

CAMPBELL LAW REVIEW

BYLAWS

WHEREAS the faculty, administration, and students of Campbell University, Norman Adrian Wiggins School of Law have recognized both a need for scholarly legal publication and an outlet for additional legal education;

WHEREAS the School of Law has founded, maintained, and governed the *Campbell Law Review* since its inception; and

WHEREAS the purpose of the Campbell Law Review is to serve the legal community with scholarly articles, comments and other reviews of legal topics that place special emphasis on issues from states such as North Carolina and others in the Southeast, as well as issues concerning national legislation and Constitutional questions from all circuits and the Supreme Court;

THEREFORE the Campbell Law Review hereby establishes these bylaws as the foundational means to carry forth its mission and purpose.

Article I. Authority

§ 1.1 Ultimate Responsibility

The faculty of Campbell School of Law has the ultimate responsibility for the *Campbell Law Review*.

§ 1.2 Delegation

The faculty has delegated full responsibility for the operation and management of the *Campbell Law Review* to the Editor-in-Chief and Board of Editors as hereinafter set forth. This delegation shall continue from year to year until withdrawn, in whole or in part, for the reasons and in the manner provided in sections 1.3 and 1.4 below.

§ 1.3 Partial Withdrawal of Authority

Prior to any faculty decision against publication or against the taking of any action by the *Campbell Law Review*, authority to publish any writing or take any action approved by the Editor-in-Chief is presumed and the law review may proceed accordingly. If, however, in the opinion of the faculty advisor to the *Campbell Law Review*, the publication of any writing or the taking of any other action by the *Campbell Law Review* would result in legal liability of the law review, any editor or writer, the School of Law, or Campbell University, whether from libel or any other cause, the faculty advisor shall

set forth a reasonably detailed explanation of the grounds upon which it is based. If two-thirds of the Board of Editors are not in agreement with the opinion of the faculty advisor, the question of publication or the taking of any action shall be submitted to the full faculty's next regularly scheduled meeting. The Board of Editors may file a written brief in support of its position. The decision of the full faculty in accordance with its usual quorum and voting procedures shall be final, and if against publication or the taking of any action, shall operate as a withdrawal of authority to publish the writing or take the action in question.

This process shall also be the manner by which a removed Editor-in-Chief, a completely removed Editor, or a removed Staff Member may appeal.

§ 1.4 Complete Withdrawal of Authority

If the conduct of the Board of Editors or the content of the *Campbell Law Review*, as determined by the Board of Editors, would, in the opinion of the faculty advisor, be unsuitable for the Campbell University School of Law, the faculty advisor shall communicate his opinion to the Board of Editors along with suggested changes in writing. If within twenty (20) days the Board of Editors and the faculty advisor cannot reach agreement, the faculty advisor may, upon a concurring majority vote of the full faculty (consistent with its quorum and voting procedures), withdraw all authority from the Board of Editors. The Board of Editors shall be allowed a reasonable opportunity to file a brief in support of its position and the faculty shall allow the Editor-in-Chief, or his/her designee, to speak before the full faculty prior to its decision. The decision of the faculty shall be final.

Article II. Editorial Management

§ 2.1 General Powers

The Board of Editors shall be responsible for formulating all policies of the law review.

§ 2.2 Members of the Board of Editors

The Board of Editors shall be composed of the Editor-in-Chief, Managing Editor, Executive Editor, Business Editor, Chief Articles Editor, Chief Comments Editor, Chief Publications Editor, and Membership Editor. Each Editor shall have one vote when deciding issues on which these bylaws require action by the Board of Editors.

§ 2.3 Qualification of the Board of Editors

A student shall be qualified to hold an editorial position only after they have completed one semester of work on the law review for which academic credit was received. Qualification, however, does not mandate appointment as an editor—the Editor-in-Chief has full discretion when appointing members to editorial roles.

§ 2.4 Election of the Editor-in-Chief

Except as provided in section 2.6(B), the Editor-in-Chief shall be elected at the annual meeting of the *Campbell Law Review*. A quorum is required at this meeting. A quorum is a majority of all law review members (e.g., 25 members, quorum would be 13). Proxies are allowed, provided that the proxy is signed and dated by the absentee member and indicates the name of the person holding the proxy. Proxies shall not be counted toward the quorum requirement. The Editor-in-Chief shall be elected by majority vote of all members of the law review.

§ 2.5 Appointment of Editors

The Editor-in-Chief shall appoint all editors to their offices. The new editors will assume their duties reasonably thereafter, provided, that incumbent editors remain primarily responsible for completing whatever duties necessary to finish any scheduled publications.

§ 2.6 Removal from Office

A. Any editor may be removed by the Editor-in-Chief from his or her office at any time for failing to perform their duties set out in Article III, provided that a removed editor is appointed either to another editorial position or remains a staff member. Sections 4.4 and 4.5 set out the guidelines for complete removal from the *Campbell Law Review*.

B. The Editor-in-Chief may be removed at any time for failure to perform his/her duties as set out in Article III by a two-thirds vote of all law review members. Such removal shall occur at a special meeting called in accordance with section 5.1 at which a quorum is present. A quorum is a majority of all law review members. Proxies are allowed, provided that the proxy is signed and dated by the absentee member and indicates the name of the person holding the proxy. Proxies shall not be counted toward the quorum requirement. At this meeting the Editor-in-Chief shall be afforded an opportunity to meet the charge and offer evidence and witnesses on his or her behalf. If the Editor-in-Chief is so removed, a new Editor-in-Chief may be elected at the same meeting.

C. Decisions to remove the Editor-in-Chief or to completely remove an editor may be appealed to the Faculty Advisor as provided by section 1.3.

§ 2.7 Vacancies

Any vacancy occurring in an editorial position may be filled by appointment by the Editor-in-Chief. If the Editor-in-Chief position becomes vacant, the Managing Editor shall fill such position until a new Editor-in-Chief may be elected at a special meeting following section 2.4, excluding the provision concerning the annual election date. The special meeting to elect the new Editor-in-Chief shall be held within two weeks of the vacancy.

§ 2.8 Meetings of the Board of Editors

A. Special meetings

The Editor-in-Chief, the Managing Editor, or any two editors in section 2.2 may call special meetings of the Board of Editors after twenty-four (24) hours notice to members of the Board.

B. Regular meetings

The Board of Editors may provide a continual time and place for holding of regular meetings without notice.

C. Quorum and Voting Requirement

Four members of the Board shall be present to have quorum. Once quorum is achieved, action taken by majority vote constitutes action of the Board of Editors unless these bylaws require a greater vote. If a quorum is not present the only official action that may be taken is adjournment. This requirement shall not be applicable to meetings with individual editors or with particular groups of editors, such as Notes and Comments Editors or Articles Editors.

D. Attendance of the Faculty Advisor

The faculty advisor may attend meetings of the Board of Editors upon invitation only, but he/she shall not be counted for quorum purposes.

Article III. Organization

§ 3.1 Editor-in-Chief

In accordance with Article I the Editor-in-Chief shall be the chief executive of the *Campbell Law Review* and shall have the authority and responsibility for all management.

The Editor-in-Chief shall:

A. preside at all full law review meetings and Board of Editors meetings;

B. liaise between the *Campbell Law Review* and the law school faculty and administration through the faculty advisor, provided that the Editor-in-Chief shall attend faculty meetings only on the invitation of the faculty;

C. appoint qualified members of the *Campbell Law Review* to editorial positions as he/she deems appropriate. This shall include the right to change appointments as necessary, provided that the act of removing an editor from his position without reappointment to another editorial position or staff member status is to be considered a complete removal, which must be done in accordance with section 4.5;

D. coordinate activities of editors and hand out assignments;

E. assign staff members to editors;

F. assist editors with their duties;

G. schedule the editing timeline for each issue;

H. disburse the notes and comments submitted by the grade-on members among the Comments Editors, so that selection for publication can be made in accordance with section 4.2;

I. have the final decision to publish all material, save instances of faculty intervention in accordance with Article I and Board of Editors consultation under sections 5.3 and 5.4;

J. have the sole authority to sign contracts with authors, publishers, or others wanting to do business with *Campbell Law Review*, provided that he/she retains the power to delegate this authority to other editors;

K. ensure the accuracy of each issue;

L. assist the Membership Editor in training new members;

M. perform a final critical reading in the editorial process; and

N. have the sole authority to give authors published by the *Campbell Law Review* permission to reprint their article; yet, there shall be no charge to such an author in the event permission for a reprint is granted.

§ 3.2 Managing Editor

In the absence of the Editor-in-Chief or in the event of his inability or refusal to act, the Managing Editor shall perform the duties of the Editor-in-Chief and when so acting, shall have authority of the Editor-in-Chief.

In addition the Managing Editor shall have the following responsibilities:

A. assist the Editor-in-Chief in administrative matters;

- B. supervise the operation and management of the staff;
- C. assist the Membership Editor in the training of new staff members;
- D. record minutes of full law review meetings and Board of Editors meetings and keep such minutes on the designated *Campbell Law Review* web site and on file in the law review office;
- E. ensure the accuracy of each issue; and
- F. perform other duties prescribed by the Editor-in-Chief.

§ 3.3 Business Editor

The Business Editor shall:

- A. maintain all subscription records;
- B. plan and coordinate the subscription campaign;
- C. communicate with the main office of the Campbell University School of Law regarding budget information and budget needs;
- D. perform the bookkeeping duties in conjunction with the Editor-in-Chief and maintain appropriate financial records available for inspection by the Dean or his authorized faculty agent;
- E. submit to the Campbell University School of Law main office requests for necessary materials, including, but not limited to, computer software, computer hardware and printers; and
- F. perform other duties prescribed by the Editor-in-Chief.

§ 3.4 Articles Editors

The Articles Editors shall:

- A. contact professors, attorneys, judges and other prospective authors to solicit articles;
- B. assist article authors in the development and preparation of the articles;
- C. assist the Editor-in-Chief in the selection of submitted articles, provided that an articles editor is not involved in the selection process of an author with which that editor has had contact concerning the solicitation of an article or assistance in the development of that article prior to submission;

D. maintain contact with article authors and keep them informed of deadlines and progress of publishing articles;

E. edit the articles;

F. exchange copies of articles with staff members for cross spading;

G. meet with assigned staff members to discuss spading assignments, particularly to critique the students' spading and to make recommendations so that the quality of the spading may be improved;

H. assist the Editor-in-Chief and the Managing Editor in ensuring the accuracy of articles; and

I. perform other duties prescribed by the Editor-in-Chief.

§ 3.5 Comments Editors

The Comments Editors shall:

A. ensure that appropriate issues are being addressed in the students' comments;

B. periodically review the students' writing process to ensure completion by the assigned deadlines. This shall include meeting with the assigned students prior to selection for publication in order to answer questions, review structure and content of the comment, assist in the development of the work, and make any recommendations to the grade-on students as the editor feels necessary;

C. be appointed as editor of a selected comment;

D. meet with the Editor-in-Chief and Managing Editor to select student material for publication in the manner prescribed by section 4.2, provided that no Comments editor shall be involved in the selection process of an author with which that editor has had contact with prior to selection concerning the development of the work;

E. exchange copies of the comment with current staff members for cross spading, once the comment has been selected for publication;

F. meet with assigned staff members to discuss spading assignments, particularly to critique the students' spading and to make recommendations so that the quality of the spading may be improved;

G. edit the preliminary and final drafts of the comments, provided that after the initial spading assignment there shall be at least three (3) drafts;

H. keep assigned students informed of the status of each comment. This shall include keeping assigned staff members informed of whether future spading assignment is necessary for a particular comment;

I. assist the Editor-in-Chief and the Managing Editor in ensuring the accuracy of each comment; and

J. perform other duties prescribed by the Editor-in-Chief.

§ 3.6 Chief Articles Editor & Chief Comments Editor

The Chief Articles Editor and Chief Comments Editor shall have the same duties listed in sections 3.4 and 3.5, respectively; however, they shall additionally be responsible for the leadership and management of the other Articles Editors and Notes and Comments Editors.

§ 3.7 Membership Editor

The Membership Editor shall:

A. coordinate the writing competition. This shall include initial approval of selected topics by invitees. The membership editor shall be the only person who is aware of what topic each invitee has chosen, prior to the submission deadlines;

B. give initial approval of selected topics;

C. send all necessary information to invitees;

D. distribute submitted papers to appropriate editors and ensure that the selection process prescribed by sections 4.1 and 4.2 occurs;

E. train new members, assisted by the Editor-in-Chief and the Managing Editor;

F. assist the Editor-in-Chief with evaluating staff involvement and written contributions;

G. provide all members in the writing competition with a grading sheet to be used by the Grading Committee; and

H. perform other duties prescribed by the Editor-in-Chief.

§ 3.8 Chief Publications Editor

The Chief Publications Editor shall:

- A. maintain all relations with the printer or publisher for the *Campbell Law Review*;
- B. send all editions of the law review to the printer, subject to Article I;
- C. ensure that the printer returns all editions in a timely manner;
- D. handle arrangements for reprints, if necessary;
- E. keep records of manuscripts sent to the printer; and
- F. perform other duties prescribed by the Editor-in-Chief.

§ 3.9 Executive Editor

The Executive Editor shall:

- A. participate in the grading committee activities;
- B. grade every student submission;
- C. perform all other duties of a Comments Editor; and
- D. perform other duties prescribed by the Editor-in-Chief

§ 3.10 *Campbell Law Review* Staff

- A. In addition to editorial positions, the law review shall have a staff composed of second and third year students who have achieved membership to the *Campbell Law Review*.
- B. Staff members shall:
 - 1. proofread, spade, and perform administrative tasks;
 - 2. attend full *Campbell Law Review* and staff meetings;
 - 3. write a case note or comment for publication; and
 - 4. perform other duties prescribed by the Editor-in-Chief or Board of Editors.

§ 3.11 Faculty Advisor

Selection of the Faculty Advisor shall be made by a vote of all *Campbell Law Review* members at the first fall semester meeting, subject to final approval by the Dean and the faculty of the School of Law. The advisor shall serve on an annual basis.

The Faculty Advisor shall:

- A. advise and counsel the Board of Editors, both in general and with respect to withdrawal of authority;
- B. liaise between the Board of Editors and the faculty and administration regarding matters related to the *Campbell Law Review*; and
- C. prepare an annual report to the faculty and administration concerning the law review.

Article IV. Membership

§ 4.1 Membership

Membership to the *Campbell Law Review* is by invitation only, and is subject to students meeting several requirements.

Students who have completed their first two semesters of law school at Campbell University School of Law and whose cumulative grade point average places them in the top 50% of their class, including ties, shall be eligible to compete in the Spring Writing Competition. This is the only means of obtaining an invitation to the Campbell Law Review, except as otherwise provided in sections 4.1(C)(2) and 4.1(D). Because of the time constraints respecting the publication of grades and class rankings, students will be required to enter the Spring Writing Competition without actual knowledge of their rank or percentile. Students who, after competing in the Spring Writing Competition, attain a cumulative grade point average that ranks them lower than the top 50% of the class will not be extended a membership invitation.

A. The Spring Writing Competition Process

The spring writing competition will take place the week following the last day of exams. Students will be asked to write a case note or condensed comment on a topic chosen by the incoming board of editors. All competing students will write on the topic provided, so as to give student graders a more accurate understanding of each student's writing ability. The editorial committee will choose a topic that is both relevant and useful to the legal community.

1. Competing 1L's will be able to pick up a packet outlining the exact guidelines for the writing competition after the last 1L exam. At this time, each competing 1L will register with the incoming membership editor, and will be assigned a numerical ID. Each student's submission will be identified by that ID number **only**, so as to maintain anonymity in the grading process. As part of registration, competing students will be required to sign a written authorization allowing the membership editor to obtain their grade point averages. Any information concerning an individual's grade point average/class ranking will be procured for the sole purposes of determining whether s/he is eligible to participate in the writing competition and determining an author's overall score in the writing competition. This information will be treated as highly confidential and will not be known by anyone other than the membership editor.

2. The information packet provided to the competing 1L's may or may not contain additional materials to be used in preparation of the students' case comments. If no additional materials are provided, then competing students may utilize any research materials available to them. However, the number of sources to be used *may* be limited by the incoming editorial committee as it sees fit. If additional materials are provided to competing students, they shall include one case that is the subject of the case comment and a series of diverse sources that discuss the relevant issue. When providing additional research materials, the incoming editorial committee may limit the sources used to those provided.

3. Competition submissions will be due to the Editor-in-Chief at a time and date to be set by the incoming editorial committee. This deadline must be included in the informational materials provided to competing students when they register for the writing competition. The incoming editorial committee retains the discretion to require student comments to be submitted in person to the Campbell Law Review office, or to allow comments to be submitted electronically, either via e-mail or through a webcourse, or both. Whichever procedure is used, the receiving editor is required to annotate the time and date of receipt, and to provide the competing student with notice that his/her comment has been received. This may be done through a written receipt, or through an email. Competing 1L's are responsible for ensuring that their submissions are timely received by the Law Review Staff. Late submissions will not be accepted, subject to any exceptions provided in these bylaws.

B. The Spring Writing Competition Grading Process

1. Once all student comments have been submitted, they will be graded in the following manner. The Editor-in-Chief will convene a Grading Committee, and will name a Board editor as chairperson, typically the Managing editor. The grading committee will consist of the Managing Editor, the Chief Publications Editor, all Comments editors, all Articles editors, and the Executive Editor. The Membership Editor will assist the committee chairperson in ensuring that the anonymity of the grading process is maintained while still having each work read and graded by four editors. The committee chairperson, along with the Executive Editor, will read and grade each submission. The remaining committee members will read as many works as necessary to provide the author with two additional grades. However, no committee member (with the exception of the committee chairperson and Executive Editor) will be required to read more than five works, unless exigent or unforeseen circumstances arise making this limitation infeasible. Once each work has four grades, the membership editor will compile the grades for each work. No other grader should see or know the grade that the other graders have given any particular work. The grades should be weighted in the following manner: the committee chairperson's grade is given 40% weight, the Executive Editor's grade is given 40% weight, and the other two grades given 10% each.

2. Grading will be based upon a specified rubric to be generated by the incoming editorial committee. The rubric shall address, among other things, proper grammar, well-reasoned case analysis or statutory interpretation, ability to synthesize the law, and general readability. This score shall constitute the author's substantive grade. A separate score relating to the accuracy of citations and adherence to Blue Book format shall constitute the author's citation grade. Each grade shall be weighted as follows, in order to reach an overall score for each author:

Substantive Grade 40%
Citation Grade 20%
Cumulative Grade Point Average 40%

3. The membership editor will be responsible for determining each author's overall score. The membership editor will also be responsible for eliminating those submissions by authors whose cumulative grade point averages put them outside of the top 50% of their class, and for appropriately notifying those authors.

4. At the conclusion of grading all the works submitted, the committee members shall recommend to the committee chairperson one work that should be considered for publication. The chairperson will submit this work to the Editor-in-Chief for consideration, as one of the goals of the Spring Writing Competition is to obtain one article of publishable quality on a topic that is both relevant and useful to the legal community.

5. If, after reviewing all the works submitted and the grades assigned, the membership editor determines that a work received disparate grades, that work will be submitted to the Board of Editors for review (excluding the membership editor). If, in the unanimous opinion of the Board, the person deserves membership based on his/her submitted work, a membership invitation shall be granted. This grading process must be completed by the first day of class of the following Fall semester.

C. Extension of Invitation to Join the Law Review

1. An invitation to join the Law Review shall be extended to no less than fifteen competitors and no more than thirty competitors. The exact number of invitations extended shall be determined based upon the needs of the Law Review, as determined by the Editorial Staff.

2. Those 1L's who are extended candidate membership at the conclusion of their first semester at Campbell Law School, and who accept this invitation, with its incumbent responsibilities, shall automatically be granted a full invitation as members of the Campbell Law Review. Although they will not be required to take part in the Spring Writing Competition, they will be required to comply with all other requirements for membership.

D. Provisions for transferees into the Campbell University School of Law

1. Students who have transferred to Campbell Law School after their first year elsewhere and are joining the second year class shall be eligible to compete in the Spring Writing Competition after completing two full semesters at Campbell University. However, these students will be subject to a more stringent requirement: a transferee wishing to compete for a membership invitation must be ranked within the top 30 students in his/her own class at the conclusion of two semesters at Campbell.

2. Students visiting or transferring to Campbell at any point other than the beginning of their second year are not eligible for membership on the law review and will not be extended an invitation. This is regardless of whether they were on law review at the school they previously attended or whether a work they submit to *Campbell Law Review* is ultimately published.

E. Provision for Exigent Circumstances

In the event that a student faces unforeseen exigent circumstances and is unable to participate in the Spring Writing Competition outlined in section 4.1(A), he may be eligible to compete in accordance with the provisions for transferees as described in section 4.1(D). Determination of what shall constitute an unforeseen exigent circumstance will be made on a case-by-case basis, upon unanimous agreement of the Board of Editors.

§ 4.2 Requirements for Earning Academic Credit and Continued Membership

Once a student has been extended an invitation to membership on the *Campbell Law Review*, s/he shall have certain additional requirements in order to earn academic credit and maintain his/her member status:

A. Full Student Comment Requirement.

1. To be eligible to earn academic credit for his participation on *Campbell Law Review* and to remain a member, each student shall be required to submit a full-length comment. This writing requirement shall come due in January of the year after the author competed in the Spring Writing Competition. Each author will be able to write on a topic of his own choice, subject to the approval of the Editor-in-Chief. When granting approval of a topic, s/he may 1) discuss it with other editors, 2) determine whether the writer has sufficiently shown the necessity for writing on such a topic, and 3) use his or her own judgment.

2. The Editor-in-Chief will set an exact timeline for the submission of this written work. That timeline may include pre-deadline dates for topic selection, research, drafts, or other

portions of work. The Board, in its discretion, may restrict membership only to those who comply with this timeline.

3. The goal of the full-length writing requirement is to achieve a well-documented comment of at least 6,000 words (including footnotes) that may be considered for publication. In order to determine whether this requirement has been met, the Editor-in-Chief shall appoint a committee to review the full-length submissions. This committee shall be comprised of, at a minimum, the Managing Editor, the Executive Editor, and the Chief Comments Editor. The review committee shall refer any student submissions of patently non-publishable quality to the Membership Editor. The Membership Editor will then meet with the author and inform him that he has one week to revise the article, at which time it will be reviewed again. If, at this time, the review committee believes that the work has not been substantially improved, so as to make it publishable, the matter will be referred to the Board of Editors. Upon reviewing the submission, the Board of Editors will vote on the author's membership. A majority vote will be required to make the author ineligible for academic credit and continued membership. Any author who does not submit an article pursuant to this provision will be denied academic credit for his participation in the *Campbell Law Review*, and his membership retracted.

4. Once an author's writing has been submitted and considered as publishable (regardless of whether it is actually chosen for publication), that author will be granted 2 credit hours in the semester in which the article was due. Compliance with this requirement then makes the author eligible for one credit hour per semester in his 3L year, provided other requirements for membership are met. In the case of a transfer student who competes in the Spring Writing Competition upon completion of his 2L year, he will also be required to submit a publishable work, and will not be eligible for academic credit until the semester in which that paper is submitted (i.e., spring semester of his 3L year).

B. Student Spading Assignments

1. To be eligible for academic credit in a given semester, each student must also complete, in good faith, the spading requirements assigned by the Editor-in-Chief, the Chief Articles Editor, or the Chief Comments Editor. A student who fails to fulfill this duty will be subject to the disciplining procedures outlined in section 4.5. Pursuant to that section, the student may have his academic credit for the semester withheld, and/or his membership revoked.

2. In order to be eligible for 2 credit hours in the Spring semester of his 2L year, a student must complete a spading assignment in the semester during which he is granted credit, as well as the preceding semester (i.e., a student must complete a spading assignment in both the fall and spring semesters of his 2L year).

§ 4.3 Candidate Membership

Those students of the first-year class whose cumulative grade point average at the end of their first semester places ranks them in the top fifth percentile of their class, including ties, will be invited to participate on the law review as Candidate Members (e.g. 129 members, then top 6 people; 130 members then top 7 people). Those students who decline to accept an invitation shall not be excluded

from future participation of the law review.

Duties of Candidate Members shall be the same as those of staff members. Further, Candidate Members shall not be counted toward the requirement of a quorum at any meeting, nor shall Candidate Members be entitled to vote on any matter for which these bylaws require a vote. Candidate Members may include a notation on their resume indicating their status; however their names will not appear as members on the staff page of the law review.

§ 4.4 Term of Membership Continuous

Once granted membership, continual membership on the *Law Review* shall be automatic unless:

- A. the member submits a written notice of resignation to the Editor-in-Chief, the Dean of the Law School, and the Faculty Advisor;
- B. the member is removed due to accumulation of sanctions in accordance with section 4.5. Appeals should be taken to the faculty advisor as provided by section 1.3; or
- C. the member is placed on academic probation by the School of Law, or is placed on probation as a discipline for a violation of school policy.

§ 4.5 Discipline

Discipline may be imposed for any reason, including, but not limited to, failure to comply with a member's duties as set out in Articles II through VI. Additionally, this section establishes an escalating four tier discipline procedure. Compliance with the four tier procedure is required if discipline is utilized. Nothing in this section shall be construed to prevent a member of the Board of Editors from speaking with a noncompliant member in confidence. Only the third and fourth violations shall constitute disciplinary action relevant to employment applications and bar applications. Upon the completion of an academic year, discipline shall restart at the first tier. The escalating four tier procedure is as follows:

1. A first violation shall cause the issuance of a written warning to the noncompliant member. A member may receive this warning without notice. The warning shall be drafted by the Membership Editor and appear on the law review's letterhead. The warning shall be kept confidential, unless a second violation occurs. The letter shall state the grounds for the violation and what steps should be taken to rectify the situation. For the warning letter to be issued, at least two of the following three editors must agree that the action is needed: Editor-in-Chief, Managing Editor, and Executive Editor. If any of the aforementioned three editors is interested, then the Chief Publications Editor shall vote in lieu of the interested editor.
2. A second violation shall cause the noncompliant member to lose his or her academic credit for the semester and be removed from the masthead. For a second violation to be found, the noncompliant member must be summoned to appear before the Board of Editors and explain his or her actions. For a member to be summoned to appear before the Board, the majority of the Board of Editors must vote in favor of the summons. If summoned, the noncompliant member and all interested persons shall be heard by the Board, and the Board shall subsequently vote.

A majority vote in favor of discipline shall result in the revocation of the noncompliant member's academic credit for the semester and removal from the masthead. No interested person shall vote, and the Membership Editor shall not vote. If the noncompliant member fails to appear when summoned, it shall result in the revocation of his or her academic credit for the semester, notwithstanding the above-mentioned Editors' vote.

3. A third violation shall result in the issuance of an official written disciplinary sanction against the noncompliant member. For this third violation to be found, the noncompliant member must be summoned to appear before the Board of Editors and explain his or her actions. For a member to be summoned to appear before the Board, the majority of the Board of Editors must vote in favor of the summons. If summoned, the noncompliant member and all interested persons shall be heard by the Board, and the Board shall subsequently vote. A majority vote in favor of discipline shall result in the sanction. The written sanction shall be provided to the noncompliant member and recorded in the law review's records. The sanction shall be drafted by the Membership Editor and appear on the law review's letterhead, and the sanction shall describe in detail the following information: all causes of disciplinary action, all disciplinary action taken, and all mitigating circumstances. No interested person shall vote, and the Membership Editor shall not vote. Appeals should be taken to the faculty advisor in accordance with section 1.3. If the noncompliant member fails to appear when summoned, the above-mentioned Editors may nonetheless hold the vote on whether a sanction should be issued.

4. A fourth violation will cause the member to be removed from the Campbell Law Review. For this fourth violation to be found, the Board of Editors must convene, and the majority of the Board must vote in favor of the noncompliant member's removal from the law review. The noncompliant member must have at least seven days notice of this meeting, and the Board must allow the noncompliant member the opportunity to appear and be heard if the noncompliant member so requests. No interested person shall vote, and the Membership Editor shall not vote. Appeals should be taken to the faculty advisor in accordance with section 1.3.

Article V. General Operations

§ 5.1 Meetings

A. Annual Meeting

An annual meeting for all law review members to elect a new Editor-in-Chief will be held during January. Any other business may be handled at this meeting.

B. Regular Meetings

Regular meetings of the full law review may be held according to a schedule set by the Editor-in-Chief or any time with forty-eight (48) hours notice.

C. Special Meetings

The Editor-in-Chief, Managing Editor, or the Board of Editors may call special meetings of the

law review at any time not less than five days before the date of a regular law review meeting. Notice shall specifically state the purpose or purposes for which the meeting is called.

D. Staff Meetings

The Editor-in-Chief or the Managing Editor shall call staff meetings after seventy-two (72) hours notice to the staff as necessary to 1) make convenient announcements, 2) expedite work assignments, and 3) provide a forum for staff members to seek answers to problems with the work assignments.

§ 5.2 Academic Credit

Each member of the *Campbell Law Review* who has fulfilled his or her functions and obligations to the law review shall receive one hour of academic credit per semester. The Board of Editors may withhold credit in accordance with appropriate sanctioning policy. Anyone receiving no credit shall be denied inclusion on the *Campbell Law Review* staff page.

§ 5.3 Selection for Publication of Comment

All works submitted in accordance with section 4.2 will be reviewed to determine whether the works will be published in the law review. Works receiving the highest grades will automatically be submitted to the Editor-in-Chief and Managing Editor for consideration, others will be submitted by the Grading Committee. Selection for publication review should be a collaborative process.

Any student duly enrolled in the Campbell University School of Law may submit material to the *Campbell Law Review*. A decision to publish such material is not to be considered an invitation of membership. The staff of the Campbell Law Review recognizes that class rank does not always comport with great writing skills. Therefore, not only are students not eligible for membership on the Campbell Law Review permitted to submit material, but should be encouraged to do so by the Editor-in-Chief.

§ 5.4 Approval for Publication

The Editor-in-Chief after consultation with the Board of Editors shall have the ultimate responsibility for selecting articles, comments, and book reviews for publication subject to an overriding veto of two-thirds vote of the Board of Editors and subject to the provisions of Article I.

§ 5.5 Publication

The *Campbell Law Review* shall be published at least twice a year with both a winter and spring issue. The Editor-in-Chief shall create deadlines for each issue to be published for the Executive Editor to send final proofs to the publisher for printing. The deadline for the winter edition will be no later than two weeks before the final day of classes for the fall semester. The deadline for the spring edition will be no later than two weeks before the final day of classes for the spring semester. Every member of the law review should strive to publish each issue in a timely manner.

§ 5.6 Format

The Board of Editors shall determine the format of the *Campbell Law Review*. There shall be no change in format without the concurrence of two-thirds of the Board of Editors.

Format shall include, but is not limited to:

- A. Whether the law review shall be, as it has been historically, one containing comments, articles, and book reviews of general legal nature;
- B. Whether the law review shall become more specialized, concentrating on particular areas of law; or
- C. Whether the number of issues per year should be increased or decreased.

Format shall not include decisions regarding the publication of a student comment.

Article VI. Amendments

§ 6.1 Amendments

A. Non-material Amendments

Non-material amendments include amendments for the sake of grammar, spelling, organization and the like, but do not affect the substance or effect of the section. Non-material amendments may be approved by the Board of Editors and will take effect after seventy-two (72) hours notice.

B. Material Amendments concerning sections 4.1, 4.2, 4.4, and 6.1

Material amendments are those amendments or changes that will alter the interpretation, substance, or impact of these sections governing invitation, membership, and removal. Amendments of this nature must be approved by two-thirds of all law review members at a special meeting in which quorum is present. This special meeting to amend, alter, or change these sections in a material way will follow only after two weeks' notice. Notice shall include where the amendments and current bylaws can be viewed. However, notice being given, the two week time period may be waived by unanimous written consent of all members. Copies of the proposed amendments or new bylaws shall also be available to the faculty advisor. No proxies are allowed. The amendments will take effect immediately after being affirmed unless otherwise provided during the meeting in which the amendments are approved.

C. Material Amendments elsewhere in these bylaws

Material amendments to sections that do not relate to invitation, membership, or removal, but still constitute a change or amendment that will alter the interpretation, substance, or impact of these sections must be approved by a unanimous vote of the Board of Editors. These amendments will take effect after seventy-two (72) hours notice.

Adopted by the Campbell Law Review on September 19, 2005 by Special Meeting:

Kerry Anne B. Miner
Editor in Chief