

GEORGE MASON LAW REVIEW
Constitution

GEORGE MASON LAW REVIEW

CONSTITUTION



CHAPTER VI. GEORGE MASON LAW REVIEW CONSTITUTION

ARTICLE I—NAME AND OBJECT

The name of this Association shall be George Mason Law Review (“Law Review”). Its object shall be to publish a legal periodical; to serve as a teaching vehicle by providing means for the students of George Mason University School of Law (“GMUSL”) to enhance their research and writing abilities; and in general to advance the study and development of law.

ARTICLE II—MEMBERSHIP AND FACULTY ADVISORS

SECTION 1. Membership. The membership of Law Review shall consist only of the Board of Editors, Associate Editors, Full Members, and Members (collectively, “Law Review Members”). All Law Review Members shall be students in good standing at GMUSL. No Law Review Member shall serve in any capacity as a member or editor on another student-managed law journal at GMUSL.

SECTION 2. Faculty Advisors.

A. Selection. Law Review’s Board of Editors will work with the GMUSL Administration to designate one or more faculty members as Faculty Advisors. Faculty Advisors must be affirmed, however, by a majority vote of each new Board of Editors. There is no limit to the number of terms the Faculty Advisor(s) may serve.

B. Duties. Faculty Advisors may work closely with the Board of Editors to aid in the execution of the goals of Law Review.

ARTICLE III—BOARD OF EDITORS

SECTION 1. Definition. The Board of Editors shall consist of the Editor-in-Chief, Executive Editors, Managing Editor, Articles Editors, Notes Editors, Research Editors, Production Editor, Developments Editor and Symposium Editor (individually, an “Editor”). The Board of Editors shall serve as the officers and governing body of Law Review. There shall be no fewer than twelve or more than twenty-four Editors serving on any one Board of Editors. For the purposes of Law Review’s function as a student organization, the Editor-in-Chief shall be considered the President, and the Managing Editor shall be considered the Treasurer.

SECTION 2. Terms of Office. The Board of Editors shall take office no later than the last day of the Spring Semester in which they are selected and shall serve no later than the last day of the Spring Semester of the following year. In its discretion, the outgoing Board of Editors may turn over management of Law Review to the incoming Board of Editors prior to the last day of the Spring Semester.

SECTION 3. Voting Power. The members of the Board of Editors shall be of equal rank and, except as hereinafter provided, shall be entitled to votes of equal weight on any matter on which

GEORGE MASON LAW REVIEW
Constitution

the Board of Editors may vote. A quorum of the Board of Editors shall consist of at least three-fourths of the Board of Editors membership. Unless otherwise specified in this Constitution, votes by the Board of Editors shall be decided by a simple majority vote. In the event of a tie, the Editor-in-Chief's vote shall serve as the tiebreaker.

SECTION 4. Editorial Selections.

A. Time of Election. The election of a new Board of Editors shall be conducted at a special meeting ("Editorial Selection Meeting") of the incumbent Board of Editors called for that purpose by the Editor-in-Chief and to be held between January 15 and April 1.

B. Eligibility. Eligibility for selection to the Board of Editors shall be limited to those who have fulfilled the duties of a Member and have become Full Members and, after selection, will have at least two but not more than four full semesters (not including summer sessions) remaining before graduation.

C. Method of Selection. Selection for a Board of Editors position shall be based on an application and interview process. Applications shall be released at least one week prior to the Editorial Selection Meeting. The outgoing Board of Editors shall select the incoming Board of Editors by a majority vote.

D. Vacancies. Vacancies on the Board of Editors shall be filled for the remainder of the unexpired term of the vacating Editor by a majority vote of the incumbent Board of Editors.

E. Removals. Any Editor may be removed for failure to perform the duties of the Editor's office. Removal may be initiated by any two Editors who believe an Editor is not performing adequately. The two Editors shall call a conference of the Board of Editors with the Editor who is subject to removal. Showings of cause for removal may be made by any Editor. After the Editor in question has been given the opportunity to rebut showings of cause for removal, a vote by secret ballot shall be taken of the Editors. If all Editors, excluding the Editor subject to removal, unanimously vote to remove, the Editor shall be removed.

ARTICLE IV—POWERS AND DUTIES OF THE BOARD OF EDITORS

The powers and duties of the Board of Editors are as described in the Law Review Handbook, which is updated annually by the Editor-in-Chief and the Executive Editors.

ARTICLE V—ASSOCIATE EDITORS

SECTION 1. Selection. Any Full Member fulfilling the requirements in Article III, Section 4(B) shall be eligible for an Associate Editor position. Selection shall be made by a majority vote of the Board of Editors.

SECTION 2. Duties. Associate Editors shall be assigned to work with individual Editors. Associate Editors shall commit to working approximately twice the work requirement of a Full Member in Article VII, Section 2.

GEORGE MASON LAW REVIEW
Constitution

SECTION 3. Term. The term of office for an Associate Editor shall coincide with the term of office of the Board of Editors that makes the selection.

SECTION 4. Voting. The Associate Editors shall not have voting privileges in decisions reserved for the Board of Editors.

SECTION 5. Vacancies. Vacancies among Associate Editors may be filled for the remainder of the unexpired term of the vacating Associate Editor by a majority vote of the incumbent Board of Editors.

SECTION 6. Removal. Any Associate Editor may be removed by a decision of the Board of Editors for failure to perform the duties of the Associate Editor's office. Removal may be initiated by any two Editors who believe an Associate Editor is not performing adequately. The two Editors shall call a conference of the Board of Editors with the Associate Editor who is subject to removal. Showings of cause for removal may be made by any Editor. After the Associate Editor in question has been given the opportunity to rebut showings of cause for removal, a vote by secret ballot shall be taken of the Board of Editors. If all Editors unanimously vote to remove the Associate Editor, the Associate Editor shall be removed.

ARTICLE VI—MEMBER SELECTION

SECTION 1. Students at GMUSL at the End of First Year.

A. Eligibility. Students who have completed exactly two semesters of study at GMUSL shall be eligible for Membership on Law Review if they both submit an entry in the Write-On Competition and have maintained a cumulative grade point average greater than or equal to the mean of all first-year students, as determined by the GMUSL Records Office.

B. Write-On Competition. The Notes Editors shall develop each year a Write-On Competition topic and assemble a closed-research packet to accompany the topic. These packets shall be available to eligible law students at some time prior to June 1. Papers shall be returned to the Board of Editors by a date and in a manner established by the Board of Editors.

C. Member Selection.

(1) Review Committee. All eligible students shall have their Write-On Competition entries evaluated by a committee (the "Review Committee"), which the Board of Editors will appoint to review Write-On Competition entries. The Review Committee will recommend making offers of Membership in accordance with the procedures set forth in this Article. The membership of the Review Committee is to be determined by the Board of Editors, but the Board may delegate the task of selecting Review Committee members to the Senior Notes Editor and the Editor-in-Chief.

(2) Pool 1. Eligible Write-On Competition Participants in the Top 15% of the First-Year Class. All eligible Write-On Competition participants who are ranked in the top 15% of the first-year class based on cumulative grade point average shall constitute Pool 1. The Review Committee

GEORGE MASON LAW REVIEW
Constitution

shall extend offers of Membership to two-thirds of the students in Pool 1 who submit the highest quality entries in the Write-On Competition, as judged by the Review Committee. Entries in Pool 1 that are not selected for offers during this round shall then be included and evaluated with all other entries in Pool 2, discussed in Section 1.C.3.

(3) Pool 2. Eligible Write-On Competition Participants Finishing in the Top 50% of the First-Year Class. Eligible Write-On Competition participants in the top 50%, but not in the top 15%, of the first-year class and eligible Write-On Competition participants from Pool 1 not invited under Section 1.C.2 shall constitute Pool 2. The Review Committee shall select the best eligible Write-On Competition entries in Pool 2 and propose inviting their authors to join Law Review as Members. The number of offers of Membership made from Pool 2 is at the discretion of the Review Committee and the Board of Editors.

In the event any offerees from Pool 1 or Pool 2 formally decline or are anticipated to decline Membership, additional offers shall first be made to Above-Average Pool 1 Candidates. "Above-Average Pool 1 Candidates" are defined as Pool 1 students who did not initially receive offers of Membership, but whose entries scored higher than the mean of all good-faith Write-On Competition entries (from Pools 1 and 2). The number of additional offers made shall range from zero to the total number of students who decline or are anticipated to decline Membership. If there are not enough Above-Average Pool 1 Candidates to meet this number, the remaining additional offers may be made to Pool 2 students not selected under the procedure outlined in Section 1.C.3 (this group still includes the participants from the original Pool 1 not invited under Section 1.C.2).

(4) Notwithstanding anything to the contrary in Sections 1.C.2 & 1.C.3, the Board of Editors is not prohibited from making the total number of Membership Offers it deems appropriate to serve the best interests of the Law Review.

(5) Approval of the Board of Editors Required. Before any offers of Membership are made, the offers must be approved by a majority vote of the Board of Editors.

SECTION 2. Transfer Students. Students transferring to GMUSL from other ABA accredited law schools may become Members only if:

- a) Upon enrollment at GMUSL, the GMUSL Administration considers the transfer student to be a second-year student; and
- b) The transfer student successfully participates in a Transfer Competition under such rules and regulations as the Board of Editors shall establish at its discretion. "Successfully participate" means that the student's Transfer Competition entry is approved by a majority vote of the Board of Editors.

ARTICLE VII—REQUIREMENTS FOR FULL MEMBERSHIP

SECTION 1. Writing Requirement. All Members shall write a Note or Comment of publishable quality in order to achieve Full Member status. The Board of Editors shall provide a written

GEORGE MASON LAW REVIEW
Constitution

policy statement to all Members at the time of their topic selection outlining all requirements, including all deadlines, involved in creating a Note or Comment of publishable quality.

A. Assignment Schedule. Students shall select a Note or Comment topic during the Fall Semester of their second year. The final product shall be due to the Board of Editors on a date designated by the Board of Editors, but no later than the end of January of the Spring Semester of their second year.

B. Failure to Meet Writing Requirement. Members who fail to meet the requirements established by the Board of Editors for the writing requirement may have their status on Law Review terminated by a three-fourths vote by the Board of Editors, notwithstanding any provisions in Article VIII.

SECTION 2. Member Duties.

A. Office Hours. All Members shall perform the necessary office hours required for the satisfactory completion of projects assigned by the Board of Editors.

B. Committee Assignments. At the discretion of the Board of Editors, all Members may be assigned to committees sequentially during the semester of their candidacy. Satisfactory completion of projects assigned by the Editor chairing an assigned committee is required for Full Membership.

C. Other Assignments. The Board of Editors may assign Members additional assignments as necessary for the operation of Law Review.

D. Representation of Membership. Member status on Law Review permits a student to represent such status to the legal and professional community. This includes listing on one's resume either "George Mason Law Review" or "George Mason Law Review – Member," as the Member chooses. The representation of simply "George Mason Law Review – Member" is allowed to avoid any confusion for legal employers as to your status on Law Review. However, a Member may never affirmatively represent himself or herself as a Full Member and must act in good faith to explain his or her status as a Member as the circumstances warrant. Failure to follow these rules will subject the Member to strict disciplinary action by the Board of Editors. A Member who resigns or is terminated by the Board of Editors for any reason shall ensure that all resumes and biographies (including communications to current or prospective employers) indicate that the student served as a Member, and only for the period of time for which he or she maintained that status.

SECTION 3. Member Training Program. Each Member shall participate in an intensive training program at the beginning of his or her Member status period. Full Membership is contingent on satisfactory completion of the training program. The training program shall occur prior to or shortly after the beginning of the Fall Semester of the Members' second year.

SECTION 4. Selection for Full Member Status. The Board of Editors shall review all materials submitted by Members. The Board of Editors shall vote whether to admit the Member to Law

GEORGE MASON LAW REVIEW
Constitution

Review as a Full Member, considering such factors as whether the Member has met all deadlines and other requirements, including those associated with editing assignments and the drafting of the Note or Comment. A three-fourths vote by the Board of Editors is required in order to grant Full Membership.

SECTION 5. Maintaining Full Member Status. If required by the Board of Editors, Full Members must continue to fulfill the office hour requirement provided in Article VII, Section 2(A), the committee membership requirement provided in Article VII, Section 2(B), and any other assignments as provided in Article VII, Section 2(C). Full Members, however, will be required to serve on no more than one committee each semester. Committee designation is within the discretion of the Board of Editors, which shall state its policy at the beginning of the Fall Semester each year. Full Member status may be revoked after proper disciplinary action as provided in Article VIII.

ARTICLE VIII—DISCIPLINARY ACTION

SECTION 1. Academic Probation. Any Law Review Member who is placed on academic probation, according to the academic provisions of GMUSL, shall be dismissed from Law Review. Such dismissal shall result in the granting of no academic credit for Law Review membership.

SECTION 2. Disciplinary Action for Cause. Any Law Review Member is subject to disciplinary action by the Board of Editors for failure to perform his or her duties and responsibilities under the Constitution, for any Honor Code violation(s), or for any misfeasance or malfeasance while on Law Review.

A. Initiation of Disciplinary Proceedings. Disciplinary proceedings may be initiated by any Editor or any two Full Members or Members who submit a written petition to the Board of Editors. The Board of Editors shall fully investigate all grounds of the complaint.

B. Warning Procedures. The Board of Editors shall issue warnings to Full Members and Members who are not completing their respective membership requirements. The form of such warnings shall be designated in the Law Review Member Handbook or by the Board of Editors.

C. Removal Procedures. Any Full Member or Member may be removed from his or her position by a three-fourths vote of the Board of Editors, after completion of all warning procedures.

ARTICLE IX—MATERIAL FOR PUBLICATION

SECTION 1. Articles. Each issue of Law Review shall contain one or more articles, essays, or book reviews, written by persons of professional standing.

A. Selection. The Editor-in-Chief, the Executive Editors, and the Articles Editors shall select all professional pieces for each issue. Acceptance of a professional piece is subject to the approval of the Editor-in-Chief, the Executive Editors, and three-fourths of the Articles Editors.

GEORGE MASON LAW REVIEW
Constitution

B. Publication Agreement. The Board of Editors shall obtain a copyright, license, or other suitable agreement from each professional author.

SECTION 2. Student Notes and Comments. Each issue published by Law Review shall contain up to four student-written Notes or Comments.

A. Selection. Selection for publication of student-written work is made by a three-fourths vote of the Board of Editors. The Board of Editors selects and ranks the student work during the voting process for Full Membership provided in Article VII, Section 4. The Board of Editors shall receive guidance from a Publication Selection Committee, as outlined in the Law Review Handbook.

B. Copyright Agreement. The Board of Editors shall obtain a copyright agreement from each student author.

ARTICLE X—ACADEMIC CREDIT

Editors and Full Members of Law Review who have satisfactorily completed their duties as provided in this Constitution shall be eligible to receive academic credit, as allowed by the GMUSL Administration. The Board of Editors has discretion to award that academic credit to Editors and Full Members.

ARTICLE XI—AMENDMENTS TO THE CONSTITUTION

Any Law Review Member may propose, in writing, amendments to the Constitution. Proposed amendments shall be submitted to the Board of Editors by the Editor-in-Chief. Proposed amendments or changes to the Constitution shall become effective if approved by a majority of the Board of Editors and ratified by a majority of the Full Members.

ARTICLE XII—RATIFICATION

Ratified this day, August 27, 2001, by George Mason Law Review. Amended April 5, 2002. Amended July 16, 2004. Amended October 29, 2004. Amended June 26, 2005. Amended April 30, 2006. Amended November 17, 2006. Amended March 1, 2007. Amended July 15, 2008. Amended September 3, 2010. Amended April 3, 2011. Amended April 21, 2012. Amended November 16, 2015. Amended September 29, 2017.