

**CONSTITUTION
OF THE
SOUTHERN ILLINOIS UNIVERSITY
Law Journal¹**

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.

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.
 - (2) Duties and Responsibilities.

¹As amended April 26, 2005

(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. 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) Survey of Illinois Law Editor in Chief; 3) Lead Articles Editors; 4) Articles Editor; 5) Casenote/Comments Editors; and 6) Research Editor. Administrative matters include, but are not limited to, faculty and administrative relations, Staff and board discipline, and scheduling 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. 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 Casenote/Comment Editors.

(c) **Survey of Illinois Law Editor in Chief.** This editor is responsible for soliciting authors, subject to the Editor in Chief's approval, to write articles on Illinois law for the annual survey

issue. In addition, the editor must ensure that all statutory and case materials on survey topics are properly chosen and researched, photocopied, and sent to the appropriate authors. The survey articles are edited through the normal process (by lead articles editors), but the survey editor will closely supervise this process and 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.

b. **Remainder of Board of Editors**

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

2 (Two) Lead Articles Editors
2 (Two) Research Editors
1 (One) Production Editor
4 (Four) Casenote/Comment Editors
8 (Eight) Articles Editors

- (2) **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.

- (3) **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) **Lead Articles Editor(s).** The Lead Articles Editor(s) is responsible for maintaining the flow of articles between the Editor-in-Chief and the Articles Editors. The Lead Articles Editor(s) assigns articles to be edited and follows up with the Articles Editors, enforces deadlines and does whatever is required to enable the Articles Editors to complete their editing tasks, and shall perform such other duties as the Editor in Chief or Managing Editor shall assign.

(b) **Articles Editors.** These editors are responsible for editing

articles, casenotes, comments, 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 or Managing Editor shall assign.

(c) **Casenote/Comments 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 casenotes and comments. These editors are ultimately responsible for training the *Law Journal* staff in the fulfillment of their writing requirement.

(d) **Research Editor(s).** This editor(s) is responsible for establishing topic generation procedures, continuing the research for developments in the law which could serve as a source of comments, casenotes, 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, casenotes, comments, and other materials which have appeared in the *Law Journal* and prepare a yearly index for publication in the survey issue.

(e) **Production Editor.** 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 maintaining the cleanliness and professional appearance of the *Law Journal* work space. The Production Editor shall be assigned other duties at the discretion of the Executive Committee.

c. **Other Personnel.**

1. **Business Manager & 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. 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 in order to insure efficient management of the *Law Journal*. The Editor in Chief shall be the primary contact with the Business Manager & Secretary to the Editors, 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:

i. Grade-on

(a) 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.

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

(c) Students invited to join the *Law Journal* staff shall have one

day to accept or reject the offer.

(d) Once the invitation is accepted, the student shall be asked to state his or her choice of serving on the *Law Journal* or *Journal of Legal Medicine*; however, that choice is not binding on the Executive Committee.

(e) A student may not be a staff member for both journals.

ii. **Write-On**

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

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

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

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

(d) Each applicant's closed memorandum shall be anonymously reviewed by at least three Casenote/Comments 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 formulation:	20 points
Analysis/Discussion:	20 points
Language (grammar, proof-reading, style, etc..)	20 points
Citation/Footnotes:	10 points
Facts, Summary, and Conclusion sections:	10 points

An average of the three evaluating editors' scores will constitute the writing competition score.

(f) 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.

(g) 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.

Once accepted, new staff members shall be asked to state their choice of serving on the *Law Journal* or *Journal of Legal Medicine*; however, that choice is not binding on the Executive Committee. Twenty (20) members shall be assigned to the *Law Journal* and fifteen (15) members shall be assigned to the *Journal of Legal Medicine*. Preference for assignment shall be given to those who scored highest in the application competition. All newly appointed *Law Journal* members shall be bound by the *Law Journal* Constitution and Bylaws. All newly appointed *Journal of Legal Medicine* members shall be bound by the *Journal of Legal Medicine* Constitution and Bylaws. Once a staff member has accepted a position from one journal, he shall not thereafter accept a position with the other journal in either his 2L or 3L year.

(e) 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 (2 ½) weeks before the start of the summer session final exam period.

- C. **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.
- D. **Part-time Students.** Part-time students are not eligible to be invited to complete the competition requirements provided for in Art. I.B.2 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)(d). 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.

E. **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*.

F. **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.

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*.

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.

ARTICLE II. REQUIREMENTS FOR MEMBERSHIP ON THE BOARD OF EDITORS

A. Writing Requirement.

1. **Papers.** Each Staff member is required to write a *Casenote* and a *Comment* 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. **Casenote.** A casenote is a short work which treats the case and the very narrow area of law presented by the case.

- b. **Comment.** A comment is a longer work which treats a broader subject area in the law not necessarily represented by one case alone.
 - c. **Publishable Quality.** Publishable quality means that the paper is substantively and grammatically correct and is in proper citation format. The Casenote/Comment Editor must approve the paper as to grammar and citation format. A Faculty member must approve the paper as to substantive content. The faculty member will be selected by the Staff member on the advice of his or her Casenote/Comment editor. 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 of publishability 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 Casenote/Comment Editor reject a Staff member's third draft, the Staff member may petition the Executive Committee to review the draft. If two-thirds of the Executive Committee determine the paper to be publishable, the paper shall be passed.
 - d. **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.
 - e. **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 casenote or comment is entirely within the discretion of the Editor in Chief. If the Editor in Chief determines that a casenote or comment is not of sufficient quality to appear in the *Law Journal*, he or she may remove the casenote or comment from the publication schedule and select a casenote or comment 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 unappealable. The Editor in Chief shall not publish a casenote or

comment 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.

ARTICLE III. ELECTION OF THE EXECUTIVE COMMITTEE

A. **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:
 - a. Editor in Chief;
 - b. Managing Editor; or
 - c. Survey of Illinois Law Editor in Chief position.
- b. In order to be eligible to hold the office of Editor in Chief, Managing Editor, or Survey of Illinois Law Editor in Chief, an applicant for these positions is not required to reside in Southern Illinois during the summer following his or her election to office. However, if the Editor in Chief maintains a regular physical presence at the *Southern Illinois University Law Journal* office during the summer, the School of Law has provided that he or she will receive, at a minimum, a \$3000.00 stipend.

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 serve on the Executive Committee unless they comply with the above application procedures.

3. **Election Procedure**

- 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 and the Staff must be present before the elections may be held. Should any member of the Board of Editors or the Staff 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) Staff members shall vote at the special election meeting described in this Article, 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 even 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 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 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.

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

1. **Eligibility.**

2. **Appointment Procedures.**

- a. Appointments for incoming Board of Editor positions shall take place in the Spring semester, no later than two weeks prior to the first day of the final examination period.
- b. After the election of the Executive Committee, applications will be distributed for any eligible Staff member to complete and return 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. Proposed appointments shall be submitted to the outgoing Executive Committee for final approval before being announced. Decisions of the Executive Committees regarding appointment are final and unappealable except by dispute procedures set forth in this Constitution.

- C. **Term of Office.** The term of office for members of the Executive committee and Board of Editors shall run from June 1st following their following their election (or appointment) through the following May 31.
- D. **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. 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.2.a.(2)(a)). 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.

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). Credit for the casenote will be dependent upon satisfactory completion of the comment.
- 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 casenote or comment selected for publication in the *Law Journal* shall be entitled to count towards the semester hours requirement all hours expended "cite checking" that casenote or comment. The student author may receive a maximum of ten (10) hours for all other editing work done on that casenote or comment. 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.

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 Editors.** 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 casenote or comment is selected for publication shall not have his or her casenote or comment 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 casenote or comment 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 are 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.

ARTICLE VI. LAW JOURNAL CERTIFICATE

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.

ARTICLE VII. OUTSIDE STUDENT CONTRIBUTIONS

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.

ARTICLE VIII. PROCEDURE FOR ENACTING BY-LAWS

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

ARTICLE IX. PROCEDURE FOR AMENDMENT

This Constitution may be amended by two thirds of the members of the Board of Editors present at a meeting called for that purpose at which a quorum is present. 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.

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, shall have 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.

ARTICLE XI. ADVISORY BOARD

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

- D. 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.