I. Introduction

A. Statement of Purpose.

The Oklahoma Law Review is published under the auspices of the University of Oklahoma College of Law to give expression to legal scholarship and to serve the profession and public with timely discussions of legal problems. This Review is dedicated to giving all students of the College of Law the opportunity to exercise their skills and to gain experience in legal research and writing. It is dedicated to members of the legal profession, serving both as a source of scholarly analysis of questions of law and as a basic research tool.

B. Definitions.

1. Faculty or faculty member refers to members of the University of Oklahoma College of Law Faculty and Adjunct Professors. The Dean shall appoint three Faculty members to serve as a Faculty Advisory Committee.

2. Law Review means the University of Oklahoma Law Review.

3. Member means any Candidate who has earned membership by completing one writing requirement.

4. Officer means any Member serving as Editor-in-Chief, Managing Editor, Executive Articles Editor, Articles Editors (3), or Note Editors (3).

5. Editor means any Member serving as an Editor appointed by the Officers to perform designated tasks.

6. Candidate means any student invited to join the Law Review (pursuant to II. B, C, or E below) who has accepted such invitation (pursuant to II. D or E below) but has not earned membership.

7. "Bad faiths" are citations given to Members or Candidates for failing to satisfy any of the requirements outlined in IV.G. below.
8. A Note or Comment fulfills a "writing requirement" when it is submitted in a good faith attempt at publication. Good faith requires honesty in fact in the author’s conduct and a reasonably meritorious work product. Factors used to evaluate good faith include, but are not limited to, technical correctness, analysis, writing style, research, promptness, demonstrated effort, and willingness to revise.

9. Graduate Member means any member who successfully completes the requirements of Article VI, Section B.

C. Amendments.

Amendment of this Constitution shall require a two-thirds majority of all Members and Candidates present who are eligible to vote; provided, in no instance shall such vote be effective if it represents less than fifty-one percent of all Members and Candidates. The quorum requirement of Article V (C) shall not apply to this section. Amendments shall take effect when passed, except that an amendment may become effective at a later date if such date is specified in the amendment.

D. Advisor.

The Oklahoma Law Review will have an advisor who is appointed by the Dean of the College of Law and who is a full-time member of the College of Law faculty or staff.

E. Sole Governing Document.

The Oklahoma Law Review is not affiliated with any parent organization, and this Constitution, subject to the terms of the University of Oklahoma Student Code, is the sole governing document.

F. Subject to Other Law.

The Oklahoma Law Review is subject to Local, State, and Federal laws.
II. **Membership.**

A. **General.**

Membership must be earned by completing one writing requirement. Candidates for membership are selected on the basis of either academic performance or demonstrated writing ability. Any Candidate who has not completed one writing requirement by the deadline established by the Officers of the Law Review during the second semester of his or her second year shall be dropped from the Law Review unless prior approval has been obtained from the Editor-in-Chief. A note or comment submitted by the deadline established by the Officers of the Law Review during the second semester of the second year by a Second Year Publish-On Candidate shall satisfy this requirement.

B. **Academic Candidates for Membership.**

Twenty-eight candidates for membership shall be determined and invitations extended based on the following criteria:

1. The candidate shall be a full-time student who has successfully completed the first two semesters of law school.

2. The top three students in each OU College of Law 1L section and the top ten students according to overall OU College of Law class rank shall automatically receive an invitation.

3. The remaining invitations may be issued on the basis of the first year Writing Competition, but there is no requirement that the full remaining number be selected in this manner if the submissions are not of adequate quality.
4. If necessary to meet the requisite twenty-eight candidates, any additional candidates will be selected based on overall OU College of Law 1L class rank.

C. First Year Writing Competition Candidates for Membership.

The First Year Writing Competition is open to all full-time students who have only completed the first two semesters of law school. Papers prepared on a topic selected by the Officers of the Law Review shall be the basis for selecting additional Candidates for membership after the Spring semester of the first year. As determined by Law Review evaluation of these papers, students shall be invited to join the Law Review pursuant to conditions in II.B.3. The combined number of Academic Candidates and Writing Competition Candidates shall not exceed twenty-eight. Academic Candidates shall not be considered for Writing Competition Candidacy.

D. Invitations.

1. Invitations shall be written in letter form to each Candidate and distributed by the Editor-in-Chief. The invitations shall briefly outline the procedure for acceptance, the requirements for membership, and the deadline for that acceptance. In no event shall such deadline extend beyond the first scheduled meeting of the Law Review in the fall semester of the Candidate's second year. Invitations shall not specify the basis for the Candidate's selection.

2. An invitation for membership shall not be extended to any individual who is on academic probation. If a potential candidate is adjudicated guilty of an honor code violation, then no invitation for membership will be extended.
E. **Second Year Publish-On Candidates for Membership.**

In addition to B and C above, any student who submits a note or comment selected for publication during the spring semester of the student’s second year of law school shall be invited to join the Law Review. Such invitation shall conform with D above except that a reasonable deadline for acceptance shall be established by the Editor-in-Chief. The Notes Editors shall establish a procedure for evaluation of all second year Publish-On notes and comments.

F. **Transfer Student Policy**

Students transferring to OU College of Law for the fall semester of his or her 2L year are eligible to participate in the First Year Writing Competition as provided in II.B and II.C above. Transferring students should contact the Editor-in-Chief or Research Editor to obtain competition materials. Transfer students are also encouraged to participate in the Second Year Publish-On process as provided in II.E above.

G. **Anti-Discrimination.**

The Oklahoma Law Review does not discriminate on the basis of race, color, religion, national origin, gender, age, sexual orientation, disability, veteran status, marital status, or political belief.
III. Officers and Editors.

A. General.

The executive powers and duties of the Law Review shall be vested in the following Officers and Editors:

1. Editor-in-Chief
2. Managing Editor
3. Executive Articles Editor
4. Note Editors (3)
5. Articles Editors (3)
6. Such Editor positions as a majority of the Officers shall appoint

B. Eligibility.

All second year students on Law Review are eligible for editor and officer positions.

C. Terms of Office.

All Officers and Editors shall serve a term of one year beginning on the first of April in their second year.

D. Selection of Officers and Editors.

1. Election.

The Officers shall be elected by the Members and Candidates in a general election held at least three weeks before their term of office is to begin, and as soon as possible following the posting of publication decisions. Such elections shall be conducted by the Judiciary Committee in accordance with IV.C. below. Elections shall be by secret ballot requiring an affirmative vote
of a majority of all Members and Candidates voting.

2. Appointment.

A committee, composed of the incoming Editor-in-Chief, Managing Editor, Executive Articles Editor, Note Editors (3), and Articles Editors (3), shall appoint, by majority vote of the committee, all Editors deemed necessary to perform designated tasks. In making appointments, the committee shall consider applications from Members interested in being considered for each position, along with any other information available to the committee. Editors shall be appointed immediately following Officer elections in numbers deemed sufficient to operate the Law Review, as determined by the committee.

E. Removal of Officers from Office.

An Officer may be removed from office for cause and only by secret ballot requiring an affirmative vote of three-fourths of all Members and Candidates voting. The Judiciary Committee shall have exclusive authority and discretion to call this meeting and vote at the prompting of any Member of the Law Review. A call of the meeting requires a unanimous vote of the Judiciary Committee. The Member and Candidate vote of this subsection shall be subject to the quorum requirement of Article V, section C.

F. Duties.

The Officers and Editors shall exercise the following duties:

1. Editor-in-Chief. The Editor-in-Chief, as chief administrative officer of the Law Review, shall set Law Review policy and assume ultimate responsibility for all aspects of Law Review operation. Every piece that appears in the Law Review shall be read, edited as necessary, and approved by the Editor-in-Chief before it is sent to the printer.
2. **Managing Editor.** The Managing Editor shall be responsible for the technical accuracy of all materials printed in the Law Review and shall coordinate and assign all technical assignments. The Managing Editor is the final arbiter of proper Bluebook form and should be consulted on questions of citation and style.

3. **Executive Articles Editor.** The Executive Articles Editor shall be responsible for the solicitation and editorial preparation of all lead articles, book reviews, and essays for the publication. The Executive Articles Editor will have final authority to determine whether an offer of publication will be made, subject to a veto by the Editor-in-Chief.

4. **Note Editors (3).** The Note Editors shall be responsible for editorial preparation of all student notes and comments that appear in the Law Review, and shall supervise the writing process for all Candidate and second-year Publish-On authors.

5. **Articles Editors (3).** The Articles Editors shall be responsible for the solicitation and editorial preparation of all lead articles, book reviews, and essays for publication.

6. All appointed Editors shall perform such tasks as deemed necessary by the Officers.

G. **Vacancies.**

Upon removal or resignation of any Officer, a replacement shall be elected by secret ballot requiring an affirmative vote of a majority of all Members and Candidates voting. Upon removal or resignation of any Editor or committee member, a replacement shall be appointed in the same manner as provided in III.D.2 above, with the Editor-in-Chief, Managing Editor, Executive Articles Editor, Note Editors, and Articles Editors serving as the appointing committee.
H. Voting.

On any matter requiring a majority vote of the Officers, each Officer shall have one vote; provided, that if the vote on any matter, excluding the issuance of bad faiths, results in a tie, the Officers shall vote again, with the Editor-in-Chief receiving two votes. A tie vote on the issuance of a bad faith shall result in no bad faith being issued.

I. Schematic Diagram.

Editor-in-Chief

Note Editors    Managing Editor    Executive Articles Editor    Articles Editors

Other Editor Positions in such order as determined by the Editor-in-Chief

Other Members and Candidates, in such order as determined by the Editor-in-Chief
IV. **Judiciary Committee.**

A. **General.**

The appointment committee, as defined in III.D.2, shall appoint a three-member Judiciary Committee with one member designated to serve as Chair. No Officer shall be a member of the Judiciary Committee.

B. **Term of Appointment.**

Each member of the Judiciary Committee shall serve a term of one year. Terms shall begin on the first of April of each year. Appointments shall be at least ten days prior to the beginning of the term of office.

C. **Function.**

The Judiciary Committee shall adjudicate all cases involving questions arising under this Constitution and, on appeal, adjudicate all issues of default by Candidates and Members, except as provided in III. E. above.

The Judiciary Committee shall conduct all elections in accordance with the Election Rules for the Oklahoma Law Review set forth in the Oklahoma Law Review New Member Handbook. In addition, the Judiciary Committee shall observe the notice requirements set forth in V.B. below.

D. **Requests and Decisions.**

Any Member, Candidate or member of the Faculty may submit a request for decision or interpretation involving questions arising under this Constitution. All requests submitted to and all decisions of the Judiciary Committee shall be in writing, and decisions regarding default shall contain findings of fact.

Decisions of the Judiciary Committee shall be subject to review by the Faculty Advisory Committee upon petition delivered to the Faculty Advisory Committee in writing within ten (10) days following the decision.

F. Vacancy.

If any member of the Judiciary Committee shall be required to appear before the Judiciary Committee for any purpose, a vacancy shall be deemed to exist which shall be filled by the appointment committee in accordance with III.D.2 above.

G. Bad Faiths.

Bad faiths may be issued to Members or Candidates for the following reasons:

1. Failure to meet a deadline for submission of a note, comment, cite-checking assignment, or any other assignment;

2. Failure to meet with or cooperate with the Editors or a Faculty member designated as advisor under whose guidance(s) the Member or Candidate is writing;

3. Failure to perform reasonable duties as assigned by an Officer;

4. Failure to make reasonable progress toward receipt of a Law Review Certificate;

5. Unexcused failure to attend mandatory meetings;

6. An honor code violation.

When an Officer has determined that a Member or Candidate met one of the six reasons for imposing a bad faith, the Officer shall notify the Member or Candidate of the specific offense(s). Notice, subject to V.B. below, shall be placed in the Member or Candidate's student mailbox in a sealed envelope. The Officer who gave notice of the offense shall then schedule a
formal meeting with the Member or Candidate. If a solution is not reached between the Member or Candidate and the notifying Officer, issuance of the bad faith shall be placed to a majority vote of the Officers. The Member or Candidate must be notified of the Officers' intent to vote on the issuance of the bad faith. Such a notice shall be in writing by a sealed letter in the Member or Candidate's student mailbox. The Member or Candidate shall have an opportunity to appear before the Officers at a meeting held to vote on the bad faith. Such a meeting shall not occur until at least 48 hours after the Member or Candidate has been notified in accordance with this paragraph.

A Member or Candidate issued a bad faith may choose to invoke the appellate procedures. A bad faith becomes final following an unsuccessful appeal or waiver of appeal. The first bad faith serves as a warning. The second bad faith results in removal from membership on the Oklahoma Law Review.

H. Appellate Procedures.

The Member or Candidate may appeal the decision to the Judiciary Committee. Such appeal must be perfected within five business days of the date of the vote. (This period is calculated by excluding the date of the vote and counting the next five business days.) An appeal is perfected by serving the Editor-in-Chief or a member of the Judiciary Committee with a written statement of intent to appeal. Upon perfection, the Judiciary Committee will set a hearing date. Such date must be within three business days of the date of perfection (excluding the date of perfection in the calculation of the period). The Member or Candidate who is appealing shall have the right to appear before and be heard by the Judiciary Committee at this hearing. The Judiciary Committee shall have the discretion to call any other persons to this hearing. The
Judiciary Committee shall review the issuance of a bad faith for abuse of discretion. If the Judiciary Committee upholds the issuance of a bad faith, the Judiciary Committee's decision is final, subject to IV.E.

V. Meetings.

A. Time and Place. Meetings of the Law Review and elections shall be held at such times and places as prescribed by this Constitution or at such times and places as the Editor-in-Chief shall designate.

B. Notice.

Notice of all meetings shall be given at least two (2) class days in advance of the meeting by the Editor-in-Chief. Notice shall be given by placing in student mailboxes.

C. Quorum.

No voting shall be conducted at any meeting if one-third of the Members and Candidates are absent for any reason.
VI. Law Review Certificate.

A. General.

A Law Review Certificate shall be awarded to each law school graduate who has successfully completed the Law Review requirements.

B. Requirements.

In order to receive a Law Review Certificate and become a Graduate Member of the Law Review, each graduate must have completed the following writing and technical requirements:

1. Writing requirements. Each graduate must have earned, at a minimum, three writing credits using any combination of the following:
   a. A good faith attempt at writing a publishable Note shall earn one (1) writing credit.
   b. A published Note shall earn two (2) writing credits.
   c. A good faith attempt at writing a publishable Comment shall earn two (2) writing credits.
   d. A published Comment shall earn three (3) writing credits.
   e. Officers and Editors. All Officers shall earn two (2) writing credits. Editors shall receive such points as the Officers deem necessary for the work required of the individual position.
   f. Writing credits may also be given for other specific tasks as assigned by the Editor-in-Chief or Managing Editor.

2. Technical requirements. For each semester on the Review, the graduate must have completed all technical work, including checking, proofreading, indexing, and writing of recent
developments assignments and any other tasks deemed necessary in producing the Law Review as assigned by the Officers. All technical work must meet a good-faith standard and must be approved by the Managing Editor. Any member failing this standard will receive a bad faith citation and will be notified in writing by the Managing Editor. All decisions under this subsection shall be appealable to the Judiciary Committee, which shall have the final decision.

Amended August 17, 2009