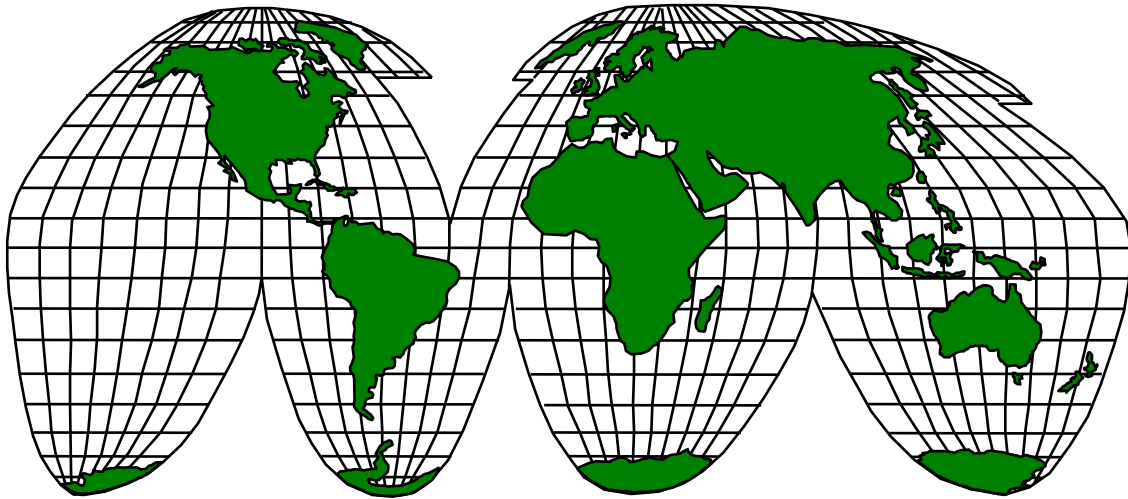


# JOURNAL OF TRANSNATIONAL LAW & POLICY BY-LAWS



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## **JOURNAL OF TRANSNATIONAL LAW & POLICY BY-LAWS**

### **I. ARTICLE I. NAME AND LOCATION**

- A.** The name of this organization shall be the Journal of Transnational Law & Policy (hereinafter Journal or JTLP).
- B.** The Journal shall be located at, and affiliated with, The Florida State University College of Law in Tallahassee, Florida.

### **II. ARTICLE II. PURPOSE**

- A.** The Journal shall be a student publication dedicated to the research and publication of transnational law and policy issues. The Journal shall be published annually, with a deadline for submission to the publisher on or by March 31<sup>st</sup> of each school year.

### **III. ARTICLE III. ORGANIZATION**

- A.** The Journal shall consist of the following:
  - 1. Editorial Board
  - 2. Staff Members
  - 3. Faculty Advisor(s)

### **IV. ARTICLE IV. EDITORIAL BOARD**

- A.** Membership
  - 1. The Editorial Board (the Board) shall be composed of an Editor-in-Chief, two Executive Editors, a Writing and Research Editor, a Senior Articles Editor, a Managing Editor, (this part of the Editorial Board being known as the Executive Board). In addition to those members, the Editorial Board shall consist of Articles and Notes Editors and may consist of a maximum of two Associate Editors, as permitted in Article IV(B)8. Articles and Notes Editors, Associate Editors, and the Blog Editor shall be members of the Board, but shall not have voting privileges. The Board may also appoint members to vacant Board positions as the Board deems necessary, as outlined in Article IX.
- B.** Duties and Powers
  - 1. Editor-in-Chief shall:

- a. be the chief executive and administrative officer of the Journal;
  - b. coordinate all Journal activities;
  - c. have ultimate responsibility for the substantive, technical, and stylistic content of each issue;
  - d. have plenary authority over the running of the Journal operations, including, but not limited to, final right of discretion in the assignment of pieces to the editors;
  - e. ensure the timely publication of each issue over which s/he presides;
  - f. prepare the bid form and approve bid submissions by potential publishers, as required;
  - g. meet with the administration of the Florida State University College of Law as required to address matters which pertain to the Journal;
  - h. preside at Board meetings;
  - i. notify members of their election to the Board;
  - j. perform and delegate such duties as are necessary to the proper operation of the Journal;
  - k. shall adhere to the Editing Process as described in Article V;
  - l. appoint associate editor(s) as permitted by Article IV(B)(8);
  - m. coordinate the development of the operational budget with the Managing Editor, with ultimate decision-making authority being vested in the Editor-in-Chief; and,
  - n. have authority over the approval of and credit assignment to all student pieces.
2. There will be two (2) Executive Editors. The Executive Editors shall:
- a. set deadlines for each stage of publication, subject to the authority of the Editor-in-Chief;
  - b. perform complete technical edit of each issue at all appropriate stages of production;

- c. contact other journals to establish reciprocal exchange of journals' publications;
  - d. have responsibility for training editors-elect as well as new members in the responsibilities of membership as well as proper legal citation;
  - e. shall adhere to the Editing Process as described in Article V.;
  - f. shall supervise the Articles and Notes Editors assigned to them;
  - g. shall conduct performance evaluations of, and provide feedback to, Articles and Notes Editors assigned to them;
  - h. report to the Managing Editor any member's failure to complete assigned subcites; and,
  - i. assume further duties and responsibilities as the Editor-in-Chief shall designate.
3. The Managing Editor shall:
- a. ensure that the web page and Facebook group is up-to-date;
  - b. coordinate special projects;
  - c. be responsible for Alumni Association matters;
  - d. be responsible for daily business operations of the Journal and serve as the treasurer of the Journal;
  - e. solicit contributions, subscriptions and advertising;
  - f. contact members who have missed a mandatory meeting and schedule meetings (including emails to members);
  - g. attend all LSC meetings; comply with all LSC guidelines; prepare, with approval of Board, Activity and Service report for budget requests;
  - h. directly supervise any disciplinary proceedings;
  - i. coordinate special events, such as membership socials and the End of the Year Banquet and Awards Ceremony; and,
  - j. assume such other duties as determined by the Editor-in-Chief.
4. The Writing and Research Editor shall:

- a. have responsibility for and authority over each writing competition, excluding topic selection, and supervision of membership writing requirements, subject to the authority of the Editor-in-Chief and the advice of the Editorial Board and of the faculty advisor(s);
  - b. monitor each member's completion of the Journal's writing or editing requirement;
  - c. directly supervise the members evaluating Writing Competition submissions;
  - d. shall conduct performance evaluations of, and provide feedback to, the Journal members evaluating Writing Competition submissions;
  - e. officially invite students to compete for Journal admission and notify students of their selection to the membership of the Journal after each writing competition;
  - f. ensure that each invitee successfully earns the **ten** required points to become a member of the journal as outlined in VI(A)(2).
  - g. coordinate and supervise the subciter retraining program;
  - h. coordinate, with the assistance of the Senior Articles Editor, the solicitation and evaluation of Florida State University student pieces for publication each semester;
  - i. update the new member manual before invitations are extended to the fall invitees; and
  - j. assume further duties and responsibilities as the Editor-in-Chief shall designate.
5. The Senior Articles Editor shall:
- a. assist the Managing Editor in coordinating alumni relations, social functions, and minor fund raising efforts;
  - b. directly supervise the Journal members reviewing submissions for piece selection and coordinate the members activities, including (i) the assignment of members to serve under Article Selection Editors and (ii) the assignment of pieces to Article Selection Editors for further assignment to members;

- c. keep in contact with authors regarding their submissions to the Journal and inform them promptly of the decision to accept or decline their submissions;
- d. coordinate with the Writing and Research Editor in the submission and selection of Florida State University student pieces for publication;
- e. shall conduct performance evaluations of, and provide feedback to, Articles Selection Editors;
- f. coordinate the compilation of the articles selection spreadsheet, which will be used to calculate a weighted average score for each piece reviewed by the Journal members reviewing submissions for piece selection in order to ensure more objectivity in the selection process.
- g. adhere to the Editing Process as described in Article V; and,
- h. assume further duties and responsibilities as the Editor-in-Chief shall designate.

This ends the Executive Board. Following are other Editor's duties.

- 6. The Blog Editor. The Executive Board shall take applications for the Blog Editor position at the annual election meeting. It shall be the duty of the incoming Board to select a Blog Editor from the candidates prior to March 31<sup>st</sup>. The Blog Editor shall:
  - a. coordinate and solicit international law-focused blog posts from students and faculty for publication on the dedicated JTLP blog
  - b. set, with the input of the Executive Board, a reasonable goal for the number of submissions, their length, and variety of topics
  - c. assist the Writing and Research editor in securing invitee point opportunities for new members. A publication-worthy blog post from an invitee will complete the requirement for invitee points assuming the invitee has attended all required meetings and met other requirements set by the Writing and Research Editor.
  - d. assume further duties and responsibilities as the Editor-in-Chief shall designate.
- 7. Articles and Notes Editors. There shall be as many Articles and Notes Editors as deemed necessary by the Editor-in-Chief. The Articles and Notes Editors shall:

- a. be responsible for the substantive, technical, and stylistic editing of articles or notes contracted for publication in the Journal which have been assigned to them;
  - b. keep the Executive Editor assigned to the article or note abreast of all matters related to the editing of the article;
  - c. advise the Executive Editor assigned to the article of the failure of a subciter to perform his or her duties in a timely and professional fashion;
  - d. assume further duties and responsibilities as the Editor-in-Chief shall designate;
  - e. shall conduct performance evaluations of, and provide feedback to, subciters; and
  - f. shall adhere to the Editing Process as described in Article V.
7. Associate Editors. There may be up to but not exceeding two Associate Editors. A staff member of the Journal not holding an elected office is eligible to be appointed Associate Editor when he/she displays dedication significantly beyond that of general members. An Associate Editor is appointable at the discretion of the Editor-in-Chief. The Associate Editor shall:
- a. carry out specific tasks germane to the development of the Journal at the discretion of the Editor-in-Chief and the Editorial Board;
  - b. assume further duties and responsibilities as the Editor-in-Chief shall designate.
8. Article Selection Editors. There shall be as many Article Selection Editors as deemed necessary by the Editor-in-Chief and Senior Articles Editor. The Article Selection Editor shall:
- a. supervise the Journal members assigned to him/her;
  - b. shall conduct performance evaluations of, and provide feedback to, assigned Journal members; and
  - c. comply with the Piece Selection Process as described in Article V.

**C. Editorial Board Stipends**

1. Pursuant to College of Law funding, the Editorial Board editors shall receive stipends each semester. The stipends shall be paid after the volume is in blue lines.
  - a. The Editor-in-Chief shall receive 25% of all allocated funds.
  - b. The Executive Editors, Senior Articles Editor, Managing Editor, Writing & Research Editor, shall each receive 15% of all allocated funds.
  - c. In the event that any of the Editorial Board positions are unfilled, an equal share of the excess funds shall be distributed to each board member.
  - d. Any changes made to this section will not take effect until the subsequent volume.

## **V. ARTICLE V. EDITING**

### **A. Piece Selection and Editing**

#### 1. Piece Selection Process

##### a. Initial Review

- (1) Final drafts of all pieces, both professional and of members, submitted for publication shall be presented to the Editor-in-Chief and Senior Articles Editor. The Senior Articles Editor will assign each piece to an Article Selection Editor, who will assign it to one of the staff members assigned to them. The assigned staff member will read the assigned piece, complete the Article Evaluation Sheet, and recommend to the Article Selection Editor that the Journal should, should not, or should maybe publish the piece.
- (2) The Article Selection Editor(s) will comprehensively read pieces that assigned staff members have recommended the Journal should, should not, or should maybe publish and will complete the Article Evaluation Sheet for each piece. After his/her review, the Article Selection Editor will either recommend to the Senior Articles Editor that the Journal should, should not, or should maybe publish the piece and will send both the assigned staff member's Article Evaluation Sheet and the Article Selection Editor's Article Evaluation Sheet to the Senior Article Editor. The Senior Articles Editor shall then compile the information from the Article Evaluation Sheets into the Piece Selection



Spreadsheet to compute a final weighted score for the article. Based on the articles score and the recommendations of the assigned staff member and Articles Selection Editor, the Senior Articles Editor may evaluate the article, and give his/her recommendation to the Editor-in-Chief, who will make the final determination as to whether to publish the piece.

b. Final Review

- (1) The Senior Articles Editor will evaluate pieces that the assigned staff members and Article Selection Editors have recommended the Journal should or should maybe publish. The Senior Articles Editor will recommend to the Editor-in-Chief that the Journal either should, should not, or should maybe publish a piece. When the piece selection process is complete, the Senior Articles Editor shall conduct performance evaluations on the Articles Selection Editors. Additionally, the Articles Selection Editors shall conduct performance evaluations on the staff members assigned to them.
- (2) After considering the recommendation of the Senior Articles Editor, the Editor-in-Chief shall decide whether to accept the piece for publication, to reject the piece, or to return it to the author for modification. If, at the recommendation of the Senior Articles Editor the Editor-in-Chief conditionally accepts a piece, the Editor-in-Chief shall accept revised articles and determine whether the modifications are sufficient for publication, subject to majority override by the Editorial Board.
- (3) Before any offer to publish an article is made to the author of a piece selected by the Senior Articles Editor and approved by the Editor-in-Chief, a faculty member must be consulted with regarding the piece.

c. Limitations

- (1) If any relationship whatsoever exists between the submitter and a member of the Journal, that Journal member:
  - (a) will not have the power or authority to cast vote on the recommendation of the piece; and
  - (b) may not be involved with the editing of the article.

**B. The Editing Process**

1. Goals

- a. The team editing approach has been designed to stimulate a cooperative environment that will enhance the editorial integrity of Journal publications, increase efficiency, and encourage all members to make important, substantive contributions to the Journal.

2. Editorial assignment

- a. When the Journal accepts a piece for publication, the Editor-in-Chief shall assign the piece to an Executive Editor, who shall be responsible for directing the piece through the editorial process. That Executive Editor shall assign the piece to an editorial team, the members of which shall be determined by the Executive Editor. Each team shall include an Articles & Notes Editor and as many staff members as deemed appropriate, who shall be personally responsible for editing the piece. The Senior Articles Editor will work with the Executive Editors on the editing of pieces, both professional and student member, which deal with a particularly timely issue of International Law. At the recommendation of the Editor-in-Chief and with the approval of the Board alternate editing schemes may be implemented for specific pieces of great length or extensive citation or substantive editorial requirements.

**C. Editing**

1. Substantive Round

- a. The Articles & Notes Editor shall hold a team meeting as soon as possible to distribute to each member a full draft of the piece.
- b. Each team member shall read the piece and the sources cited. At this stage, the team members should prepare to discuss the article in broad terms.
- c. The Editor shall consult with the author, review the piece, correct for clarity, writing quality, and accuracy, and make other changes as necessary.
- d. The Editor shall set up a carrel in the library with all hard copy book sources and provide an index of the sources located at the carrel to the team members. If the books are not available in our library, the Editor shall be responsible for obtaining these materials from other libraries or sources as the situation may warrant.

- e. The team members shall be responsible for collecting all sources to which they have been assigned, other than hard copy books, in a digital format.
- f. For each assigned source, the team member shall highlight all information relevant to the citation. Such highlighting may be accomplished digitally or by printing and scanning a highlighted copy of the material. Relevant portions of hard copy books shall be copied, highlighted, and then scanned.

2. First Subcite

- a. The Editor shall divide the piece into as many equal size sections as there are team members and shall distribute to each member a copy of a section to edit. The team shall review problems and work out an appropriate strategy for editing the piece under the direction of the Editor. The Editor shall exercise discretion when determining the appropriate strategy and time schedule for each step of the editing process, as approved by the Executive Editor. Each team member shall edit and return his or her section to the Editor by the end of the time period allotted for the step of the editing process. Each member shall complete a subcite checklist for the assignment, and turn the completed list in to the Editor by the established deadline.

3. Incorporation

- a. The Editor shall incorporate into the draft the appropriate changes recommended in the initial team review. At some point during this time period, there should be a team meeting to discuss the proposed changes and the work still to be done. The first set of performance evaluations for subcitors should be completed. The Articles & Notes Editor also should backup the incorporated document in an electronic format accessible online.

4. Second Subcite

- a. The Editor shall distribute to team members revised sections of the draft they have not personally edited for final team editing. Section assignments shall be made at the discretion of the Editor and shall be completed and returned to the Editor by the established deadline. Each member shall complete a subcite checklist for the assignment, and turn the completed list in to the Editor by the established deadline.

5. Second Incorporation

- a. The Editor shall incorporate the appropriate changes recommended by the team's final edit. At this point, the Editor may choose to return a corrected copy to members from the first round so that they may identify any errors or omissions they did not identify during the first round. There should be a team meeting to review the finished draft. The Editor shall convey the piece to the Executive Editor. The final performance evaluation of the submitters should be conducted at this point. A second backup should be completed at this time.

6. Executive Editor Review

- a. The Executive Editor shall review the piece for overall quality and accuracy. If required, the Executive Editor will return the article to the Editor for further correction and modification. Once approved, the piece shall be given to the Editor-in-Chief for final approval. Additionally, the Executive Editor should complete a performance evaluation of the Articles & Notes Editors and backup the edited article in an electronic format accessible online.

7. Editor-in-Chief Review

- a. The Editor-in-Chief shall review the piece for overall quality and accuracy. Any corrections necessary shall be made at the direction of the Editor-in-Chief, either by the Executive Editor or the Editor, or by other members or support staff of the Journal, depending on the nature of the changes required. Once the process has been completed, the Editor-in-Chief shall send a final copy of the article to the publisher for page proofs and backup the final copy in an electronic format accessible online.

8. Proofreading

- a. The Editor-in-Chief shall distribute page proofs for proofreading to the author, the Executive Editor, and the Editor. All corrected proofs shall be returned to the Executive Editor within the time period allotted. The Executive Editor will incorporate the appropriate changes.

**D. Copyright and Westlaw/Lexis Agreements**

- 1. The Executive Editor shall be responsible for obtaining a signed Copyright Agreement and a signed Westlaw and/or Lexis Agreement from the author. Upon receipt, the Executive Editor will notify the Editor-in-Chief and file the contracts appropriately.

**E. Eligibility**

1. It is a requirement that to be eligible to serve as Editor-in-Chief, a member must have previously served and adequately fulfilled the duties of Articles & Notes Editor, Associate Editor, or any Executive Board position to the complete satisfaction of the Editor-in-Chief and a majority of the Executive Board. This requirement can be waived with a majority vote of the sitting board. Service in a similar capacity on another journal will satisfy this requirement. Additionally, to serve as Editor-in-Chief, a member must have taken an international law class, or plan to take an international law class by the journal publication date.
2. To be eligible to serve as Editor-in-Chief or Executive Editor, a member must have completed his or her second year of studies. Preference will be given to members who have fulfilled the duties of an Articles & Notes Editor.
3. To be eligible to serve as Senior Articles Editor, a member must have taken one of the following international law classes: Public International Law, Jessup International Law Moot Court, International Human Rights Law, International Trade Law and Policy, International Business Transactions, or Comparative Law. Members who have taken an international course that is not listed here may get approval from a faculty member or the sitting board. The member must have taken or be enrolled in the course by the semester in which he is running for the position. This requirement may be waived by a majority vote of the sitting board.
4. To be eligible for membership on the Editorial Board, a staff member must have fulfilled all requirements of new member training and must be willing to serve on the Board for a full calendar year or through the completion of one issue, whichever is longer. A member of the Editorial Board may not engage in an externship located outside of the greater Tallahassee area during his or her tenure, except during the summer semester. The Executive Board may, by majority vote, grant an exception to this limitation on a case-by-case basis for an Article Selection Editor. An Editorial Board member electing to complete an externship outside of the greater Tallahassee area during his or her third fall or third spring semester or graduating at the completion of his or her third fall semester may be replaced pursuant to Article IX. If, in the opinion of the Editor-in-Chief, a working editor is not satisfactorily performing in such capacity, the Editor-in-Chief has the authority to remedy such situation pursuant to Article XII. B.

## **F. Credits**

1. All Editorial Board members, including Article and Notes Editors, shall receive, at their choosing, two pass-fail credits for their work during each of the fall, spring, and summer semesters that they actually do editorial work of at least 28 hours. If an Articles and Notes Editor is appointed after the

“drop/add” period in a given semester, eligibility for credit can be carried over to the next semester of required attendance.

**G. Term of Office and Elections**

1. Members of the Board shall have administrative and editorial authority during their term. All terms shall be for one calendar year, running from April 15 through April 14.
2. Elections for the next school year, however, shall be conducted at the Spring General Membership Meeting, or no later than the end of February of the school year preceding the term of office. Each separate election for an editorial position shall be preceded by broad questioning of the candidates by the electorate. Procedures shall be prescribed by the Board. As editors-elect, they shall familiarize themselves with the duties of their office, aid the incumbent office holders, and facilitate the transition from one editorial board to the next. Editors-elect shall have authority to conduct piece selection pursuant to Section V(A), subject to the ultimate discretion of the sitting Editor-in-Chief. All Board members shall fulfill their responsibilities throughout their terms of office. The Editor-in-Chief, at least one Executive Editor, and the Senior Articles Editor must be accessible during the summer. Should any Board officer leave the Tallahassee area during the summer, that officer shall have the responsibility of making sure his or her duties are fulfilled.
3. Members of the Board, though they may be relieved of their administrative duties by the expiration of their term, maintain the editorial authority and the responsibility of ensuring publication of the volume for which they served on the Board. However, should publication of an issue be delayed such that the publication of the current volume is impacted, the Board currently serving its term may, by majority vote, override the editorial decisions of the outgoing Board on the previous issue.
4. All Executive Board Editors are responsible for training their successors; such training shall occur no later than two weeks before the end of the Editors term.

**VI. ARTICLE VI. STAFF**

**A. Membership**

1. The staff shall consist of those students who are selected from the writing competition(s) and grade on invitees who successfully fulfill the training requirements. Each candidate for membership must have at least a 77 grade point average or higher to be considered for membership on the Journal as either a grade-on or a write-on candidate. Journal members

must maintain this 77 average in order to be considered a member in good standing. With a majority vote, the Board may grant a special exception for an exceptional candidate to be considered for membership, without regard to the 77 average requirement. The Board may also grant, by majority vote, an exception for an exceptional Journal member whose average falls below the 77 requirement.

2. Invitees must have successfully completed training and earned **ten** invitee points. One point is earned for completing each of the four mandatory trainings. Two points are earned for attendance of the training. The additional four points can be earned in the following ways: reviewing articles, working Phonathon, attending research center workshops, and other tasks as determined by the board. The completion of a well-researched and publishable blog post may be submitted to the Blog Editor to complete the remaining four point requirement.
3. No hazing or discrimination will be used as a condition of membership in this organization.
4. No university student may be denied membership on the basis of race, creed, religion, gender, age, sexual orientation, national origin, marital status, parental status, disability, or the inability to pay dues.

## **B. Duties and Responsibilities**

1. Each staff member shall:
  - a. be responsible for completing all assignments thoughtfully, accurately, thoroughly, and promptly;
  - b. complete at least one subcite each year;
  - c. evaluate writing competition submissions and/or articles for piece selection assigned to them by the appropriate Board member;
  - d. shall attend all announced meetings of the membership;
  - e. shall attend the Richard B. Lillich Memorial Lecture;
  - f. shall be responsible for submitting a “publishable quality” piece prior to the deadline determined by the Board.
2. Retraining. Any staff member failing to complete assignments thoughtfully, accurately, thoroughly, or promptly may be called before the Board to review the quality of the member’s performance. After such a review, upon a majority vote, the Board may require the member to satisfactorily

complete a retraining program as a condition of continuing membership. Retraining is required when recommended by the Articles and Notes Editor and approved by the Editor-in-Chief, or when a subciter has not exceeded five points on the second performance evaluation. This provision shall not be construed to preclude removal under Article XII.

3. Exemptions for Board members. The entire Board is exempt from:
  - a. the writing requirement of Article VI. B. 1. f. If an Editorial Board member is removed from the Board pursuant to XII. B., the Board member must fulfill his or her writing requirement; and
  - b. the subciting requirement of Article VI. B. 1. b. for the duration of their respective terms. If an Editorial Board member is removed from the Board pursuant to XII. B., the Board member must fulfill his or her subciting requirement.
  - c. Article Selection Editors, while not members of the Editorial Board, are exempt from both the writing requirement of Article VI. B. 1. f. and the subciting requirement of Article VI. B. 1. b.
4. Writing Requirement. Each staff member shall submit one piece for publication. Upon the recommendation of the Writing and Research Editor and upon the sole discretion of the Editorial Board, a piece that is submitted during a writing competition which is accepted for publication may satisfy the writing requirement of Article VI. B.1.f. The deadline for submission of the writing requirement piece shall be the last school day of the first week of classes of the semester of the member's graduation. In no case shall a staff member or editor register for credit hours before a piece has been accepted. If the piece is chosen to be published, it shall be the duty and responsibility of the staff member-author to cooperate reasonably with the assigned editor under penalty of removal under section E of this article.
  - a. The Board may, in its discretion and by majority vote, grant members an extension on the deadline for submission of the writing requirement piece. Extensions will be granted on a case-by-case basis, and in no event may the deadline be later than the last school day of the last week of classes in a student's last semester. Extensions shall only be granted rarely, and in deciding whether to grant an extension the Board will consider the students particular circumstances, past work for the Journal, and the timeliness of their request. Requests for an extension submitted less than one month from the deadline will not be considered.
  - b. Writing Requirement Exemption: Any staff member who as a result of multiple Journal memberships is required to write a scholarly article



on a topic outside the scope of those considered for publication by JTLP may request, in writing to the Board no less than one month from the deadline of the writing requirement piece, an exemption from JTLP's writing requirement. To qualify for the exemption, the following conditions must be met:

- (1) The staff member must submit the piece that was written in the fulfillment of another Journal's writing requirement to JTLP by the applicable deadline for the writing requirement piece. Other than the topic being outside the scope of JTLP's publication, the piece must otherwise be deemed publishable by JTLP's standards.
- (2) The staff member must agree to serve as and fulfill the duties of an Assistant to the Editors. An Assistant may serve in many capacities, including but not limited to completing additional subcites, assisting with subcite incorporations, evaluating submissions and write-on competition entries in excess of the amount required by other staff members, and otherwise assisting the Editors. While an Assistant is not expected or required to dedicate the same amount of time and effort to the Journal as an Editor, the position does require a significant time commitment, similar to the amount of time required to write a scholarly article.
- (3) Recognizing that opportunities for Assistant positions may be limited, third-year members will be given the highest priority, followed by second-year members graduating in December. The timeliness of the staff members request will be taken into consideration by the Board. Additionally, it should be noted that due to JTLP's publication schedule, requests not made at least a semester before the writing requirement due date will rarely be approved; the later the request is made the less likely it is that the Editors will have sufficient need of an additional Assistant before that staff members graduation date. Requests will be granted by a majority vote of the Board.
- (4) For other exemptions from the writing requirement, see Article VI. B. 3.

### **C. Invitations**

1. Writing Competition. The Writing Competition will be held in the summer and/or winter of each year covering topics chosen by the Writing & Research Editor and approved by the Executive Board. The choosing of the topic may be done in conjunction with the persons in the comparable

position on the other student-edited publications, including *Law Review*, the *Journal of Land Use & Environmental Law*, and *Business Review*. For purposes of this requirement, the semester in which the student is first invited shall count as one (1) semester, although the student may not actually complete a subcite in that first semester. Based on the quality of competition papers submitted, the reviewing staff members will recommend acceptance or rejection of the authors to the Writing & Research Editor. Three journal members will anonymously review each submission. Each submission will be evaluated in accordance with a grading rubric that assigns the submission a numerical score (based on a scale from 0-100) and gives an ultimate suggestion about whether to accept or reject the author as a Journal member. When a submission receives two “accept” votes and an average score of 75 or higher, a presumption will be created in favor of extending the author of that submission an invitation to join the Journal. Upon review of the submission, this presumption may be overridden at the Writing & Research Editor’s discretion, subject to approval by a majority of the Board. Submissions with only one “accept” vote and/or an average score of 74 or below will not be offered an invitation unless, after review of the submission, the Writing & Research Editor, in his/her discretion and subject to approval by a majority of the Board, deems an invitation appropriate. Submissions that receive no “accept” votes will not be offered an invitation. The Board will have ultimate responsibility to extend invitations for membership. Membership offers will not be extended to any student who does not have at least two semesters of law school remaining. The Writing & Research Editor shall promulgate selection criteria to the student body in advance of the competition.

2. Publishable Submissions. The Board may offer an invitation to the author of a paper with a transnational theme, of publishable quality, that is submitted for piece selection. The piece need not be selected for publication for an author to be eligible for an invitation. The author must be a second-year student at The Florida State University College of Law with at least two semesters of law school remaining.
3. Jessup Moot Court Briefs. The Executive Board may offer an invitation to the co-authors of a high quality Jessup Moot Court brief. The brief will be submitted as a team and the selection will be made as a team. The authors must be second-year students at The Florida State University College of Law.
4. Grade-on.
  - a. First-year students may obtain membership based on the grade received in Legal Research and Writing. Each semester the *Journal* shall extend an offer of membership to the persons in each Legal Research & Writing class (when an instructor teaches more than one

section of Legal Research & Writing but uses a single curve for all sections, “class” refers to all sections subjected to the same curve) who have received the two (2) highest numerical grades; upon a 2/3 vote of the Executive Board, membership offers may be extended up to the person receiving the sixth highest grade in each class. No offer may be extended, however, to any person with a numerical grade which would translate into a letter grade less than ninety (90). Any offer extended shall not be extended to existing members.

b. Second-year students may obtain membership based on the grade received in a course with a transnational topic. Each semester the *Journal* shall extend an offer of membership to the person receiving the highest grade in each course with a transnational topic, and the Board may, by a 2/3 vote, also extend an offer to the second and third highest grade in any such course. The courses include but are not limited to the following: International Human Rights; International Criminal Law; Coastal and Ocean Law; International Trade; International Intellectual Property; Comparative Law; and Public International Law. No offer shall be extended to a second-year student whose grade is less than ninety (90) in the qualifying class. No offer shall be extended to a student with fewer than two semesters of law school remaining.

c. Invitations to rising 2Ls shall be offered prior to school commencing in the Fall and after the conclusion of the Summer Writing Competition (if held), regardless of whether the invitee wrote on or graded on to the *Journal*. Invitations to 1Ls who have graded-on and students selected from the Winter Writing Competition (if held) will be extended at the beginning of the following Spring semester. Invitations to upperclassmen who grade on because of high marks in a course with a transnational topic shall be made during the invitation cycle immediately following the semester in which such grade was earned, provided that upperclassmen will still have two semesters at the College of Law remaining. Those who grade on because of a Fall semester grade will be invited at the conclusion of the Winter competition (if held), and those who grade on because of a Spring semester grade will be invited at the conclusion of the Summer Competition (if held).

Training will take place as soon as possible following the extension and acceptance of invitations.

5. Transfer Student Eligibility. All second-year transfer students may participate in the writing competitions. Additionally, transfer students who first enroll in this law school as second-year students and who present satisfactory proof of membership on a *Journal of International Law* at the law school previously attended, may submit a writing sample of publishable

quality. Said writing sample shall be submitted not later than November 1st of that year for students transferring in the first semester of the academic year, and not later than February 1st for students transferring in the second semester of the academic year. The Editor-in-Chief will set up a special three-member subcommittee of the Executive Board to review the article and recommend whether the author should be accepted for membership on the Journal. A decision to admit the author to membership shall be presented to the Executive Board, which must approve the decision by at least a two-thirds vote. All writing samples submitted under this provision shall be original, unedited works of the author.

6. Visiting Student Eligibility. Visiting Students are not eligible for Journal membership, except those eligible under the LLM Membership Provision.
7. Application of Bylaws. All provisions, obligations, and responsibilities imposed upon staff members by these bylaws will be equally binding on all staff members.
8. Term of Office. Staff members shall serve on the Journal each spring, summer, and fall semester that they attend school, full-time or part-time, for the remainder of their law school careers.
9. Other Invitations. The Executive Board may, by unanimity and with the consent of the faculty advisor, extend an invitation to exceptionally qualified students who do not otherwise fall within the scope of Articles VI. C. 1 - 5. Such students must have at least two semesters of law school remaining and shall be subject to all other membership requirements. This provision shall be used rarely and only under circumstances where the Executive Board has determined the current number of staff members to be inadequate to meet the needs of the Journal.
10. LLM Provisional Membership. Students participating in FSU Law's LLM Program for an entire academic year may obtain membership to participate in the following Spring's subediting and membership responsibilities, based on the grade received in their fall semester Legal Research and Writing or Introduction to American Law grade. Specifically, after the fall semester the *Journal* shall extend up to two (2) offers of membership to the students who have received the highest numerical grades in Legal Research & Writing or in Introduction to American Law among the fall LLM Program participants. No offer may be extended without a written endorsement from the student's Legal Writing and Research or Introduction to American Law Professor, indicating that the student is able to handle an LLM course load and journal membership simultaneously, as well as a 2/3 vote of the Executive Board. Additionally, no offer may be extended to any student with a numerical grade which would translate into a letter grade less than an eighty-five (85) in the respective class. LLM student

members will not be required to fulfill the writing requirement under VI. B. 1. F., and will only be required to attend journal training, membership meetings, lecture series, and participate in spring subciting. A provisional LLM Membership offer will automatically be extended into full journal membership and responsibilities (including the writing requirement), with the potential of becoming an elected editor, for LLM students who are admitted into FSU Law's JD Program.

#### **D. Academic Credits**

1. Writing Requirement. All members submitting a publishable quality piece (as determined by the Editorial Board) in a timely manner are eligible to receive one or two pass-fail credits. The faculty advisor shall determine, subject to consultation with the Editor-in-chief, the acceptability of all pieces for credit as well as number of credits earned.
2. Published or Publishable Pieces. A member may register for academic credits for an article or a case note only when it has been accepted for publishing pursuant to Article V.A. or judged to be of publishable quality, pursuant to Article V.B.1.a. Academic credit allocation of one or two pass-fail credits is subject to approval by the Editor-in-Chief and the faculty advisor(s), pursuant to Article V. F.
3. Academic Credit Limitations.
  - a. All academic credit is subject to the policies of the law school.
  - b. No member shall accumulate more than nine (9) hours of academic credit attributable to the Journal.
  - c. No member shall receive academic credit for any paper that has been, or will be granted academic credit in another class. The Writing Requirement pursuant to Article V.1 can be met with a paper submitted in another course for academic credit, provided that no additional academic credit is assigned for that paper under the Writing Requirement.
  - d. No member shall receive more than two (2) hours academic credit in any one semester, unless approved prior to registration by the faculty advisor for carry-over credit already earned on a paper pursuant to Article VI.D.1, or for editorial work in a prior semester pursuant to Article V.F.
4. Removal

- a. Except as otherwise provided herein, staff members shall be removed from membership for neglect of duty, as defined in and in the manner prescribed in Article XII.

**VII. ARTICLE VII. MEETINGS**

- A. The entire Journal membership shall be called together to meet at least once each fall and spring semester at a time to be determined by the Editor-in-Chief or upon request of one-third of the Journal membership or of one-third of the Board.

**VIII. ARTICLE VIII. FACULTY ADVISOR(S)**

- A. The faculty advisor(s) shall be appointed by the Board and shall serve in an advisory capacity.

**IX. ARTICLE IX. VACANCIES**

- A. Vacancies on the Board shall be filled with qualified staff members nominated by editors and elected by a majority of the entire Board.
- B. Vacancies in the staff membership shall not be filled.

**X. ARTICLE X. ELIGIBILITY TO VOTE**

- A. Any member of the Journal who is in good standing shall be eligible to cast a vote on any matter brought to a vote at a meeting of the Journal membership.

**XI. ARTICLE XI. AMENDMENTS**

**A. Notice**

- 1. Any proposed amendment to these bylaws shall first be submitted in writing to the Editor-in-Chief or another member of the Editorial Board at least three business days before being brought to a vote. Once receipt of the proposed amendment is acknowledged, the amendment must then be submitted to the entire membership at least two business days before being voted on.

**B. Presentation**

- 1. Any amendment presented as required above shall be announced either:
- 2. at the next regularly scheduled general meeting;
- 3. at the next special meeting of the Journal; or

4. via email sent to all member's accounts as listed in the most current official member list and subject to the requirements specified in Article XI.C.2.b.

### **C. Voting and Adoption**

1. Eligibility to Vote. Any member of the Journal who is in good standing shall be eligible to cast a vote on any matter brought to a vote. No member may vote by proxy.
2. Voting Process. Casting, collection, and counting of the votes cast on a matter brought to a vote shall take place in one of the following forums: by one of the following means:
  - a. Membership Meetings: votes cast at either regularly scheduled general meetings, or special meetings of the Journal, shall be collected and counted by designated members of the Journal that did/do not have a direct role in drafting or presenting the proposed amendment. Alternatively, voting may be done via Blackboard or another electronic source.
  - b. Referendum: In the event that the Board determines that a proposed change should not wait until the next regularly scheduled general meeting, or that a special meeting is not feasible, the Board may elect to hold such vote by Referendum. Such Referendum shall be noticed by email to members as provided above and no response from said members shall constitute a vote in favor of the amendment.
3. Adoption. Amendments to these bylaws shall become effective immediately upon the approval of two-thirds of the entire Board and simple majority of the membership, or upon approval of two-thirds of the entire Journal membership.

## **XII. ARTICLE XII. JOURNAL DISCIPLINARY POLICY**

### **A. Disciplinary Policy**

1. Neglect of Duty. A member will be considered to have neglected their duty if they:
  - a. Fail to timely or thoroughly complete an assignment.
  - b. Fail to attend a mandatory membership meeting without being excused.
  - c. Fail to attend the Richard B. Lillich Memorial Lecture without being excused.

- d. Fail to timely respond to a request or direction of a member of the Executive Board or someone authorized by the Executive Board to give such a request or direction, including Article & Notes Editors and Article Selection Editors.
- e. Fail to reasonably perform any other obligation imposed by these bylaws.

2. Disciplinary Procedure.

- a. Initial Violation. The Executive Board shall have discretion to issue an appropriate reprimand, taking into consideration the severity of the violation. The reprimand may include: an additional subciting assignment, an additional committee membership requirement, or any other reprimand the Board deems appropriate. Members will not be removed after an initial violation, unless Article XII 3. a. applies.
- b. Second Violation. The Board shall have discretion to issue an appropriate reprimand, taking into consideration the severity of the second violation and the severity of the initial violation. The Board may, at its discretion, call the member before the Board to explain their neglect of duty in a disciplinary proceeding. The Board may then vote to remove the member from the Journal. Removal shall be either by a two-thirds vote of the Board, or by a vote from the Editor-in-Chief, the Managing Editor, and the Executive Board Editor in charge of supervising the member in the duty they have neglected. In the event that the Editor-in-Chief or the Managing Editor are the Editor in charge of supervising the member, then a one-half vote will be sufficient, provided that the vote of the Editor-in-Chief and Managing Editor are included in that half.

Members have the right to appear before the Board prior to a removal vote, however that right is waived if the member does not respond to a notice of a disciplinary hearing within 72 hours and make reasonable efforts to schedule a meeting with the Board. If the Board determines that a physical meeting is impracticable then the Board may, in its discretion, allow the member to instead submit a written statement of explanation, to be reviewed by the Board prior to a vote.

- c. Third and Subsequent Violations. The Board shall have discretion to issue an appropriate reprimand taking into consideration the severity of all past and present violations. The Board may, at its discretion, vote to remove the member from the Journal, subject to the above procedures.



3. Grounds for Immediate Removal.

- a. If a member's GPA falls below the required 77 or the member fails to earn ten invitee points as required by Article VI. A. of these bylaws then the member may be removed immediately by the Board, without a disciplinary hearing being held.

4. Resignation.

- a. A member may submit their resignation in writing at any time, subject to the below limitation. If a member is called before the board for a disciplinary hearing or is allowed to submit a written statement of explanation then the member loses their right to resign from the Journal until the Board reaches its decision. If the member is removed by the Board they may not subsequently submit their resignation.
- b. If a member submits their resignation and subsequently wishes to revoke it, they must submit a written request to revoke their resignation to the Executive Board. The Board shall have discretion to allow the resignation to be revoked by a two-thirds vote.
- c. Members who resign or are removed from the Journal will not be included on the Journal's masthead, will not be recognized as members at the Graduation ceremony, and may not claim themselves to be members on their resume or otherwise.
- d. Members who submit a resignation within seven (7) days prior to or after receiving their subciting assignment, must complete the assignment for that Round before they will be permitted to resign, unless otherwise arranged with the Editor in Chief. Failure to complete the assignment prior to resignation will be considered an Honor Code Violation and both the Faculty Advisor of the Journal as well as the supervising Dean will be notified of such violation.

**B. Removal from an Editorial Board Position.**

- 1. Grounds. An editor shall be removed from the Board for refusing to perform editorial responsibilities as outlined Articles IV and V, for significant lack of diligence in performing said responsibilities, for substantial inability to reasonably perform said responsibilities, or for willful violation of any provision of Article IV or V of these bylaws.
- 2. Procedure. The Editor-in-Chief shall call a meeting of the Journal membership upon the written petition of three or more members of the Board. The Board shall announce individual grounds for removal at the meeting. The respondent-editor shall have an opportunity to be heard. An

editor shall be removed upon a two-thirds vote of the Board, with the respondent-editor not voting.

**C. Appeal Process.**

1. Any member whose membership is revoked shall have five (5) calendar days to appeal. The appeal must be submitted in writing to the Editor-in-Chief, and must include all relevant information. The Executive Board may reinstate the appellee's membership by a two-thirds vote. In the event that an Executive Board member is seeking an appeal then the appellee Board member shall not be allowed a vote.

**XIII. ARTICLE XIII. FINANCES**

**A. Membership Dues.**

1. The Journal does not require dues as a condition of membership. Notwithstanding that, no university student may be denied membership due to inability to pay dues. If a member is seeking active voting membership status and is not able to pay dues, other arrangements will be made.

**XIV. ARTICLE XIV. PUBLICATIONS**

**A. Approval.**

1. The Editor-in-Chief must approve all publications, shirts, flyers, logos, etc. that use SGA allocated funds prior to duplication or distribution. Further, all Journal publications must comply with Florida State University policies and regulations, which can be found at <http://posting.fsu.edu>.

**XV. ARTICLE XV. GENERAL WAIVER**

- A.** Any provision of these Bylaws may be waived upon approval of three-fourths of the entire Board. The entire Journal membership shall be expressly notified of any waiver made pursuant to this Article. Notification shall be made in an email entitled "Bylaw Waived" and also at the next mandatory membership meeting. This provision is to be used only rarely and when an amendment is not appropriate or otherwise not available given the circumstances at issue.