

UNIVERSITY OF ARKANSAS AT LITTLE ROCK

LAW REVIEW

HANDBOOK

Fourteenth Edition, 2019

PREFACE

This Handbook is the governing document of the University of Arkansas at Little Rock Law Review. Each member and apprentice is expected to be familiar with its provisions. A revised, new edition of the Handbook may be issued upon a majority vote of the Editorial Board and ratification by the Faculty Advisors and law faculty. A copy of the revised, new edition will be distributed to every member and apprentice within thirty days of ratification. The current edition of the Handbook may be amended by a majority vote of the Editorial Board and ratification by the Faculty Advisors. All amendments will be posted on the Law Review bulletin boards, permanently recorded by the Executive Editor, and will be distributed to every member and apprentice within thirty days of ratification. Thirteenth Edition adopted and approved Spring 2018.

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INTRODUCTION & HISTORY OF THE REVIEW

On January 1, 1978 the first issue of the University of Arkansas at Little Rock Law Journal (U. Ark. Little Rock L.J.) was published. During its early years, the Journal published two issues each year. Beginning with volume 5, the U. Ark. Little Rock L.J. became a quarterly publication. In 1998, beginning with volume 21, the name of the Journal was changed to the University of Arkansas at Little Rock Law Review (U. Ark. Little Rock L. Rev.).

The U. Ark. Little Rock L.J. had two primary objectives: (1) the publication of timely, scholarly materials on significant legal questions pertinent to the practice of law in Arkansas; and (2) providing an opportunity for students to gain experience writing and editing scholarly articles. By definition, however, a “law review” is more expansive in scope. While continuing the original mission of the Journal, the U. Ark. Little Rock L. Rev. has redefined its objectives to reflect its new name and publication philosophy. The U. Ark. Little Rock L. Rev. has three primary objectives: (1) to publish articles, surveys, and essays that are timely and useful to Arkansas practitioners, the judiciary, and other members of the state’s legal community; (2) to publish material which reaches national and international legal audiences; and (3) to provide a forum for outstanding student work of both local and national interest, as well as an opportunity for students to gain experience editing scholarly articles.

The Review’s circulation list includes all members of the Arkansas Bar Association. Its scope, however, is not limited by jurisdictional boundaries, as many law libraries, practitioners, and judges around the country subscribe to the Review. It is therefore vital that the utmost care be used in each and every step of the publication process, with the ultimate goal of enhancing the reputation of the U. Ark. Little Rock L. Rev. within Arkansas and across the nation.

FORMAT

- I. All issues will generally adhere to the following outline:
 - a. Introduction by the Editor-in-Chief (optional)
 - b. One or more articles or essays by non-student authors
 - c. Comments (optional)
 - d. Notes
 - e. Book reviews (optional)

- II. Despite the general format described in paragraph “A” above, the composition of an issue may vary with the inclusion of a survey and instead adhere to the following outline:
 - a. Introduction by the Editor-in-Chief (optional)
 - b. One or more articles or essays by non-student authors
 - c. Comments (optional)
 - d. Notes
 - e. Book reviews (optional)
 - f. Annual Case Law Survey. The Annual Case Law Survey is included in one issue per year. The Case Law Survey is typically included in issue 3 or 4; however, the Editorial Board may designate a different issue based on considerations of timeliness and other factors such as the planned publication of a symposium issue. While the areas of law to be surveyed may be adjusted and/or combined to meet both the quantity and quality of relevant decisions, suggested areas of the survey are:
 - i. Business Law
 - ii. Civil Procedure
 - iii. Conflict of Laws
 - iv. Constitutional Law
 - v. Criminal Law
 - vi. Criminal Procedure
 - vii. Decedents’ Estates
 - viii. Evidence
 - ix. Employment Discrimination
 - x. Ethics and Professional Responsibility
 - xi. Family Law
 - xii. Insurance
 - xiii. Labor Law
 - xiv. Miscellaneous
 - xv. Property
 - xvi. Public Law
 - xvii. Torts
 - xviii. Workers’ Compensation
 - g. Legislative Survey (during the years the legislature is in session). The Editorial Board determines which issue to publish the Legislative Survey in based on considerations of timeliness and other factors such as the planned publication of a symposium issue.

- III. The last issue of each volume will contain an index for that entire volume. The last issue of each tenth volume will contain a cumulative ten-year index in addition to the individual volume's index.
- IV. Explanation of the various writing forms:
- a. Articles and Essays are written by members of the bench and bar, and occasionally by distinguished practitioners in fields related to law. Typically, an article is longer and contains more detailed footnotes than an essay. An essay is most often written by a prominent authority in the field. Manuscripts by symposium participants are construed as essays.
 - b. The Annual Case Law Survey is comprised of sections providing an overview of significant developments in a given field of Arkansas law as ascertained from judicial opinions. These are usually opinions of the Arkansas Supreme Court, the Arkansas Court of Appeals, the United States Court of Appeals for the Eighth Circuit, and the United States Supreme Court. The Notes & Comments Editor makes writing assignments of the sections to interested Review members.
 - c. The Legislative Survey is prepared biennially and at other times when enactments of the Arkansas General Assembly so merit. Legislative Survey sections set out the new law in Arkansas and explain changes made to existing law. The Survey/Comments Editor assigns the sections to interested Review members.
 - d. Comments are written by Review members. A comment is broader in scope than a note, concentrating on a significant and specific area of developing law. The structure of a comment is much more flexible than that of a note. Typically, a comment ranges from fifty to eighty typed triple-spaced pages in length, including footnotes.
 - e. Notes are written by apprentices and members and discuss, with frequent citation of authority, the legal implications of a significant recent court decision. Most often they deal with the narrow legal issue explored in the case. Notes must demonstrate extensive scholarly research, and typically range from forty-five to sixty typed, triple-spaced pages in length, including footnotes.
 - f. Legislative notes are similar to casenotes in that they consist of a student written analysis of recent legal developments. The difference is that legislation is discussed rather than a judicial decision.
 - g. Book reviews may be written by Review members or nonstudents. The book should be one of specific interest to Arkansas practitioners or be one of general interest to the legal community.
- V. The decision to publish a manuscript is keyed to many considerations, including the significance and timeliness of the topic and the quality of the writing. In addition, efforts are made to keep Review articles diverse. No manuscript will be accepted for publication before a first draft has been reviewed. Once a manuscript is accepted for publication, the Editorial Board

reserves the right to change that decision, in accordance with the publication agreement where appropriate, if extrinsic factors so warrant or the manuscript is not submitted in publishable form prior to the applicable publication deadline. “Publishable form” means both acceptable content and writing style, and adequate and correct citation to authority.

WRITING AND EDITING

I. Non-Student Material

- a. **Articles** – Articles are solicited by the Articles Editors. The Editor-in-Chief decides which articles will be published after consultation with the Articles Editors. Under no circumstances will a student-written manuscript be designated as an article.
- b. **Essays** – Essays are solicited by the Articles Editors or submitted by symposium speakers. The Editor-in-Chief decides which essays will be published after consultation with the Articles Editors. Under no circumstances will a student-written manuscript be designated as an essay.

II. Student Material

a. Notes and Comments

- i. Apprentices and members may write a note or comment on a case, statute, or an issue of law.
- ii. Student writers choose, in consultation with the Notes & Comments Editor, a topic for a note or comment, and submit that topic to the Notes and Comments Editor for approval.
- iii. After the topics have been approved, the student writer will be assigned to an Assistant or Associate Notes & Comments Editor.
- iv. The student writer, in conjunction with the Notes & Comments Editor, selects a faculty member with expertise in the field to serve as an advisor. This faculty member must ensure compliance with the Upper Level Writing Requirement of the William H. Bowen School of Law and approve the final version of the student’s note. While a faculty member is necessary to serve as an advisor in order to meet the Upper Level Writing Requirement, this does not prohibit a student from also associating with an outside attorney to serve as an additional advisor.
- v. The Notes & Comments Editor establishes a schedule for the student writing.
- vi. Each student writing is graded by three Editorial Board members. The Editorial Board graders will evaluate and score the writing for publishability, examining content, organization, clarity, style, and citation format. For an apprentice to

receive membership or for a member to receive credit for a writing, the student writer must receive at least two passing scores. If two or more Board members determine that the writing is not of publishable quality, the writing is returned for further revisions and review within a time period to be determined by the Editor-in-Chief and Notes & Comments Editor. The Editor-in-Chief and the Notes & Comments Editor will evaluate the revised note for publishable quality. If the Editor-in-Chief and the Notes & Comments Editor determine that the revised writing is of publishable quality, membership (in the case of apprentices) or credit (in the case of members) will be awarded. In the case of apprentice writing, if the reviewing panel determines that the writing is not of publishable quality, the writing is submitted to the entire Editorial Board for evaluation and a final vote on membership will be taken.

- vii. Student-written notes will be selected for publication anonymously by the outgoing Editorial Board. Like the decision to publish a manuscript, the decision to publish a student-written note is keyed to many considerations, including the significance and timeliness of the topic and the quality of the writing. Additionally, the writing is evaluated for the diversity it can bring to the Review. If a writing is selected for publication, it may be returned for any suggested revisions and updating.

b. Caselaw and Legislative Commentary

- i. The Managing Editor will solicit writers from the Law Review staff and Editorial Board.
- ii. Cases and statutes to be included in online commentary will be selected by the Managing Editor, in consultation with the faculty and Editor-in-Chief on the basis of whether they change or clarify current law. The cases and statutes selected should cover the most recent material relevant to the legal community.

c. General Requirements

- i. All work will, at the discretion of the Editorial Board, be submitted in electronic format.
- ii. All work will be triple spaced, including footnotes.
- iii. All written editorial comments and edits will be placed in Law Review files for a reasonable period of time.
- iv. All Review publications are designed as a research aid to the legal community. As such, for most manuscripts, extensive research and legal citations are a prerequisite to acceptability.

- v. Under no circumstances will material written by J.D. candidates from other law schools be accepted for publication in the Review. An article co-written by a non-student author and J.D. candidate from another law school may be accepted for publication in the Review upon the recommendation of the Editorial Board and at the discretion of the Editor-in-Chief, providing the non-student author is listed as the primary author.

THE PUBLICATION PROCESS

The discussion that follows describes the process of publication. Procedural details may vary from time to time depending on the circumstances and specific procedural problems that may arise.

I. First Steps

- a. Articles Editors (AE) read articles that have been submitted through Scholastica and BePress platforms or reach out to local legal professionals to share a call for papers.
- b. If either one of the AEs believes that an offer should be extended to an author, they consult with the EIC.
- c. If either both AEs or an AE and the EIC vote to extend an offer, the AE or EIC will compose a personalized offer email which the Managing Editor will send to the author.
 - i. The AE should consult with a faculty advisor to ensure there are no conflicts with forthcoming works by UA Little Rock faculty.
- d. When an author accepts the offer for publication, the AE sends the publication agreement, the Review style manual, and the Author Offprint Form.
- e. AE should request the agreement and the article to be returned within 1 week.
- f. EIC signs and returns publication agreements.

II. Substantive Editing (TSO – Thesis, Substance, Organization)

- a. Articles Editor copies new author folder to the appropriate issue in Dropbox.¹
- b. AE saves publication agreement to hard drive on school computers.
- c. AE saves publication agreement and offprint form to Forms and Agreements under author folder on Dropbox.
- d. AE uploads article as received from author as Round 1 on Dropbox.
- e. AE performs TSO edit of all articles within 1 week of receipt from author.
 - i. Any editorial board members may be asked to assist with TSO, but AE, Notes Editor, and Symposium Editor are preferred for their expertise in this area.
- f. AE uses the Articles Editor's Manual for directions.
- g. AE electronically enters all substantive changes.
- h. AE saves completed TSO to Dropbox as Round 2.
- i. AE sends completed TSO to author for author approval and further editing per suggested changes with 2-week deadline.
- j. AE receives TSO back from author and saves to Dropbox as Round 3.
- k. AE accepts all changes as required and uploads clean article to Dropbox as Round 4.

¹ Starting with TSO and through the rest of the publication process, Articles Editor refers to the Notes Editor or Symposium Editor as well. Article may refer to any type of writing accepted for publication.

III. Textual Proofing and Source- and Cite-Checking

- a. Upon return of TSO, Articles Editor issues cite-checks to members and/or apprentices.
 - i. Cite checkers must inform AE of missing sources within 3 days.
 - ii. Cite checkers are given 2-week deadline.
- b. Associate Research Editor AKA Compiler compiles all edits electronically.
 - i. Compiler uses Compiler Manual to perform compile.
 - ii. Compiler must perform cursory review within 3 days and inform AE if a cite check must be returned to a cite checker for further work. If a compiler returns a cite check to a cite checker, the compiler must make recommendations to assist cite checker.
 - iii. Only substantive changes should be tracked.
- c. Compiler is given 2-week deadline.
- d. Compiler sends comments pertaining to substantive issues back to AE for resolution.
- e. Compiler sends completed compile and cite check evaluations to AE.
- f. Compiler uploads completed compile to Dropbox as Round 5.

IV. Technical Editing Phase

- a. Articles Editor performs cursory review of compile within 3 days to determine whether the article must be sent back to Compiler for additional work.
 - i. AE completes technical edit within 2 weeks of receipt, unless there are exceptional circumstances.
- b. AE accepts or rejects technical changes entered by Compiler and electronically enters in substantive changes suggested by Compiler using track changes.
- c. AE performs thorough technical edit of article.
- d. AE uploads completed technical edit to Dropbox as Round 6.
- e. AE sends completed technical edit to author for review with 2-week deadline.
- f. AE receives technical edit from author and accepts or rejects all changes as required.
 - i. AE uploads original version received from author as Round 7.
 - ii. AE uploads clean version to Dropbox as Round 8.
- g. AE responds to author to inform author of the remaining timeline on the piece and introduce via email the EIC who will be in contact with the final changes.
- h. AE sends Round 8 to Executive Editor for Executive Editing phase.

V. Executive Editing Phase

- a. Executive Editor electronically edits entire article using track changes, reviewing formatting and technical requirements in the body and footnotes with 1-week deadline.
- b. EE formats article using publication template.
- c. EE uploads edited version to Dropbox as Round 9.
- d. EE notifies EIC that Round 9 is ready for blueline edit.
- e. Due to additional time required for approval, EE should format masthead and send for approval during this time.

VI. Publishing Phase

- a. EIC reviews executive edit for full technical edit, including body and footnotes, and electronically enters changes using track changes with 1-week deadline.

- b. EIC saves edited version to Dropbox as Round 10.
- c. EIC sends Round 10 to author for review with 1-week deadline.
- d. When received from author, EIC accepts or rejects all changes as required.
 - i. EIC uploads clean version to Dropbox as Final.
- e. EIC sends Final to EE.
- f. EE converts to PDF and saves to Dropbox within 2 days of receipt.
 - i. During this time, EE also formats remaining parts of issue for publication, including cover, table of contents, and index in last issue of volume.
- g. EIC approves final version.
- h. EIC sends final version to author as a courtesy, but no further edits should be received from author.
- i. EIC sends all final versions to Sheridan (publisher) for publication.
- j. Managing Editor submits the mailing list and offprint forms to the publisher.
- k. Within a few days, Sheridan sends formatted version for approval.
 - i. EIC reviews and requests changes if necessary or approves.
 - ii. If changes are required for documents sent by EIC, EEs make changes within 2 days and EIC sends new versions to Sheridan.
- l. Sheridan prints and distributes Law Review issue to subscribers
- m. Sheridan releases online version and sends link to EIC.
- n. EIC sends link to authors.
- o. Managing Editor contacts Arkansas Bar Association with link to online issue and ensures issue is available on Westlaw.

STAFF ORGANIZATION

I. Apprentices

- a. At the outset of their service, apprentices attend a mandatory training workshop/orientation. All apprentices are expected to complete an acceptable note during their first two semesters of Law Review work, unless an exception is made by the Editorial Board. Additionally, apprentices will assist in cite- and source-checking, proofing, and other work involved in the publication process. Apprentices may serve as Assistant Editors in any semester. Apprentices are encouraged to volunteer for Review committees in any semester. The revocation or resignation of an apprenticeship will not be noted on the student's transcript.

II. Members

- a. An apprentice is awarded membership after completion of a publishable note. [See also Writing and Editing, II. Student Material, A. Notes.] Members are strongly encouraged to submit a second writing, either a survey section or a comment. Members are required to perform cite- and source-checking, proofing, and other work involved in the publication process until graduation from law school. Members are encouraged to volunteer for Review committees. It should be understood that membership on the Review is a commitment until graduation. Resignations may be accepted, at the discretion of the Editorial Board, in exceptional circumstances. The Editorial Board

must notify the member of its decision within fifteen (15) days of submittal of the written resignation to the Editor-in-Chief.

- b. Any member whose resignation is accepted will not be considered in good standing with the Law Review and therefore will not receive a certificate upon graduation from law school. Resignations refused by the Editorial Board may be appealed to the Faculty Advisors if a written request for review is submitted to the Faculty Advisors no later than fifteen (15) days from the date of notification of the Editorial Board's decision. Any member whose resignation is refused will continue to do assigned work, and failure to satisfactorily complete any assignment could result in disciplinary action as spelled out in the Publication Management Policy, including revocation of Review membership. Revocation of Review membership will be noted on that student's transcript.

III. Emeritus Policy

- a. A member who has participated on the Law Review in at least four separate semesters and who has earned the required hours of Law Review credit may, after the last regularly scheduled final exam of the member's fourth semester of participation, elect to refrain from further participating in Law Review activities. After making this election, the member's name will no longer appear in the masthead of the Law Review. Although the emeritus member will be excused from all further Law Review responsibilities, the emeritus member will receive a Law Review certificate upon graduation and will for all purposes be considered in good standing with the Law Review. Further, when the Review is issuing invitations to new apprentices, an emeritus member will no longer be considered a member for the purposes of determining the number of eligible positions on the Law Review. A member's election under this policy is irrevocable. For the purposes of this policy, the word "semester" includes only the Fall and Spring semesters and excludes Summer semesters. In addition, a member shall only be considered to have participated in those semesters during which the member was eligible and willing for at least seven weeks to contribute to Law Review activities.

IV. The Editorial Board

a. Composition, Term of Office, Incentives

- i. The Editorial Board is comprised of eight positions: Editor-in-Chief, two (2) Executive Editors, Managing Editor, three (3) Articles Editors, Notes & Comments Editor, and Symposium Editor. The Editorial Board serves for a term of one year. New Boards take office on the day following the last day of final exams of the Spring Semester. Selection of the successor Board, in accordance with the procedure set forth below, will be made at least one month prior to the date on which that Board will take office. During the period following the selection of the new Board, the Board members in office will train their successors. Editorial Board members are strongly encouraged to refrain

from working during their terms of service. Each member of the Editorial Board is eligible to receive during each semester of service a scholarship in an amount designated by the Dean of the Law School.

- ii. Editorial Board Members are reminded that their responsibility to the Law Review is in full effect during the summer. Therefore, all Board Members are required to be in residence during the summer. "In residence" means that the Board Members should have comparable accessibility to the Law Review Office as they do during the school year. During the summer, all Board Members must be in residence for a minimum of ten (10) out of the fourteen (14) weeks. Prior to any permissible absence, a Board Member must establish a work plan in conjunction with the Editor-in-Chief, which shall be distributed to the Board Members. An exception to this residency policy may be made by a majority vote of the Board Members, excluding the petitioning editor. The vote shall be anonymous, shall be counted by the Editor-in-Chief, and shall be reported by the Editor-in-Chief to all Board Members in a "pass/fail" fashion. Under no circumstances shall a Board Member be absent in excess of a total of six (6) weeks during the summer. In the event that the absent or petitioning Board Member is the Editor-in-Chief, all duties assigned to the Editor-in-Chief in this residency policy shall transfer to one of the Executive Editors, to be chosen by the Editor-in-Chief.

b. Appointment

- i. At least one week before a new Board is selected, notices announcing that applications are being taken will be posted. All members, as well as apprentices who have made acceptable progress on their notes, are eligible to apply for Board positions. The Editorial Board will define "acceptable progress" as appropriate under the facts and circumstances attending the selection process. Each applicant should submit to the Editor-in-Chief a written application that sets forth the positions, in order of preference, for which application is made, past Review work and experience, especially second writings, and any special qualifications the applicant possesses. Each applicant will be interviewed by the Board in office before the selection of the new Board is made. The outgoing Board will meet in closed session to nominate the successor Board. Factors in the selection process include, but are not limited to, time available to devote to Review work; amount, quality, and timeliness of Review work; service as an Assistant or Associate Editor where such an opportunity was available; service on Law Review committees; and completion of a second writing. The Board will vote for nominees for particular positions with a majority vote controlling, or where there is an even number of voting Board members, half the voting Board members plus one must agree for the nominee to be selected.
- ii. All outgoing Editorial Board members are required to make themselves available to applicants wishing to learn more about the position. Editorial Board

members should make every effort to meet with interested members either individually or in a group prior to the Editorial Board application deadline.

- iii. A member of the outgoing Editorial Board is eligible to apply for a position on the successor Board. If an existing Board member does apply for a position on the successor Board, however, that member is absolutely prohibited from participating in any way in the selection of the successor Board. If an immediate relative (spouse or fiancé/fiancée, child, sibling, or parent) of an existing Board member is applying for a position on the successor Board, that member is absolutely prohibited from commenting on the candidates for the position/voting on the position for which the immediate relative has applied.
- iv. After selecting the members of the successor Board, the outgoing Board will submit the list of nominees to the Faculty Advisors. The Faculty Advisors ratify the Board appointments. The Editorial Board will contact applicants personally or by student mail to announce the names of the new appointees and then will post notices concerning the composition of the newly selected Board on the Review bulletin boards. The Editor-in-Chief will circulate a memorandum announcing the new Board to the administration and faculty. Incoming Editorial Board members are required to attend a training workshop on editing and the publication process in order to ensure continuity between boards.

c. General Policies

- i. When an Editorial Board's term expires and the successor Board's term commences, all responsibility and authority for the prior board's unfinished work passes to the new Board. Although the new Board may request assistance from members of the old board, the new Board remains primarily responsible for editing and processing all work in progress during its term. However, major policy decisions affecting a prior Board's issue, such as a decision not to publish an article, should be authorized by the Faculty Advisors. To avoid any potential conflicts or the appearance of impropriety, the old Editor-in-Chief will be responsible for supervising and making a final determination on any notes that must be re-written after the date of transfer between Editorial Boards. The old Editor-in-Chief will make a final determination on re-writes as soon as reasonably possible. Members of the Editorial Board may be disciplined by the Faculty Advisors. The Faculty Advisors may act upon their own motion or on motion of the Editorial Board. The Board's motion must be approved by a majority of the Board that is not subject to the motion. Action by the Faculty Advisors may be in the form of censure or, in more serious cases, revocation of member and editor status.

JOB DESCRIPTIONS

I. Editor-in-Chief

The Editor-in-Chief is ultimately responsible for and participates extensively in all Review operations. The Editor-in-Chief:

- a. Represents the Review to the faculty, administration, and outside interests;
- b. Works in conjunction with the Faculty Advisors on various projects, including but not limited to scheduling and overseeing the creation of the write-on packet and the administration of the write-on competition;
- c. Assigns Issues 1 and 3 of a particular Volume to one Executive Editor and Issues 2 and 4 of that same Volume to the other Executive Editor, and divides other work between the two Executive Editors as is necessary;
- d. Decides, in consultation with the appropriate Articles Editor, what material will be published;
- e. Assists the appropriate Articles Editor in performing substantive edits on manuscripts prior to cite checks;
- f. Performs a final edit of all manuscripts scheduled for publication;
- g. Schedules deadlines and publication dates in conjunction with the Executive Editors and with the advice of the other Editorial Board members;
- h. Monitors the progress and quality of work of Editorial Board members;
- i. Generally oversees the staff and, in conjunction with the Executive Editors and the appropriate Articles Editor, institutes disciplinary measures;
- j. Sets priorities for work to be done;
- k. Allocates both budgetary resources and support services;
- l. Generally coordinates all Review work;
- m. Presides over Editorial Board meetings and interviews for Editorial Board positions;
- n. Remains available at all times for consultation on Review matters;
- o. Makes final decisions on questions of style or format when the recognized authorities are unclear or when circumstances require a deviation;
- p. Plans and schedules the orientation workshop for new apprentices.
- q. Generally, coordinates training for incoming Editorial Board.

II. Executive Editors

The two (2) Executive Editors work closely with the Editor-in-Chief and are primarily responsible for overseeing the publication process, with an emphasis on both quality and timeliness. The Executive Editors:

- a. Are responsible for two (2) Issues per Volume, i.e. one Executive Editor is responsible for Issues 1 and 3, whereas the other is responsible for Issues 2 and 4;
- b. Help the Editor-in-Chief do final editing of all manuscripts scheduled for publication;
- c. Help the Editor-in-Chief schedule deadlines and publication dates, and prepare a Scheduling Chart of deadlines and publication dates to be distributed to all Editorial Board members;
- d. Perform the desktop publishing process;
- e. Oversee the preparation of manuscripts and proofs for the printer by collating and reviewing them for accuracy, consistency, and form;
- f. Maintain files for each publication step for each issue;
- g. Maintain administrative files containing information on law review membership and credit earned by members;

- h. Maintain membership files for each member, including copies of correspondence pertinent to that member, copies of note evaluations, copies of cite- and source- check evaluations, copies of missed work forms, among other documents;
- i. Keep an up-to-date roster of members;
- j. Keep the Handbook and Style Manual up-to-date by ensuring that amendments are recorded and publicized in a timely manner;
- k. Keep desktopping manual with publication steps up to date;
- l. Assist the Notes & Comments Editor with the substantive and technical editing of notes;
- m. Assist with other editing and Review work as needed or assigned by the Editor-in-Chief.

III. Articles Editors

The primary duties of the three (3) Articles Editors are to solicit and to edit articles, essays, and book reviews. The Articles Editors:

- a. Initiate correspondence with potential authors and maintain correspondence with those who have agreed to write an article for the Law Review;
- b. Enforce deadlines with authors to ensure the timely functioning of the publication process;
- c. Promptly negotiate copyright or license agreements (“Publication Agreements”) with authors once the Editor-in-Chief has approved the article for publication;
- d. Assist in determining, in consultation with the Editor-in-Chief, what material to publish;
- e. Perform substantive edits of manuscripts prior to cite checking;
- f. Supervise the assignment of all cite and source checking and other work involved in the technical editing of articles;
- g. Coordinate the delivery and return of cite check assignments of the articles;
- h. Are available to answer citation and proofing questions related to articles assigned for cite checks;
- i. Oversee the compiling of changes made by cite-checkers;
- j. Oversee providing written evaluations to each apprentice/member within a reasonable time following the return of assignments;
- k. Perform technical edits of manuscripts after cite checking and compile;
- l. Assist the Symposium Editor with the substantive and technical editing of manuscripts for the symposium issue;
- m. Assist with other editing and Review work as needed or assigned by the Editor-in-Chief.

IV. Managing Editor

The Managing Editor works closely with the appropriate administrative personnel in handling advertising and contracts with the publisher and distributor of the Law Review. The Managing Editor is also responsible for managing the Review website and online accounts. The Managing Editor:

- a. Is responsible for distribution of Reviews, subscriptions, and binding;
- b. Handles all billing;

- c. Supervises the subscription process, ensuring that the printer maintains an up- to-date subscriber list in accordance with contract specifications;
- d. Provides the printer with timely modifications to the subscriber list and proofs the modifications upon incorporation by the printer;
- e. Determines the number of issues to be printed of each volume; upon submission to the printer of the manuscript of an issue, the Managing Editor submits memoranda to encumber funds to pay the costs of publication for the issue;
- f. Creates and maintains an annual budget, in conjunction with the Editor-in-Chief, to be approved by the Editorial Board and submitted to the Dean of the Law School for final approval;
- g. As necessary, reviews all invoices, including invoices received from the printer, for accuracy and forwards all invoices to the appropriate Administrative Assistant in the Dean's Office or Faculty Advisor for payment;
- h. Ensures Review compliance with the second class mailing permit requirements, including submission of annual statements of ownership and coordination of Post Office audits;
- i. Responds to all claims made by subscription services and replies to requests for information on Review cost, availability, binding, and distribution;
- j. Serves as a liaison with the printer for all matters;
- k. Assists the appropriate Executive Editor with the desktop publishing and printing process as necessary;
- l. Knows the terms of the publishing contract and ensures adherence thereto;
- m. Maintains the Law Review library;
- n. Keeps all of the information on the Law Review website current;
- o. Performs or oversees the substantive and technical editing of all material to be posted to the website;
- p. Monitors recent significant court decisions and legislative acts and oversees and solicits student and faculty commentaries to be posted to the website;
- q. Compiles the index, which will be printed in the last issue of each volume, and the ten-year cumulative index, to be printed in every tenth volume;
- r. Coordinates with school administration to ensure compliance with school policies related to the website;
- s. Works with the Symposium Editor to create a symposium website and promote the symposium online and through print advertisements;
- t. Coordinates with Computer Services to ensure that all law review computers are operating currently and that Computer Services has an up-to-date listing of all law review members and note writers each term;
- u. Assists with other editing and Review work as needed or assigned by the Editor- in-Chief.

V. Notes & Comments Editor

The Notes & Comments Editor, in consultation with the Editor-in-Chief, oversees student writing and is responsible for the editing of student work accepted for publication. The Notes & Comments Editor:

- a. Plans and coordinates the note schedule, setting out due dates for the steps of the writing process;

- b. Prepares handout materials for both apprentices and Assistants or Associates regarding proper note writing and editing;
- c. Encourages Law Review members to write comments and works with comment writers to establish a writing schedule;
- d. Performs substantive edits of student-written notes and comments that have been accepted for publication;
- e. Supervises the assignment of all cite and source checking and other work involved in the technical editing of notes and comments;
- f. Coordinates the delivery and return of cite check assignments of the notes and comments;
- g. Is available to answer citation and proofing questions related to notes assigned for cite checks;
- h. Oversees the compiling of changes made by cite-checkers;
- i. Grades all apprentice notes during the winter break, with assistance of one Articles Editor if necessary, and coordinates final anonymous grading by editorial board over the spring break;
- j. Assists with other editing and Review work as needed or assigned by the Editor-in-Chief.

VI. Symposium Editor

The Symposium Editor is primarily responsible for putting on symposia. The Symposium Editor works closely with the Editor-in-Chief, Faculty Sponsor, Dean, and appropriate law school personnel to ensure the success of symposia. The Law Review will sponsor at least one symposium per year.

Specifically, the Symposium Editor:

- a. Decides, in conjunction with the Editorial Board and sponsoring faculty, the topic and dates of the symposium;
- b. Prepares a “Symposium Implementation Plan” with the sponsoring faculty;
- c. Prepares a written budget based on financial data provided by the administration, submits the budget to the Dean for approval, and makes all arrangements in accordance with the budget;
- d. Handles all correspondence with the symposium participants, in conjunction with the Editor-in-Chief;
- e. Arranges accommodations and local transportation for symposium participants;
- f. Plans social activities (i.e., honorary dinner, lunches, continental breakfasts, reception) for the symposium;
- g. Publicizes the symposium;
- h. Performs the duties of the Articles Editor for the symposium issue with assistance of the Articles Editors;
- i. Supervises the assignment of all cite and source checking and other work involved in the technical editing of symposium articles, with assistance of Articles Editors;
- j. Is responsible for coordinating the delivery and return of cite check assignments of symposium articles;
- k. Is available to answer citation and proofing questions related to symposium articles assigned for cite checks;
- l. Oversees the compiling of changes made by cite-checkers;

- m. Assists with other editing and Review work as needed or assigned.

The Symposium Editor may form a Symposium Committee for each symposium consisting of volunteers and/or Associate or Assistant Symposium Editors as appropriate.

In any year in which the University of Arkansas at Little Rock Law Review serves as the host school for the National Conference of Law Reviews, the Conference shall take the place of at least one symposium, and the Symposium Editor will serve as Chairperson of the NCLR Committee. The NCLR Committee shall consist of volunteers and/or Associate or Assistant Symposium Editors as appropriate.

ELECTIONS TO THE LAW REVIEW

I. When Invitations Are Issued

- a. During the summer, two rounds of invitation to become apprentices will be issued. The first round will occur after spring grades are posted. A second round will occur after the write-on competition has been completed.

II. Criteria for Selection

- a. Students are invited to join Law Review on the basis of either an automatic grade-on or performance on the write-on competition.
- b. A student is eligible to grade-on if such student is in the top ten percent (10%) of the first-year class as determined by the class ranking report sent out by the school at the end of spring semester. If a student is not eligible to receive an invitation based on class rank, participation in the write-on competition is required for a student to become eligible for an invitation to join Law Review.
- c. Sixty positions are available on the law review staff. Prior to the grade-on and write-on competition, the Editorial Board will determine and post how many of these positions will be open for the following year. These positions will be filled by that year's grade-on and write-on competition.
- d. After the Faculty Advisors receive the class ranking report and inform the Editorial Board of the names of the students in the top ten percent of the first-year class, the Editorial Board will issue invitations to those students.
- e. After the Editorial Board receives acceptances from grade-on eligible students and following the completion of the write-on competition, the Editorial Board will issue the remaining invitations to join Law Review to the top scoring participant and continuing down in the order participants are ranked, until all open positions are filled. However, under no circumstances will the Editorial Board issue an invitation to a participant who does not meet the minimum standards for participation in Law Review. A student who scores more than two standard deviations below the average

of the scored write-on notes does not meet the minimum standards for participation in Law Review.

- f. Visiting students who were members of the primary law review at another ABA accredited law school may participate in substantially all aspects of the Law Review. A visiting student will not receive a Law Review certificate upon graduation and may not participate on the Law Review until establishing, to the satisfaction of the Editor-in-Chief, that the student is in good standing with a law review at an ABA accredited law school. In addition, visiting students are ineligible to serve in Editorial Board positions.

III. The Write-On Competition

a. Eligibility

- i. UALR Students: All students with a minimum 2.3 in Research, Writing, and Analysis for both the Spring and Fall semesters are eligible to participate in the write-on competition during the summer following their first year of law school. Additionally, if a student can show that he or she has four semesters left before graduation such that he or she has sufficient time to satisfy the necessary Law Review credit requirements, such student may participate in a subsequent summer's write-on competition. Thus, a student who has (1) written on and declined a spot, (2) failed the write-on, or (3) never completed the write-on is eligible to write-on, as long as the student can show he or she has four semesters left.
- ii. Transfer Students from Other Institutions: Students (i) who transfer from other institutions and (ii) who have at least four semesters remaining at UALR may participate in the write-on competition. Students who have submitted an application to UALR before the write-on competition begins may participate in the write-on competition. The Faculty Advisors may review transfer student's transcripts to determine the student's GPA for purposes of the write-on competition.
- iii. Transfer students who participated in a law review at another ABA accredited law school and who completed at least a semester of work on behalf of that law review may submit an application to the Editorial Board and may be eligible to join the Law Review without participating in the write-on competition. The application should include a list of law review work performed at the previous law school and a writing sample.

b. Timing

- i. The write-on competition will be held once yearly as soon as possible following the completion of the spring semester.

c. Procedure

- i. The Editorial Board is responsible for creating the write-on competition packet and administering the write-on competition. The contents of the competition packet must be kept confidential prior to the distribution of the packets.
- ii. Each participant in the write-on competition will receive from the Faculty Advisors an identifying number and will use this number as identification throughout the write-on competition.
- iii. Each write-on submission will be graded by the Editorial Board on substantive quality and on technical accuracy. Once grades are assigned by the Editorial Board, they will be forwarded to the Faculty Advisors.
- iv. The Faculty Advisors will compile a ranking of participants and forward it back to the Editorial Board. Invitations will be issued as detailed in B(4) above.

IV. Status Upon Admission

- a. Students invited to join Law Review receive no credit for the initial writing required in the write-on competition. The students are admitted as apprentices and must complete a publishable writing and satisfactorily complete all other assignments in order to attain member status.

MAINTENANCE OF MEMBERSHIP

I. Required Work

- a. Failure by any Review member to do his or her share of necessary work in a timely manner will result in disciplinary action by the Editorial Board. The work referred to includes, but is not limited to, cite and source checking, writing, and proofing.
- b. Disciplinary action will be taken in accordance with the Publication Management Policy contained in this Handbook.

II. Required Credits

- a. Each member must earn at least two hours of credit for Law Review work in addition to the one hour of credit received for successful completion of the apprentice writing. It is understood that the member has the ultimate responsibility for meeting this requirement. This credit may be for writing, for editorial work, or for both writing and editorial work.
- b. Credit for Law Review work will be awarded in accordance with the schedules set out

in the section on “Incentives.” This requirement applies regardless of a student’s graduation date. However, the Board may vote to waive this requirement in exceptional cases.

- c. Members may apply for particular editor positions or writing assignments. The Board, however, shall have authority to make assignments to particular positions or of particular writing assignments, taking into account each member’s preferences.

III. Loss of Membership

- a. Failure to meet requirements for Review membership will result in loss of membership. Loss of membership will be recorded on the student’s transcript.

IV. Resignation of Membership

- a. Resignations may be accepted, at the discretion of the Editorial Board, in exceptional circumstances. The Editorial Board must notify the member of its decision within fifteen (15) days of submittal of the written resignation to the Editor-in-Chief.
- b. Any member whose resignation is accepted will not be considered in good standing with the Law Review and therefore will not receive a certificate upon graduation from law school.
- c. Resignations refused by the Editorial Board may be appealed to the Faculty Advisors if a written request for review is submitted to the Faculty Advisors no later than fifteen (15) days from the date of notification of the Editorial Board’s decision. Any member whose resignation is refused will continue to do assigned work, and failure to satisfactorily complete any assignment could result in disciplinary action as spelled out in the Publication Management Policy, including revocation of Review membership.

INCENTIVES

I. First Writing

The first acceptable writing earns Law Review membership and one hour of ungraded academic credit.

II. Subsequent Writings

Subsequent writings by members earn the following credit:

Online Commentary.....	1 hour
Subsequent Note or Comment.....	1 hour

Credit will be awarded only for publishable work that meets the school's Upper Level Writing Requirement. A Law Review member enrolled in Independent Research or other class for which a paper is required may submit the final paper to the Editorial Board to be evaluated for potential publication as a comment but will not receive Law Review credit for that paper.

III. Editorial Work

Editorial work earns the following ungraded credit each semester (including summer school):

Editor-in-Chief	2 hours
All other Editorial Board positions	1 hour
Associate Editors	1 hour

Credit will be awarded only for fulfillment of the job requirements as set forth in the Staff Organization section of this Handbook.

Each student's academic achievement shall be evaluated by the Faculty Advisors.

IV. Maximum Credit

Under no circumstances will anyone receive for Law Review work more credit than the maximum number of co-curricular hours allowed by the Law School.

V. Board Scholarships

All members of the Editorial Board are eligible to receive during their semesters of service scholarships in amounts designated by the Dean of the Law School. Board members may also submit individual scholarship applications.

ADDITIONAL POLICIES

I. Faculty Participation

Faculty members will actively participate in selection of cases and legislation for notes and surveys and will serve as advisors to the student writers.

II. Authority for Citations

The UALR Law Review Style Manual governs the use of style and citation of authorities for all manuscripts.

III. Certificates

The Law Review will furnish special certificates to members who are in good standing at the time of their graduation.

IV. Email Policy

All Law Review members and apprentices should check the email address on file with the Law Review on a regular basis for notices that concern them. All Review participants will be deemed to have constructive notice of information 24 hours after an email has been sent.

V. Policy on Assignments and Disciplinary Actions

All assignments must be turned in when due. Extensions may be granted for good cause at the discretion of the assigning Editor. Extensions will be granted only in extraordinary circumstances unless obtained within two days from the date on which the assignment was posted. Tardiness or unacceptable work will, in the discretion of the assigning Editor, likely result in disciplinary action under the Review's Publication Management Policy.

Members and apprentices should consult the assigning Editor if they are uncertain about the proper procedure for completing assignments. Adequacy of completed assignments will be determined by the assigning Editor and the Editor-in-Chief. Adequacy is based on the accuracy, completeness, and overall timeliness of the work.

VI. Publication Management Policy

Most disciplinary matters will be appropriately addressed under the Publication Management Policy. This policy is based upon the "missed work" standard. Law Review participants, including apprentices, can earn a full missed work in the following ways:

1. Nonattendance at a required Review activity without giving prior notice of a reasonable excuse; or
2. Refusal to satisfactorily complete an assignment by the prescribed deadline.

If a Review participant refuses to turn in an assignment by the prescribed deadline he or she may, at the discretion of the assigning Editor, be issued a new deadline. Failure to meet the second deadline can result in a second full missed work.

A Review participant will receive a missed work if her completed assignment fails to meet a minimum level of competence. This is, in effect, a "substantive" missed work. For example, an editor who fails to **satisfactorily** complete an assignment will receive a missed work. Also, depending on the seriousness of the offense and in the discretion

of the appropriate Editor, certain violations of the policy will only merit the receipt of a one-half missed work.

The assigning Editor is responsible for distributing missed works. The Editor may give the Review participant an opportunity to review, sign, and make appropriate comments on the missed work form. Signing the form will not constitute an admission of the correctness of the charge, but will only signify that the member has received notice of the missed work. Alternatively, the appropriate Editor may orally notify the participant of the missed work and appropriately note that communication on the missed work form.

The appropriate Editor will provide a copy of the missed work form to the Editor-in-Chief. Missed work forms will be filed in the student's Law Review file.

After a Review participant has earned one missed work, the participant will be placed on probation by the Editorial Board. An apprentice on probation cannot become a member without the approval of the Editorial Board.

When a Review participant has received two missed works, the Board will revoke that person's Law Review membership or apprenticeship. While loss of apprenticeship will not be noted on the student's transcript, **the revocation of a Review participant's membership will be noted on that person's transcript.**

At the request of the Editor-in-Chief or assigning Editor, any member or apprentice who receives a one-half or full missed work may be required to meet with either the Editor-in-Chief or assigning Editor. Every one-half missed work is appealable to the Editor-in-Chief. Every full missed work is appealable to the Editorial Board. Every missed work that results in a revocation of membership is appealable to the Faculty Advisors.

Although apprentices are subject to the provisions of the Publication Management Policy, the existence of this policy does not preclude the Board from taking appropriate action toward an apprentice who is experiencing particular difficulty in writing a note.

Specifically, notwithstanding the provisions of this policy, the Board may still revoke a person's apprenticeship status for repeated failure of the apprentice to meet deadlines, to do adequate research, or to show improvement in writing style and organization.

VII. Apprentice and Membership Files

The Editorial Board will keep personnel files in order to track the progress of participants' work. These files are to remain locked at all times and are to be used for Review purposes only. Accordingly, information contained within the files should never be reported to anyone except appropriate members of the Review. A Review

participant may, upon request, view the contents of his file.

After graduation from law school, a member will have one month to retrieve his or her personnel file from the Review office. The Editor-in-Chief will remind all graduating members of this policy prior to graduation. If the member does not obtain the material within that period of time, the Executive Editor will destroy the member's file.