

# Alabama Civil Rights and Civil Liberties Law Review Bylaws

## Article I – Organization Name

This organization shall be and hereby is named the Alabama Civil Rights & Civil Liberties Law Review.

## Article II – Purpose

The Review is a specialized law journal designed to track developments and legal commentary in the areas of civil rights and civil liberties through scholarly review. Working on the Review will also enable its members to improve their legal research, legal writing, editing, and analytical skills.

## Article III – Organization

### Section A – Managing Board

The Managing Board shall consist of the Editor-in-Chief, Managing Editor, Executive Editor, Articles Editors, Notes Editors, Recruitment Editor, Research Editor, Acquisitions Editor, and Publicity Editor.

### Section B – Editorial Board

The Editorial Board shall consist of the Managing Board, Junior Editors, and Senior Editors of this Law Review.

Junior Editors shall consist of all members of the Review who are not Managing Board members and who are in their first year of working on the Review.

Senior Editors shall consist of all members of the Review who are not Managing Board members and who successfully completed a year as a Junior Editor.

## Article IV – Membership

### Section A – General Eligibility

All members of this Review must meet the following requirements:

1. All members of this Law Review shall be currently enrolled as Juris Doctor candidates at the Law School. Fulltime, part-time, and dual degree candidates are all eligible for membership.
2. All members must be in good standing to remain on the Law Review, regardless of whether they seek academic credit for participation.
  - a. Good standing means:
    - i. Completing all assignments with a good faith effort and in a timely manner.

- ii. Paying membership dues, unless excused by the Managing Board for financial hardship.
- iii. Attending all required meetings and training sessions, unless excused by the Editor-in-Chief.
- iv. Writing a student note of publishable quality as a Junior Editor.
- v. Maintaining good academic standing at the University.
- vi. Abiding by the University of Alabama Honor Code, School of Law Honor Code, these Bylaws, and any other policies that regulate academic, student, and anti-discrimination conduct of students.

### **Section B – Managing Board**

All members of the Managing Board shall be selected by the previous year’s Managing Board in the spring semester.

### **Section C – Editorial Board**

All members of the Editorial Board shall be chosen on the basis of a write-on competition held in the summer.

## **Article V – Duties and Responsibilities**

### **Section A – Managing Board**

#### 1. Duties of the Managing Board as a Whole

The Managing Board is responsible for the direction and publication of this Review. All executive, legislative, and judicial powers of the Review shall be vested in the Managing Board. Specific duties of the Managing Board include the following:

1. Acting in accordance with the Review’s Bylaws.
2. Setting policies and procedures of the Review which do not conflict with these Bylaws.
3. Having full charge of all property of the Review.
4. Approving the rate of membership dues to be collected from each member of the Review.
5. Approving the write-on competition problem.
6. Making all disciplinary decisions related to the Review.
7. Assisting, as necessary, with the write-on competition, student note process, spading, and other tasks necessary to the management and publication of the Review.
8. Working to print approximately 2,000 pages of legal scholarship in each volume of the Review.
9. Determining how many issues to publish for each volume of the Review.

#### 2. Duties of Individual Members of the Managing Board

##### Editor-in-Chief

The Editor-in-Chief is responsible for leading and representing the Review. The Editor-in-Chief shall act in a fair and equitable manner and shall act in the best interest of the Review. The Editor-in-Chief shall also be responsible for the following administrative and editorial duties:

1. Administrative Duties

- a. Represent the Review to authors, the general public, and the University of Alabama community.
  - b. Act as the Chair of the Managing Board.
  - c. Call and presiding over meetings of the Managing Board and Editorial Board.
  - d. Vote on any matter on which a member of the Review may vote.
  - e. Act as a tie-breaker in the case of an evenly decided vote of the Managing Board.
  - f. Suggest committees, chairpersons, and members of such committees, subject to the approval of the Managing Board.
  - g. Lead orientation, with the Executive Editor, for the Junior Editors.
  - h. Administer disciplinary decisions made by the Managing Board.
  - i. Evaluate and supervise, with the Managing Editor, the members of the Review.
  - j. Communicate relevant Review information to the Faculty Advisor, including, but not limited to, information regarding Review members' grades and academic credit for working on the Review.
    - i. If the Editor-in-Chief is going to recommend a Review member receive a non-passing grade or receive no academic credit for the member's work on the Review, the Editor-in-Chief must receive the approval of the Managing Board (through a majority vote at a meeting with a quorum) to take such action.
  - k. Coordinate all matters related to copyright law.
2. Editorial Duties
- a. Select, with the Acquisitions Editor, articles for publication.
  - b. Create a student notes selection committee to select student notes for publication.
  - c. Communicate with authors selected to publish in the Review.
    - i. The Editor-in-Chief should be the liaison between the Review and its authors once articles have been selected for publication.
    - ii. This communication shall include, but is not limited to, the final edited draft of the article.
  - d. Conduct the final review of all articles prior to printing.
  - e. Give final approval of all page proofs prior to printing.
  - f. Give the printer the print order.
  - g. Assume responsibility for the timeliness and quality of the Review.

Decisions and actions of the Editor-in-Chief shall be final, provided such decision or action is not contrary to the Review's Bylaws or policies.

### Managing Editor

The Managing Editor shall lead and coordinate the operations and production of the Review. The Managing Editor shall be responsible for the following specific duties in accordance with this role:

1. Supervise the Publicity Editor, Recruitment Editor, and Acquisitions Editor.
2. Maintain and prepare, or supervise the maintenance and preparation of, all of the Review's financial records and reports.
3. Recommend the rate of membership dues to the Managing Board.
4. Collect membership dues.
  - a. If a member is unable to pay membership dues because of financial hardship, the Managing Editor must present a recommendation to the Managing Board of the amount of dues to be required of that member.
  - b. This recommendation should reflect the amount the member is able to pay and the impact, if any, on the Review's budget.
  - c. The Managing Editor must protect the member's anonymity throughout this process.

5. Communicate with Law & Psychology about office operations.
6. Maintain a personnel file for each member of the Review.
  - a. The Managing Editor should communicate information relevant to a member's grade or academic credit for working on the Review to the Editor-in-Chief.
7. Maintain, with the Executive Editor, a best practices book.
8. Plan the production phase of each issue.
9. When asked to, assist the Editor-in-Chief with contacting the printer.

### Publicity Editor

The Publicity Editor shall be responsible for the publicity and public relations of the Review. The Publicity Editor shall be responsible for the following specific duties in accordance with this role:

1. Manage the Review's internal (TWEN) and external websites.
  - a. The Publicity Editor shall reply to emails and contacts submitted through the Review's website, or shall forward the information to the appropriate member.
2. Work with the Research Editor to identify influential civil rights organizations and libraries at which to focus publicity and marketing efforts.
3. Solicit and maintain records related to subscriptions.
4. Research and attend conferences related to law review management, civil rights, or civil liberties.
  - a. The Publicity Editor shall seek out conferences relevant to this Review for members to attend.
  - b. Attendance at conferences is intended to increase members' knowledge of all matters relevant to the publication of the Review and to promote the Review to other conference attendees.
5. Order business cards for the Review.
  - a. Business cards are to be in conformance with any and all University policies.
6. Maintain a record of contacts.
7. Write and send thank-you notes when appropriate.
8. Act as secretary at meetings if the Editor-in-Chief fails to appoint a secretary.

### Recruitment Editor

The Recruitment Editor shall be responsible for the recruitment of new Junior Editors through a write-on competition held in the summer. The Recruitment Editor shall be responsible for the following specific duties in accordance with this role:

1. The Recruitment Editor should create a write-on problem to present to the Managing Board for approval.
2. The Recruitment Editor should communicate the problem and all competition rules and deadlines to the law school student body.
3. The Recruitment Editor should ensure the competition is graded anonymously and is based on objective criteria.

### Acquisitions Editor

The Acquisitions Editor shall be responsible for acquiring publishable pieces for the Review. The Acquisitions Editor shall be responsible for the following specific duties in accordance with this role:

1. Recommend authors and symposia topics to the Managing Board.
2. Acquire and retain contact with potential authors.

- a. The acquisitions editor should keep a record of all contacts with authors and potential authors to allow future Acquisitions Editors to maintain existing relationships.
3. Solicit articles from authors.
4. Review solicited and unsolicited articles to determine if they are of publishable quality.
5. Work with the Editor-in-Chief to select articles for publication.
6. Communicate with authors regarding the status of the selection process.

### Executive Editor

The Executive Editor shall supervise the preparation of the articles and student notes for publication. The Executive Editor shall be responsible for the following specific duties in accordance with this role:

1. Supervise the Articles Editors, Notes Editors, and Research Editor.
2. Lead orientation, with the Editor-in-Chief, for the Junior Editors.
3. Assign articles, Junior Editors, and Senior Editors to Articles Editors.
4. Assign a deadline for each article to be returned fully edited.
5. Conduct a true spade of every article and student note to be published.
  - a. The Executive Editor is responsible for ensuring that all articles and student notes are error free.
  - b. The Executive Editor is responsible for reviewing the continuity of each article and student note to be published.
6. Turn feedback forms in to the Managing Editor to be placed in the member's personnel files.
7. Maintain, with the Managing Editor, a best practices book.

### Articles Editors

The Articles Editors shall be responsible for the editing of all articles and student notes to be published in the Review. The Articles Editors shall be responsible for the following specific duties in accordance with this role:

1. Acquire sources cited in the article or student note.
  - a. Articles Editors should acquire and check out sources located in Bounds Law Library.
  - b. Articles Editors should work with the Research Editor to acquire sources located in other University libraries and to acquire sources through interlibrary loan.
2. Create a source list with the source names, location, which footnotes the sources are cited in, and any other helpful information.
3. Distribute spading assignments to the Junior and Senior Editors.
  - a. Spading assignments should include hard copies of an assigning memo, feedback form, source list, and the portion of the article assigned to the Junior or Senior Editor.
  - b. Junior and Senior Editors should also receive the entire article, source list, and assigning memo via e-mail.
4. Supervise and encourage the Junior and Senior Editors as they spade.
5. Incorporate the appropriate changes the Junior and Senior Editors suggest.
  - a. Articles Editors shall review the continuity of the articles and student notes that they edit.

### Research Editor

The Research Editor shall be responsible for locating sources used in articles and student notes being published and for keeping abreast of civil rights and civil liberties legal developments. The Research Editor shall be responsible for the following specific duties in accordance with this role:

1. Assist the Articles Editors in locating difficult sources.
2. Acquire sources found in non-law school University Libraries.
3. Request books through Bounds or other University Libraries interlibrary loan programs.
4. Conduct and supervise monthly “state of the law” presentations to the Editorial Board.
  - a. These presentations should keep the Editorial Board up to date on civil rights and civil liberties legal developments.
  - b. The Research Editor may personally conduct these presentations or may designate, assist, and supervise other Editorial Board members in leading them.
5. Inform the Acquisitions Editor about up and coming authors and overdone topics.

### Notes Editors

The Notes Editors shall be responsible for supervising the student note writing process. The Notes Editors shall be responsible for the following specific duties in accordance with this role:

1. Advise Junior Editors as they select their student note topics and write their student notes.
  - a. The Notes Editors should hold an informational meeting to teach the Junior Editors how to select an acceptable student note topic and how to write a publishable student note.
2. Set deadlines for topic approval, first drafts, and final drafts.
3. Select, with the Editor-in-Chief, student notes to be published.
  - a. To the extent possible, this process should be conducted anonymously.

### **Section B – Junior and Senior Editors**

The Junior and Senior Editors shall be responsible for spading the articles and/or student notes to which they are assigned. These spades shall be conducted in accordance with Review procedures.

Junior Editors must write a student note of publishable quality. A Note is of publishable quality if it is the product of the student’s research project for publication and it is approved by the Notes Editors as being of publishable quality. A Junior Editor may appeal the Notes Editors’ decision that a student note is not of publishable quality to the Executive Editor. If the Executive Editor does not approve the note as being of publishable quality, the Junior Editor may appeal to the Managing Board. The Junior Editor may appear before the Managing Board, but the Junior Editor may not be present during the Managing Board’s deliberations and vote on the issue.

Junior or Senior Editors may present grievances or suggestions to a Notes Editor or an Articles Editor. If the Junior or Senior Editor feels the Notes Editor or Articles Editor has not properly resolved the issue, the Junior or Senior Editor may bring the grievance or suggestion to the Editor-in-Chief’s suggestion. The Editor-in-Chief shall bring these to the attention of the Managing Board. The Managing Board shall take action based on these grievances or suggestions if and when it deems proper.

## Article VI – Regulations on Conducting Business of the Review

### **Section A – Meetings**

1. Convening a Meeting
  - a. Meetings of the Managing Board or Editorial shall be called by the Editor-in-Chief or requested in writing by a majority of the Managing Board.

2. Notice of a Meeting
  - a. Written notice shall be given to each Managing Board member (or each Editorial Board member for meetings of the Editorial Board) at least 48 hours prior to the start of each meeting.
  - b. Written notice shall be given to each Managing Board member at least one week prior to any meeting called to consider the amendment of these Bylaws.
  - c. Written notice is deemed sufficient if left where correspondence is usually left for the member or if sent via e-mail to an address provided by the Review member.
3. Attendance
  - a. Attendance at all meetings is required, unless the member provides a reason for the absence to the Editor-in-Chief.
4. Quorum
  - a. No business shall be conducted at a Managing Board or at an Editorial Board meeting unless a quorum is present.
  - b. A quorum shall consist of one-half of the Managing Board members at a Managing Board meeting or one-half of the Editorial Board members at an Editorial Board meeting.
5. Voting
  - a. Except as otherwise provided in these Bylaws, each Managing Board member is entitled to one vote during Managing Board meeting votes. Each Editorial Board member is entitled to one vote during Editorial Board meeting votes.
  - b. Except as otherwise provided in these Bylaws, a majority of the Managing Board members present at a Managing Board meeting (or a majority of the Editorial Board members present at an Editorial Board meeting) is sufficient to pass resolutions.
  - c. No votes-by-proxy shall be counted unless properly approved at a prior Managing Board meeting.
6. Secretary
  - a. At the beginning of each Managing Board meeting, the Editor-in-Chief shall appoint a Secretary for the meeting.
  - b. If the Editor-in-Chief fails to appoint a Secretary for a Managing Board meeting, the Publicity Editor shall act as Secretary at that meeting.
  - c. Minutes from each Managing Board meeting shall be kept on file in the Review office and made available to all members of the Review.
7. Rules of Order
  - a. Managing Board meetings shall, to the extent feasible, be governed by standard rules of parliamentary procedure.
8. Closed Meetings
  - a. All Managing Board meetings shall be closed. The Managing Board may, however, open a meeting by a majority vote.

## **Section B – Selection, Vacancies, Impeachment, and Resignation**

1. Selection of Managing Board
  - a. Junior Editors in good standing are eligible to serve on the following year's Managing Board.
  - b. The Editor-in-Chief shall inform the Junior Editors of the Managing Board selection meeting date at least three weeks prior to the date of the meeting.
  - c. Interested and eligible Junior Editors must declare their interest in one or more Managing Board position in writing at least one week prior to the date of the Managing Board selection meeting.
    - i. Copies of this information shall be distributed to the outgoing Managing Board at least three days before the Managing Board selection meeting.

- d. The Junior Editors may provide additional information in support of their candidacy within guidelines to be set by the Managing Board.
    - i. Guidelines for additional information must be distributed to the Junior Editors at least three weeks prior to the date of the Managing Board selection meeting.
    - ii. No Junior Editor shall campaign in any manner other than those specifically allowed by the Managing Board guidelines.
  - e. All voting at the Managing Board selection meeting shall take place via secret ballot.
  - f. The Editor-in-Chief shall be selected first, followed by the selection of the remaining Managing Board positions in an order to be determined by the Editor-in-Chief.
  - g. Managing Board members will be able to cast one vote for each open position.
    - i. For example, if two Articles Editors are to be selected, each Managing Board member may vote for two candidates. The two candidates with the greatest number of votes will be the Articles Editors.
    - ii. Managing Board members may not vote for the same person more than once for a single position.
    - iii. If a tie occurs when there are multiple open spots for a position, a tiebreaking vote shall be held.
    - iv. If a tie still exists after the tiebreaking vote, the Editor-in-Chief shall cast a tiebreaking vote.
2. Permanent Vacancies
- a. In the event of a vacancy on the Managing Board, the Managing Board shall accept nominations for a replacement from the entire Review membership. Any member in good standing shall be eligible to nominate or be nominated.
  - b. There shall be at least a three-day long nominating period, the dates of which shall be announced by the Editor-in-Chief.
  - c. The Managing Board shall vote by secret ballot to determine which nominated candidate shall fill the vacancy.
    - i. Nominated candidates may not vote in this election.
    - ii. The candidate with the most votes shall fill the vacancy.
    - iii. In the event of a tie, a tiebreaking vote shall be held.
    - iv. If a tie still exists after the tiebreaking vote, the Editor-in-Chief shall cast a tiebreaking vote.
  - d. The Managing Board shall hold this vote within two weeks of the vacancy occurring.
  - e. The replacement Managing Board member shall serve until the new Managing Board is selected.
3. Impeachment
- a. The Editorial Board may impeach any member, including the Editor-in-Chief, for good cause.
  - b. The entire Editorial Board, including the member up for impeachment, shall vote by secret ballot.
  - c. Three-fourths of the Editorial Board must vote for impeachment for the member to be impeached and removed from the Editorial Board.
4. Resignation
- a. Any member may resign from the Review by submitting a written resignation to the Editor-in-Chief.
  - b. A member who has resigned may petition for reinstatement.
    - i. Such member may be reinstated only by a majority vote at a Managing Board meeting.
  - c. A reinstated member may only be reinstated as a Junior or Senior Editor.
    - i. A reinstated member may, however, be nominated to fill a vacancy on the Managing Board.

## Article VII – Term of Service

### Section A – Managing Board

The Managing Board shall serve from the date of commencement until the following Managing Board assumes control of the Review at the following year’s spring commencement.

However, the newly selected Managing Board shall train with the outgoing Managing Board from the date of selection until the date of spring commencement to ensure continuity of the Review.

### Section B – Junior and Senior Editors

Junior Editors shall serve from the date of orientation until the new Managing Board assumes control of the Review.

Senior Editors shall serve from the date the new Managing Board assumes control of the Review until spring commencement.

## Article VIII – Faculty Advisor

### Section A – Duties and Responsibilities

The Faculty Advisor of the Review shall have the following duties and responsibilities:

1. Assigning pass/fail credit to Editorial Board members based on the Editor-in-Chief’s recommendation.
2. Advising the Editorial Board on all matters brought to the Faculty Advisor.
3. Attending any meetings of the Managing Board or Editorial Board she or he wishes to attend.

### Section B – Limitations

The role of the Review’s Faculty Advisor is subject to the following limitations:

1. The Faculty Advisor does not have the power to vote at any Review meetings.
2. The Faculty Advisor does not have the power to override decisions of the Editorial Board or Managing Board, including, but not limited to, decisions regarding deadlines, disciplinary measures, and the selection of articles and student notes for publication.
  - a. The Faculty Advisor may, however, offer suggestions to the Editorial Board and Managing Board on these and other decisions.

## Article IX – Antidiscrimination Policy

The Review shall not discriminate in any matter, including membership invitations or publication decisions, on the basis of age, disability, ethnicity, gender, marital status, national origin, political affiliation or viewpoint, race, religion, sexual orientation, or veteran status.

# Article X – Enactment, Publication, and Amendment of Bylaws

## **Section A – Enactment**

These Bylaws are effective August 30, 2009, and they supersede any and all Bylaws previously enacted.

## **Section B – Publication**

Each member of the review shall receive a copy of these Bylaws. Additionally, a copy of these Bylaws shall be kept on file in the Review office for inspection by any member of the Review.

## **Section C – Amendments**

The following procedure shall be followed to vote on proposed amendments:

1. Any Managing Board member may propose an amendment to these Bylaws by submitting the proposed amendment, in writing, to the Editor-in-Chief.
2. The Editor-in-Chief shall distribute the proposal to the entire Managing Board within three days.
3. The Managing Board shall vote to accept or reject the proposed amendment at the next Managing Board meeting.
  - a. The Managing Board shall have not less than 2 days and not more than one week between receiving a proposed amendment and voting on said amendment at a Managing Board meeting.
4. The proposed amendment shall be accepted and adopted if it receives 51% of the votes of the Managing Board members.
5. No votes on amendments to these Bylaws may take place during the period between spring commencement and the first day of the following fall semester.