

# CONSTITUTION OF THE PIERCE LAW REVIEW

## ARTICLE I

### *Name and Object*

The name of this Association shall be the Pierce Law Review (“Law Review”). Its object shall be to publish a legal periodical, to serve as a teaching vehicle by providing means for the students of the Franklin Pierce Law Center (“FPLC”) to enhance their research and writing abilities, and in general to advance the study and development of the law.

## ARTICLE II

### *Membership and Faculty Advisor(s)*

SECTION 1. Membership. The membership of the Law Review shall consist only of Executive Board Members, Full Members, and Associate Members. All Law Review Members shall be students in good standing at FPLC.

SECTION 2. Faculty Advisor(s).

A. Selection. The Law Review Executive Board will work with the FPLC Administration to designate one or more faculty members as faculty advisors. There is no limit to the number of terms the faculty advisor(s) may serve. Should the Executive Board determine a faculty advisor is unfit to continue working with the law review by a three-quarters vote, the faculty advisor shall be removed with the administration’s approval.

B. Duties. Faculty Advisors may work with the Executive Board to aid in the execution of the goals of the Law Review. Faculty Advisors ensure all members of the Law Review receive proper training and instruction, and provide guidance to the Executive Board when such guidance is warranted during the publication cycle.

## ARTICLE III

### *Executive Board*

SECTION 1. Definition. The Executive Board (“Board”) shall consist of the Editor-in-Chief, Managing Editor, Chief Articles Editor, and any other editors designated by the Board. The Board shall serve as the governing body of the Law Review. There shall be no fewer than four or more than seven editors serving on any one Board.

SECTION 2. Terms of Office.

A. Board members shall take office no later than June 1 subsequent to their selection and shall serve no later than the following June 1. In its discretion, the outgoing Board may turn over management of the Law Review to the incoming Board members prior to June 1.

B. The Editor-in-Chief may not participate in externships outside of the Concord area while in office. All other Board members may extern outside the Concord area subject to the following requirements:

1. No Board member may extern during a semester in which the primary duties of his/her office must be performed;
2. All externing Board members must be able to carry out any remaining, ancillary duties while on externship as if they were in the Concord area; and
3. Only by unanimous vote of the Board may a Board member extern outside the Concord area.

SECTION 3. Voting Power. Board members shall be entitled to votes of equal weight on any matter on which the Board may vote. A quorum of the Board shall consist of at least three-quarters of the Board membership. Unless otherwise specified in this Constitution, votes by the Board shall be decided by a simple majority vote. In the event of a tie, the Editor-in-Chief's vote shall serve as the tiebreaker.

SECTION 4. Board Appointments.

A. Time of Election. The selection of a new Board shall be conducted at one or more meetings of the Board called for that purpose between January 15 and April 1.

B. Eligibility. Eligibility for appointment to the Board shall be limited to those in good standing who have completed at least one full semester as a Law Review member and have at least two but not more than three full semesters (not including summer sessions) remaining before graduation.

C. Method of Selection. Selection for Board positions shall be made by the Board.

D. Vacancies. Vacancies on the Board shall be filled by vote of the Board.

E. Removals. Any Board member may be removed for failure to perform the duties of the member's office. Removal may be initiated by any two Board members who believe a member is not performing adequately. The two members shall call a Board conference. Showings of cause for removal may be made by any member. After the member in question has been given the opportunity to rebut showings of cause for removal, a vote by secret ballot shall be taken of the Board members. If all Board members, excluding the member subject to removal, unanimously vote to remove, the member shall be removed.

## **ARTICLE IV**

### *Duties of Executive Board Members*

The duties of Executive Board Members are as follows:

SECTION 1. Editor-in-Chief. The Editor-in-Chief has overall responsibility to prepare and ensure the publication of the Law Review. He or she directs form, content, and administration of the Law Review, and administers the associate member training program. The Editor-in-Chief makes final determinations regarding material to be published and edits the final drafts of articles, notes, comments, and book reviews prior to publication. The Editor-in-Chief also sets or approves the production schedule and delegates responsibilities to and among staff members.

SECTION 2. Chief Articles Editor. The Chief Articles Editor solicits, selects, and revises articles for publication in the Law Review. The Chief Articles Editor also maintains correspondence with authors.

SECTION 3. Managing Editor. The Managing Editor sets the editing schedule for each issue, assigns members to editing teams, and serves as the focal point for communication throughout the editing process. Together with the Senior Article Editors and Form & Accuracy Editors, the Managing Editor ensures that articles have been thoroughly edited, bluebooked, and formatted for final review by the Editor-in-Chief prior to publication.

SECTION 4. Chief Notes Editor. The Chief Notes Editor supervises and sets the schedule for the Article VII Writing Requirement. The Chief Notes Editor assists student authors with topic selection and edits drafts of student-written comments and notes.

SECTION 5. Executive Editor. The Executive Editor may be called upon by the Editor-in-Chief, Managing Editor, and Chief Articles Editor to assist with any of their duties. In addition, the Executive Editor manages the Law Review website, marketing, and any disciplinary actions under Article VIII.

## **ARTICLE V**

### *Full Members*

SECTION 1. Definition. Full Members include Form & Accuracy Editors and Senior Articles Editors.

SECTION 2. Terms of Office. Full Members shall take office no later than June 1 subsequent to their selection and shall serve no later than the following June 1, corresponding to when the new Board takes office.

SECTION 3. Eligibility. Eligibility for a Full Member position shall be limited to those who have fulfilled the duties of an Associate Member and, after selection, will have at least two but not more than four full semesters (not including summer sessions) remaining before graduation.

SECTION 4. Method of Selection. Selection for Full Member positions shall be made by the Board.

SECTION 5. Vacancies. Vacancies may be filled for the remainder of the unexpired term of the vacating member by a majority vote of the Board.

SECTION 6. Duties. The duties of Full Members are as follows:

A. Form & Accuracy Editors. Form & Accuracy Editors maintain the Law Review's style standards and work with the Managing Editor to format and edit articles for publication. They are responsible for validating cited sources and ensuring proper citation format.

B. Senior Articles Editors. Senior Articles Editors oversee primary edits and source checking by Associate Members, and perform necessary additional editing and source checking prior to review by the Chief Articles Editor and Managing Editor. In addition, Senior Articles Editors identify unresolved article flaws and areas for substantive improvement for review by the Chief Articles Editor and Managing Editor.

## **ARTICLE VI**

### *Associate Member Selection*

SECTION 1. Eligibility and Selection. Associate Members shall have completed at least one semester of study and be in good academic standing. The application process for Associate Membership shall take the form of a writing competition.

A. Writing Competition.

(1) Eligibility. Students who have completed at least one semester may be selected for Associate Membership based primarily on a writing competition.

(2) Format. Contents of the application shall be determined by the Board. Sections may include a writing exercise, a citation exercise, an editing exercise, a personal statement, or any other requirements defined by the Board. The Editor-in-Chief shall develop the application package for Associate Membership, which shall be made available to eligible students no later than March 31.

(3) Grades. At the discretion of the Board, applicants may be required to sign a waiver permitting the release of their class standing and Legal Skills grades by the Registrar to the Board for the sole purpose of selecting Associate Members.

(4) Selection. The Board shall consider only applications that meet all requirements of the competition and all conditions of eligibility. Offers for Associate Membership shall be made upon three-quarters vote of the full Board.

(5) IDEA. In the spirit of cooperation between the law journals, the Editor-in-Chief should meet with the Editor-in-Chief of *IDEA* to coordinate selection procedures.

B. Transfer students. The Board may adopt a procedure for FPLC transfer students to join the Law Review as Associate Members.

## **ARTICLE VII**

### *Requirements for Full Membership*

SECTION 1. Writing Requirement. All Associate Members shall complete a Note or Comment of publishable quality in order to achieve Full Member status.

A. Timeline. Students shall select a Note or Comment topic during their first semester of associate membership. The final product shall be due to the Board on a date designated by the Board, but no later than April 30.

B. Failure to meet writing requirement. Associate Members who fail to meet the requirements established by the Board for the writing requirement may have their status or membership in the Law Review terminated by a majority vote of the Board, notwithstanding any provisions in Article III or Article VIII.

SECTION 2. Associate Member Duties.

A. Primary Edits. Associate Members shall be responsible for first-round editing of articles, notes, comments, and book reviews selected for publication in the Law Review.

B. Other Assignments. Board members and Senior Articles Editors may assign Associate Members additional responsibilities.

C. Representation of Associate Membership. Associate Member status on the Law Review permits a student to represent such status (as “Associate Member” or “Articles Editor,” where appropriate) to the legal and professional community. An Associate Member who resigns or is terminated by the Board should ensure that all resumes and biographies (including communications to current or prospective employers) indicate that the student served as an Associate Member only for the period of time for which he/she maintained that status.

SECTION 3. Associate Members Training Program. Each Associate Member shall participate in a training program designed by the Editor-in-Chief. The training program shall last at least one day and occur prior to the beginning of the Fall Semester.

SECTION 4. Selection for Full Member Status. The Board shall review all papers submitted by Associate Members. If the Associate Member has met all deadlines and other requirements associated with the drafting of the Note or Comment, the Board will vote concerning whether to admit the Associate Member to the Law Review as a Full Member. A three-quarters vote by the Board is required in order to grant Full Membership.

**ARTICLE VIII**  
*Disciplinary Action*

SECTION 1. Academic Probation. Any Editor, Full Member, or Associate Member who is placed on academic probation, according to the academic provisions of FPLC, shall be dismissed from the Law Review. Such dismissal shall result in the granting of no academic credit for Law Review membership.

SECTION 2. Disciplinary Action for Cause. Any Full Member or Associate Member is subject to disciplinary action or removal by the Board for failure to perform his or her duties and responsibilities under the Constitution, for any Honor Code violation(s), or for any malfeasance while on the Law Review.

A. Initiation of Disciplinary Proceedings. Disciplinary proceedings may be initiated by any Board member or any two Full or Associate Members who submit a written petition to the Board.

B. Removal Procedures. Any Full or Associate Member may be removed from his or her position by a three-quarters vote of the full Board.

C. Upon removal, the Board shall notify the Faculty Advisor, and request that the removed person receive a grade of “U” for the semester.

**ARTICLE IX**  
*Material for Publication*

SECTION 1. Articles. Each issue of the Law Review shall contain one or more articles, essays, or book reviews.

A. Selection. The Chief Articles Editor, with the approval of the Board, shall select all articles for publication in the Law Review.

SECTION 2. Student Notes and Comments. Each issue of the Law Review may contain up to four student-written Notes or Comments.

A. Selection. Selection for publication of student-written work is made by a three-quarters vote of the Board.

**ARTICLE X**  
*Academic Credit*

Executive Board members, Associate Members, and Full Members of the Law Review who have satisfactorily completed their duties as provided in this Constitution shall be eligible to receive academic credits (as the Administration allows) each semester. The Faculty Advisor must report to the FPLC Registrar's Office whether students received a Satisfactory ("S") or Unsatisfactory ("U") grade for the course. The Board may assist the Faculty Advisor with the determination of grades.

**ARTICLE XI**  
*Amendments to the Constitution*

Any Board Member, Full Member, or Associate Member may propose, in writing, amendments to the Constitution. Proposed amendments shall be submitted to the Board and shall become effective if approved by a majority of the full Board and ratified by a majority of the Full Members.