

**CONSTITUTION  
OF THE LOYOLA JOURNAL OF PUBLIC INTEREST LAW**

Adopted 1995  
Revised July 2000  
Revised May 2009

**ARTICLE I  
NAME**

The name of this organization shall be the Loyola Journal of Public Interest Law.

**ARTICLE II  
PURPOSE**

The purpose of this organization is the advancement of legal education and scholarship through the publication of a journal to be known as the Loyola Journal of Public Interest Law. The Journal seeks to create a forum for the discussion of legal issues faced by the poor, the elderly, children and all other individuals who may be unable to afford legal representation. The management and publication of the Journal is primarily a student responsibility, subject to advice and recommendations from the Faculty and Law Clinic Faculty of the Loyola University School of Law.

**ARTICLE III  
CANDIDACY & MEMBERSHIP**

**SECTION I: MEMBERSHIP IN GENERAL:** Membership in the Journal, in general, is limited to those students who have demonstrated achievement in legal scholarship.

**SECTION II: CANDIDACY BY GRADES:** A student becomes a candidate of the Journal by compliance with the following terms:

- A. **CLASS RANK:** The Editor-in-Chief will extend invitations for candidacy to all students who comprise the top twenty-five percent (25%) of the freshman class of Loyola Law School, following the second semester of their first year. The percentage rankings must be based on the class rankings supplied by the Dean's office. Additionally:
- B. **HOURS COMPLETED:** Each student must have completed not less than:
  - Day Students ----- 31 semester hours of course work
  - Night Students --- 21 semester hours of course work
- C. **MEMBERSHIP FOLLOWING THE FIRST YEAR OF LEGAL STUDIES:** If, following the first year of legal studies, a student's cumulative Grade Point Average reaches or exceeds the requirement for Journal membership for the

student's class, the student may apply for candidacy to the Journal by making a written application and including a copy of his or her transcript. After the Editorial Board has confirmed the student's G.P. A., the student shall become a candidate. Students are not eligible to serve on both the Law Review and the Journal of Public Interest Law.

**SECTION III: MEMBERSHIP BY WRITING:** Any qualified student may become a member by compliance with the terms of this section.

- A. Toward the end of the spring term, the Editor-in-Chief shall conduct a casenote writing competition with the assistance of the Editorial Board. The competition shall be open to any student who will not have commenced his or her senior year of study and who has or will have completed thirty (30) semester credit hours by the end of the spring semester and has attained a G.P.A. equal to or better than the average of the top forty (40%) of his or her freshman class. The entries submitted in the casenote writing competition will be evaluated by a reviewing committee of no fewer than five members of the Editorial Board. The concurrence of the Dean or his nominee from the faculty shall be obtained in evaluating the substantive excellence of the casenote. The Editor-in-Chief shall extend invitations to candidacy on the Journal to those students whose casenotes demonstrate academic excellence and exceptional legal writing.
- B. Invitations to candidacy based on Paragraph A of this section will be issued upon a majority vote of the Editorial Board.

**SECTION IV: TRANSFER STUDENTS:** A student who transfers to Loyola Law School from an ABA accredited law school and who was a candidate or member of a journal or review at that school and was in the top 25% of the class of the school from which the student transferred, may be admitted to membership on the Journal upon the submission of an application and a statement of verification by the journal or review of which the student was a candidate or member. Membership is subject to approval by the Editorial Board.

**SECTION V: PROMOTION OF CANDIDATES TO MEMBERSHIP STATUS:**

- A. **PROMOTION OF CANDIDATES TO MEMBERSHIP STATUS:** A candidate shall become a member of the Journal upon the final determination by the Editor-in-Chief that his comment submitted in accordance with Section VII of this Constitution, is publishable. In addition, the candidate must have timely and satisfactorily completed the work assigned over the course of the candidacy.
- B. **MEMBERS AND CANDIDATES:** Members and candidates alike shall be entitled to have their names appear on the masthead of the Journal. Such entitlement may be suspended, however, in accordance with the terms of Article III of this Constitution. Only members of the Journal are entitled to vote in general meetings.

**SECTION VI:** Membership is open to all students who meet the requirements listed in Article III, regardless of race, color, creed, gender, sexual orientation, physical impairment, national or ethnic origin or age.

### **WRITING & WORK REQUIREMENTS**

**SECTION VII: WRITING REQUIREMENTS:** Each candidate for membership on the Journal is required to develop, research, and write a comment in the Seminar in Legal Writing taken during the spring semester of the candidacy year. Students must complete the comment under the guidance of a faculty member and comment editor. Candidates will receive three credit hours upon successful completion of their comment in the Seminar in Legal Writing and a letter grade determined by the course instructor.

Each candidate for membership on the Journal, including day and evening students, is required to enroll in and complete the Law Review Practicum course during the fall semester of the candidacy year (fall semester of second year). Candidates will receive one credit hour upon successful completion of the Law Review Practicum and a grade of pass/fail.

**SECTION VIII: WORK ASSIGNMENTS:** Each member of the Journal is required to assist in Journal activities each semester; such assistance includes: revising, proofreading, cite checking, substance checking, researching or any other assignments that the Editorial Board shall from time to time designate as "work." The Managing Editor shall keep a record, at all times, of the total hours expended by each member on Journal projects in an effort to maintain equality of work performed among the membership.

**SECTION IX: EDITORIAL STAFF:** Each member of the Journal shall become a member of the Editorial staff, with the title of ASSOCIATE EDITOR, after:

- A. Serving at least two semesters on the Journal and,
- B. Submission of a comment which is:
  - 1. In conformity with the rules and standards established by the Editorial Board.
  - 2. Developed, researched and written in the Seminar in Legal Writing.
  - 3. Is approved as PUBLISHABLE by the Editor-in-Chief.
  - 4. The deadline for the comment of a member who has prepared an acceptable comment is set by the Seminar in Legal Writing instructor.
- C. The Associate Editor has the same duties and responsibilities as a member of the Journal and is subject to the same work requirements and disciplinary procedures.

**SECTION X: PROBATION & EXPULSION:** The following behavior may result in a member (in this section, "member" includes Associate Editors) being placed on probation, expelled from membership in the Journal or otherwise disciplined.

A. Punishable Acts:

1. Unexcused delay of more than 24 hours past a deadline for the performance of work assigned by a member of the Editorial Board.
2. Unsatisfactory performance of any assignment as determined by the Assigning Editor.
3. Plagiarism. Plagiarism is:  
The act of appropriating the literary composition of another or parts or passages of [ ] writings, or the ideas or languages of the same and passing them off as the product of one's own mind.

To be liable for plagiarism it is not necessary to exactly duplicate another's literary work, it being sufficient if unfair use of such work is made by lifting of substantial portion thereof, but even an exact counterpart of another's work does not constitute plagiarism if such counterpart was arrived at independently.

Black's Law Dictionary, 1035 (5th ed. 1979).

B. Procedure:

1. A complaint shall be presented, in writing, to the Editor-in-Chief by a member of the Editorial Board, stating:
  - a. the name of the member accused;
  - b. the act or acts which violate Paragraph A, above and;
  - c. the date or dates of the occurrence of such acts.
2. If the Editor-in-Chief determines that the charge justifies further review:
  - a. a copy of the written charge shall be sent to the accused member;
  - b. a meeting of the Editorial Board shall be called within two weeks after the charge was brought;
  - c. the accused member may appear in person to answer the charge or may answer in writing;

- d. the Editorial Board shall vote on whether to take disciplinary action against the member. A majority vote of the Board is required to uphold any disciplinary action.
3. If the Editorial Board votes to take disciplinary action, the Board shall next determine the measure of the discipline.
- a. Probation: A member may be placed on probation for a period of up to one semester. The member is prohibited from participating in Journal activities for the period of probation.
  - b. Extra Assignments: A member may, as a disciplinary measure, be given extra assignments at the discretion of the Editorial Board.
  - c. Expulsion: Expulsion may be the last resort in disciplining a member. Only if the member has exhibited wanton neglect or repeated dereliction of his or her duties shall the member be expelled from the Journal.

**SECTION XI: GRIEVANCE PROCEDURE:** A member or an Associate Editor may appeal any decision of the Editorial Board by:

- A. A decision of the Editorial Board may be appealed directly to the faculty advisor for the Journal.
- B. If the faculty advisor believes that the Editorial Board's decision deserves further review, the faculty advisor shall convene a meeting of a review board which shall be composed of the Editor-in-Chief, Managing Editor and two Law School Faculty Members (in addition to the faculty advisor).
- C. The issue on appeal will be decided by a majority vote of the review board.

**ARTICLE IV**  
**THE EDITORIAL BOARD**

**SECTION I: EDITORIAL BOARD POSITIONS AND DUTIES:** The Editorial Board of the Journal shall consist of the Editor-in-Chief and up to ten (10) other editors.

- A. The Editor-in-Chief: The Editor-in-Chief is the chief executive officer of the Journal and is responsible for: (1) presiding at all board meetings; (2) making final publication decisions; (3) editing all materials for style and form; and (4) making final decisions on all expenditures. Additionally, the Editor-in-Chief shall assign duties to the other members of the Editorial Board.
- B. The Managing Editor: There shall be one Managing Editor, who shall be responsible for organizing the internal structure of the Journal and overseeing the review process for materials scheduled for publication.
- C. Articles Editor: The Articles Editor shall, as directed by the Editor-in-Chief and the Managing Editor, solicit and review articles for publication. The Articles Editors are responsible for overseeing manuscripts from legal scholars, practitioners, judges and legislators.
- D. Comment Editor: The Comment Editors are responsible for overseeing the writing, editing and publication of student written comments. The Comment Editors assist the students in writing the comments and assist the students in setting a timetable for completing the comments. Upon completion of the comment, the Comment Editors review the comment and submit it to the Editor-in-Chief to determine if the material will be published. If the comment is to be published, the Comment Editors will oversee the Editorial review.
- E. Book Review Editor: The Book Review Editors shall solicit book reviews from members of the legal community on recently published books. Additionally, the Book Review Editors oversee all reviews which are selected for publication, as directed by the Editor-in-Chief.
- F. Index Editor: The Index Editor is responsible for compiling an index for each issue of the Journal. The index shall be cumulative for each issue and shall consist of: (1) the authors index and: (2) a topical index. The index shall be printed every other year in the Spring issue of the Journal.
- G. Casenote Editor: The Casenote Editors shall be responsible for overseeing the writing and revision of student casenotes, as assigned by the Editor-in-Chief.
- H. Combined Positions: Any of the positions listed above, except for the Editor-in-Chief and the Managing Editor, may be combined by the Editorial Board.

**SECTION II: SELECTION OF THE EDITORIAL BOARD:** The initial Editorial Board shall be selected by the Faculty. All succeeding Editorial Boards shall be selected by the serving Editorial Board and such selections shall be in accordance with this article.

**SECTION III: QUALIFICATIONS:** The Editorial Board shall be selected from the members of the Editorial Staff who have submitted a publishable comment and who will graduate in the next calendar year. Selection shall be based on academic achievement, attitude, experienced writing ability, willingness to work and other factors to be determined by the Editorial Board. The term of office for the Editorial board is one academic school year. Race, sex, religion, national origin, sexual orientation or physical handicap shall not be a factor in choosing the members of the Editorial Board.

**SECTION IV: PROCEDURE:** The following procedure shall be used in choosing the Editorial Board:

- A. The Editor-in-Chief shall, at some time prior to the 15th of March of each calendar year, post a notice soliciting applications for positions on the Editorial Board.
- B. Interested Associate Editors must submit six (6) copies of a resume, a law school transcript and a letter of recommendation.
- C. A date, at least two weeks prior to the end of law school classes shall be scheduled for interviews of the applicants.
- D. The current Editorial Board shall choose from the applicants those individuals who will be appointed to the Editorial Board for the coming year.

### **REMOVAL OF A MEMBER OF THE EDITORIAL BOARD**

**SECTION V: REASONS FOR REMOVAL:** A member of the Editorial Board may be removed for improper or insufficient performance of his or her duties.

**SECTION VI: PROCEDURE:** The following procedure shall be used to remove a member of the Editorial Board:

- A. A written complaint by any member of the Journal shall be given to the faculty advisor, naming the Editor and describing, in detail, the improper acts which are the basis for the accusation.
- B. If the faculty advisor believes the charges may have merit, he or she may convene a meeting of a disciplinary committee, which shall be composed of The Editor-in-Chief (unless the Editor-in-Chief is being charged), the Managing Editor (unless the Managing Editor is being charged), two faculty members of the law school (including the faculty advisor), and a law school dean.

- C. The accused individual shall be informed of the charges, in writing and shall be given the opportunity of attending the disciplinary committee's meeting and offering a defense. The accused may refuse to attend the meeting; also, the accused may issue a written statement answering the charges.
- D. The accused Editor shall be removed if a majority of the disciplinary committee determined that removal is justified.

## **ARTICLE V** **MEETINGS**

**SECTION I:** The regular meetings of the Editorial Board shall be held every Tuesday of each month, unless otherwise ordered by the organization or by the Editorial Board.

**SECTION II:** Special Meetings may be called by the Editor-in-Chief and shall be called upon the written request of ten members of the Journal of Public Interest Law. The purpose of the meeting shall be stated in the notice and three days notice shall be given except in cases of emergency.

**SECTION III:** One half of the active membership of the organization shall constitute a quorum for conducting official organization business.

## **ARTICLE VI** **RELATIONSHIP**

**SECTION I:** The Loyola Journal of Public Interest Law shall have no relationship or be controlled by any other local, state or national organization.

**SECTION II:** The Loyola Journal of Public Interest Law will support through its actions and programs the goals, purposes and values of Loyola University (cf. Loyola Goals Statement and Character and Commitment Statement) and will abide by all University policies and procedures (cf: Student Handbook).

## **ARTICLE VII** **ACTIVITIES**

The Journal of Public Interest Law shall hold a Fall Membership Social and a Spring Reception.

## **ARTICLE VIII** **COMMITTEES**

There will be no committees organized within the Loyola Journal of Public Interest Law.

**ARTICLE IX**  
**ADVISOR**

A member of the faculty shall be selected by the Editorial Board, with the approval of the Dean, to serve as the faculty advisor and consultant to the Journal.

**ARTICLE X**  
**PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the organization in all cases to which they are applicable and in which they are not inconsistent with this constitution and special rules of order the organization may adopt.

**ARTICLE XI**  
**AMENDMENTS**

This Constitution may be amended only by:

- I. A unanimous vote of the Editorial Board and approval by the Faculty;  
Faculty action.