

UNIVERSITY OF ARKANSAS AT LITTLE ROCK

LAW REVIEW

HANDBOOK

Sixteenth Edition, 2021

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 permanently recorded by the Executive Editor and will be distributed to every Member and Apprentice within thirty days of ratification. Sixteenth Edition adopted and approved Spring 2021.

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INTRODUCTION AND 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 in which issue to publish the Legislative Survey based on considerations of timeliness and other factors such as the planned publication of a symposium issue.

III. 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 N&C (Member Focus) assigns topics 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 N&C (Member Focus) assigns the sections to interested Review members.
 - d. Comments are written by Review members. A comment is in most ways identical to a note; however, it may be broader in scope or more flexible in structure. Typically, a comment ranges from fifty to eighty typed triple-spaced pages in length, including footnotes. Members may but are not required to write comments after their Apprentice year. Additionally, if a member's note was not selected for publication, the member may rework the note and resubmit it as a comment for publication consideration. The N&C (Member Focus) will review any comments submitted for publication consideration.
 - e. Notes are written by Apprentices. They often discuss the legal implications of a significant recent court decision. Most often they deal with the narrow legal issue explored in the case. However, notes are not limited to a narrow scope and may explore circuit splits, policy considerations, or other issues. Notes must demonstrate extensive scholarly research. They typically range from forty to eighty typed, triple-spaced pages in length, including footnotes.
 - f. 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.
- IV.** The decision to publish a manuscript involves many considerations, including (1) the significance and timeliness of the topic, (2) the quality of the writing, and (3) the thoroughness of the research and citation. In addition, the Review will make effort to keep Review articles diverse. The Review will not accept a manuscript for publication before reviewing a first draft. Once the Editorial Board accepts a manuscript for publication, the Board reserves the right to change that decision—in accordance with the publication agreement—if extrinsic factors so warrant or the manuscript is not submitted in publishable form prior to the applicable publication deadline. “Publishable form” means acceptable content and writing style as well as adequate and correct citation to authority.

WRITING AND EDITING

I. Non-Student Material

- a. **Articles** – Articles Editors solicit articles. The Articles Editors should consult with the Editor-in-Chief whenever necessary, and the Editor-in-Chief should make the final decision if there is a question as to whether it is appropriate to extend an offer for an article. Under no circumstances will a student-written manuscript be designated as an article.

- b. **Essays** – Articles Editors solicit essays. Additionally, symposium speakers may submit essays. Articles Editors should consult with the Editor-in-Chief whenever necessary, and the Editor-in-Chief should make the final decision if there is a question as to whether it is appropriate to extend an offer for an article. Under no circumstances will a student-written manuscript be designated as an essay.

II. Student Material

a. Notes

- i. Apprentices must write a note.
- ii. Apprentices choose a note topic in consultation with the Notes & Comments Editor (Apprentice Focus) (N&C (Apprentice Focus)), who must approve the note topic.
- iii. After the N&C (Apprentice Focus) approves the topic, he or she will assign the Apprentice an Associate Editor.
- iv. The Apprentice must select a faculty member with expertise in the relevant field to serve as an advisor. This faculty member must sign the Faculty Advisor form, which commits the faculty member to (1) an initial structure and research meeting with the Apprentice, (2) one substantive review of the note in the fall semester, and (3) one substantive review of the note in the spring semester. In addition, the Faculty Advisor will 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 for that purpose. A Faculty Member Advisor is required if the Apprentice wishes to use the note for the Upper-Level Writing Requirement. However, if an Apprentice does not need nor wish to obtain the Upper-Level Writing Requirement through Law Review, he or she may use an outside attorney as their Note Advisor.
- v. The N&C (Apprentice Focus) will establish and publish to the Apprentices at Orientation a note-writing schedule, complete with all relevant deadlines for the year. While this schedule remains subject to change, it should be certain enough that Apprentices may rely on it in advance.
- vi. The note-writing schedule will, at minimum, require Apprentices to turn in (1) a full first draft of their note approximately one week after the last day of finals in the fall semester of their Apprentice year, and (2) a final draft of their note the Friday before spring break in the spring semester of their Apprentice year.

- vii. Three Editorial Board Members will grade the final draft of each note. 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, he or she must receive at least two passing scores. If two or more Board Members determine that the note is not of publishable quality, the Board will return it for further revisions within a time period set by the Editor-in-Chief and N&C (Apprentice Focus). The Editor-in-Chief and the N&C (Apprentice Focus) will evaluate the revised note for publishable quality. If the Editor-in-Chief and the N&C (Apprentice Focus) determine that the revised writing is of publishable quality, the Board will award membership. If the Editor-in-Chief and the N&C (Apprentice Focus) determine that the revised note is still not of publishable quality, they will submit the note to the entire Editorial Board for evaluation and take a final vote on membership.
- viii. The outgoing Editorial Board will anonymously select notes for publication. The Board should strive to publish student work that demonstrates excellent research, high-quality writing, and original thought.

b. Comments

- ix. Members may but are not required to write comments. A comment may be a new topic, unrelated to the Member's note, or it may be a revised or reworked version of their note.
- x. Members should inform the Notes & Comments Editor (Member Focus) (N&C (Member Focus)) that they intend to write a new comment or revise their note and submit it as a comment. However, Members are not required to abide by any designated schedule set forth by the N&C (Member Focus). However, Members are required to provide proof of progress when requested. Additionally, Members may submit their note for publication consideration at any point during the year. Members may also submit a paper written for a class as a comment for publication consideration so long as it fits the parameters of a comment.
- xi. Members who choose to write a comment are not automatically exempt from other Review work, such as cite checks, compiles, or Associate Editor duties. However, writing a comment is Review work that should count toward the Member's required hours for credit. Hours spent writing papers written for other classes and later submitted as comments to the Review do not count toward Law Review hours. Members who communicate to the N&C (Member Focus) that they are writing a new comment or revising their note into a comment will, whenever possible, receive a lighter share

of other Review work so long as their submitted hours reflect active work on their comment. This is purely at the discretion of the Editorial Board and subject to evidence of actual progress on a comment.

c. Case Law and Legislative Surveys

- i. The N&C (Member Focus) will solicit writers from the Law Review staff and Editorial Board.
- ii. Student writers will select cases and statutes in consultation with the N&C (Member Focus). The cases and statutes selected should cover the most recent material relevant to the legal community. The N&C (Member Focus) should consult with the Editor-in-Chief and the faculty to ensure that the Review is identifying the most relevant cases and statutes.

d. General Requirements

- i. Students will, at the discretion of the Editorial Board, submit all work 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 submitted through Scholastica or reach out to local legal professionals to share a call for papers.

- b. If an AE believes that an offer should be extended to an author, he or she will submit a written offer by email or through Scholastica. That offer should contain a writing expressing interest in the article, a brief explanation of the benefits associated with the UALR Law Review, and a request for a response to the offer within a designated time period. Examples are in the Law Review files.
- c. If an AE is uncertain as to whether to extend an offer, he or she should consult with the other AE and the Editor-in-Chief (EIC). The EIC will make a final decision about whether to extend an offer.
- d. When an author accepts the offer for publication, the AE will notify the Executive Editors (EEs) and the EIC. The AE should specifically consult the publication schedule for the relevant Issue to confirm important dates. The AE will then send a response to the author, which will include an outline of upcoming relevant dates in the publication process. That response will also include the publication agreement, the Review Style Manual, and the author offprint form.
- e. The AE should request that the author return the publication agreement and author offprint form within one week. Upon receipt, the AE uploads both the publication agreement and the author offprint form to the proper folders on the Google Drive. The AE notifies the EIC and the Managing Editor (ME) that this process is complete.
- f. The EIC reviews the publication agreement and signs it.
- g. The ME reviews the author offprint form for completeness.

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

- a. The AE creates a folder for the author on Google Drive.
- b. Upon receipt of the article, the AE uploads the initial copy into the author's Google Drive folder, labeling it as [author last name]_R1.
- c. AE performs TSO edit of all articles within 1 week of receipt from author, following the guidelines set forth in the Articles Editor's Manual.
- d. Any Editorial Board Members may be asked to assist with TSO.
- e. AE electronically enters all substantive changes.
- f. AE saves completed TSO to the Google Drive as [author last name]_R2.
- g. AE sends completed TSO to author for author approval and further editing per suggested changes with 2-week deadline.
- h. AE receives TSO back from author and accepts all changes as required.
- i. AE uploads clean article to the Google Drive as [author last name]_R3.

III. Textual Proofing and Source- and Cite-Checking

- a. Upon return of TSO, the AE issues cite-checks to Members and Apprentices. The EE will provide the names of the assigned Apprentices and Members as well as the schedule for the cite check. The AE will execute the EE's plan.
 - i. Cite checkers must inform the AE of missing sources within 3 days of receiving their assignment.
 - ii. Cite checkers are given 2-week deadline.
 - iii. The Cite Check Manual provides guidance for the cite check process.

- b. After the cite-check is complete, a compiler will electronically combine all of the edits into one master document. The Compile Manual provides guidance on the compiling process.
 - i. The compiler must perform cursory review within 3 days and inform the 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.
 - ii. The compiler should only leave substantive changes tracked. Changes that are required for technical compliance with the Bluebook or the Review Style Manual should not be tracked.
- c. Compiler is given 2-week deadline.
- d. Compiler sends comments pertaining to substantive issues back to AE for resolution.
- e. Compiler completes an assessment of each cite-checker's work and returns those to the AE for distribution to the cite checkers. These assessments remain in the Apprentice or Member's Review files.
- f. Compiler uploads completed compile to the Google Drive as [author last name]_R4.

IV. Technical Editing Phase

- a. The AE will perform a cursory review of the compile within 3 days to determine whether the article must be sent back to compiler for additional work.
 - i. AE completes technical edit within 1 week of receipt, unless there are exceptional circumstances.
- b. AE accepts or rejects substantive changes suggested by compiler using track changes.
- c. AE performs a thorough technical edit of article.
- d. AE uploads the completed technical edit to the Google Drive as [author last name]_R5.
- e. AE sends the completed technical edit to author for review with 2-week deadline.
- f. AE receives the technical edit back from author and accepts or rejects all changes as required. AE will upload the clean version to the Google Drive as [author last name]_R6.
- g. AE responds to the author to inform the 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 6 to the EE for Executive Editing phase.

V. Executive Editing Phase

- a. EE electronically edits the entire article using track changes, reviewing formatting and technical requirements in the body and footnotes with 2-week deadline.
- b. EE uploads edited version to the Google Drive as [author last name]_R7.
- c. EE notifies EIC that R7 is ready for blueline edit.

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 the Google Drive as [author last name]_R8.
- c. EIC sends R8 to author for review with 1-week deadline.
- d. Upon receipt back from the author, the EIC accepts or rejects all changes as required. EIC uploads clean version to the Google Drive as [author last name]_Final.
- e. EIC sends Final to EE.
- f. The EE formats the article using the publication template, then converts to a PDF and saves to the Google Drive. During this time, EE also formats remaining parts of issue for publication, including cover, table of contents, and masthead. EIC approves final version.
- h. EIC sends final version to author as a courtesy, but no further edits should be received from author.
- i. The ME alerts the school that the Review is ready to submit an issue for publication.
- j. The ME updates the mailing list and offprint form spreadsheet. The ME also counts the number of copies ordered. The ME then provides the mailing list, the spreadsheet, and the total number of copies ordered to the EIC.
- k. EIC sends all final versions of the articles and all documents received from the ME to Sheridan (publisher) for publication.
- l. Within a few days, Sheridan sends formatted version for approval.
- m. EIC reviews and requests changes if necessary or approves.
- n. If substantive changes are required for documents sent by EIC, EEs make changes within 2 days and EIC sends new versions to Sheridan.
- o. Sheridan prints and distributes Law Review issue to subscribers
- p. Sheridan releases online version and sends link to EIC.
- q. EIC sends link to authors.
- r. ME 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. 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. 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 complete a comment, case survey, or legislative survey piece. It should be understood that membership on the Review is a commitment until graduation. Members should be prepared to complete Review work during summer semesters. 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 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 Executive Editors, Managing Editor, two Articles Editors, two Notes & Comments Editors, 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. The serving Board will select the successor Board, in accordance with the procedure set forth below, at least one month prior to the date on which the successor Board will take office. During the period following the selection of the successor Board, the serving Board Members will train their successors. During each semester of service, each Member of the Board is eligible to receive a scholarship in an amount designated by the Dean of the Law School.
- ii. Editorial Board Members' responsibilities to the Review remain in full effect during the summer. Therefore, all Board Members must be available to the Review for a minimum of ten (10) out of the fourteen (14) weeks. The term "available" means that the Board Member can (1) promptly respond to emails, (2) complete regular duties or assignments, and (3) attend meetings in person or virtually if necessary. If any Board Member will not be available for at least ten (10) weeks during the summer term, he or she must establish a work plan in conjunction with the EIC, which shall be distributed to the Board Members. Under no circumstances shall a Board Member be unavailable in excess of six (6) weeks during the summer, whether consecutive weeks or otherwise. In the event that the absent or petitioning Board Member is the EIC, all duties assigned to the EIC in this residency policy shall transfer to one of the EEs, to be chosen by the EIC.

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 EIC a written application that sets forth the positions, in order of preference, for which application is made, past Review work and experience, and any special qualifications the applicant possesses. The Board will interview each applicant 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: (1) time available to devote to Review work; (2) amount, quality, and timeliness of Review work; and (3) traits and skills that indicate the applicant will be successful

in the position . The Board will vote for nominees for particular positions with a majority vote controlling.

- 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 EIC will contact applicants personally or by student mail to offer them the relevant position. After the EIC has contacted all the applicants, the EIC will announce the names of the new appointees by email to the faculty and student body. The ME will also announce the names of the new appointees via all of the Review's social media accounts.

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 former EIC 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 former EIC will make a final determination on re-writes as soon as reasonably possible.
- ii. Faculty Advisors may discipline Members of the Editorial Board. 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. Coordinates all Review work.
- c. Oversees and is responsible for the timeliness and quality of all Board Members' work.
- d. Remains available at all times for consultation on Review matters.
- e. Remains available to take on work at any stage in the publication process.
- f. Has the final authority for any Review decision.
- g. Plans and leads the Law Review interest meeting during the spring semester in which he or she is appointed.
- h. Works with the Faculty Advisor to create the write-on.
- i. Oversees the write-on process by collecting and distributing write on applications to the other Board Members, assisting with grading of the applications, collecting the data regarding the applications, and announcing the successful applicants.
- j. Plans and leads the Apprentice Orientation Meeting.
- k. Sets the schedule for and presides over Editorial Board meetings.
- l. Assigns two Issues to each EE.
- m. Consults on and ultimately approves the EEs' publication schedule for each Issue
- n. Consults with AEs regarding publication offers and has final authority when there is debate over whether to make an offer.
- o. Signs publication agreements with the authors.
- p. Makes final decisions on questions of style or format when the recognized authorities are unclear or when circumstances require a deviation.
- q. Performs a final edit of every manuscript scheduled for publication.
- r. Reviews the EEs' formatting of each manuscript.
- s. Coordinates with the ME regarding publication documents, such as the mailing list, the author offprint spreadsheet, and the total number of copies ordered of each issue.
- t. Sends each final formatted manuscript and all other publication documents to the publisher and oversees the final publication process.
- u. Communicates with each author at the publication stage and provides an electronic link to and PDF of the final formatted version of the manuscript.
- v. Consults on and assists in the implementation of all disciplinary measures.
- w. Consults with the ME regarding the budget and allocates all budgetary resources.
- x. Coordinates training of the successor 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 each 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. Create and distribute the publication schedule for each Issue.
- c. Create and distribute to the AEs the cite check schedule and assigned cite checkers.
- d. Consult with AEs, the N&C (Member Focus), and the EIC on problems that arise during the publication process.
- e. Perform an executive edit on each manuscript set for publication.
- f. Perform the desktop publishing process for each manuscript set for publication.
- g. Maintain files for each manuscript throughout each publication step. These files should contain the various edited versions of each manuscript and the final version.
- h. Maintain files for each Law Review Member and Apprentice. These files should contain all work the Member or Apprentice submits and any evaluations of that work. These files should also reflect any missed works the Apprentice or Member receives. If correspondence with or about the Member is particularly significant, it should also be placed in the file.
- i. Send notifications of missed works by email to Members and Apprentices.
- j. Publicize any changes to the Handbook or Style Manual in a timely manner.
- k. Keep the desktopping manual up to date.
- l. Assist with any other Review work as assigned by the EIC.

III. Articles Editors

The primary duties of the two (2) Articles Editors are to solicit and to edit articles, essays, and book reviews. The Articles Editors:

- a. Use Scholastica and other methods to identify or solicit manuscripts the Review would like to publish. AEs should evaluate quality of research and writing as well as the timeliness and appeal of the topic.
- b. Use Scholastica and other methods to send publication offers to authors.
- c. Track offers, acceptances, and rejections using the article offer spreadsheet on the Google Drive.
- d. Consult with the EIC whenever there is debate over whether it is appropriate to send an offer.
- e. Keep the EIC and EEs updated on any article acceptances.
- f. Coordinate and communicate with authors who accept publication offers to (1) receive the article or essay or book review, (2) present the relevant publication process dates based on the EEs' schedule, (3) get a signed publication agreement, and (4) obtain a completed author offprint form.
- g. Create a file on the Google Drive for each author who accepts and upload the manuscript to that file.
- h. Upload the publication agreement and author offprint forms to the appropriate files on the Google Drive.

- i. Communicate with authors throughout the early stage of the publication process through the executive edit.
- j. Perform a TSO edit on each assigned manuscript.
- k. Execute the EEs' cite check schedule and oversee the cite-check and compile process.
- l. Distribute the compiler's evaluations of the cite checkers' work to the cite checkers.
- m. Perform a tech edit on each assigned manuscript.
- n. Assist with any other Review work as assigned by the EIC.

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. Reviews the budget in consultation with the EIC and submits it for approval by the administration.
- b. Handles all billing and purchases for the Law Review. This includes (1) office supplies, (2) certificates, and (3) awards and plaques.
- c. Monitors and manages the Review email.
- d. As necessary, reviews all invoices, including invoices received from the printer, for accuracy. Forward all invoices to the appropriate administrator for payment.
- e. Knows the terms of the publishing contract and ensures adherence thereto.
- f. Determines the number of issues to be printed of each volume.
- g. Supervises the subscription process, ensuring that the printer maintains an up-to-date subscriber list in accordance with contract specifications.
- h. Provides the printer with timely modifications to the subscriber list.
- i. Serves as a liaison with the printer for all matters, in conjunction with the EIC.
- j. Responds to all claims made by subscription services and replies to all requests for information on Review cost, availability, and distribution.
- k. Ensures Review compliance with the second-class mailing permit requirements, including submission of annual statements of ownership and coordination of Post Office audits.
- l. Keeps all information on the Review website current.
- m. Coordinates and plans Review social events.
- n. Coordinates with school administration to ensure compliance with school policies related to the website.
- o. Manages and makes all required posts on the Review social media accounts.
- p. Maintains the Review library.
- q. Coordinates with IT to ensure that all Review computers are operating currently.
- r. Oversees the Editorial Board picture, the awarding of the Brunson Award, and the creation/purchase of Review merchandise.
- s. Creates and oversees a method of timekeeping for all Review Board Members, Members, and Apprentices.
- t. Maintains and tracks hours earned and consults with the EIC and the EEs on hour distribution and needs.

- u. Assists with any other Review work as assigned by the EIC.

V. Notes & Comments Editor (Apprentice Focus)

The Notes & Comments Editor (Apprentice Focus), in consultation with the EIC, oversees the Apprentice note-writing process. The Notes & Comments Editor (Apprentice Focus):

- a. Setting and implementing the note-writing schedule.
- b. Conducting orientation training for Apprentices regarding the note-writing process.
- c. Assigning Review Members as Associate Editors for Apprentices.
- d. Preparing handout materials for both Apprentices and Associate Editors regarding proper note writing and editing.
- e. Conducting Apprentice training sessions.
- f. Supervising the note-writing deadlines.
- g. Monitoring Apprentice submissions to assess for quality of work.
- h. Monitoring Associate Editor feedback to assess the effectiveness of feedback.
- i. Meeting with Apprentices individually at least once a semester.
- j. Evaluating Apprentice notes over winter break (with the assistance of the EIC or a Board Member designated by the EIC) and providing feedback to Apprentices.
- k. Coordinating the anonymous final grading process for Apprentice notes in the spring.
- l. Being available for questions from Apprentices.
- m. Handling all Apprentice-related issues, in coordination with the EIC.
- n. Assisting with other editing and Review work as needed or assigned by the EIC.

VI. Notes & Comments Editor (Member Focus)

The Notes & Comments Editor (Member Focus), in consultation with the Editor-in-Chief, oversees the editing process and publication of Review Member work. The Notes & Comments Editor (Member Focus):

- a. Coordinating and communicating with student authors.
- b. Performing TSO edits on student notes selected for publication.
- c. Overseeing the cite check process for student notes selected for publication.
- d. Providing feedback on the cite check process for student notes selected for publication.
- e. Overseeing the cite check compilation process for student notes selected for publication.
- f. Performing the Technical edits on student notes selected for publication.
- g. Soliciting comments from Review Members.
- h. Setting and implementing the comment-writing schedule.
- i. Performing TSO edits on student comments selected for publication.
- j. Overseeing the cite check process for student comments selected for publication.
- k. Providing feedback on the cite check process for student comments selected for publication.
- l. Overseeing the cite check compilation process for student notes selected for publication.
- m. Performing the Technical edits on student notes selected for publication.

- n. Soliciting Members to write case law and legislative surveys.
- o. Setting and implementing the case law and legislative survey writing schedule.
- p. Performing the Technical edits on case law and legislative survey submissions.
- q. Handling all issues related to student work selected for publication, in coordination with the EIC.
- r. Assisting with other editing and Review work as needed or assigned by the EIC.

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. 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 EIC.
- 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 an AE for the symposium manuscripts, with the assistance of the AEs; This includes the TSO edit, supervision of the cite check and compile process, and a tech edit.
- i. Remains available to answer citation and proofing questions related to symposium articles assigned for cite checks;
- j. Assists with other editing and Review work as needed or assigned by the EIC.

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, the Editorial Board will issue two rounds of Apprentice invitations. The first round is the Grade-On, and it will occur after spring grades are posted. The second round is the write-on, and it 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 publish 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 Faculty Advisors will issue invitations to those students. The Faculty Advisors will not inform the Editorial Board who graded-on to Law Review. Instead, the Faculty Advisors will withhold those names and provide them with the successful write-on applicant names so that the Editorial Board is not aware of who graded on and who completed the write-on.
- e. The EIC will supervise the write-on process. All applicants will remain anonymous. The Faculty Advisors will collect the write-on applications and provide them to the EIC, who will then organize and distribute them evenly amongst the Board Members for grading. The Board Members will grade the applications according to the applicable rubric and report their scores to the EIC. The EIC will then report those scores to the Faculty Advisors. The Faculty Advisors will use all the write-on data to determine which applicants passed the write-on and which did not. The Faculty Advisors will then provide the EIC with a list of all those who qualified for Law Review, either through the grade-on or the write-on. The Faculty Advisors will ensure that they do not provide more names to the Editorial Board than there are spaces available on Law Review. The EIC will then announce the incoming Apprentices.
- 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 EIC, 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 2.8 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 been 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 EIC 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. The Editorial Board will grade each write-on submission on substantive quality and on technical accuracy. Once the Editorial Board assigns grades, they will be forwarded to the Faculty Advisors.
- iv. The Faculty Advisors will compile a list of successful applicants and forward it back to the Editorial Board.

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 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 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 Apprentice note writing earns Law Review membership and one hour of ungraded academic credit.

II. Subsequent Writings

Members may count any work done on subsequent writings, including comments, surveys, or book reviews, toward their required hours for the semester. However, credit for hours logged for subsequent writings may be subject to evidence of actual

progress on subsequent writing and ultimately be contingent upon a final product. Additionally, Members may submit a paper written for another class to the Review for publication consideration, but the hours spent researching and writing that paper are not Law Review hours.

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
Members	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

During each semester of service, Board Members are eligible to receive scholarships in amounts designated by the Dean of the Law School.

ADDITIONAL POLICIES

I. Faculty Participation

Faculty Members will actively participate in selection of cases and legislation for notes and surveys.

Faculty will serve as advisors to student writers. In that capacity, faculty agree to (1) have an initial structure and research meeting with the Apprentice, (2) perform one substantive review of the note in the fall semester, and (3) perform one substantive review of the note in the spring semester.

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 Review Members and Apprentices should check the email address on file with the 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 Disciplinary Actions

- a. Scope
 - i. This section shall apply to all Members and Apprentices.
- b. Basic Obligations
 - i. Assignments must be submitted no later than on the date they are due.
 - ii. Assignments must be completed in good faith.
- c. Definitions
 - i. Good Faith
 - 1. In this section, good faith means accuracy and thoroughness in editing, research, and proofreading, such that a person would reasonably believe the assignment would be accepted as complete by the assigning editor and need no correction or additional work by the assigning editor.
 - ii. Missed Work
 - 1. A missed work is a sanction against a Member or Apprentice for failure to execute an obligation of that Member or Apprentice.
 - iii. Assignment
 - 1. An assignment is any obligation of a Member or Apprentice that is or would be expected to be executed or undertaken in good faith by a Member of the Review or an Apprentice.
 - 2. Assignments include cite checks, written assignments, compiles, grading notes, or time sheets. Assignments may also include attendance at meetings, training sessions, orientations, Review functions, annual symposia, and any other assignments that are required by the Editorial Board or an assigning editor.

d. Disciplinary Measures

i. Missed Work

1. A Member or Apprentice may receive a missed work sanction for failure to attend an assigned function or for submitting work that falls below a good faith standard as determined by the assigning editor or the Editorial Board.
2. A missed work sanction will be given automatically for work turned in after the submission deadline.
3. All Apprentices and Members begin the Summer semester with a zero balance of missed work sanctions.
4. EEs will send a missed work sanction via email to any Member or Apprentice and will save a copy of the sanction in that Member or Apprentice's record.

ii. Loss of Credit

1. A Member or Apprentice who receives three missed work sanctions shall earn no Law Review credit for the semester in which they receive the third missed work.
2. Loss of credit is appealable to the advisors.

iii. Loss of Membership

1. A Member who consistently demonstrates an unwillingness to faithfully execute the duties of a Member in good standing may be dismissed from the Review. This sanction is separate from the loss of credit sanction but may be assessed at the same time and for the same reasons, at the discretion of the Editorial Board.
2. Loss of membership will be recorded on the student's transcript.
3. A Member who loses his or her membership shall earn no Law Review credit for the semester in which he or she loses membership.
4. Loss of membership is appealable to the advisors.

e. Editorial Board Missed Work Policy

- i. The Editorial Board is expected to work together as a team towards the completion and publication of four issues of the Review.
- ii. As part of this expectation, Editorial Board Members are required to complete assignments by the required deadline and in good faith in the same manner as other Members and Apprentices.
- iii. Assignments of Editorial Board Members may include cite checks, written assignments, TSO edits, technical edits, executive edits, meetings, training sessions, orientations, social events, annual symposia, and any other assignments which are required by the EIC.
- iv. The EIC may delegate the assigning of assignments to other Members of the Editorial Board.
- v. If an Editorial Board Member expects that an assignment cannot be completed in the time given or is delayed due to an author's action or

inaction, he or she must notify the assigning EE and the EIC. In the case of EEs, he or she must notify the EIC.

- vi. As part of the expectation of Board teamwork, the assigning EE may request that other Members of the Editorial Board assist the original assignee with his or her assignment.
- vii. Removal from the Editorial Board
 1. In the event that an Editorial Board Member repeatedly fails to turn in assignments on time and in good faith, fails to notify the EE of needed extensions, or fails to meet expectations, the other Members of the Editorial Board may vote to remove the member from the Editorial Board.
 2. A Member will only be removed from the Editorial Board by the unanimous vote of the other Board Members.
 3. Dismissal from the Board is appealable to the advisors.

VI. Apprentices and Membership Files

The Editorial Board will keep personnel files in order to track the progress of participants' work. These files are to remain confidential 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 ask for the contents of his or her personnel file. The EIC 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 EE will destroy the member's file.