

**ARTICLES OF ASSOCIATION
OF
THE FLORIDA STATE UNIVERSITY
JOURNAL OF LAND USE & ENVIRONMENTAL LAW**

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ARTICLE I. NAME AND LOCATION

The name of this organization shall be the Florida State University *Journal of Land Use & Environmental Law* (hereinafter, the *Journal*). The *Journal* shall be located at, and affiliated with, the Florida State University College of Law at Tallahassee, Florida.

ARTICLE II. ORGANIZATION

The *Journal* shall be composed of the Editorial Board, the Staff Members, the Faculty Advisor(s), and the Advisory Board.

ARTICLE III. ORGANIZATIONAL PURPOSE

The *Journal* is formed exclusively for literary and educational purposes within the meaning section 301(d)(3) of the Internal Revenue Code of 1954. The *Journal* shall not carry on any activities not permitted to be carried on by an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code or engage in any activities or exercise any powers that are not in furtherance of the purpose of the *Journal*.

ARTICLE IV. PUBLICATION CHARACTER & MISSION STATEMENT

A. Publication Character

The *Journal* shall publish, at least biannually, a scholarly legal publication intended to serve policymakers, legislators, and the legal and academic communities.

B. Mission Statement

1. The abbreviated mission statement shall be placed on all of the *Journal's* correspondence. The abbreviated mission statement is as follows: *Advancing contemporary jurisprudence of the land, air, and waters.*

2. The full mission statement is as follows:

To provide a forum for advancing contemporary jurisprudence of the land, air, and waters, we must:

Maintain the highest standards of analysis, accuracy, and timeliness in publishing the *Journal*;

Encourage leading legal educators and practitioners to publish their articles in the *Journal*;

Distinguish the College of Law as a leading institution, known for its support of scholarship and academic pursuit in the fields of environmental and land use law;

Attract the premier legal scholars interested in environmental and land use issues by encouraging independent legal thought, offering positions of responsibility and opportunities for publication, and maintaining a tradition of service to our college;

Inform our future profession about the compelling environmental and land use issues by providing a forum for legal educators, practitioners, and student scholars;

Offer our future profession a broad, diverse spectrum of articles balanced between the theoretical and the practical;

Promote esprit de corps among our membership and the College of Law at large; and

Safeguard our institutional memory and tradition so that those who follow will benefit from our experience.

ARTICLE V. PUBLISHING SPECIFICATIONS

A. Non-Student Pieces

A piece is “publishable” when it meets those standards of quality, timelines, and novelty essential for actual publication in the *Journal* as determined by the Editor-in-Chief, with the advice of the Executive Board. Actual publication is left to the Editor-in-Chief, with the advice of the Executive Board.

B. Student Pieces

1. A student piece is “publishable” for purposes of actual publication when it meets those standards essential for actual publication in the *Journal* as set out in Article V, Section

A of these Articles. A student piece is publishable for purposes of meeting the *Journal* writing requirement when it meets the standards of quality essential for publication; however, the elements of timelines and novelty are relaxed in determining “publishability” for purposes of the writing requirement.

2. The *Journal* may at its discretion publish a piece written by a student of any other college of law or graduate school subject to the established editorial process.

3. Student pieces written by *Journal* staff shall take precedence over pieces written by students from outside the *Journal* staff, so long as both pieces are of approximately the same quality or the staff piece is of superior quality. This determination will be made by the Editor-in-Chief with the advice of the Executive Board.

ARTICLE VI. DISSOLUTION

Upon the dissolution of the *Journal*, the Executive Board and Faculty Advisor(s) shall, after paying or making provision for all the liabilities of the *Journal*, dispose of all the assets of the *Journal* exclusively to the Florida State University Foundation, a 501 (c)(3) exempt organization. Any such assets not so disposed of shall be disposed of by the appropriate court having jurisdiction as said court shall determine.

ARTICLE VII. EXECUTIVE BOARD

A. Membership

The Executive Board shall be composed of the Editor-in-Chief, two (2) Executive Editors, the Research Editor, the Associate Editor, and the Administrative Editor. The Editor-in-Chief shall attempt to assign the Executive Editors categories of articles consistent with their interests and the needs of the Journal. For example, the editors could be divided between land use and environmental law or between national and Florida law.

B. Powers and Duties

1. The Executive Board shall make policy decisions, advise the Editor-in-Chief, and determine the number of Articles and Notes Editors for each book.

2. The outgoing Executive Board shall advise the incoming Executive Board regarding the appointment of Article and Notes Editors.

3. All Executive Board Editors must remain in Tallahassee during the Fall and Spring semesters. During the Summer Term, the Editor-in-Chief must be available to perform the duties of office.

4. Executive Board Editors may be employed during the school year so long as they are able to carry out their *Journal* duties fully. If outside employment interferes with any *Journal* member fulfilling the requirements of any office, the removal provisions of Article VII, Section G shall apply.

C. Eligibility

To be eligible for the positions of Editor-in-Chief or Executive Editor, a member must have (1) served as a Research Editor, Administrative Editor, or Associate Editor and have completed the writing requirement by having the article reviewed by a faculty advisor, or (2)

served at least one (1) semester as an Articles and Notes Editor. Any member is eligible for the positions of Research Editor, Associate Editor or Administrative Editor. This section (C) may be waived by the Editor-in-Chief, if failure to do so would result in a vacancy on the Executive Board.

D. Term of Office

All Executive Board Editors shall serve a term of one (1) year, beginning in May and ending the following April, or until the final issue of the current volume is completed, whichever is longest.

E. Executive Board Pay

Pursuant to the College of Law providing the funding, all Executive Board members shall receive stipends for their services during the fall and spring semesters as follows:

1. The Editor-in-Chief shall receive 30% of the allocated funds.
2. The Executive Editors shall receive 20% each of the allocated funds.
3. The Research Editor, Associate Editor and the Administrative Editor shall receive 10% each of the allocated funds.

F. Description of the Executive Board Positions

1. Editor-in-Chief: The 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 ultimate authority over the running of the *Journal* operations, including but not limited to final right of determination as to what material shall be published.

If the Editor-in-Chief is unavailable to complete the duties of the position for a period of more than 10 days, any pending duties of a non-editorial nature may be handled by the Administrative Editor, and an Executive Editor shall be named to handle editorial duties.

2. Executive Editors: The Executive Editors shall

- a. have responsibility for and authority over all technical, substantive, and stylistic aspects of each piece assigned to them;
- b. management of the mechanical processes of publishing the *Journal*, subject to the authority of the Editor-in-Chief, and the advice of the Executive Board;
- c. set deadlines for each stage of publication;
- d. make technical assignments to members and perform a complete technical edit of each piece assigned to them at all appropriate stages;
- e. act as liaison with the printer at all stages of production; shall assume such further duties and responsibilities as the Editor-in-Chief shall designate;
- f. and, when appointed or as elected by the other members of the Executive Board, assume the duties of the Editor-in-Chief during any vacancy in that position.

When possible, the duties of the Executive Editors shall be tailored to their personal interests, skills, and backgrounds.

3. Research Editor: The Research Editor shall

- a. have responsibility for and authority over the coordination of the legal research activities of the *Journal*, subject to the authority of the Editor-in-Chief, and the advice of the Executive Board and Faculty Advisor(s);
- b. be responsible for the operations of the manuscript review committee, including the solicitation of new manuscripts by academic and professional authors;
- c. read and evaluate pieces submitted for the completion of the *Journal* writing requirement;
- d. be responsible for the development of the website reviews;
- e. maintain a centralized system for recording the subject matter selected for all pieces, as well as a set of abstracts for all pieces published by the Journal;
- f. maintain a file of current legal topics and decisions suitable for Notes or Comments through the active solicitation of faculty suggestions and communication with the Advisory Board;
- g. supervise the operation of the *Journal* Library;
- h. organize and supervise the Manuscript Review Committee;
- i. and assume such further duties and responsibilities as designated by the Editor-in-Chief.

4. Administrative Editor: The Administrative Editor shall

- a. be responsible for the daily business operations of the *Journal* and shall serve as Treasurer of the organization;
- b. work with the Office Manager and other College staff to ensure that the financial and business matters of the *Journal* are well run;
- c. solicit subscriptions, contributions, and advertising;
- d. be responsible for alumni association matters;
- e. be responsible for updating the web page;
- f. work with the Editor-in-Chief in solicitng books and reviews for book reviews;
- g. edit the book reviews for publication;
- h. and assume such further duties and responsibilities as designated by the Editor-in-Chief.

5. Associate Editor: The Associate Editor shall

- a. organize and supervise the Write-On Competition Committee;
- b. conduct, coordinate and is responsible for all training;
- c. administer the “Blue Book exercise” to candidates;
- d. organize and manage the Distinguished Lecture Series;
- e. serve as the Secretary to the *Journal*;
- f. and assume such further duties and responsibilities as designated by the Editor-in-Chief.

G. Selection

Elections for Executive Board membership

- a. shall be held as soon as is practical after the new members are admitted in the Spring Semester;

- b. shall be by secret ballot;
- c. and shall require a simple majority of the members present for election of a candidate.

In the event that more than two candidates compete for a single position and no candidate receives a simple majority in the first round of voting, the two candidates receiving the most votes in the first round shall compete in a run off. Each separate election for a position shall be preceded by broad questioning of the candidates by the *Journal* membership electorate. The Editor-in-Chief has the option as to whether the *Journal* membership may speak on the candidates behalf prior to casting votes. Notice of the election shall be posted in a prominent place at least three weeks before the election. Nominations will be accepted for a position until the editor-in-chief closes nominations immediately prior to that position being voted on by the *Journal* membership.

H. Removal

1. Grounds: An Executive Board Editor shall be removed from office for refusing to perform the responsibilities of that office, for significant lack of diligence in performing said responsibilities, for substantial inability reasonably to perform same, or for the good cause which the Board may reasonably consider grounds for removal.

2. Procedure: The Editor-in-Chief shall call a meeting of the *Journal* membership upon the written petition of three (3) or more Editorial Board members or at least one-third (1/3) of the *Journal* membership. No meeting regarding removal of an Executive Board member may be held unless the respondent-editor has had at least one week's actual notice of said meeting and of the grounds for removal. The Executive Board shall announce individual grounds for removal at the meeting. The respondent-editor shall have an opportunity to be heard. Removal shall be had only upon a two-thirds (2/3) vote of the *Journal* membership present, the respondent-editor not voting.

I. Vacancies

When a vacancy occurs on the Executive Board, the Editor-in-Chief shall appoint someone from the general membership, with the advice of the Executive Board.

ARTICLE VIII. EDITORIAL BOARD

A. Membership

1. The Editorial Board shall be composed of the members of the Executive Board and the Articles and Notes Editors.

2. The Editorial Board shall be responsible for the production of the publication, and shall assume such further duties and responsibilities as the Editor-in-Chief shall designate.

3. The number of Articles and Notes Editors shall be based on the number of full-length pieces anticipated for publication in the First issue of the new volume of the *Journal*. The number of Articles and Notes Editors shall be determined by the Editor-in-Chief with the advice of the Executive Board.

B. Description of Articles & Notes Editor positions

The Articles & Notes Editors shall perform and be responsible for complete substantive, technical, and stylistic editing of each piece assigned to them for publication in the *Journal*, including professionally-written pieces, student-written pieces concerning areas of the law, and pieces concerning specific court decisions; and shall assume such further duties and responsibilities as the Editor-in-Chief shall designate.

C. Eligibility

To be eligible for Editorial Board membership a staff member must have fulfilled all requirements of the new-member training program, and be able to serve the whole term of office prescribed for the office sought.

D. Term of Office

All Articles and Notes editors shall serve on the Editorial Board for one (1) issue of the *Journal*. Past Articles and Notes editors may request to be considered for an additional issue.

E. Selection

1. After the Executive Board is elected, the Editor-in-Chief (Elect) shall begin accepting applications for Editorial Board positions. Applications shall be accepted through the first week of the new academic year. Applicants shall be interviewed prior to appointment.

2. Articles and Notes Editors shall be nominated by the Editor-in-Chief under whom they will serve, and must be approved by a 3/4 vote of the Executive Board under which they will serve.

3. Applicants who have successfully completed their writing requirement shall be given priority for Editorial Board positions over applicants who have not completed this requirement.

4. New Articles and Notes Editors may be appointed by the incoming Executive Board prior to the summer term if articles for the upcoming issue have been selected and are ready to be edited.

F. Removal

1. **Grounds:** An Articles and Notes Editor shall be removed from office for failing to perform the editorial responsibilities of that office in a timely fashion, for significant lack of diligence in performing said responsibilities, for substantial inability reasonably to perform same. or for the good cause which the Executive Board may reasonably consider grounds for removal.

2. **Procedure:** The Editor-in-Chief shall call a meeting of the Executive Board upon the written petition of two (2) or more Executive Board members or at least one-third (1/3) of the *Journal* membership. No meeting regarding removal of an editor may be held unless the respondent-editor has had at least one week's actual notice of said meeting and of the grounds for removal. The Executive Board shall announce individual -rounds for removal at the meeting. The respondent-editor shall have an opportunity to be heard, and to confront

any evidence offered. Removal shall be had only upon a three-fourths (3/4) vote of the Executive Board.

G. Vacancies

When a vacancy occurs on the Editorial Board, the Editor-in-Chief shall fill the position, with the advice of the Executive Board.

ARTICLE IX. COMMITTEES

The following are standing committees under the direct supervision of the designated chair, who is a member of the Executive Board, and with the ultimate and immediate responsibility to the Editor-in-Chief:

1. Manuscript Review Committee: The Manuscript Review Committee shall be responsible for systematically evaluating the publishability of papers submitted to the *Journal* for publication, including all student papers submitted by staff members to fulfill the *Journal* writing requirement. The ultimate responsibility of the Manuscript Review Committee is to provide the Editor-in-Chief with a reasoned recommendation as to whether a piece should be published. The Research Editor shall chair this committee.

2. Write-On Competition Committee: The Write-On Competition Committee shall research, and select the topics for, and prepare the writing competition. The committee shall also be responsible for evaluating entries in the competition. The Committee shall determine the judging procedure and criteria for selection, notify the student body of such before the Write-On competition, and administer the Write-On competition annually, in accordance with guidelines approved by the Executive Board. The selection of individuals to whom candidacy may be extended shall be decided by the Executive Board. The Associate Editor shall chair this committee.

3. Ford & Bloodworth Scholarship Committee: The Ford & Bloodworth Scholarship Committee shall be responsible for evaluating the quality of articles submitted for the Ford & Bloodworth Scholarship. Each article shall be reviewed by at least two Ford & Bloodworth Scholarship Committee members. The Committee shall not consist of third year law students. Committee members shall score the articles on a ten point scoring system. The committee member's scores shall be recorded on an Article Intake Form. The following standards shall be used in determining the score:

- 10-9 *Excellent* – the article meets or exceeds the element. This is the equivalent of an A.
- 8-7 *Above Average* – the element is very good, and very little improvement is needed. This is the equivalent of a B.
- 6-5 *Average* – the element is met, but requires improvement. This is the equivalent of a C.
- 4-3 *Below Average* – the element is present, but is poorly stated. This is the equivalent of a D.
- 2-1 *Failure* – the article fails to meet or barely meets the element. This is the equivalent of an F.

After the initial review of the submissions, the Committee shall review the five highest scored papers. From the five highest scored papers, the Committee shall select two submissions as the recipients of the Ford & Bloodworth Scholarship. An Executive Board member shall chair this committee. In the event that the Committee cannot narrow its selection down to two submissions, the Executive Board member who chairs the Committee shall present the papers to the Faculty Advisor. The Faculty Advisor shall then decide the two recipients of the scholarship.

4. Any other committees may be established as necessary by the Editor-in-Chief, with the advice of the Editorial Board.

ARTICLE X. STAFF

A. Membership

The staff shall consist of those students who are selected in accordance with Article X, Section D, and who complete the new-member training program requirements to the satisfaction of the Executive Board.

B. Duties and Responsibilities

1. Each Staff Member shall be responsible for completing all assignments thoughtfully, accurately, thoroughly, and promptly; may serve on a committee; and shall attend all announced staff meetings.

2. **Writing Requirement:** Every *Journal* Member must submit one (1) article as described in Article V, Section B. It is the intent of the *Journal* that all article submissions be of a quality sufficient to warrant publication.

a. The form requirements are as follows:

- (1) 20 pages minimum, excluding endnotes;
- (2) one-inch margins;
- (3) typed, double spaced (to include only double-space between headings);
- (4) 12 carrier per inch (CPI) font (any font which is at least twelve (12) characters per inch is allowed);
- (5) endnotes only (footnotes are not acceptable);
- (6) block quotes within the paper shall be single spaced;
- (7) and proper Bluebook form.

b. The substantive requirements evaluated will include the following:

- (1) writing style;
- (2) logical analysis;
- (3) substantive analysis;
- (4) organization;
- (5) original thought;
- (6) technical accuracy;
- (7) and grammar, spelling, and typographical errors.

c. Every article submitted to meet the writing requirement shall be submitted to the Manuscript Review Committee for an initial determination of whether the article meets

the quality standards of the *Journal*, and therefore is “publishable.” The Research Editor may suggest an article for publication without referring the article to the Manuscript Review Committee; if an article so selected is published the article need not be subject to the requirements of this section. The Manuscript Review Committee will present to the Editor-in-Chief a recommendation as to the “publishability” of every student article.

d. Articles found to be “not publishable” will be submitted to the Executive Board for a final review as to “publishability” and as to whether the article meets the writing requirement.

e. If the member wishes to enter his or her writing requirement in the Ford & Bloodworth Scholarship, the article must be submitted no later than the second Monday of October of the member’s third year. If the member does not wish to enter the writing requirement in the Ford & Bloodworth Scholarship, the article must be submitted no later than the first day of the staff member’s final semester of law school or as otherwise arranged with the Editor-in-Chief. Beginning with the 2003-04 school year, the article must be submitted no later than the first day of the Fall Semester of the staff member’s third year of law school or as otherwise arranged with the Editor-in-Chief.

f. If an article is chosen to be published, it shall be the duty and responsibility of the staff member-author to cooperate reasonably with the assigned editor.

g. No person shall receive a *Journal* certificate upon graduation unless that person has met the writing requirement as outlined in this section. This subsection is expressly subject to the waiver provision of Article XVII.

3. Beginning with the “1L” entering class of 2002, each candidate for membership must have a 77 average or higher to be considered for membership on the *Journal* as either a grade-on or a write-on candidate.

4. All provisions, obligations, and responsibilities imposed upon staff members by these Articles will be equally binding on all staff members regardless of method of selection for membership.

5. Members who are continuing students, but will not be present at the College of Law for either a fall or spring semester must notify the Editor-in-Chief in writing no later than the Friday of the first full week of the semester that the student will be unavailable to the *Journal*

C. Eligibility

Any student of the College of Law shall be eligible to be considered for membership on the *Journal* staff who will be a law student and *Journal* member for at least three full semesters, excluding the Summer Term, following the granting of *Journal* candidacy membership. Additionally, grade requirements detailed in section B.3 must be met.

D. Selection of Candidates for Membership

Journal membership is available to eligible law students in either of the following THREE (3) ways:

1. Grade-on. 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 class (*when an instructor teaches more than one*

section of legal 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 may be extended to the person receiving the third highest grade. Offers extended in the spring shall not duplicate those of the fall; to avoid duplication the next highest numerical grade in a section shall receive an offer for membership so that non-duplicative offers may be extended. No offer may be extended, however, to any person with a numerical grade which would translate into a letter grade less than A. Transfer students shall be offered membership on a showing that: a) the student participated in a research/writing or professional practice course which reasonably assesses writing and research skills; and b) that the student received the highest or second highest grade in the course.

2. Writing Competition. First-year students may be chosen through an annual Summer Write-On Competition covering topics designated by the Write-on Committee. First and Second year students may be chosen through an annual Winter Write-On Competition covering topics designated by the Write-On Committee.

3. Paper Submission. Any second-year law student may become a member by submitting an article on a land use or environmental law topic to the Manuscript Review Committee before the Spring Term of the second year. The Manuscript Review Committee may recommend articles for acceptance to the Editor-in-Chief, who may then grant membership with the advice of the Executive Board. Articles must meet the requirements of Article V, and each candidate must complete the new-member training program. Once a member, the student shall be subject to staff member duties and responsibilities as set forth in these Articles of Association.

E. Term of Membership

Staff Members shall serve on the *Journal* for the remainder of their law school careers.

F. Removal

1. Grounds: A Staff Member shall be removed from membership for neglect of duties as prescribed in Article X, section B, for significant lack of diligence in performing said duties and responsibilities, for substantial inability reasonably to perform the same or for good cause which the Executive Board may reasonably consider grounds for removal.

2. Procedure: The Editor-in-Chief shall call a meeting of the Editorial Board upon the written petition of two (2) or more Editorial Board members or at least one-third (1/3) of the *Journal* membership. No meeting regarding removal of a staff member may be held unless the respondent-staff member has had at least one week's actual notice of said meeting and of the grounds for removal. The Editorial Board shall announce individual grounds for removal at the meeting. The respondent-member shall have an opportunity to be heard. Removal shall be had only upon a three-fourths (3/4) vote of the Editorial Board.

G. Grievance Procedure

1. Intent: The *Journal of Land Use and Environmental Law* maintains high standards as a top-quality publication at the FSU College of Law. To continue to achieve these standards, the *Journal* requires each member to adhere to a certain standard of active participation and work product quality. General membership requirements include: attendance at all manda-

tory meetings, attendance at all mandatory speakers-lecturers, involvement in one committee group per year, and high quality work in all subciting assignments (approx. 2-3 per year). This grievance procedure standardizes actions take when members fall below this minimal level of work quality and participation.

2. Initial Violation: Depending on the severity of the violation, the Editor-in-Chief shall have discretion to issue an appropriate reprimand. Such actions might include: adding an additional subciting assignment, adding an additional committee membership requirement, or other increased *Journal* participation on a need basis but may not include removal from membership.

3. Second or Recurrent Pattern of Violations: Member shall come before the Board. Board shall make a decision after hearing member's case as to whether member may continue his or her membership with the *Journal*.

4. Third Violation: After coming before the Board, if member violates minimum standards again, member is immediately dismissed if no valid excuse is presented.

** Examples of a member's neglect of duty include: missed unexcused mandatory meeting or lecturer, inadequate subciting assignment or failure to complete an assigned subciting assignment.

H. Resignation

1. Resignation must be submitted in writing.

ARTICLE XI. FACULTY ADVISOR(S)

One or more Faculty Advisor(s) shall be appointed by the Editor-in-Chief and serve in an advisory role. One advisor shall be appointed Lead Faculty Advisor and be responsible for duties assigned in these Articles.

ARTICLE XII. 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 at meetings of the *Journal* membership. No member may vote by proxy.

ARTICLE XIII. MEETINGS

A. The entire *Journal* membership shall be called together to meet at least once each semester at a time determined by the Editor-in-Chief. Additional meetings may be called by the Editor-in-Chief or upon request of one-third (1/3) of the *Journal* membership or of one-third (1/3) of the Editorial Board.

B. All meetings of the Editorial Board and of all standing committees shall be open to every member of the *Journal*. Notification of each such meeting shall be posted on the *Journal* bulletin board at least three (3) days prior to the meeting, except in emergency situations.

ARTICLE XIV. AMENDMENTS

A. Posting

Any proposed amendment to these Articles of Association shall be posted on the *Journal* bulletin board at least two (2) weeks prior to being voted upon.

B. Presentation

Any amendment posted as required above shall be presented at the next regularly-scheduled meeting or the next special meeting of the *Journal*.

C. Adoption

Amendments to these Articles of Association shall become effective immediately upon their approval or at a time as approved by the *Journal* membership. Amendments may only be voted on at the *Journal's* general meetings. Amendments are approved by a majority of the Executive Board and 2/3 of the *Journal* membership present at the general meeting.

D. Maintaining the Articles of Association

The Journal office manager modify and maintain the official version of this document.

ARTICLE XV. CERTIFICATES OF MEMBERSHIP

Certificates of membership on the *Journal* shall be issued only upon certification by the designation of the Dean of the College of Law that the member has met graduation requirements. Certificates shall be issued only if the Editor-in-Chief determines that the member has not been removed as provided in these Articles of Association from membership on the *Journal*. The Editor-in-Chief shall certify that these criteria are met and issue each certificate. The Editor-in-Chief may issue a certificate to a former Executive Board Editor or Articles and Notes Editor who has made an outstanding contribution to the *Journal*, but who has not met the *Journal* writing requirement, upon a majority vote of the Executive Board, after a finding of exceptional circumstances on a case-by-case basis.

ARTICLE XVI. ADVISORY BOARD

A. Name, Purpose and Design

1. The official name of the Board shall be the Advisory Board to the Florida State University *Journal of Land Use & Environmental Law* (hereinafter, the Advisory Board).

2. The Advisory Board is created and established to actively advise and guide the *Journal* so the *Journal* will be a useful, applicable, meaningful law review which shall be highly-esteemed, widely-recognized, and in great demand by the Florida and national legal, academic, judicial, and legislative communities.

3. The Advisory Board structure is designed to facilitate interaction of the various actors, disciplines, perspectives, matters, and relationships involved in the legal process regarding land use and environmental law toward the end of fulfilling the Advisory Board's purpose as stated immediately above.

B. Composition and Selection

The Advisory Board shall comprise an unfixed number of positions selected by the following methods:

1. The Advisory Board shall include five (5) members, each of whom shall be an attorney from within one of the entities below and selected in active consultation with appropriate control persons within each of the following entities:
 - a. The Florida Department of Environmental Regulation.
 - b. The Florida Department of Community Affairs.
 - c. The Environmental and Land Use Section of the Florida Bar.
 - d. The Department of Administrative Hearings.
 - e. The Florida Chapter of the Sierra Club.
2. The Advisory Board shall include seven (7) members, severally appointed from among, the below available categories:
 - a. Law faculty members teaching environmental or land use at other law schools in Florida.
 - b. Attorneys representing large business interests.
 - c. Attorneys practicing environmental or land use law at the local government level.
 - d. The Florida Judiciary.
 - e. Former members of the *Journal* editorial board.
 - f. Professors of economics at any university in Florida.
 - g. Professors of planning at any university in Florida.
 - h. Professors of biology at any university in Florida.
 - i. Professors of engineering, at any university in Florida.
3. Each Faculty Advisor shall be a standing member of the Advisory Board as long as that person continues to serve as an advisor to the *Journal*.

C. Appointments

Appointments to the Advisory Board under this section shall require the approval of the Editor-in-Chief in agreement with the Lead Faculty Advisor and upon the advice of the continuing Advisory Board members. Members may be reappointed as often as the Editorial Board desires and such is to be encouraged. Each separate appointment for an Advisory Board position shall be preceded by broad discussion including the following considerations:

1. The general contribution the individual is likely to make to the *Journal* and its future.
2. The scholarly attributes of the individual in the areas of environmental and land use law.
3. The likelihood of the individual's detached objectivity regarding the subject matter.
4. The time the individual has available to give the *Journal*.
5. The individual's particular talents as they relate to the duties and purpose of the Advisory Board.

D. Duties and Responsibilities

1. The Advisory Board and its members shall actively identify and solicit qualified and prestigious writers of state or national standing to write definitive articles for publication in the *Journal*. At least one such article shall be solicited for each issue. The topic and author shall receive approval of the proper authority within the *Journal* Editorial Board prior to actual solicitation.

2. Each Advisory Board member shall be responsible for identifying and communicating to the Editorial Board:

- a. Issues in land use and environmental law which merit scholarly treatment.
- b. Areas of the law which ought to be developed and current or upcoming developments in the law which should be addressed.
- c. Topics and matters deserving of practical treatment which would be useful to practitioners.

3. Each Advisory Board member shall read and substantively and stylistically criticize articles when requested to do so by the Editor-in-Chief.

4. Each Advisory Board member shall actively seek out methods and sources of funding and secure such funding for the *Journal*; shall recommend other methods and sources of funding and sources of material support to the Editor-in-Chief; and shall recommend methods of expanding the *Journal's* list of subscribers.

5. The Advisory Board and its individual members shall advise the *Journal* on any matters the Advisory Board sees fit.

E. Advisory Board Chair

The Advisory Board shall elect a Chair from among its appointed members.

1. Duties and Responsibilities: The Chair shall have the affirmative duty to remain in constant contact with the *Journal* and the Advisory Board members; shall call meetings of the Advisory Board; shall preside at meetings of the Advisory Board; shall have plenary authority over all activities and actions necessary for effectuating the fulfillment of the Advisory Board's mission; shall coordinate all Advisory Board activities; and shall be the chief executive and administrative officer of the Advisory Board.

2. Eligibility: To be eligible to be Chair, an Advisory Board member must have been a member of the Advisory Board for at least six (6) months prior to assuming office and must be located in Tallahassee.

3. Term of Office: The Chair shall serve in that capacity for a period of two years, running from November 1st to November 1st. The Chair may be reelected if the Advisory Board so desires. The Chair shall be elected on the May 1st preceding the November 1st on which the then-seated Chair steps down.

4. Selection Considerations: In electing the Chair, the Advisory Board shall consider primarily the following three factors: The time the individual has available for the *Journal* and Advisory Board; the energy the individual will likely inject into the duties of the Chair; and the individual's organizational and motivational skills. Election of the Chair shall be preceded by broad questioning of the candidates by the Advisory Board members.

5. Removal: Removal of a Chair shall be only on the same grounds and with the same procedure as provided for the Advisory Board in general, except that the vote shall be solely within the Advisory Board.

F. Committees

1. The following are standing committees under the direct supervision of their designated chair and with ultimate, immediate responsibility in the Advisory Board Chair:

a. Articles Review Committee. To provide the peer review necessary (because of tenure publishing specifications) to encourage and attract the Ph.D. articles published in the *Journal*. No such article shall be published without simple majority approval by the Committee.

b. Funding and Resource Search Committee. To assume the sustenance and expansion of the *Journal*, this committee shall actively seek out methods and sources of funding and sources of material support and shall secure such for the *Journal*.

2. Other Committees may be established by the Chair, with the advice of the Advisory Board, and shall be chaired by an Advisory Board member as assigned by the Chair.

G. Term of Office

1. All appointed Advisory Board members shall serve on the Advisory Board for three years, running from November 1st through November 1st. One-third (1/3) of the appointed members of the Advisory Board shall change each year.

2. To implement these terms of office, one-third (1/3) of the charter members shall be identified as serving for one (1) year, and one-third (1/3) shall be identified as serving for two (2) years.

3. Each Faculty Advisor shall be a standing member of the Advisory Board as long as that person continues to serve as an advisor to the *Journal*.

H. Meetings

1. The Advisory Board shall meet collectively twice a year at a place of its choosing upon notification of all Advisory Board members.

2. The Editor-in-Chief, the Executive Editors, and the Research Editor shall attend at least one meeting of the Advisory Board each year.

I. Internal Operations

The Advisory Board shall adopt and continually develop its own internal operating procedures consistent with the *Journal's* Articles of Association.

J. Conduct of Business

It shall not be necessary for the Advisory Board to sit collectively to conduct all business. The Advisory Board may conduct business and communication in the manner it deems appropriate.

K. Vacancies

Vacancies on the Advisory Board shall be filled for the remainder of the vacator's term in accordance with all substantive and procedural requirements set forth for in appropriate sections regarding Appointments and composition and selection of the Advisory Board.

L. Removal

1. Grounds: An advisor shall be removed from the Advisory Board for refusing to perform the advisory duties and responsibilities, as outlined in Section D of this Article, for significant lack of diligence in performing said responsibilities, for substantial inability reasonably to perform same, or the like as the Editorial Board may fairly consider grounds for removal.

2. Procedure: The Editor-in-Chief shall call a meeting of the Editorial Board upon the written petition of one-third (1/3) or more of the Editorial Board or Advisory Board members. The Editorial Board or Advisory Board shall announce individual grounds for removal at the meeting. The respondent-advisor shall have an opportunity to be heard. Removal shall be had only upon a two-thirds (2/3) vote of the entire Editorial Board.

3. Resignation: When a decision of removal becomes evident, the Editorial Board and Advisory Board shall consider the wisdom of disposing of the matter through a request of resignation.

M. Reservation of Powers

The *Journal* reserves authority over the composition and operations of the Advisory Board. This authority expressly includes the right to alter the structure and composition of the Advisory Board at any time.

ARTICLE XVII. AWARDS

The *Journal* shall present the following awards in conformance with the purposes and procedures contained herein.

A. Outstanding Subcitors

Each semester the *Journal* shall recognize *Outstanding Subcitors* for the quality and diligence of their work.

Each Article and Notes Editor shall select one subciter from their article as an *Outstanding Subciter*. These subcitors shall be recognized at the end of the semester in which they served through public notification on the *Journal* bulletin board and recognition at the General Meeting.

B. Outstanding Article and Notes Editors

Each semester the *Journal* shall recognize *Outstanding Article and Notes Editors* for the quality and diligence of their work.

Each Executive Editor shall select one Article and Notes Editor as an *Outstanding Article and Notes Editor*. These Article and Notes Editors shall be recognized at the end of the semester in which they served through public notification on the *Journal* bulletin board and recognition at the General Meeting.

C. Subciter of the Year

Each year the *Journal* shall recognize one *Subciter of the Year* for their outstanding contribution to the editing process.

A selection committee consisting of the Executive Editors and all available Article and Notes Editors shall select one *Subciter of the Year*. Each recipient of the *Outstanding Subciter* award shall be a nominee. The *Subciter of the Year* shall be recognized in the following volume of the *Journal* and shall receive a commemorative award at the Spring Meeting.

D. Article and Notes Editor of the Year

Each year the *Journal* shall recognize one *Article and Notes Editor of the Year* for their outstanding contribution to the editing process.

The Executive Board shall select an *Article and Notes Editor of the Year*. Each recipient of the *Outstanding Article and Notes Editor* award shall be a nominee. The *Article and Notes Editor of the Year* shall be recognized in the following volume of the *Journal* and shall receive a commemorative award at the Spring Meeting.

E. Donna R. Christie Service Award

Each year the *Journal* shall recognize one recipient of the *Donna R. Christie Service Award* for their outstanding contribution to the *Journal*.

Each member of the Executive Board shall nominate at least one *Journal* member. The list of nominees generated by the Executive Board shall consist of no less than two names. No less than three weeks prior to the Spring Meeting, the list of nominations shall be distributed to the general membership. The general membership shall have one week to make any further nominations. A final list of nominations shall be compiled by the Executive Board and distributed to the General Membership no less than 10 days before the Spring Meeting.

The recipient shall be selected by a closed ballot of the general membership. Closed ballots shall be given to the Office Manager by a time the Executive Board proscribes not to exceed 72 hours from the distribution of the final nomination list.

The Office Manager shall tabulate the votes and report the result to an Executive Editor not receiving the award. The Executive Editor shall announce the recipient at the Spring Meeting and present the commemorative award.

The recipient of the *Donna R. Christie Service Award* shall be recognized in the following volume of the *Journal* and shall receive a commemorative award at the Spring Meeting.