

VOLUME 109-110 (2010-2011) WRITE-ON POLICY

In addition to those students admitted to the *Michigan Law Review* through the Spring Writing Competition, we allow students at our law school to become members of the *Law Review* by producing and publishing a Note. The *Law Review* encourages students writing innovative scholarship to consider publishing their papers via the write-on process. To successfully complete the process, the piece must be entirely the candidate's own. The Note may not be one originally written to fulfill a writing requirement of another Journal, and it may not be a piece that has been edited by another Journal. Candidates are encouraged, however, to seek help from faculty members.

Students ineligible or who do not wish to become members of the *Law Review* may also publish a Note.

I. What is a Note?

Notes are student-written works that identify unresolved legal issues and argue for unique solutions. A good Note should (1) identify an unresolved legal controversy or question, (2) analyze the possible means for addressing the controversy, elaborating the arguments on all sides of the debate, and (3) argue for a particular solution. Moreover, a viable Note will also have some practical constraints: It must be narrow enough to allow for careful, thorough analysis within twenty-five to forty double-spaced pages, and it must document ample authority from which to argue.

Each year the Note Office publishes a Notes Manual containing a great deal of helpful information on Note content, format and style. The Note Office strongly recommends that write-on candidates refer to this document prior to submitting their Note for review. It can be found on the *Law Review*'s website, at <http://www.michiganlawreview.org/>.

II. Eligibility

The write-on procedure is available to any student who has completed a full year at Michigan Law School and will be enrolled at the University of Michigan for at least one full semester after the publication of their Note (not including the summer semester). Candidates may be members of other Journals during the write-on process. To complete the write-on procedure, a candidate must produce a Note and have it accepted for publication by **September 1, 2011**. Please note, however, that otherwise-eligible students scheduled to graduate in December 2010 or May 2011 have until **September 27, 2010** to have their Notes accepted for publication. This timeline offers candidates the opportunity to complete the process during their second year and the summer that follows it.

The write-on process is also available to students who do not wish or are not eligible to become members of the *Law Review*, but wish to have their independent work (e.g., a piece written for an independent study course or seminar) published in the *Law Review*. A student may publish with the *Law Review* if she has been enrolled has been enrolled in the Law School for a full year and is enrolled at the Law School during the write-on

process.

III. Write-On Process

At any time, a student may submit a full draft of her Note to the Executive Note Editor (“ENE”) for review via email to mlr.ene@umich.edu. The ENE will distribute a copy of the draft to three Note Editors who will independently read and decide if they believe the Note is publishable. The draft must have a high likelihood of publication when submitted; it should be a finished paper without major errors or missing arguments. It must also conform to the specifications in Part I of this Policy.

Each Note Editor selected to conduct the initial review will consider the draft in its entirety and determine whether or not it is ready for publication. Note Editors will consider factors such as (1) the strength and feasibility of the thesis, (2) the cohesiveness of the argument as presented in the draft, and (3) the extent to which the draft demonstrates research sufficient to support a publishable piece of scholarship. The draft may still require editing at this point, but should be substantially free from problems of argument, organization, support, and style. The Note Editor will then send his vote to the ENE. The initial reviewers will not meet or otherwise discuss the paper before voting.

The Note Office will only accept one draft of each submission. If fewer than two initial Note reviewers believe that the paper has a high potential for publication, the author will be notified that their submission has not been selected for further development by the *Law Review*. The Note Office will not consider revisions of the same Note submission. The Note Office will consider a Note by the same author related to a different topic, however.

If two of the three initial Note Editors believe the paper has a high potential for publication, the author will be admitted to the *Law Review*'s Note process. At this time, the ENE will assign the author a Note Editor to serve as the author's Pass-off Reader. Admission to the Note process is neither a guarantee of publication nor an invitation to membership on the *Law Review*; it simply signifies that the author has reached the next step in the publication process and the Note Office has agreed to work with the author towards publication.

In a Pass-Off Read, the Note Editor reviews a candidate's manuscript and recommends additional changes if necessary. Following those revisions, the Note Editor decides whether the Note is in publishable condition. If he believes it is, the candidate's Note proceeds to a Full Read. The Pass-off Reader is under no obligation to submit the Note for a Full Read if he is not confident that the Note is publishable. However, there is no limit on how many times the author can resubmit versions to her Pass-off Reader.

In the Full Read, the Managing Editor, the Executive Note Editor, the Pass-off Reader, and an additional Note Editor meet to evaluate the Note and decide whether to recommend it for publication. If the Full Read Committee recommends the Note for

publication, the candidate has completed the publication process.

If the Read Committee does not recommend the Note for publication, the Note Office can request a second Full Read. Comments are submitted to the author, and the author resubmits the Note to her Pass-off Reader along with an annotated version of the Read Memo indicating how she responded to each comment. When the Pass-off Reader believes the author has complied with all changes required by the Read Committee and the Note is publishable, the same Committee meets for a second Read. The Pass-off Reader is not required to submit the Note for a second Full Read if he does not believe the author has made the necessary revisions. If the Note is not approved for publication at the second Full Read, the candidate is disqualified from the write-on process.

Once the Full Read Committee has recommended the Note for publication, the candidate has successfully completed the Note approval process. Candidates have until September 1, 2011 (with the exception of December 2010 and May 2011 graduates, who have until September 27, 2010) for their Note to be recommended for publication (i.e., pass the Full Read stage). After that date, the candidate is ineligible to become a member of the Law Review through the write-on process.

IV. Recommended Timeline:

The amount of time between admission of a draft to the Note process and final approval for publication varies from author to author. Unfortunately, the Note Office cannot provide substantive editorial service prior to acceptance to the Note process or advice about when the write-on candidate should submit their draft. However, for those interested in pursuing publication through the write-on process, we recommend following certain deadlines. Individuals interested in spending more time working with their Note Editor should observe the initial January deadline. However, only the September deadline is inflexible.

January 1, 2011: Submit full draft

September 1, 2011: Note must be approved for publication by this date

September 20, 2011: Note must reach publication with any required revisions

V. Upon Successful Completion of the Note Approval Process

Once a candidate's manuscript is approved for publication and it is confirmed that she will be enrolled at the University of Michigan for the next semester, she may choose to become a full Associate Editor of the *Law Review*. Candidates who become Associate Editors commit to serving on the *Law Review* for the full academic year, unless they are summer starters graduating in December of the academic year, in which case they commit to serve until their graduation. The *Law Review* will add her name to the masthead for that year's volume, and she will assume the publication-related responsibilities of an Associate Editor, including citechecking, sourcegathering, pageproofing, and administrative duty. She has until September 20, 2011 to make any

changes to her Note required by the Read Committee and to finalize it for the publication process. An Associate Editor who joins the *Law Review* through the write-on process commits to publishing her Note by this date.