

To: UNMSOL Journal Committee
From: Jennifer Duprez, D'Ontae Sylvertooth
Editors-in-Chief, New Mexico Law Review
Re. New Mexico Law Review Proposal
Date: January 25, 2011

A. Background

A student typically participates on the New Mexico Law Review (NMLR) for four semesters. During the student's first and second semester on Law Review the student is deemed to be part of the Law Review staff, during which time the student largely works on their Law Review article, as well as source and cite checking assignments. During the third and fourth semesters the student becomes a Board member and is responsible for the publication of three Law Review issues, each of which contains 5-7 Law Review articles. Dependent on the position held, this responsibility could extend beyond the third year. The student's specific responsibilities during their third and fourth semesters vary by their Board position, which is determined by an election.

1. First and Second Semesters

The Law Review article involves extensive researching and writing, and often times results in articles well over 50 pages long. This process is monitored and assisted by a faculty supervisor, who in the past has made the ultimate determination of whether the student satisfied UNMSOL's writing requirement, a Law Review Board Member, and Professor Browde. The process of writing a Law Review article is designed to further the student's research, writing, and analytical abilities. The writing of the Law Review article is an integral and quintessential aspect of being on Law Review.

The source and cite checking assignments require the student to fine tune their blue booking abilities, as well as their researching methods. These source and cite checking assignments on average require the student to spend 5-10 hours of work on their section of the article. Over the course of two semesters the student is required to complete about 12-15 source and cite checking assignments. Additionally, during the second semester, students will submit their articles for publication. If selected for publication, the student will source and cite check the entire article of another student author, as well as undergo an extensive editing process for their article.

The student's learning during their first and second semesters on Law Review is supplemented by a weekly seminar class. This class is designed to assist the student with blue booking, researching, and writing. The class is directed by the Editor-in-Chief(s) of the Law Review and is often taught by faculty or other professional staff, such as one of the UNMSOL librarians or Lynne Arany.

Additionally, on top of the Law Review article and the source and cite checking assignments, a major focus during the student's second semester is preparation for being a Board member. Extensive training is often required in order to ensure a smooth transition from one Board to the

NEW MEXICO LAW REVIEW PROPOSAL

next. Most students have limited knowledge in management and publication, thereby requiring hands on instruction from the current Board members and Lynne Arany.

2. Third and Fourth Semesters

During the student's third and fourth semesters on Law Review the student is considered to be a Board member. The Board is made up of five positions: Editor-in-Chief, Managing Editor, Professional Articles Editor, Student Articles Editor, and Manuscript Editor. Below is a brief description of each position.

- a. Editor(s)-in-Chief:
Managing the daily operations of the Law Review and ensuring the publication of three issues per year.
- b. Managing Editor:
Responsible for overseeing the source and cite checking of every professional article selected for publication
- c. Professional Articles Editor:
Reading and recommending professional articles for publication as well as soliciting articles from the legal community
- d. Student Articles Editor:
Substantive editing of student articles and advising staff through the process of writing a Law Review article
- e. Manuscript Editor:
Technical and substantive editing of professional articles

In addition to the above responsibilities, each Board member plays a crucial role in preparing the incoming Board for the publication process.

B. Proposal

1. Credits

We propose that the number of credits received for Law Review be reduced accordingly:

- First Semester on Law Review: 2 credits
- Second Semester on Law Review: 2 credits
- Third Semester on Law Review: 3 credits
- Fourth Semester on Law Review: 3 credits

Currently the members of Law Review receive 3 credits per semester, totaling 12 credits. The above proposal would reduce the number of credits received from a total of 12 to a total of 10, thereby requiring the student to take one extra class to make up the difference.

NEW MEXICO LAW REVIEW PROPOSAL

2. UNMSOL Seminar Writing Requirement

In conjunction with, and conditioned on our agreement to reduce the number of credits for Law Review, we propose that the Committee recommend to the Faculty a return to the policy that a student on Law Review be able to satisfy the writing requirement affiliated with a seminar (not the practice related/drafting writing requirement) through their Law Review article. As in the past, the Law Review article would be supervised by both a Law Review Board Member and a UNMSOL faculty member who would make the ultimate determination of whether the student's Law Review article satisfied the UNMSOL's seminar writing requirement.

3. Alternative

As an alternative, Law Review would consider further reducing the total number of credits by two. This would bring the total number of credits for one's participation on Law Review to eight credits. It is Law Review's position that if this were to occur, that one credit be taken from each semester on Law Review, which would result in two credits per semester. As indicated in the first proposal, this reduction in credits is contingent on a Law Review student's ability to fulfill the seminar writing requirement by way of their Law Review article, subject to their advisor's discretion.

NRJ has a different position on how these credits are divided but because Law Review's work is distributed differently, our preference is for Law Review members to receive two credits per semester under this alternative proposal. It is our position that a difference in the distribution of credits between Law Review and NRJ would not be of great significance and would receive our support.

C. Rationale

1. Credits

While Law Review is not opposed to a reduction in credits, it is Law Review's position that any reduction should be limited. The NMLR is typically much smaller than other journals around the country. This limitation in man power requires each student to take on more responsibilities. For example, in order to ensure quality articles, many articles submitted to NMLR require extensive editing. This is mostly attributed to NMLR's ranking amongst other journals and is an issue that higher ranked journals do not encounter as consistently as NMLR.

The students of the NMLR are committed to contributing to the development of New Mexico jurisprudence. This, in large part, stems from the process of writing one's student article. It is Law Review's position and hope that awarding students an appropriate amount of credit will recognize this dedication to New Mexico jurisprudence.

NEW MEXICO LAW REVIEW PROPOSAL

2. Writing Requirement

It is our belief, based on past experience, that the learning that takes place in the seminars fulfilling the seminar writing requirement is more than satisfied through the intensive writing experience, under faculty and NMLR editorial oversight, that takes place in producing a publishable quality note or comment. This is evidenced by the proposal set forth by the writing committee last spring. In describing the seminar writing requirement, the proposal stated that,

[t]his paper must constitute a substantial piece of research and analytical writing requiring the student to explore a topic of their choosing. This writing is directed towards an open-ended exploration of ideas and a subject matter of intellectual interest to the student rather than writing designed to promote the interests of a specific client or a particular legal position.¹

The article written by every staff member on Law Review is exactly in line with this objective. A student is able to examine a topic of their choosing, subject to a preemption check. Also a tremendous amount of research and analytical writing is demanded from the student throughout the process. Both the faculty advisor and the student advisor drive each student to take their writing to the next level and delve deeper into the article's subject matter.

In addition, the requirement of a seminar class to fulfill the seminar writing requirement will further limit a Law Review student's ability to take classes in their areas of interest. Already there are 40 credits of required classes.² This number was just increased last spring with the drafting class requirement, the one credit legal research class, the two credit legal research class, and the seminar writing requirement, bringing the total credits of required classes to 47-49, depending on the number of credits received from the drafting class and the seminar class. With 86 credits to graduate, that leaves a typical student with only 37-39 credits to use at their discretion, whether for an externship, mock trial, moot court, or the many other classes offered. Although many Law Review students choose to take an additional seminar class, for those interested in certain areas, such as business law where there are far fewer seminar classes offered, those students will be further limited in obtaining the knowledge and expertise in their areas of interest.

Finally, it is important to note that times are changing. There are a multitude of technological advances in the production of journals that will play a crucial role in sustaining NMLR's significance in the legal community. Implementing these changes will be quite demanding and will require a great deal of time from future Boards. It is our hope that these efforts will be recognized.

¹ Revised Writing Curriculum Assessment Committee Report, Page 3, February 24, 2010.

² This number is derived from the following classes: Torts (3); Criminal Law (3); Contracts (3); LRRW (3); CHLP (2); Practicum (1); Constitutional Law (3); Advocacy (3); Property (4); Civil Procedure (3); Ethics (3); Constitutional Rights (3); Clinic (6).

NEW MEXICO LAW REVIEW PROPOSAL

D. Conclusion

As the only Law Review in the state of New Mexico dedicated to the general development of the jurisprudence affecting this state, the NMLR has a responsibility to both the school, as well as the legal community, to produce quality journal articles. With this being the ultimate goal, the New Mexico Law Review, through its current staff members and Board members, endorse the above proposal.