

FLORIDA COASTAL LAW REVIEW BYLAWS

Article I—Mission

Section 1. *Florida Coastal Law Review*'s mission is to publish a visible and forward-thinking journal that influences and engages our legal community. We challenge our editors to seek publication and cultivate an environment of personal and professional achievement. *Florida Coastal Law Review* also encourages scholarly excellence and provides an open forum for endless exploration of legal enigmas.

Article II—Offices

Section 1. The registered office of *Florida Coastal Law Review* will be at Florida Coastal School of Law's campus in Jacksonville, Florida. Florida Coastal School of Law is currently located at 8787 Baypine Road, Jacksonville, Florida 32256.

Article III—Members

Section 1. Subject to the provisions of Articles IV, V, VI, VII, and VIII, the *Law Review* Editorial Staff shall be comprised of those students, full-time or part-time, currently enrolled as candidates for a Juris Doctor degree at Florida Coastal School of Law chosen for membership in accordance with the provisions of Articles V and VI.

Section 2. The *Law Review* shall be comprised of three groups: Candidates, Staff Editors, and the Editorial Board. Candidates are not considered members of *Law Review* until they have completed the requirements in Article VI. Articles IV, V, VI, VII, and VIII govern the various duties and rights of each group.

Article IV—Editorial Board

Section 1. The Editorial Board shall consist of at least four (4) and no more than eleven (11) members, one of whom shall be Editor-in-Chief. The others shall be apportioned as the outgoing Editorial Board sees fit among the positions of: (1) Executive Editor(s), (2) Managing Editor, (3) Research and Writing Editor(s), (4) Technical Editor, (5) Manuscript Editor, (6) Production Editor, (7) Senior Articles Editor, (8) Notes and Comments Editor, (9) Submissions Editor, (10) Communications Editor, and (11) such other positions as the outgoing Editorial Board may create.

Section 2. The successor Editorial Board shall consist of those members chosen by the Editorial Board then incumbent. Subject to the provisions of this Article and Article VII, an Editorial Board member's term of office shall be approximately one year from the termination of the previous Editorial Board's term of office, or at such time the incumbent board member vacates his or her position. The incumbent Editorial Board holds absolute discretion as to the exact date of the turnover. The selection for membership to the Editorial Board shall be by a majority vote of those members of the incumbent Editorial Board present and voting at a meeting duly called for such purpose, as needed at any time of year, after an interview process that the incumbent Editorial Board deems appropriate for the circumstances.

Section 3. The members of the Editorial Board shall be of equal rank and all member of the Editorial Board are entitled to votes of equal weight on any matter on which the Editorial Board may vote upon. The matter voted on requires a quorum in order to become approved. A quorum of the Editorial Board shall consist of two-thirds (2/3) of its members.

Section 4. The *Editor-in-Chief* shall be charged with the general responsibility of preparing *Law Review* for publication and shall have the following powers:

- (a) To allocate such powers and duties to members of the Editorial Board such powers as seems appropriate and necessary to the incumbent Editor-in-Chief; however, any allocation must not be inconsistent with these Bylaws;
- (b) To shape the editorial policy of *Law Review*, within the bounds of intellectual responsibility, including, but not limited to, requiring that all manuscripts acknowledge all substantial aspects of an issue regardless of the author's ultimate conclusion, and to select manuscripts in conjunction with the Submissions Editor, provided that a submissions editor is present on the Editorial Board for that term. This provision shall not be construed to preclude a manuscript from consideration for publication for failure of the Editor-in-Chief to so recommend;
- (c) To call, preside over, and organize the meetings of the Editorial Board, provided that meetings of the Editorial Board are held as often as reasonably required during the Fall and Spring Semesters to discuss the publication progress and such other matters of general interest;
- (d) To vote on any matters on which a member of the Editorial Board may vote. In such instances the Editor-in-Chief shall be entitled to one vote;
- (e) To execute duties normally reserved to the Editorial Board when the Editorial Board authorizes him or her to do so by a majority vote;
- (f) To manage the publication aspects of *Law Review*;
- (g) To coordinate and be up-to-date on all *Law Review* activities;
- (h) To conduct the final review of each journal edition before sending it to the publisher;
- (i) To serve as the primary contact with publishers; to communicate with publishers concerning the printing of each journal; and to review "blue-line" proofs from the publisher for correction before final printing of each edition;
- (j) To oversee the publication process and time frame for publication;
- (k) To distribute all assignments and determine assignment deadlines in conjunction with the Executive Editor(s);
- (l) To act as the primary liaison between the Administration, Faculty, Faculty Advisor(s), and third parties;
- (m) To distribute complimentary copies of newly printed journals to members of Florida Coastal School of Law faculty/deans;
- (n) To compose and communicate, in conjunction with the Communications Editor, announcements of the *Law Review* with the student body and administration—*e.g.*, member achievements, journal publication, new members, new board, etc., provided that a Communications Editor is on the board;
- (o) To be responsible for enforcing *Law Review*'s policies and executing disciplinary proceedings when needed with the advice and assistance of the Editorial Board;

- (p) To notify students of selection as Candidates;
- (q) To coordinate with the Faculty Advisor(s) and Registrar's office concerning grade-on eligibility for Candidates; and
- (r) To attend the National Conference of Law Review Meetings each Spring, with another accompanying incumbent or incoming Editorial Board member, as allowed by that year's budget.

Section 5. The *Managing Editor* shall be primarily charged with coordination of the production of *Law Review* for submission to the printer. In carrying out these duties, he or she shall:

- (a) Assist the Editor-in-Chief in coordinating activities of the *Law Review*;
- (b) Organize and schedule general meetings and board meetings, including preparing an agenda and preparing awards for presentation;
- (c) Keep personnel files on each Staff Editor and Candidate for performance evaluation purposes;
- (d) Collect member time sheets and keep track of members' hours when these Bylaws require such;
- (e) Keep the Editor-in-Chief informed of members' hour statuses throughout each semester and report total hours for each member to the Editor-in-Chief and Faculty Advisor(s) at the end of each semester, when these Bylaws require such, or at the request of the Editor-in-Chief or Faculty Advisor(s);
- (f) Inform the Editorial Board if disciplinary action needs to be taken against a member and impose disciplinary measures, provided that, the incumbent Editor-in-Chief grants this power to the Managing Editor in each instance this power is sought;
- (g) Coordinate multiple social functions per semester.
- (h) Maintain an updated alumni list;
- (i) Coordinate with the Registrar to order *Law Review* certificates and send to recent graduates;
- (j) Develop and update mastheads, tables of contents, and other tables, announcements, or advertisements needed for publication of each edition of the *Law Review*;
- (k) Develop and manage, in connection with the Faculty Advisor(s) and administration, the *Law Review* budget;
- (l) Maintain financial records for the *Law Review*;
- (m) Collect receipts for expenditures from members and work with Florida Coastal School of Law's Finance Office to distribute reimbursement checks;
- (n) Work with the Faculty Advisor(s) and Florida Coastal School of Law's Finance Office to obtain financing for *Law Review*'s projects, supplies, and publication;
- (o) Submit a publisher's invoice for each journal edition to Florida Coastal School of Law's Finance Office;

- (p) Coordinate with Florida Coastal School of Law's administration to order and distribute graduation cords for each graduating member of *Law Review*;
- (q) Serve as liaison between Westlaw and LexisNexis for electronic publication of journals;
- (r) Retrieve and maintain phone messages and the *Law Review*'s regular mail;
- (s) Maintain an inventory and order office supplies;
- (t) Obtain author reprint numbers/addresses for each edition and submit to the publisher prior to printing;
- (u) Serve as the primary contact with subscribers, potential subscribers, and subscription agents (such as Hein and Ebsco);
 - i. Solicit new subscribers, including development and implementation of a subscription solicitation plan;
 - ii. Keep current subscribers and their agents aware of anything positive or negative concerning the upcoming issues (such as new issues, special issues, or delays in issues);
 - iii. Communicate with subscribers to ensure their subscriptions are up to date and supply subscribers with any issues that they may have inadvertently not received;
 - iv. Ensure that all subscribers are satisfied with our services; and
 - v. Maintain and update a contact information database of all subscribers.
 - vi. Maintain the *Florida Coastal Law Review* TWEN site;
- (v) Work with the publisher to coordinate mailing of each edition to subscribers or mail editions him/herself;
- (w) Manage archived issues of *Law Review*, e.g., two hard copies of each issue shall be maintained in the *Law Review*'s archives;
- (x) Solicit anonymous feedback from Staff once per semester; and
- (y) Work with the Notes and Comments Editor, the Symposium and Submissions Editor, and the Editor-in-Chief to select Candidate Notes or Staff Articles for publication. However, the provisions requiring a Symposium Editor or Submissions Editor only apply when either of the aforementioned is an incumbent Board Member.

Section 6. The *Notes and Comments Editor* shall (appointed at the discretion of the incumbent Editorial Board):

- (a) Review internal submissions of Candidate notes and staff articles for potential publication; offer selected Staff Members/Candidates publication; and forward selected articles to the Submissions Editor;
- (b) Maintain a list of writing competitions that members are eligible to enter;

- (c) Develop and manage the *Law Review* write-on competition each semester;
 - i. The Notes and Comments Editor shall work with the Communications Editor to advertise the write-on competition each semester through informational sessions, class visits, website postings, and other electronic or paper materials that may be necessary;
 - ii. The Notes and Comments Editor shall be responsible for conducting training workshops for potential participants in the write-on competition at least twice per semester and will be responsible for all aspects of the application process;
 - iii. At the discretion of the Notes and Comments Editor, he or she shall oversee a selection committee that anonymously selects the write-on submissions that meet *Law Review's* standards;
 - iv. The Notes and Comments Editor shall maintain and update as necessary the competition information packet distributed to prospective members during the write-on competition.
- (d) Work with the Editor-in-Chief and Faculty Advisor(s) in topic selection for required staff article submissions;
- (e) Keep track of Candidate notes and staff article deadlines for members and answer questions of members concerning their papers;
- (f) Communicate with the Technical, Research and Writing, and Manuscript Editors concerning the editing of *Law Review* member papers; and
- (g) Conduct Candidate note and staff article training workshops at least once per semester.

Section 7. The *Submissions Editor* (appointed at the discretion of the incumbent Editorial Board) shall:

- (a) Coordinate with the Editor-in-Chief and Executive Editor(s) on the theme or substance of each issue of *Law Review*;
- (b) Review and select professional articles, essays, notes, comments, and book reviews for publication in each issue of *Law Review*;
- (c) Offer contracts to authors, handle contract negotiations with authors, in consultation with the Editor-in-Chief and/or the Faculty Advisor(s), and maintain records of author contracts;
- (d) Along with the Executive Editor(s) and Editor-in-Chief, serve as a primary contact to authors throughout the editing process;
- (e) Attend events/symposiums/conferences and network with legal professionals/academia in order to build relationships to solicit articles;
- (f) Manage the *Law Review's* ExpressO e-mail account for online article submissions;
- (g) Forward accepted articles to the Executive Editor(s) for incorporation into the editing process;
and
- (h) Coordinate and plan the *Florida Coastal Law Review* Spring Symposium, when scheduled,

which shall include:

- i. At the discretion of the Submissions Editor and in consultation with the Editorial Board, selecting a committee to assist in planning, coordinating, and running the Symposium (the “Symposium Committee”); and
- ii. Managing the Symposium Committee, if one is selected, in coordinating, planning, and running the Symposium.

Section 8. The *Executive Editor(s)* shall:

- (a) Serve as primary contact, along with the Editor-in-Chief and Submissions Editor, for all authors regarding articles and editing and act as the liaison for communication between the authors and the *Law Review* on article issues;
- (b) Obtain author reprint information/addresses; create an Excel spreadsheet for such information; and submit to the publisher prior to/in conjunction with submission of the entire issue for publication;
- (c) Oversee editing process and deadlines for each journal;
- (d) Conduct a final review of each article from the Staff Editors and review each complete journal before submitting to the Editor-in-Chief for final review;
- (e) Work with the Editor-in-Chief and Managing Editor to efficiently assign Staff Editors and Candidates to articles as the articles are accepted for publication. After the Editor-in-Chief or the Submissions Editor accepts an article for publication, the Editor-in-Chief or the Submissions Editor forwards the article to the Executive Editor(s), who then coordinates with the managing editor and assigns the article and a group of Staff Editors and Candidates for editing;
- (f) Review work of and provide feedback to the Manuscript, Technical, and Research and Writing Editor(s) on all written works being published in each issue;
- (g) Compile Staff Editor/Candidate “laundry” lists as to any problems, questions, or issues on specific articles;
- (h) Organize and meet with Staff Editors and Candidates assigned to individual articles to review consistent problems, renumber footnotes, answer questions, etc.; and
- (i) Maintain the Editing Checklist by making additions or subtractions based on feedback from the Editorial Board and Editorial Staff.

Section 9. The *Senior Articles Editor* (appointed at the discretion of the incumbent Editorial Board) shall:

- (a) Be responsible for planning and organizing training activities of the entire *Law Review*;
- (b) Organize, schedule, and facilitate Candidate training;
- (c) Update Candidate training manual for each Candidate training;
- (d) Conduct training updates and inform members about general training concerns/consistent

problems at general meetings;

- (e) Provide feedback to Staff Editors/Candidates on editing assignments/member performance at least twice per semester;
- (f) Serve as the liaison between Westlaw representatives, LexisNexis representatives, and Florida Coastal School of Law Library staff when organizing and scheduling Staff Editor and Candidate training activities;
- (g) Collect completed editing assignments from, and consolidate work of, the Staff Editors/Candidates for each article and thoroughly cite check every source provided within a work to published in *Law Review* for accuracy and technical correctness; and
- (h) Perform such other Editorial Board duties as the Editor-in-Chief may assign.

Section 10. The *Research and Writing Editor(s)* (appointed at the discretion of the incumbent Editorial Board) shall:

- (a) Submit completed, comprehensive editing reviews of the articles for the entire issue to the Technical Editor. The Research and Writing Editor(s) shall supplement the completed edit with a list of remaining cite-checking issues (*e.g.*, outstanding Inter Library Loans). The Research and Writing Editor(s) shall follow up on these remaining issues until they are resolved or until such a time that the author's assistance (via the Executive Editor(s)) is required;
- (b) Provide feedback as to individual Staff Editor/Candidate performance on editing issues concerning cite checking;
- (c) Collaborate with the Technical and Manuscript Editors to come to a consensus on questionable edits;
- (d) Assist Executive Editor(s) in their duties as needed; and
- (e) Maintain and update as necessary the Research and Writing portion of the orientation edit exercise for new candidates to complete at orientation.

Section 11. The *Technical Editor* (appointed at the discretion of the incumbent Editorial Board) shall:

- (a) Be responsible for reviewing all edits made by the Staff Editors, Candidates, and previous Board Editors by conducting a comprehensive review of all Bluebooking/citations, as well as any other footnote element for each written work to be published in *Law Review*;
- (b) Submit completed technical edits to the Manuscript Editor;
- (c) Provide feedback as to individual Staff Editor/Candidate performance on editing issues concerning Bluebooking, footnote structure, and text;
- (d) Collaborate with the Research and Writing and Manuscript Editors to come to a consensus on questionable edits;
- (e) Assist Executive Editor(s) in their duties as needed; and

- (f) Assist Senior Articles Editor with Bluebook Quiz administered during Candidate training.

Section 12. The *Manuscript Editor* (appointed at the discretion of the incumbent Editorial Board) shall:

- (a) Be responsible for reviewing all edits made by the Staff Editors, Candidates, and previous Board Editors by conducting a comprehensive review of all grammar and general formatting elements outlined in the *Law Review* checklist of each written work to be published in *Law Review*;
- (b) Edit the article's content, grammar, spelling, and punctuation; and
- (c) Assist Executive Editor(s) in his or her duties as needed.

Section 13. The *Production Editor* (appointed at the discretion of the incumbent Editorial Board) shall:

- (a) Provide alternating assistance in the editing process between the Technical Editor and the Manuscript Editor, including the following tasks:

- i. Perform duties of Technical Editor for at least one edit per semester, as set forth in Article IV, Section 11.
 - a. Be responsible for reviewing edits made by the Staff Editors, Candidates, and previous Board Editors by conducting a complete review of all Bluebooking and citations, as well as any other footnote element for work to be published in *Law Review*;
 - b. Submit completed technical edits to the Manuscript Editor; and
 - c. Provide feedback as to individual performance for Staff Editors and Candidates on editing issues concerning Bluebooking and citations.
- ii. Perform duties of Manuscript Editor on at least one edit per semester, as set forth in Article IV, Section 12.
 - a. Be responsible for reviewing edits made by the Staff editors, Candidates, and previous Board Editors by conducting a comprehensive review of all grammar and general formatting elements outlined in the *Law Review* checklist; and
 - b. Edit the article's content, grammar, spelling, and punctuation.
- iii. Perform duties of Research and Writing Editor(s) as needed.
- iv. Assist Executive Editor(s) in his or her duties as needed.

Section 14. The *Communications Editor* (appointed at the discretion of the incumbent Editorial Board) shall:

- (a) In conjunction with the Editor-in-Chief, draft and submit communications for dissemination through the Dean's Office and other Florida School of Law information channels
- (b) Update the materials in the *Law Review* display case in at least once per semester;
- (c) Serve as the *Law Review* representative at Florida Coastal School of Law events including, but not

limited to the following: prospective student events, organizational fairs, new-student orientation, and any other event as required by the Editor-in-Chief;

- (d) Maintain a suite of display items and materials for table displays at organizational fairs and any other event as required by the Editor-in-Chief;
- (e) Coordinate and aid in the planning of the annual Honors Reception with all involved parties;
- (f) Send journals to the Florida Supreme Court Justices and the U.S. Supreme Court Justices annually;
- (g) Market when *Florida Coastal Law Review* is cited;
- (h) Send announcements through the Coastal Weekly and Student Body Association Newsletter as needed regarding *Law Review* member awards, the citation of *Florida Coastal Law Review*, and any other relevant news;
- (i) Handle all aspects of *Law Review*'s outward appearance, including but not limited to arranging all *Law Review* group photos used for marketing purposes;
- (j) Organize, edit, and distribute the internal *Law Review* newsletter at least three times per semester;
- (k) Keep minutes during all General Membership Meetings and Board Meetings, and distribute minutes to the Editorial Board and staff members upon request;
- (l) Take Candidates' photos during the Candidate Orientations and display them in the *Law Review* office;
- (m) Maintain the master copy of the *Law Review* Bylaws and be responsible for drafting amendments as required by the Editorial Board and in compliance with the procedures set forth in Article X;
- (n) Work with the Notes and Comments Editor to coordinate and staff write-on competition advertisements, class visits, training workshops, and any other marketing required to ensure the solicitation of applicants;
- (o) Draft any and all communications in furtherance of *Law Review* as required by the Editor-in-Chief;
- (p) Serve as the contact point for updates to the *Law Review* website ("Website"), which includes the following duties:
 - i. Reviewing, at least four times per semester, the content of the Website and suggesting areas for improvement or updates that should be made;
 - ii. Collecting updated materials, including digital copies of published journals, from other Editorial Board members for posting to the website;
 - iii. Bringing to the Editorial Board suggestions from the membership for changes or updates to the Website; and
 - iv. Communicating updated materials and changes to the Website to the appropriate technical staff member, and when appropriate, the FCSL Information Technology Department

and Faculty Advisor(s).

Section 15. The *Conference Editor* (appointed at the discretion of the incumbent Editorial Board) shall:

- (a) In conjunction with the Editor-in-Chief, plan and oversee the creation of a Conference Committee to carry out the hosting of any Conferences that the incumbent Law Review Editorial Board, in combination with the successor Editorial Board, chooses to undertake;
- (b) The Conference Committee shall be co-chaired by the Editor-in-Chief and the Conference Editor, who will both select a committee consisting of no less than (2), and no more than (4) Editorial Board members, in addition to no less than (2), and no more than (4) Editorial Staff members, who will all have equal votes;
- (c) This position, as well as the Conference Committee, will exist for the time and year needed for any Conferences that the Editorial Board has here deemed appropriate:
 - i. 2016-2017; 2017 National Conference of Law Reviews;
- (d) Organize, schedule, and coordinate all aspects of any Conference so undertaken, and distribute responsibilities to committee members, staff editors, and candidates as needed.
- (e) Perform such other Editorial Board duties as the Editor-in-Chief may assign.

Section 16. *Vacancy.* If there is a vacancy on the Editorial Board, the Editorial Board may elect a member of *Law Review* to fill such vacancy. The member asked to fill the vacancy must obtain a majority vote in order to fill the vacant Editorial Board position.

Section 17. Each Editorial Board member shall be primarily charged with carrying out final editing and revision of manuscripts selected for publication in *Law Review*. Each Editorial Board member shall also perform such manuscript screening and intermediate editing as the Editor-in-Chief shall assign. Although proofreading responsibilities are the primary responsibility of the Manuscript Editor and Executive Editor(s), other members of the Editorial Board shall also perform such proofreading tasks as the Editor-in-Chief or Executive Editor shall assign. All Editorial Board members shall attend every scheduled General Member Meeting and Editorial Board meeting. Exceptions for meetings may be granted if the Editorial Board member contacts the Managing Editor, via e-mail, at least twenty-four (24) hours prior to the scheduled meeting or good cause is shown for the absence. In the case of an emergency, the Editorial Board member should contact the Managing Editor. At the discretion of the Managing Editor and Editor-in-Chief, the Editorial Board member may be required to meet with the Managing Editor or Editor-in-Chief to make-up the missed meeting. All Editorial Board members shall attend the Symposium each Spring, provided there is a Symposium for that academic year. All Editorial Board members shall attend at least two (2) *Law Review* sponsored events each semester. The Editorial Board is expected to have a year-round commitment to the duties of *Law Review*.

Section 18. *Editorial Board Credit Hour Policy.* All members of the Editorial Board in good standing are permitted to take no more than two (2) hours of academic credit per semester for a total of no more than four (4) hours of academic credit prior to their graduation. *Law Review* credits will be graded on a pass/fail basis. In order to receive a “pass,” each member of the Editorial Board shall complete a minimum of thirty (30) hours of work for each credit hour in furtherance of the *Law Review* and shall conduct himself according to the criteria set forth in Article VII.

Article V—Editorial Staff

Section 1. *Editorial Staff Selection:*

- (a) Once a Candidate has fulfilled his or her Candidate semester requirements, as set forth in Article VI, a Candidate shall become a Staff Editor and be conferred the benefits of being a member of *Law Review*.
- (b) Each Staff Editor shall sign a Member Agreement as a condition of membership of *Law Review*.

Section 2. *Duties.* To remain in good standing with the *Florida Coastal Law Review*, Staff Editors shall:

- (a) **Assist in the preparation of each semester's publication of *Law Review* as the Editorial Board may prescribe.** All work shall be equitably apportioned among the members so far as practicable. However, selected members shall perform routine editorial tasks including, but not limited to, initial editing, proofreading, cite checking, case screening, topic recording, and indexing. Staff Editors should expect to devote at least thirty (30) hours each semester to the publication of *Law Review*; however, all members are expected to contribute additional time as is necessary to publish a high-quality scholarly journal on schedule.
- (b) **Attend all *Law Review* staff meetings.** Exceptions for scheduled staff meetings may be granted if the Staff Editor contacts the Managing Editor, via e-mail, at least twenty-four (24) hours prior to the meeting and shows good cause for the absence. In the case of an emergency, the Staff Editor should contact the Managing Editor. At the discretion of the Managing Editor and Editor-in-Chief, the Staff Editor may be required to meet with the Managing Editor or Editor-in-Chief to make up the missed staff meeting.
- (c) **Attend any *Law Review* article team meetings that the Executive Editor(s) deem mandatory.** The Executive Editor(s) may grant exceptions for article team meetings if the Staff Editor contacts the Executive Editor(s) in charge of the article, via e-mail, at least twenty-four (24) hours prior to the meeting and shows good cause for the absence. At the discretion of the Executive Editor(s), the Staff Editor may be required to meet with the Executive Editor(s) to make up the missed article team meeting.
- (d) **Satisfactorily complete all work that the *Florida Coastal Law Review* Editorial Board assigns by the assigned deadline.** All Staff Editors must submit assignment extension requests to the Executive Editor(s) no later than forty-eight (48) hours after receiving notice of the assignment and show good cause for an extension or delay in an assignment—absent emergency circumstances. A Staff Editor's work includes, but is not limited to the following:
 - i. Pulling sources and researching additional sources when necessary;
 - ii. Competent citation and Bluebooking efforts;
 - iii. Accurate and properly pincited sources;
 - iv. Shepardizing and/or Key Citing citations to ensure accuracy;
 - v. Editing articles for adequate footnoting and grammar;
 - vi. Completing all requirements set forth in the *Florida Coastal Law Review* Editing

Checklist; and

- vii. Completing any additional tasks that the Editorial Board may assign.
- (e) Complete a staff article as defined by Article V, Section 3;
- (f) Attend the *Florida Coastal Law Review* Symposium; and
- (g) Attend a minimum of two (2) *Law Review* sponsored social events per semester.

Section 3. Scholarly Writing Requirement:

- (a) Each Staff Editor, in order to remain in good standing, must satisfactorily complete a staff article, in addition to any writing requirements of Florida Coastal School of Law, during his or her second semester on *Law Review* (e.g., the semester immediately following the candidacy semester).
- (b) The staff article shall consist of a scholarly article of publishable quality that is at least eighteen (18), but not more than thirty (30), pages in length (exclusive of footnotes) on an approved topic. The Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, will approve topics and set deadlines for staff articles. The Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, shall maintain the discretion to select and approve topics for staff articles. A topic is also acceptable if the article topic meets all eligibility requirements of an approved writing competition. The Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, will review staff articles for research, analysis, proper citation, and other criteria necessary to deem the Staff Article of “publishable quality.” If the Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, determines a staff article is not of publishable quality, the Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, shall return the staff article to the writer once, who will have seven (7) days to resubmit the staff article for a final review. If the staff article fails the final review, the incumbent Editorial Board may take whatever action they deem necessary to maintain the integrity of the *Florida Coastal Law Review*.
- (c) *Advanced Legal Writing Requirement (ALWR)*. Each member of *Law Review* must satisfy the ALWR as set forth in Florida Coastal School of Law’s applicable Student Handbook. The ALWR may be satisfied through a traditional course at Florida Coastal School of Law or through an Independent Study. Students wishing to use their staff article to satisfy the ALWR must consult with the faculty member supervising the ALWR process. The Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, must independently approve staff articles based on the criteria in subsection (b) above, irrespective of the ALWR faculty member’s evaluation of the topic or quality.
- (d) Any Staff Editor may appeal the decision of the Notes and Comments Editor to reject a staff article by giving written notice to the Managing and Notes and Comments Editors within fourteen (14) days of the rejection. A two-thirds (2/3) vote of the Editorial Board is needed to overturn an adverse decision by the Notes and Comments Editor.
- (e) If staff articles are to be considered for publication, the Notes and Comments Editor will form a committee comprised of Editorial Board members to review the submissions and decide on which staff articles will be published.

Section 4. Staff Editor Credit Hour Policy. All Staff Editors in good standing are permitted to take one (1) hour of academic credit per semester for a total of no more than three (3) hours of academic credit prior to their graduation. *Law Review* credits will be graded on a pass/fail basis. In order to receive a “pass,” each member of the Editorial Staff shall complete a minimum of thirty (30) hours of work for each credit hour in furtherance of the *Law Review* and shall conduct himself or herself according to the criteria set forth in Article VII. All Staff Editors (other than Editorial Board members) who take *Law Review* for academic credit shall keep track of their first thirty (30) hours spent on *Law Review* assignments, for each credit taken, and shall report their hours to the Managing Editor. Staff Editors writing their staff article for ALWR credit may receive one (1) credit hour for *Law Review* the semester they write their article, provided they fulfill the minimum thirty (30) hours excluding the hours spent working on the article.

Article VI—Candidates

Section 1. Candidate Selection:

(a) Each student, including those selected per subsection (b) of this section, wishing to be considered for membership in *Law Review* shall perform a technical and substantive edit of an excerpt from an unpublished article upon receiving an invitation to join *Law Review* (described further in subsection (d) of this section). Qualifying students, as defined in subsection (b) of this section, have the option of completing the writing competition as outlined below in subsection (c) of this section.

(b) Each June and January, the Faculty Advisor(s) shall obtain from the Florida Coastal School of Law Registrar a list of students who have completed between twenty-five (25) and thirty-nine (39) credit hours (“Qualifying Students”). Under the Registrar’s policies, this credit range spans two (2) groups: students who have earned 1-30 credit hours (Group A) and students who have earned 31-60 credit hours (Group B). The Registrar ranks students only within their groups and cannot rank students across groups. The Registrar’s list will include only the student name, credit hours, and class rank, but will not include a student’s GPA due to restrictions on students’ rights under federal law. Transfer students are not eligible to grade-on to *Law Review* under this section.

An invitation to be a Candidate of *Law Review* shall be extended to those Qualifying Students who are in the top five percent (5%) according to class rank in Group A and those students who are in the top five percent (5%) according to class rank in Group B, if any (“Grade-On Candidates”). However, the total number of invited Grade On Candidates from Group A and Group B combined shall not exceed twenty-five (25) students for invitations extended based on the June list and shall not exceed five (5) students for invitations extended based upon the January list. If the total number of Qualifying Students who meet the five percent (5%) threshold requirements exceeds twenty-five (25) or five (5), respectively, the Qualifying Students shall be ranked according to their percentile rank within their group, by computing their percentile rank to the fourth decimal (e.g., 0.0499, or 4.99%).

In the event more than one (1) student ties for the twenty-fifth (25th) or fifth (5th) invitation, respectively, by having the same percentile rank within his or her ranking group as another student has within his or her ranking group, all students with that percentile ranking shall be extended an invitation to be a Candidate of *Law Review*, notwithstanding the limitation on the number of Candidates.

A description of the grade-on procedures in this subsection is attached as Appendix A to these Bylaws.

In the event the foregoing procedure shall not produce sufficient Candidates to ensure the smooth and efficient operation of the *Law Review* (including producing sufficient future Staff Editors and Editorial

Board members), the Faculty Advisor(s) and/or the Editorial Board shall have the discretion to expand the grade-on invitations to other Qualifying Students, provided the expansion method applies equally to Groups A and B.

(c) Prior to the start of the fall and spring semesters, the Editorial Board shall conduct a writing competition. The writing competition's goal is to provide an alternative means of achieving an invitation to *Law Review* for students who do not Grade On to *Law Review*. The writing competition packet shall be disseminated to all students who show interest, but only students who have completed between twenty-five (25) and thirty-nine (39) credit hours with a cumulative grade point average of at least 2.50 are eligible to receive an invitation to *Law Review*. Transfer students are eligible to participate in the writing competition provided they will complete at least forty-five (45) credits at Florida Coastal after the competition and received a grade point average of 2.50 or higher at their previous school and provide appropriate corroborating documentation.

The Notes and Comments Editor is responsible for administering the writing competition and selecting a committee from among the *Law Review* membership to review selections. Based on the results of this competition, the Editorial Board may extend invitations to those students whose work meets the standard of "publishable quality" and who complete the technical and substantive editing assignment in good faith. The Editorial Board reserves the right not to extend any invitations if no submissions are of publishable quality. Furthermore, as used in this section, "publishable quality" and "good faith" do not necessarily reflect a specific numerical points total as allocated by the committee of readers and calculated by the Notes and Comments Editor, but represent a flexible standard that shall allow the Editorial Board wide discretion to consider the overall quality of both document submissions when determining whether to issue an invitation.

(d) To become a *Law Review* Candidate, a student must accept the *Law Review* invitation in writing. Upon accepting an invitation to become a Candidate, the Candidate shall sign a Candidate Agreement and return the Agreement to the Managing Editor. In addition, Candidates are required to complete an assignment that tests their diligence and proficiency with Bluebook legal citation standards and the *Florida Coastal Law Review* Editing Checklist prior to Candidate Orientation. Each Candidate is given an error-filled law journal article excerpt and is required to identify and correct the errors. The Editorial Board reserves the right to rescind an invitation should a Candidate fail to complete the assignment prior to the deadline established by the Editor-in-Chief.

Section 2. Duties. In order to remain in good standing with *Law Review*, all Candidates must:

(a) Enroll in and attend a special section of the Legal Editing course reserved for *Law Review* Candidates. The Registrar shall offer the course every fall semester, and successful completion of the course as a Candidate is a requirement for *Law Review* membership; provided, however, a Candidate invited to *Law Review* in a spring semester may complete the Legal Editing course in the following fall semester and may become a Staff Editor upon completion of all the other criteria in Article VI, with a condition subsequent that the Candidate successfully complete the Legal Editing course during the first available fall semester. If a Candidate cannot register for the Legal Editing course due to scheduling issues, it is the Candidate's responsibility to notify and meet with the Faculty Advisor(s) as soon as possible to discuss alternatives. Candidates do not receive academic credit for their Candidate semester, except through the above-mentioned Legal Editing course.

(b) Attend all *Law Review* staff meetings. Exceptions for staff meetings may be granted if the Candidate contacts the Managing Editor, via e-mail, at least twenty-four (24) hours prior to the meeting and shows good cause for the absence. In the case of an emergency, the Candidate should contact the

Managing Editor. At the discretion of the Managing Editor and Editor-in-Chief, the Candidate may be required to meet with the Managing Editor or Editor-in-Chief to makeup the missed staff meeting.

(c) Attend any *Law Review* article team meetings that the Executive Editors deem mandatory. Exceptions for article team meetings may be granted if the Candidate contacts the Executive Editor(s) in charge of the article, via e-mail, at least twenty-four (24) hours prior to the meeting and shows good cause for the absence. At the discretion of the Executive Editor(s), the Candidate may be required to meet with the Executive Editor(s) to makeup the missed article team meeting.

(d) Satisfactorily complete by the assigned deadline all work that the *Law Review* Editorial Board assigns. All Candidates must submit assignment extension requests to the Executive Editor(s) no later than forty-eight (48) hours after receiving notice of the assignment and show good cause for an extension or delay in an assignment—absent emergency circumstances. A Candidate’s work includes, but is not limited to, the following:

- i. Pulling sources and researching additional sources when necessary;
- ii. Competent citation and Bluebooking efforts;
- iii. Accurately and properly pinpointing sources;
- iv. Shepardizing and/or Key Citing citations to ensure accuracy;
- v. Editing articles for adequate footnoting and grammar;
- vi. Completing all requirements set forth in the *Florida Coastal Law Review* Editing Checklist; and
- vii. Completing any additional tasks that the Editorial Board may assign.

(e) Draft and submit a casenote of “publishable quality,” as further described in Article VI, Section 3 below;

(f) Satisfactorily complete the Bluebooking Quiz administered during Candidate Orientation;

(g) Attend and complete the Candidate Orientation held at the beginning of the Candidate semester;

(h) Attend the *Florida Coastal Law Review* Symposium; and

(i) Attend a minimum of two (2) *Law Review* sponsored social events per semester.

Section 3. Scholarly Writing Requirement:

(a) Each Candidate must satisfactorily complete a student casenote of publishable quality between ten (10) and twelve (12) pages in length (exclusive of footnotes) in his or her Candidate semester on *Florida Coastal Law Review*. The casenote consists of an analysis of a recent noteworthy Florida Supreme Court, United States Supreme Court, or United States Circuit Court of Appeals case, and certain other significant cases that the Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, may approve in advance. The Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, will assign

and approve casenote topics and set the deadline for casenote submissions.

(b) The Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, will review Candidate casenotes for research, analysis, citation, and other criteria necessary to deem the Candidate’s casenote of “publishable quality.” If the Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, determines a casenote is not publishable quality, the Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, may: (i) return the casenote to the writer who will have seven (7) days to resubmit the casenote for further review, or (ii) reject the casenote as unsatisfactory and report this determination to the incumbent Editorial Board. A Candidate whose casenote does not meeting the standards set forth in this section will not be accepted and may result in that Candidate not receiving an invitation to become a Staff Editor, which is left solely in the discretion of the incumbent Editorial Board.

(c) Any Candidate may appeal the decision of the Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, to reject a casenote by giving written notice to the Managing Editor and the Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, within fourteen (14) days of the rejection. The Editorial Board shall then read the casenote and hold a vote on whether to overturn the decision of the Notes and Comments Editor. Two-thirds (2/3) of the Editorial Board are needed to overturn an adverse decision by the Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board.

(d) If casenotes are to be considered for publication, the Notes and Comments Editor, or other Editorial Board Member as agreed amongst the incumbent Editorial Board, will form a committee, comprised of members of the Editorial Board, to review the casenote submissions and decide on which casenotes will be published.

Article VII—Warning, Sanction, and Removal

Section 1. *Expected and Sanctionable Conduct:*

(a) **Expected Conduct of All Law Review Members and Candidates:** The success of *Florida Coastal Law Review* rests on the conduct of its members, who must show the following:

- i. Timeliness;
- ii. Presence at meetings;
- iii. Cooperation;
- iv. Teamwork;
- v. Respect; and
- vi. Professionalism.

(b) **Sanctionable Conduct:** The incumbent Editorial Board has the power to sanction any conduct, even conduct not listed in these bylaws, deemed “improper” by the incumbent Editorial Board.

- i. ***Verbal Warning.*** A verbal warning *may* be issued for any of the following:

- a. First unexcused absence from or tardiness to mandatory meetings or training sessions;
 - b. Disrespect to fellow members of the Board, Staff, or Candidates;
 - c. Failure to submit a satisfactorily complete edit within twelve (12) hours of the assigned deadline, without notice, *may* result in a verbal warning; however, an edit submitted between twelve (12) and twenty-four (24) hours without notice *shall* receive a verbal warning;
 - d. Failing to attend a required *Law Review* sponsored event—because two (2) *Law Review* sponsored events are required, two verbal warnings are given if zero (0) events are attended, and one verbal warning is given if one (1) event is attended; or
 - e. Other conduct that the incumbent Editorial Board deems improper and deserving of a verbal warning.
- ii. **Written Warning.** A written warning *may* be issued for any of the following:
- a. Failure to submit a completed edit, between twenty-four (24) hours and forty-eight (48) hours after the assigned deadline, without notice;
 - b. Failure to produce required work product;
 - c. Failure to satisfactorily complete assigned tasks;
 - d. Multiple unexcused absences from, or tardiness to, mandatory meetings or training sessions;
 - e. Failure to conduct oneself in a fair and professional manner; or
 - f. Conduct likely to bring disrepute to *Florida Coastal Law Review*.
- iii. **Immediate Removal.** Some conduct is so egregious as to bring such disrepute to *Law Review* that it warrants the immediate initiation of the removal proceedings outlined in Article VII, Section 3. Such egregious conduct subject to the immediate initiation of the removal proceedings outlined in Article VII, Section 3, includes:
- a. Any violation of the Florida Coastal School of Law Honor Code or Student Conduct Code;
 - b. Plagiarism;
 - c. Cheating;
 - d. Stealing;
 - e. Assisting competitors in the write-on competition;
 - f. Improperly influencing the outcome of the write-on competition;

- g. Sexual harassment;
- h. Failing to pass required courses at Florida Coastal School of Law;
- i. Any conduct rising to the degree of severity illustrated in the above examples or determined by the incumbent Editorial Board to be deserving of immediate removal; or
- j. Examples listed below under member-specific and Candidate-specific removable conduct.

Section 2. Member Discipline:

(a) Verbal Warning

- i. Upon a Staff Editor receiving notification from the Editor-in-Chief that the Staff Editor is in violation of Article VII, Section 1(b)(i), the Staff Editor shall meet with the Editor-in-Chief, at the Editor-in-Chief's earliest convenience, to receive the Staff Editor's verbal warning.
- ii. Two (2) verbal warnings constitute a written warning for purposes of removal.

(b) Written Warning

- i. Any member of the *Florida Coastal Law Review* may receive a written warning issued by the Editor-in-Chief when in violation of any of these Bylaws. A warning may be issued by the Editor-in-Chief acting alone, or by request of two Editorial Board members.
- ii. Before issuance of a written warning, the Editor-in-Chief and any person the Editor-in-Chief deems necessary shall meet with the offending staff member.
- iii. The warning shall be issued in writing, on *Florida Coastal Law Review* letterhead, with notification to the Editorial Board and Faculty Advisor(s), prior to issuance for the purpose of discussion. The following procedure shall be followed by the Editorial Board:
 - a. A copy of the warning shall be placed in the member's file.
 - b. Any Editorial Board member shall send by certified mail or personally deliver the written warning to the member.
 - c. When a written notice of a warning is issued to the member, that member shall sign the warning, note any objections, and return it to the Editorial Board within five (5) business days. The objection shall be preserved as primary evidence for the removal and hearing procedure as outlined in Article VII, Section 3.
 - d. Failure to state any objections constitutes a waiver of any ability to object later in a removal and hearing procedure, as outlined in Article VII, Section 3.

(c) Member-Specific Conduct Subject to Immediate Removal. The Editorial Board may, without issuing a warning, immediately dismiss any Staff Editor who:

- i. Turns in an editing assignment more than forty-eight (48) hours after the assigned deadline, without providing appropriate notice, on more than one occasion;

- ii. Fails to submit a staff article by the proscribed deadline; or
- iii. Engages in any action the Editorial Board deems to be a flagrant violation of the purpose and mission of *Law Review* or to be unprofessional and detrimental to the organization.

Section 3. Member Removal and Hearing Procedure:

- (a) An Editorial Board member shall send by certified mail or deliver in person a notice of removal to the member:
 - i. Upon accumulation of six (6) or more verbal warnings from such conduct outlined in Article VII, Section 1(b)(i);
 - ii. Upon accumulation of three (3) or more written warnings for such conduct outlined in Article VII, Section 1(b)(ii);
 - iii. Upon accumulation of an equivalent combination of written and verbal warnings per Article VII, Section 2(a)(ii); or
 - iv. Upon any single violation as outlined in Article VII, Section 1(b)(iii) and Section 2(c).
- (b) The member shall have ten (10) days from the date of the mailing or delivery of the removal notice to make a written demand for an appeals hearing. For purposes of this Section, an e-mail shall constitute a writing. Every member of *Florida Coastal Law Review* is entitled to request a hearing regarding that member's appeal. Removal shall be automatic unless the member requests a hearing as provided in this paragraph.
- (c) The Editor-in-Chief shall then schedule a date for the appeals hearing. The appeals hearing shall be held within twenty (20) days from the mailing of the removal notice. Once the Editor-in-Chief schedules a date for the appeals hearing, the following shall occur:
 - i. All members of the Editorial Board and Faculty Advisor(s) shall be given notice and an opportunity to attend the hearing.
 - ii. The Editor-in-Chief shall preside over the hearing.
 - iii. The hearing shall be videotaped or otherwise recorded in a visual medium.
 - iv. The member shall have a maximum of fifteen (15) minutes to present his or her case-in-chief, and a maximum of five (5) minutes to present a rebuttal to the Editorial Board's case-in-chief, should the Editorial Board see a need to present a case-in-chief.
- (d) The "voting body" consists of the Editorial Board. A two-thirds (2/3) majority of the voting body is required to sustain removal of the member.
- (e) Two-thirds (2/3) majority of the voting body is required to remove a member.
 - i. Should a disqualifying majority vote be reached, the member shall be removed.
 - ii. Should a disqualifying majority vote not be reached, the member shall not be removed;

however, accumulation of a subsequent warning shall initiate the removal process as outlined in Article VII, Section 3.

iii. In either situation, a Notice of Action After Appeal shall be sent via certified mail, or delivered in-person, to the member.

(f) Removal and Academic Credit

i. It shall be the sole discretion of the Faculty Advisor(s) to determine the pass/fail grade of any member registered for academic credit that semester.

ii. The Faculty Advisor(s) shall have the discretion to notify other Florida Coastal School of Law personnel, including any faculty members with supervisory authority over the removed Candidate, of such member's removal.

Section 4. Candidate Discipline:

(a) The Editorial Board will evaluate only Candidates with two (2) or fewer verbal warnings or one (1) or fewer written warnings for Staff Editor on the *Florida Coastal Law Review*.

(b) Candidate-Specific Conduct Subject to Immediate Removal. The Editorial Board may, without issuing a warning, immediately dismiss any Candidate who:

i. Turns in an editing assignment, more than forty-eight (48) hours after the assigned deadline, without providing appropriate notice and receiving an extension as described in Article VI, Section 2(d);

ii. Fails to satisfactorily complete the above-mentioned mandatory Legal Editing course;

iii. Fails to satisfactorily complete the above-mentioned Bluebook Quiz; or

iv. Engages in any action the Editorial Board deems to be a flagrant violation of the purpose and mission of the *Florida Coastal Law Review*.

(c) Upon receiving the first verbal or written warning, the Candidate shall meet with the Editor-in-Chief at the Editor-in-Chief's earliest convenience.

(d) Upon receiving a second verbal warning, the Candidate shall meet with the Editor-in-Chief and the Faculty Advisor(s) at their earliest convenience. The second verbal warning will also result in the equivalent of a written warning, notifying the Candidate that one (1) more written warning will result in the automatic removal from participation on *Law Review*.

(e) Upon receiving a sanction beyond the equivalent of a second written warning, the Candidate's participation on *Law Review* is automatically terminated.

(f) Any Candidate dismissed under this Section may appeal under Section 5 of this Article.

Section 5. Candidate Invitations, Removal, and Hearing Procedures:

(a) Information pertaining to a Candidate's participation and conduct within the organization will be shared, as necessary, among the Editorial Board and with the *Law Review* Faculty Advisor(s).

(b) At the end of the Candidate semester, the Editorial Board will evaluate the Candidate's personnel file and consider the Candidate's Bluebooking Quiz, casenote, editing assignments, attendance at *Law Review* sponsored events, and overall participation on *Law Review*.

(c) The Editorial Board, in consultation with the Faculty Advisor(s), shall determine whether the Candidate will receive an invitation to become a member of *Law Review*.

i. A Candidate may appeal this decision to the Faculty Advisor(s) by e-mailing or personally notifying, in writing, the Faculty Advisor(s) of the Candidate's objections no later than five (5) days after receiving notification that an invitation was not offered.

ii. The Faculty Advisor(s), upon appropriate notice, shall meet with the Candidate to discuss the Editorial Board's decision and hear the Candidate's objections.

iii. After the meeting, the Faculty Advisor(s) shall consider the meeting and all other information that the Editorial Board provides concerning the Candidate and render a final decision regarding the Candidate's invitation.

iv. The Faculty Advisor(s) shall notify the Candidate, via e-mail, of the final decision regarding the invitation.

v. If the Faculty Advisor(s) determines an invitation should be issued, the Editorial Board shall promptly issue the Candidate an invitation to become a member of *Law Review*.

(d) Decisions of the Editorial Board under this Article, except as provided above, are final. This discretion applies to decisions related to:

i. Publishable quality;

ii. Satisfactory completion of editing assignments; and

iii. Egregious conduct.

Section 6. Editorial Board Discipline and Impeachment Procedures:

Editorial Board members will be subject to the following Disciplinary and Impeachment Process:

(a) Verbal Warning

i. Any Editorial Board member may receive a verbal warning from the Editor-in-Chief for violation of these Bylaws, including but not limited to, not performing his or her editorial responsibilities in a satisfactory manner and any conduct that reflects poorly on the *Florida Coastal Law Review*. The Editor-in-Chief may issue a warning by acting alone or at the request of two (2) Editorial Board members. The Editor-in-Chief shall schedule a meeting with the offending Editorial Board member and during the meeting shall inform the offending Editorial Board member of the grounds. The Editor-in-Chief shall take minutes of the meeting.

ii. After issuance of the verbal warning, the entire Editorial Board shall be notified in writing of the warning and the grounds thereof. The minutes of the meeting shall be placed in the offending Editorial Board member's personnel file.

(b) *Written Warning*

- i. After a verbal warning is given, the Editor-in-Chief may issue a written warning to an Editorial Board member for any additional violation of these Bylaws, including but not limited to, not performing his or her editorial responsibilities in a satisfactory manner and any other conduct that reflects poorly on the *Florida Coastal Law Review*. The Editor-in-Chief may issue a written warning by acting alone or at the request of two (2) Editorial Board members.
- iii. The Editor-in-Chief shall issue the written warning in conjunction with at least one (1) Faculty Advisor.
- iv. The warning shall be issued in writing on *Law Review* letterhead with notification to the Editorial Board and Faculty Advisor(s) prior to the issuance.
 - a. A copy of the warning shall be placed in the Editorial Board member's personnel file.
 - b. The Editor-in-Chief shall either send by certified mail or personally deliver the written warning to the Editorial Board member.
 - c. When the Editorial Board member receives the written warning, the Editorial Board member shall sign the warning, note any objections, and return it to the Editorial Board within five (5) business days. The objections shall be preserved as primary evidence for the impeachment procedure as outlined in Article VII, Section 6(c).
 - d. Failure to state any objections constitutes a waiver of any ability to object later in an impeachment procedure as outlined in Article VII, Section 6(c).

(c) *Impeachment Proceedings*

- i. If after a verbal warning and subsequent written warning, an Editorial Board member violates the Bylaws, including but not limited to not performing his or her editorial responsibilities in a satisfactory manner and any other conduct that reflects poorly on the *Law Review*, the Editorial Board member may be subject to impeachment proceedings. Four (4) Editorial Board members acting in accord may institute impeachment proceedings.
- ii. The Editor-in-Chief shall either send by certified mail or personally deliver the notice of impeachment proceedings to the offending Editorial Board member.
- iii. The Editor-in-Chief shall then schedule a date for the impeachment proceedings. The impeachment proceedings shall be held within ten (10) business days of the mailing of the impeachment notice.
 - a. All members of the Editorial Board and Faculty Advisor(s) shall be given the opportunity to attend the impeachment proceedings.
 - b. The Editor-in-Chief shall preside over the proceedings.
 - c. The proceedings shall be videotaped or otherwise recorded in a visual medium.

d. The offending Editorial Board member shall have a maximum of fifteen (15) minutes to present his or her argument and a defense.

iv. After the offending Editorial Board member has presented his or her defense, the other members of the Editorial Board shall, by secret ballot, vote whether or not to impeach the offending member. If not all Editorial Board members are in attendance, the absent members shall watch the recording within two (2) days and shall cast his or her vote in the same manner. The Managing Editor shall keep all ballots until all members vote. A two-thirds (2/3) majority of the entire Editorial Board is required to impeach the offending Editorial Board member. The offending Editorial Board member shall be notified in writing on *Law Review* letterhead with notification to the Editorial Board and the Faculty Advisor(s). A copy of the letter shall be placed in the member's personnel file and the Editor-in-Chief shall deliver the letter either via certified mail or personally to the offending Editorial Board member.

a. Should a disqualifying majority be reached, the Editorial Board member shall be impeached and thereafter become a Staff Editor. The impeached Editorial Board member may not be considered again for a position on the Editorial Board for the remainder of that individual's time as a member of the *Law Review*.

b. As soon as practical, the vacant Editorial Board position shall be filled pursuant to Article IV, Section 13, unless the Editorial Board member impeached was the Editor-in-Chief. If the Editorial Board member impeached was the Editor-in-Chief, the Editorial Board shall, by majority vote, select among themselves the replacement for the Editor-in-Chief position.

(d) In the event the Editor-in-Chief is the offending Editorial Board member, the Managing Editor will act in place of the Editor-in-Chief for all proceedings in this Section.

Article VIII—Leave of Absence

Section 1. Any member or Candidate of the *Law Review* who is granted a leave of absence by the Dean of Florida Coastal School of Law shall, upon commencement of his or her leave of absence, be removed from the *Law Review*. Upon his or her return and reenrollment in Florida Coastal School of Law, any such person shall be reinstated to his or her previous status on *Law Review*. Any person who has been invited to become a member or Candidate but is unable, because of leave of absence, to begin work as a member at the designated time, shall be re-invited to become a member upon subsequent enrollment. Any person who would have been eligible for membership or as a Candidate, but did not tender the appropriate notice to the Editor-in-Chief because he or she had been granted a leave of absence by the Dean of Florida Coastal School of Law, shall be invited to participate on *Law Review* if he or she tenders the notice within two (2) weeks of his or her reenrollment in Florida Coastal School of Law.

Article IX—Fiscal Matters

Section 1. Accounting. The fiscal year of the *Law Review* shall run from August to July of every year, or such other period as Florida Coastal School of Law's Finance Office prescribes.

Section 2. Fiscal Controls:

(a) *Annual Budget.* The Managing Editor shall prepare and, at least three (3) months prior to the commencement of each fiscal year, submit to the Editorial Board, a proposed annual budget of the

Florida Coastal Law Review for the next fiscal year. The proposed budget shall identify anticipated revenue sources and levels and shall, to the extent practical, identify anticipated material expense items by line item.

(b) *Fees and Charges.* The Editorial Board shall set fees and charges for the services and benefits that the *Florida Coastal Law Review* provides with the goals of recovering the reasonable costs of the operation of the *Florida Coastal Law Review* and establishing reasonable reserves for future expenses and contingencies reasonably related to the legitimate activities of the *Florida Coastal Law Review*. Such fees and charges shall be fair and equitable.

(c) *Reimbursements.* Only the Editorial Board, or an editor working at the direction of the Editorial Board, shall have the authority to incur a debt that the *Law Review* must reimburse. There must be an itemized receipt submitted for reimbursement in accordance with the policies of the Florida Coastal School of Law Finance Office.

Article X—Bylaw Amendments and SOPs

Section 1. *Bylaw Amendment Overview:*

(a) All members of the *Florida Coastal Law Review* shall have the power to propose an amendment to the Bylaws.

(b) The Editorial Board shall sit as the Bylaws Committee.

Section 2. *Bylaw Amendment Procedure:*

(a) A member proposing an amendment shall submit the proposal in writing to the Communications Editor. A member proposing an amendment shall, in addition to drafting the language of the proposed amendment, explain in writing the reasoning behind the proposed amendment, along with any portion of the Bylaws that the proposal will affect in anyway, to the Communications Editor.

(b) The Communications Editor shall distribute the proposal to the Bylaws Committee and the general membership within thirty (30) days of receipt in order to consider the amendment.

i. Any proponent of the amendment shall have the opportunity to be heard by the Bylaws Committee at the time it convenes to consider the proposed amendment. Any member of *Florida Coastal Law Review* shall have the opportunity to be heard by the Bylaws Committee concerning the proposed amendment at the time the Bylaws Committee convenes to consider the proposed amendment. If the proponent is a member of the Bylaws Committee, he or she shall have the opportunity to be heard, and he or she shall retain his or her right to vote.

ii. The proposed amendment must receive a two-thirds (2/3) vote of the Bylaws Committee to pass.

(c) Upon the Bylaws Committee's approval of an amendment, the Editor-in-Chief shall have the amendment incorporated in the Bylaws and shall notify the membership within two (2) days.

Section 3. *Standard Operating Procedures:*

(a) The Editorial Board shall have the power to enact Standard Operating Procedures ("SOPs") that

will govern the conduct of *Law Review* business and internal operations not otherwise covered in the Bylaws.

(b) An Editorial Board member proposing an SOP shall submit the proposal in writing to the Editorial Board. An Editorial Board member proposing an SOP shall, in addition to drafting the language of the proposed SOP, explain either in writing or verbally to the whole of the Editorial Board, the reasoning behind the proposed SOP and ensure that the proposal will not conflict with any portion of the Bylaws.

(c) The Editorial Board shall approve SOPs by a majority vote. Approved SOPs will be maintained in electronic form by the Managing Editor and will also be made available for review by the membership upon request.

(d) All SOPs enacted by the sitting Editorial Board will expire at the conclusion of that Board's term of office. The succeeding board will have discretion as to whether or not to renew any or all SOPs by majority vote. Any SOPs not renewed will automatically cease to have effect.

For Review Purposes, Please Disregard This Page

Appendix A—Grade-On Example

The implementation of the criteria in Article VI, Section 1 of the Bylaws is illustrated by the following example with respect to the list of students provided by the Registrar in June. This table resembles the information provided by the Registrar to the Faculty Advisor(s), in abbreviated form.

Group A (1-30 Credit Hours) Showing 25-30 Credit Hours			Group B (31-60 Credit Hours) Showing 31- 39 Credit Hours		
Student	Credit Hours	Rank	Student	Credit Hours	Rank
Aneta	28	17	Antoinette	31	6
Bob	29	220	Bridgette	35	10
Carter	28	20	Cody	35	16
Denise	30	422	David	35	15
Edward	28	7	Elizabeth	31	17
Frances	27	40	Fred	31	12
Garth	28	1	Giselle	33	195
Hillary	30	52	Harmesh	31	7
Igor	30	3	Irene	31	300
Jeff	30	9	Jason	35	3
Kathlyn	27	13	Kristin	35	18
Levon	28	100	Lisa	35	14
Marcus	28	24	Melinda	33	5
Napoleon	27	351	Nancy	33	57
Oprah	29	74	Otto	38	4
Prasad	28	322	Princess	31	8
Quentin	27	22	Quince	33	19
Roberto	28	96	Rachel	35	9
Sam	30	4	Stephanie	35	2
Talia	30	19	Todd	33	1
...etc.			Uma	33	11
			Veronica	35	109
			Wanda	33	13
			Xerxes	31	20
			Yatrina	38	225
			Zoe	37	337
			...etc.		
Group A Total	500 students		Group B Total	400 students	

From Group A, Aneta, Carter, Edward, Garth, Igor, Jeff, Kathlyn, Marcus, Quentin, Sam and Talia meet the 5% threshold within their group (ranked 25 or higher in the class of 500). From Group B, Antoinette, Bridgette, Cody, David, Elizabeth, Fred, Harmesh, Jason, Kristin, Lisa, Melinda, Otto, Princess, Quince, Rachel, Stephanie, Todd, Uma, Wanda and Xerxes meet the 5% threshold within their group (ranked 20 or higher in the class of 400).

The total number of combined students from Group A and Group B who meet the 5% threshold is 31. The cap for the June list is 25. The 6 lowest-ranked students are Lisa (3.5% in Group B), David (3.75% in Group B), Talia (3.8% in Group A), Cody (4.0% in Group B), Carter (4.0% in Group A) and Elizabeth (4.25% in Group B). They would not be invited to *Law Review*, but could participate in the write-on competition. The remaining 25 members would be invited to *Law Review*.

In reality, the number of Candidates from Group B will normally be very low, and often will not include any Candidates who have not already been invited to *Law Review*. The above illustration exaggerates the impact

of Group B for purposes of demonstrating the most complex calculation that would be required under the Bylaws.

A similar procedure would be followed for the list of students obtained from the Registrar in January, except the cap for the January list is five (5).