, is responsible for logistics, including booking rooms for *Law Journal* meetings, events, and cite checks; fundraising and alumni relations; marketing the *Law Journal* to prospective staff members and the legal profession, including the maintenance of the *Law Journal's* social media presence; and arranging social events for *Law Journal* Staff, Editors, and Alumni. The Administrative Editor is also responsible for the *Law Journal* building and facilities, including responsibility for maintaining a stock of supplies at the *Law Journal* workspace, maintaining the cleanliness and professional appearance of the *Law Journal* workspace, and shall perform such other duties as the Editor in Chief or Managing Editor may assign.

(f) **Research Editor.** If appointed, the Research Editor is responsible for establishing topic generation procedures, continuing the research for developments in the law that could serve as a source of Notes or articles, and for such other duties as the Editor in Chief or the Managing Editor shall assign. The Research Editor shall participate in the planning and execution of citation checking sessions including, but not limited to, gathering of resources, attending cite checks, participating in citation training exercises and conducting any necessary supplemental research to prepare manuscripts for publication. This editor shall work with the Survey of Illinois Law Editor in chief to maintain a cumulative index of all articles, Notes, and other materials which have appeared in the *Law Journal* and prepare a yearly index for publication in the survey issue. If the Executive Committee declines to appoint a Research Editor, these duties may be assigned in whole or in part to one or more Articles Editors or Notes Editors, or to any other editor.

(g) **Production Editor.** If appointed, and as directed by the Editor in Chief, the duties of the Production Editor may include, but are not limited to, assisting the *Law Journal* Business Manager with the production of final page proofs of articles for publication from edited manuscripts, maintaining a cumulative collection of all *Law Journal* publications, and responsibility for ensuring the *Law Journal* website and OpenSIUC page are updated. The Production Editor shall be assigned other duties at the discretion of the Executive Committee. If the Executive Committee declines to appoint a Production Editor, these duties may be assigned in whole or in part to one or more Articles Editors or Notes Editors, or to any other editor.

**b Remaining Board of Editors**

(1) **Composition.** The *Southern Illinois University Law Journal* Board of Editors shall be composed of the following Associate Editor positions:

- (a) **Note Editors** (typically four)
- (b) **Articles Editors** (typically eight);

and may include, at the discretion of the Executive Committee, the following positions:

(c) **Specific Associate Editor Positions.** The Executive Committee may assign Associate Editors to assist other Editors as needed, without regard to the Associate Editors assigned position. The outgoing Executive Committee may also select Staff members to specific posts as Associate Editors on the incoming board.

(2) **Duties and Responsibilities.** The duties of the Associate Editors who are not appointed to specific positions by the Editor in Chief are to perform such administrative and editorial duties as the Editor in Chief or the Managing Editor may assign.

(a) **Articles Editors.** These editors are responsible for editing articles, Notes, and any other material appearing in the *Law Journal*. This includes topic generation, solicitation of authors, screening unsolicited manuscripts, preparing all articles for publication, and shall perform such other duties as the Editor in Chief, Managing Editor, or Chief Articles Editor shall assign. These additional duties may include the duties of the Research Editor, Online Editor, or Production Editor, should the Executive Committee decline to fill those positions.

(b) **Note Editors.** These editors are responsible for such duties as the Editor in Chief or Managing Editor shall assign. This may include topic generation and editing the form and substance of student Notes. These editors are ultimately responsible for training the *Law Journal* staff in the fulfillment of their writing requirement.

**c Other Personnel.**

(1) **Business Manger & Secretary to the Editors.** The following responsibilities have been assigned to a member of the law school's secretarial staff: maintaining the subscription list; rendering statements to the subscribers; acting as a bookkeeper; allocating office supplies; and handling purchase requisitions relating to *Law Journal* affairs; and typing of all *Law Journal* correspondence, memoranda, manuscripts, and extra *Journal* pages. The Business Manager & Secretary to the Editors shall work closely with the Editor in Chief, Managing Editor, and Survey of Illinois Law Editor in Chief, Chief Articles Editor, and Administrative Editor to ensure efficient management of the *Law Journal*. The Editor in Chief shall be the primary contact with the Business Manager & Secretary to the Editors, and no Staff or Board member shall be permitted to assign tasks to the Business Manager & Secretary to the Editors without the express consent of the Editor in Chief.

(2) **Faculty Advisor.** The *Law Journal* is a student operated and managed journal. The Executive Committee and Board of Editors shall be responsible for all day-to-day and long-term functions and directives of the *Journal*. A Faculty Advisor

shall be appointed for the *Law Journal* to offer advice and guidance in the operation of the respective publications. Unless otherwise indicated by the Executive Committee, the Editor in Chief shall serve as the liaison between the Journal membership and faculty advisors.

2. **Staff.**

a **Definition.** All persons actively seeking membership on the Board of Editors of the *Law Journal* shall be known as members of the *Law Journal* Staff, subject to the provisions of Articles I, II, and V.

b **Eligibility.** Full-time students in the top sixty percent (60%) of the entering class after completion of the first year are eligible to become staff members.

(1) **Selection.** The selection process shall be conducted based on the following criteria:

(a) **Grade-On:**

(i) Students ranked in the top ten of the entering class after completion of the first year will be invited to join the *Law Journal* staff.

(ii) The managing editor shall be responsible for issuing invitations to eligible students who meet the criterion listed in subsection (i).

(iii) Students invited to join the *Law Journal* staff shall have one day to accept or reject the offer.

(b) **Write-On**

(i) Eligible students may become a *Law Journal* staff member through participation in a writing competition.

(ii) Students entering the Staff Writing competition are required to submit a closed memorandum to the Managing Editor.

(iii) The Managing Editor shall be responsible for developing the closed memorandum assignment.

(iv) Deadlines for the writing competition shall be set by the Managing Editor during the summer break semester. Submissions by candidates shall be due no later than two and one-half weeks before the start of the summer session final exam period.

(v) The closed memorandum must be the student's own work.

(vi) Each applicant's closed memorandum shall be anonymously reviewed by at least three Notes Editors or Articles Editors (the evaluating editors). The writing competition will be evaluated on an eighty (80) point scale disputed according to the following formula:

|   |           |
|---|-----------|
| Issue Formation                               | 20 points |
| Analysis/ Discussion                          | 20 points |
| Language (grammar, proofreading, style, etc.) | 20 points |
| Citation/ Footnotes                           | 10 points |
| Facts, Summary and Conclusion                 | 10 points |

(vii) An average of the three evaluating editors' will constitute the writing competition score.

(viii) The writing competition score will account for 60% of the student's final score. The other 40% of the student's final score will be based on the student's GPA at the end of the first year.

(ix) Final scores will be ranked. After the ranking is complete, students entering the writing competition will be accepted as members of the *Law Journal* Staff in accordance with the ranking so that the number of staff members shall not exceed 20. Any ties shall be broken by the Executive Committee. However, if special circumstances exist, the Executive Committee may increase this number as necessary following consultation of the Faculty Advisor and Administration.

(x) The number of students accepted to serve on *Law Journal* will be within the discretion of the Editor-in-Chief.

**C. Placeholder for Dual Degree Students**

**D. Transfer Students.** Transfer students shall become staff members only under the procedure described in the applicant staff member provision, Art. I.B.2.b. No applicant with over forty-eight hours of academic credit after the semester before or in which the staff member intends to write shall be eligible under this provision.

**E. Part-Time Students.** Part-time students are not eligible to be invited to complete the competition requirements provided for in Art. I.B.2.b. until they have completed all courses in the curriculum that full-time first year law students are required to complete. Upon completion of these courses, part-time students may be invited to compete in the competition for Staff membership subject to the limits below.

1. Part-time students shall become members of the *Law Journal* Staff if they successfully complete the competition requirements provided for in Art. I.B.2.b. There shall be no more than five (5) part-time students who are Staff members. The number of part-time students who become Staff members shall not affect the maximum number of full-time students who may become Staff members as provided in Art. I.B.2.b(1)(b)(viii). Also, for part-time students to become Staff members, they must be so situated in their legal education so as to be able to serve at least one semester as an editor after completing their writing requirement as provided in Art. II.A.

**F. Visiting Students.** SIU students may not serve on either the *Law Journal* Staff or Board of Editors while away as a visiting student at another law school without the express written consent of the Editor in Chief, Faculty Advisor, and Administration and only when exclusion would lead to undue hardship. This applies to visits of one or two semesters. Visiting students shall be required to fulfill all duties as assigned by the Editor in Chief while they are away and failure to complete assigned tasks shall make the member subject to discipline, up to and including removal from the *Law Journal*.

**G. Time Limits.**

1. **Standard Membership.** Except as otherwise provided, all Staff members must begin their tenure in the Fall Semester of their second year and finish their tenure in the Spring Semester of their second year of law school.

2. **Exceptions.**

a **Summer Membership.** The Editor in Chief and Managing Editor may, within their discretion, operate a summer writing program in which no more than five (5) invitee and/or applicant members may begin their tenure during the summer after the Staff

members' first year. The Editor in Chief shall decide whether any or all summer Staff members must complete their writing requirement by writing in the Fall Semester of their second year or may wait until the Spring Semester of their second year to complete the requirement.

b **Transfer Students.** Transfer students shall become Staff members only under the procedure described in the applicant Staff member provision, Art. I.B.2.b. No applicant with over forty-eight (48) hours of academic credit after the semester before or in which the Staff member intends to write shall be eligible under this provision.

c **Part-Time Students.** Part-time students are not eligible to be invited to become a member of the *Law Journal* or complete the competition requirements provided for in Art. I.B.2.b. until they have completed all courses in the curriculum that full-time first year law students are required to complete. Upon completion of these courses, part-time students may be invited to join the *Law Journal* or compete in the competition requirement subject to the limits below.

(1) A part-time student shall be invited to become a member of the *Law Journal* Staff if their grade point average, after completion of the required courses discussed above, is equal to or higher than the average of the grade point average of the top fifteen percent of each section of the first-year classes for the two years prior to his or her eligibility for membership. A formula to determine if a part-time student may be an invited member is provided in *The Law Journal Staff Handbook*.

(2) Part-time students shall become members of the *Law Journal* Staff if they successfully complete the competition requirements provided for in Art. I.B.2.b. There shall be no more than five (5) part-time students who are Staff members. The number of part-time students who become Staff members shall not affect the maximum number of full-time students who may become Staff members as provided in Art. I.B.2.b. Also, for part-time students to become Staff members, they must be so situated in their legal education so as to be able to serve at least one semester as an editor after completing their writing requirement as provided in Art. II.A.

d **Students Graduating Early.** Third year students graduating in December may receive credit only for the Fall semester of service on the *Law Journal*. With the express written consent of the Editor in Chief, Faculty Advisor, and Administration, and only when exclusion would lead to undue hardship, a student graduating early may receive credit for a full year of service during his or her third year, provided he or she satisfactorily completes additional work assigned by the Editor in Chief during the summer between the second and third year of law school and during the third year Fall semester.

## II. ARTICLE II. REQUIREMENTS FOR MEMBERSHIP ON THE BOARD OF EDITORS

### A. Writing Requirement.

1. **Papers.** Each Staff member is required to write a *Note* of publishable quality to receive academic credit for participation as a *Law Journal* Staff member and as a prerequisite to becoming a member of the Board of Editors.

2. **Definitions.**

a **Note.** A Note is a longer work, which treats a broader subject area in the law not necessarily represented by one case alone.

b **Publishable Quality.** Publishable quality means that the paper is substantively and grammatically correct and is in proper citation format. The Notes Editor must approve the paper as to grammar and citation format. A Faculty member must approve the paper as to substantive content. The Staff member on the advice of his or her Notes Editor will select the faculty member. The faculty member's approval will be signified by signature on the first and the second draft of the paper. Faculty members will only serve in this capacity at their own discretion. If, after the second draft, the faculty member reviewing the paper determines the paper not to be of publishable quality as to the paper's substantive content, the student will have the right to review by the *Law Journal* Faculty Advisor. Issues regarding publishable quality based on substantive content should be resolved between the reviewing faculty member and the Faculty Advisor with the *Law Journal* Faculty Advisor having final determination. Should the Notes Editor reject a Staff member's third draft, the Staff member may petition the Executive Committee to review the draft. If the Executive Committee determines, by a two-thirds vote, that the paper is publishable, the paper shall be passed.

c **Appeal Process.** No later than seven (7) days after final notice to the Staff member that his or her paper is not of publishable quality, the Staff member shall, if he or she wishes to appeal, notify the Executive Committee in writing of his or her intent to appeal the decision. The Staff member must then submit all drafts with comments and evaluation forms to the Executive Committee. Appeals made more than seven (7) days after final notice is given will be rejected as untimely.

d **Final Notice.** Final notice in subparagraph d. of this section is defined as when the *Law Journal* Staff grade sheet is posted to the Registrar's website.

3. **Printability.** The printability of any Note is entirely within the discretion of the Editor in Chief. If the Editor in Chief determines that a Note is not of sufficient quality to appear in the *Law Journal*, he or she may remove the Note from the publication schedule and select a Note from those selected as alternates by the previous Editor in Chief. The Editor in Chief has sole discretion to determine the placement of student written pieces in the respective issues of the *Law Journal* for which he or she serves as Editor in Chief and the decisions of the Editor in Chief of this regard are final and un-appealable. The Editor in Chief shall not publish a Note selected for publication by the previous Editor in Chief if the author of said piece is no longer serving on the *Law Journal*, or fails, either as a Staff member or Editor, to satisfy all requirements for *Law Journal* as detailed in the Constitution and Bylaws of the *Law Journal*. The application of this requirement includes students who have transferred, are visiting at another law school, have voluntarily resigned, or have been removed pursuant to the disciplinary provisions of the *Law Journal*.

4. **Deadlines.** A Staff member will be dropped from the program for failure to meet a deadline, unless the Staff member (1) has a compelling excuse; and (2) notifies the Managing Editor either in advance of the deadline, if possible, or immediately after missing the deadline. The Board of Editors will convene within thirty (30) days after the deadline to determine whether the excuse is compelling or non-compelling. If three-fourths of the editors attending the meeting deem the excuse non-compelling, the Staff member will be dropped from the program.

B. **Administrative Requirements.** Each Staff member shall perform such administrative duties as may be assigned by the Editor in Chief or Managing Editor.

C. **Offer to 2017-2018 Journal of Legal Medicine Staff Members to Join SIU Law Journal Board of Editors for 2018-2019 Academic Year.**

1. **Offer to Join Board of Editors.** The *Law Journal* shall extend to students serving as staff members of the Journal of Legal Medicine (JLM) for the 2017-2018 academic year an offer to join *Law Journal* as members of the *Law Journal's* Board of Editors for the 2018-2019 academic year. That offer shall be conditional upon the recipient's remaining in good standing with the JLM through the end of the 2017-2018 academic year.

2. **Writing Requirement.** The 2017-2018 JLM members' completion of the JLM writing requirements for JLM's 2L staff members shall be deemed as satisfying the writing requirement of Article II.A of this Constitution that is a prerequisite to service on the *Law Journal's* Board of Editors.

3. **Other Requirements.** Any student accepting this offer to join the Journal's Board of Editors must fulfill all requirements for service on the Board of Editors as outlined in this Constitution and can be removed from the *Law Journal* for the same reasons and using the same procedures as any other member of the Board of Editors of the *Law Journal*.

4. **Position of Students Accepting Offer.** Students who accept the offer shall be designated as Articles Editors on SIU *Law Journal* and shall perform such editorial work and duties as the Editor in Chief directs. If both the student and the Editor in Chief agree, the student may serve in a different position.

5. **Publication of JLM Members' Student Writing.** The Editor in Chief may, in the Editor in Chief's discretion, devise a procedure for selecting and publishing in the SIU *Law Journal* one or more pieces written by JLM members for JLM during their 2L year (the 2017-2018 academic year). Any such procedure shall be conducted separately from the procedure for selecting for publication Notes written by 2L Staff Members of the *Law Journal* during the 2018-2019 academic year.

6. **Expiration.** The offer described in this section shall expire on May 11, 2018.

### III. ARTICLE III. ELECTION OF THE EXECUTIVE COMMITTEE

A. **Timing of Elections**

1. Elections will take place February 19th-22nd (one day will be chosen) at 7:00 pm.

B. **Editor in Chief, Managing Editor, and Survey of Illinois Law Editor in Chief.**

1. **Eligibility.**

a Staff members who will have completed all of the requirements for membership on the Board of Editors prior to the end of the semester in which the election is held, will be eligible to apply for the following positions:

- (1) Editor in Chief;
- (2) Managing Editor

b In order to be eligible to hold the office of Editor in Chief or Managing Editor an applicant is not required to reside in Southern Illinois during the summer following his or her election to office.

**2. Application Procedures**

- a At least two weeks prior to the election, the Managing Editor shall notify all eligible Staff members when applications will be accepted for the Executive Committee. The period of time to apply for any of these positions shall be no shorter than five (5) days.
- b To apply, an eligible Staff member seeking an elected position (hereinafter applicants) must provide the following materials to the sitting Editor in Chief no later than one week before the election:
  - (1) A current resume
  - (2) A cover letter indicating their intention to seek consideration for the Editor in Chief, Managing Editor, or Survey of Illinois Law Editor in Chief positions
- c Applicants are not limited to seeking only one position on the Executive Committee. However, to be considered for more than one position on the Executive Committee, applicants must submit a separate application, as described in subsection b) of this section, for each position sought.
- d No candidate shall be elected to the Executive Committee unless they comply with the above application procedures.

**3. Election Procedures.**

- a The election for the Executive Committee shall take place at a special meeting called by the Editor in Chief. The Editor in Chief shall call this meeting in the Spring semester, no later than four weeks prior to the first day of the final examination period. A majority of both the Board of Editors must be present before the elections may be held. Should any member of the Board of Editors be absent for the election, the Editor in Chief, with the Managing Editor's concurrence, shall have discretion to initiate disciplinary action against the member in accordance with Article V.
- b No less than 24 hours prior to the election, the Managing Editor shall make available to the Board of Editors and Staff the resumes and cover letters of each applicant.
- c **Staff Member Voting Procedures.**
  - (1) At the discretion of the Executive Committee, Staff members shall vote either at the special election meeting described in this Article, or in an online poll, or using such other method as the Executive Committee may prescribe, but before the Board of Editors cast their votes. The Managing Editor shall prepare a ballot, consistent with subsection c.(2) of this Article, displaying the names of applicants for each position on the Executive Committee and shall instruct the Staff on the mechanics of voting. The ballots shall be counted by the sitting Executive Committee and the results added to the votes of the Board of Editors consistent with the formula described in subsection e. of this Article. The results of the Staff voting are to be kept confidential until after Board of Editors conducts the applicant interview, as described in subsection d. of this Article.
  - (2) If more than two applicants seek the same position, the ballot shall be designed so that the Staff may indicate their order of preference for each applicant. In the event that no applicant receives a majority of votes as described in subsection e. of this Article, the applicant with the lowest number of votes shall be eliminated from the process. The Staff ballots shall then be recounted. On ballots where a Staff member has indicated an eliminated applicant as his or her first preference, the Executive Committee shall consider that Staff member's second preference as the

Staff member's vote for that round of voting. This process shall be repeated until a candidate receives a majority of votes as described in subsection e. of this Article.

**d Board of Editors Voting Procedures.**

(1) Prior to the Board of Editors voting for the Executive Committee, it and the Faculty Advisor shall interview each applicant. No person other than the Board of Editors, the Faculty Advisor, and the applicant may attend the interview. The Executive Committee will be responsible for moderating the interview and may promulgate Bylaws designed to increase the efficiency of the interview. Such Bylaws, if promulgated, must be in writing and may in no way abridge or infringe upon the election procedures mandated by this Article. Any election interview Bylaws promulgated shall be communicated to the Board of Editors at least five (5) days prior to the interview.

(2) After the interview, but before the Board of Editors votes, the Executive Committee shall make the results of the Staff vote available to the Board of Editors.

(3) The Managing Editor shall prepare a ballot displaying the names of applicants for each position on the Executive Committee and shall instruct the Board of Editors on how to vote. Once the votes have been cast by the Board of Editors, the ballots shall be counted by the sitting Executive committee and added to those of the Staff consistent with subsections e. and c. of this Article.

**e Determining the Results of the Election.**

(1) The votes cast by the Board of Editors shall be multiplied by the number 1.5. This number shall be added to the total number of votes cast by the Staff members, each of whose vote counts as 1.0 vote.

(2) In order to be elected, an applicant must receive a simple majority of the votes through the formula described in subsection e)(1) of this Article. In cases where no applicant receives a majority of the votes cast, the applicant receiving the lowest number of votes shall be removed from consideration. The Board of Editors shall then vote for the remaining pool of applicants. Consistent with the process described in subsections c)(2), d)(3) and e)(1) of this Article, the Staff members' votes shall be taken into account in all voting rounds. This process shall continue until an applicant receives a simple majority of votes.

(3) In the event of an equal number of votes being cast for the final two applicants for any position on the Executive Committee, the Faculty Advisor shall cast the deciding vote to determine the outcome of the election.

**C. Other Executive Committee Members: Chief Articles Editor and Administrative Editor**

**1. Eligibility.**

a Staff members who will have completed all of the requirements for membership on the Board of Editors prior to the end of the semester in which the election is held will be eligible to apply for the Chief Articles Editor and Administrative Editor positions

**2. Appointment Procedures.**

a After the election of the Editor in Chief and Managing Editor applications shall be distributed to all eligible Staff members, who shall complete and return the applications to the *Law Journal* office, thereby indicating the intention to seek consideration for a position or positions for which the Staff member wishes to be considered.

- b The incoming elected members of the Executive Committee, with the advice and consent of the outgoing Executive Committee, shall appoint a Staff member to the position of Chief Articles Editor to be assumed during the next Term of Office.
- c Appointment of the incoming Chief Articles Editor position shall take place in the spring semester, no later than four weeks after the election of the incoming Editor in Chief and Managing Editor.
- d The elected members of the incoming Executive Committee, at their discretion, and with the advice and consent of the outgoing Executive Committee, may appoint a Staff member to the position of Administrative Editor to be assumed during the next Term of Office.
- e Appointment of the incoming Administrative Editor should take place in the spring semester, no later than four weeks after the election of the incoming Editor in Chief, Managing Editor, and Survey of Illinois Law Editor in Chief.
- f Proposed appointments shall be submitted to the outgoing Executive Committee for final approval before being announced. If the outgoing Executive Committee does not return a decision within one week of submission, the appointments of the incoming Executive Committee shall be deemed accepted.
- g Decisions of the Executive Committees regarding appointment are final and unappealable except by dispute procedures set forth in this Constitution.

**D. Other Members of the Board of Editors.**

**1. Eligibility.**

- a Staff members who will have completed all of the requirements for membership on the Board of Editors prior to the end of the semester in which the election is held, will be eligible to apply for positions on the Board of Editors.

**2. Appointment Procedures.**

- a Appointments for incoming Board of Editor positions shall take place in the Spring semester, no later than four weeks after the election of the incoming Editor in Chief, Managing Editor, and Survey of Illinois Law Editor in Chief.
- b After the election of the Executive Committee, applications shall be distributed to all eligible Staff members, who shall complete and return the applications to the *Law Journal* office, thereby indicating the intention to seek consideration for a position or positions for which the Staff member wishes to be considered.
- c The incoming Executive Committee, with the advice and consent of the outgoing Executive Committee, shall appoint each Staff member to a position on the Board of Editors to be assumed during the next Term of Office.
- d Proposed appointments shall be submitted to the outgoing Executive Committee for final approval before being announced. If the outgoing Executive Committee does not return a decision within one week of submission, the appointments of the incoming Executive Committee shall be deemed accepted.
- e Decisions of the Executive Committees regarding appointment are final and unappealable except by dispute procedures set forth in this Constitution.

**E. Term of Office.** The term of office for members of the Executive committee and Board of Editors shall run from June 1<sup>st</sup> following their following their election (or appointment) through the following May 31.

**F. Vacancies and Special Elections.**

1. If for any reason a member of the Executive Committee is unable to perform the duties of that position, a special election shall be called by the Editor in Chief.
2. If the Editor in Chief becomes permanently unable to perform the duties of that position, an election will be called by the acting Editor in Chief (see Art. I.B.1.a.(2)(a)(i)).
3. If any member of the Board of Editors is unable to perform the duties of that position, the Executive Committee may appoint another member to that position when the action is appropriate.

**IV. ARTICLE IV. REQUIREMENTS FOR ACADEMIC CREDIT**

- A. Upon becoming a member of the Board of Editors, each person shall, after completing a minimum of 90 hours of *Law Journal* work, receive two hours of credit.
- B. Each Associate Editor on the Board of Editors shall receive one hour of credit for each semester that the Associate Editor remains on the *Law Journal* and satisfactorily completes 45 hours of work assigned.
- C. Each member of the Staff shall receive one hour of credit per semester upon completion of the Staff Writing Requirement (Art. II.A).
- D. The maximum hours of credit to be awarded for *Law Journal* participation shall be determined by the faculty.
- E. A member of the Board of Editors who has authored a Note selected for publication in the *Law Journal* shall be entitled to count towards the semester hours requirement all hours expended "cite checking" that Note. The student author may receive a maximum of ten (10) hours for all other editing work done on that Note. The Managing Editor shall promptly notify all members of their eligibility under this provision.
- F. If an editor or Staff member transfers away from, and is not regularly present at, Southern Illinois University School of Law, during the fall and spring semesters of an academic year, then he or she may not be a member of the *Law Journal*. This provision is effective beginning with the 1993-1994 academic year.

**V. ARTICLE V. DISCIPLINE**

- A. **Staff.** All Staff serving on *Law Journal*, shall be bound by the Constitution and Bylaws of the *Law Journal*. If the Editor in Chief believes a Staff member should be dropped for failure to fulfill the requirements of participation, the Editor in Chief shall so inform the Executive Committee and state the reasons therefore. Failure to fulfill the requirements of participation may include, but is not limited to, a violation of the ethical principles of the *Law Journal* or School of Law, violation of the Constitution and Bylaws of the *Law Journal*, failure to meet deadlines or attend required *Law Journal* functions or acting as a disruptive presence on the *Law Journal* and thus impeding the effective and efficient operation of the *Law Journal*. No person shall be excluded from *Law Journal* participation except by majority vote of the Executive Committee and after prompt notification of the Faculty Advisor.
- B. **Board of Advisors.** If any editor believes another editor should be dropped for failure to fulfill editorial duties, the complaining editor shall so inform the Executive Committee in writing and state the reasons therefore. No editor shall be excluded from *Law Journal* participation

except by a two-thirds vote of the Board of Editors and after the prompt notification of the Faculty Advisor.

C. **Effect.** Anyone who is dropped from *Law Journal* will receive a "W" on his or her official law school transcript and may be forced to repeat or complete any necessary requirements for graduation as determined by the School of Law Administration. Any Staff member whose Note is selected for publication shall not have his or her Note published at any time in the *SIU Law Journal* if he or she is removed from the *Law Journal*. Any such member may not then submit said Note for publication elsewhere without the express written consent of the Editor in Chief.

D. **Dispute Resolution Procedures.** If a Staff member or Editor has reason to believe that he or she has been treated unfairly or inappropriately by another member of the *Law Journal*, or otherwise believes that a grievable offense has occurred, the Staff member or Editor shall promptly notify in writing the Executive Committee. The Executive Committee shall investigate the matter in a prompt and discrete manner and render a decision based on the merits of any claim. The Executive Committee may choose to dismiss the claim or take appropriate disciplinary action as provided in this Article. The Executive Committee shall inform the Faculty Advisor of the claim and any decision or action taken. Any decision rendered by the Executive Committee must be made within thirty (30) days of the filing of the grievance. The decisions of the Executive Committee may be appealed to the Faculty Advisor. Any appeal must be in writing within fifteen (15) days of the decision rendered by the Executive Committee. Any written appeal and included material may become part of the student's permanent educational record. The Faculty Advisor may ratify the decision of the Executive Committee, remand the decision for further review by the Executive Committee or render his or her own decision. Any further redress or appeal beyond the Faculty Advisor shall be sought outside the *Law Journal* structure and only after all internal procedures set forth herein have been exhausted. Failure to follow the procedures set forth herein is grounds for immediate dismissal of any grievance. In the event the grievance involves a member of the Executive Committee, that member shall recuse himself or herself from the Committee for the purpose of hearing the grievance and shall be replaced for that purpose by the Faculty Advisor.

## **VI. ARTICLE VI. LAW JOURNAL CERTIFICATE.**

A. Students who complete two semesters on the *Law Journal* after becoming members of the Board of Editors shall receive individual certificates and shall have *Law Journal* participation noted on their official transcripts. Each December graduate who completes one semester on the *Law Journal* after becoming a member of the Board of Editors shall receive a certificate and shall have *Law Journal* participation noted on that person's official transcript.

## **VII. ARTICLE VII. OUTSIDE STUDENT CONTRIBUTIONS.**

A. The Board of Editors may accept for publication articles written by Law Students if such articles are of publishable quality as set forth in Art. II.A.2.c.

## **VIII. Article VIII. PROCEDURE FOR ENACTING BY-LAWS.**

A. The Executive Committee shall have the power to enact by-laws in accordance with this constitution and for the purpose of implementing it.

#### **IX. ARTICLE IX. PROCEDURE FOR AMENDMENT.**

A. This Constitution may be amended either by a two thirds of the members of the Board of Editors present at a meeting called for that purpose at which a quorum is present or by email ratification of two thirds of the editorial board. A majority of the members of the Board of Editors shall constitute a quorum. If a quorum is not available, a majority of the Executive Committee may amend the Constitution with ratification by the Board of Editors at the earliest reasonable opportunity

#### **X. ARTICLE X. MEETINGS.**

A. To promote the dissemination of information and the exchange of ideas and to better conduct *Law Journal* business, the *Law Journal* Board of Editors and Staff shall meet together no less than once during the Fall Semester and once during the Spring Semester of each academic year in addition to the Election meeting set out in Article III of this constitution.

B. Meetings shall not be scheduled during the days in which school is not in session nor shall meetings be held without a quorum of Editors and Staff present. For purposes of this section, a quorum is a simple majority of the total number of members of the *Law Journal* Board of Editors and Staff in service to the *Law Journal* at the time the meeting is held. Meetings are to be conducted by the Editor in Chief or another member of the Board of Editors designated by the Editor in Chief.

C. The time, place and date of all meetings shall be communicated to each and every member of the Board of Editors and Staff no later than two weeks before the date the meeting is scheduled.

D. Any business which is to be placed on the agenda of a meeting of the *Law Journal* Staff and Editors must be submitted to the Executive Committee no later than one week prior to the scheduled meeting time.

E. Should any member of the Board of Editors or the staff be absent for a meeting as described in this Article, the Editor in Chief, with the Managing Editor's concurrence, has discretion to initiate disciplinary action against the member in accordance with Article V.

F. In order to make decisions requiring a vote of the Board of Editors, and upon motion by no less than one-third (1/3) of the Editors present, the Board of Editors shall enter into special session from which the Staff shall be excluded. In order for decisions of the special session to have binding effect, a quorum of the Editors must be present. For purposes of this section, a quorum is a simple majority of the total number of Editors in service to the *Law Journal* at the time of the meeting. Special sessions of the Board of Editors are to be conducted by the Editor in Chief of the *Law Journal* or another member of the Board of Editors designated by the Editor in Chief.

#### **XI. ARTICLE XI. ADVISORY BOARD.**

A. The *Southern Illinois University Law Journal* shall have an Advisory Board.

1. **Role.** The purpose of the Advisory Board is to assist in producing a high-quality *Law Journal*. Consistent with this role, the Advisory Board shall serve to provide feedback on each issue of the *Law Journal* and shall assist in soliciting authors.
  2. **Selection.** The Advisory Board shall consist of no fewer than five (5) and no more than eight (8) members. The members shall consist of practitioners, professors, alumni, judges, and other legal professionals, from any state. An effort shall be made to include former Editors in Chief of the *Southern Illinois University Law Journal* on the Advisory Board. The Editor in Chief has sole discretion in the final selection of the Advisory Board. The duration of the appointment shall be at the discretion of the Editor in Chief.
- B. All members of the Advisory Board shall be given a copy of each *Law Journal* issue published, along with a written request to provide feedback on the issue.