



**Intercultural Human Rights  
Law Review  
Constitution**

LL.M./J.S.D. Program  
in Intercultural Human Rights  
MISSION STATEMENT

The Intercultural Human Rights Law Review's mission is to further St. Thomas University's commitment to instilling within the general public, academic community, and legal profession a belief in ethical behavior and a just order by providing a forum for in-depth research and writing focused on issues of human rights and fostering an order of human dignity across economic, social, political, and cultural boundaries.

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## **PURPOSE AND MISSION**

### **THE INTERCULTURAL HUMAN RIGHTS LAW REVIEW**

The Intercultural Human Rights Law Review [hereinafter: IHRLR] is an annual journal of international human rights scholarship. Affiliated with the St. Thomas University Graduate Program in Intercultural Human Rights, the IHRLR publishes cutting-edge human rights scholarship by academics, practitioners, and students. In so doing, the Law Review provides a forum for cross-pollination and the exchange of ideas from a variety of international and cultural perspectives.

The IHRLR is committed to exploring new directions and perspectives in the struggle for human rights, justice, and equality. It aims to be a useful resource for scholars, policymakers, and practitioners around the world.

The IHRLR's mission is to further St. Thomas University's commitment to instilling within the general public, academic community, and the legal profession a belief in ethical behavior and a just order by providing a forum for in-depth research and writing focused on issues of human rights and fostering an order of human dignity across economic, social, political, and cultural boundaries

The IHRLR's mission extends beyond the publication of the written word. We organize conferences and panels on various human rights topics. In addition, we sponsor intimate discussions and debates on a wide variety of international human rights issues.

The IHRLR is an academic honors society, and will aspire to provide academic credit for IHRLR Members as authorized by the St. Thomas University faculty. The IHRLR shall conduct its activities in conformity with relevant federal law, state law, and St. Thomas University School of Law policies.

## ARTICLE I: MEMBERSHIP INFORMATION

- ✎ The IHRLR is composed of students in the St. Thomas J.D., LL.M., and J.S.D. programs, and is comprised of member-candidates, general members, and an executive committee. The executive committee controls the business and administration of the Law Review, and shall be composed of the following members:
  - ✎ JD Editor-in-Chief;
  - ✎ LL.M./J.S.D. Editor-in-Chief;
  - ✎ Managing Editor;
  - ✎ Executive Editor (J.D.);
  - ✎ Executive Editor (J.D.);
  - ✎ Executive Editor (J.D.);
  - ✎ Executive Editor (LLM/J.S.D.);
  - ✎ Executive Editor (LLM/J.S.D.); and
  - ✎ Student Articles Editor

### **I. INVITATION FOR MEMBERSHIP**

- ✎ The IHRLR will invite any law student that ranks in the top fifteen percent (15%) of that student's first-year class, as ranked by the Registrar in May of that academic year.
- ✎ Invitations will also be extended to all book award winners of their 1L Legal Research and Writing Class.
- ✎ Based upon review of the applicant's letter, the Executive Committee will extend as many invitations for member-candidacy as they, in their discretion, decide will be necessary to establish a sufficient staff for the next academic year.
  - ✎ Membership status will also be extended to any student who authors a paper that is accepted by the IHRLR so long as that student will not graduate in December of the year in which the invitation is extended.
  - ✎ Any members or member candidates who have been discharged from the IHRLR shall not be extended an invitation. However, the Executive Committee has the discretion to allow a student to present a case for reinstatement, and in their discretion may reinstate the student.
  - ✎ The third method of invitation is by completion of a test designed to measure writing ability and blue booking aptitude. This test will be designed by the Executive Committee and will be administered at the discretion of the Executive Committee.
  - ✎ The fourth method allows IHRLR to use the International Law course as a source for candidates with an interest in international law and human rights.

This allows International Law Professors to recommend strong candidates for the Law Review. The Executive Board will then interview any recommended candidates and make a determination regarding invitations for Conditional Membership. This opportunity will be open to interested J.D., LL.M., and J.S.D. students.

## **A. BECOMING A MEMBER**

- ✎ A member of the IHRLR will write an article of publishable quality. The Executive Committee will determine if articles are of publishable quality. All members will also complete all duties assigned by the Editors of the IHRLR. See Writing Requirement, Section B, for more details.
- ✎ The class of International Law is a pre- or co-requisite for Membership in the IHRLR.
- ✎ Members are responsible for assisting in technical editing, preparation of typescript for the printer, and other administrative work deemed necessary by all Editors, Senior Editors, Managing Editors, and the Executive Committee of the IHRLR.
- ✎ No person shall be extended an invitation for membership who is already a member of another Law Review on Campus.
- ✎ No person shall hold membership simultaneously in multiple Law Review organizations.
- ✎ No person who resigns from, or is removed from membership in another Law Review on Campus will be extended an invitation to join the St. Thomas IHRLR.
- ✎ Students may apply for the IHRLR and any other law review concurrently. Students may only accept ONE invitation to participate as a Member-Candidate for one (1) law review. Unless a student has (1) quit during the Member-Candidacy process of any other law review, (2) dropped out of the Member-Candidacy process during such process of any other law review, or (3) withdrew his/her application for membership prior to rejection to any other law review, the student is precluded from applying for membership for the IHRLR through Member-Candidacy if he or she is rejected (or denied full membership) by any other law review after completing the Member - Candidacy process of said law reviews.

- ✎ Third year students who have never (1) applied/tried Out or (2) participated in the Member-Candidacy process for a law review at St. Thomas may NOT seek membership with the IHRLR. Students are required to hold at least two (2) semesters as Members of the Law Review. The Member-Candidacy process takes place in the Fall and Spring semesters only. Such process does not guarantee membership until the Student Articles Editor evaluates and assesses each student's performance at the end of the semester. Meaning, students trying out during the Fall semester of their third year, if accepted, will only be formal Members for one (1) semester, the Spring semester of their third year. Thus, they will not satisfy the two-semester requirement.
- ✎ "Exceptional Circumstances" will be reviewed on a case by case basis.

## **B. WRITING REQUIREMENT**

- ✎ All J.D. students will satisfy their Writing Requirement during their second or third year of law school, and will be given from the beginning of summer until early August (to be set by the J.D. EIC each year, depending on the calendar) to complete the Writing Requirement, or from time to time as the J.D. EIC sees fit.
- ✎ No student may begin the writing requirement process who has been accepted into the rolls of another journal organization.
- ✎ The writing requirement must satisfy a minimum of twenty-five (25) pages, and contain one-hundred and twenty-five (125) footnote citations, fifty (50) of which should be citations to law review articles unless prior approval is given, under standard Bluebook formatting, unless pre-approval has been given by the Student Articles Editor for good cause.
- ✎ Concurrently with the writing requirement a Bluebook exam shall be administered by the Student Articles Editor and graded anonymously, which will weigh for or against an applicant's admission.
- ✎ Students will submit the writing in increments of five parts every other week, beginning with an outline and five pages, and increasing by five pages every week thereafter. The deadlines for these submissions will be made clear to the students prior to the start of the competition.
- ✎ A student applying who has already begun the write-on process in the past, may do so again, provided that the Executive Committee votes to allow it, after a proper opportunity to be heard has been given.
- ✎ Failure to meet a deadline will result in a warning from the Student Articles Editor upon first incident. Upon second incident, or the showing of good cause by the Student Articles Editor, the student may attempt to show cause to the Managing Editor why



he/she should not be removed from the competition. The Managing Editor will make the final decision on this issue.

✎ Following the completion of the Competition, AGNs will be applied to the various submissions and the Executive Committee will vote on whether to grant membership or not.

## **C. EDITORS**

- ✎ The Executive Committee has the discretion to choose editors from among the general members whom they believe show particular diligence and aptitude for the position.
- ✎ Editors have the responsibility of moving the article through the entire editorial process under the direction of the Executive Committee as a whole.

## II. THE EXECUTIVE COMMITTEE

### A. GENERALLY

- ✎ The Executive Committee consists of eight (8) voting members, and shall make all decisions regarding the present and future goals, business, placement of members, and quality standards necessary for the production of an academically significant law review. The Managing Editor shall be informed of all disciplinary issues and will keep track of all disciplinary matters.
- ✎ The Managing Editor will act as the head of the Executive Committee.
- ✎ The J.D. Editor-in-Chief, and the LL.M./J.S.D. Editor-in-Chief, three J.D. Executive Editors, two LL.M./J.S.D. Executive Editors, and the J.D. Student Articles Editor are all voting members of the Board and each possess one (1) vote.
- ✎ Any person holding an executive level position may hold a second position simultaneously, with the approval of a majority vote of the Executive Committee. However, any person holding multiple executive level positions will only cast one (1) vote during Executive Committee Meetings

### B. MEETINGS

- ✎ The Managing Editor shall schedule at least one (1) general business meeting per semester, and requires a majority of the membership to be present in order to establish quorum.
- ✎ The Managing Editor is responsible for providing notice of the meeting to all members at least two (2) days in advance through electronic mail for a general meeting. All members are required to attend these meetings unless they can show cause to be absent.
- ✎ The Executive Board shall meet at least every two (2) weeks during the fall and spring semesters. A meeting of the Executive Committee requires at least four (4) of the six (6) voting members of the Executive Committee to establish quorum and conduct business. These meetings shall not be open to any members or member-candidates unless agreed upon by a majority vote of the Executive Committee.
- ✎ All Executive Committee Meetings will be called by the Managing Editor or the Editor-in-Chief. If the Managing Editor is unable to attend a Committee meeting, a JD Executive Editor will be appointed by the JD Editor-in-Chief to

serve as the head of the Executive Committee. Any member serving as head of the Executive Committee will not cast a vote.

### **C. QUALIFICATIONS**

- ✎ No member will be considered for an Executive Committee position without meeting the minimum requirements. These minimum requirements are as follows.
  - ✎ A qualified person will be a member of IHRLR for a minimum of (1) one academic year.
    - Except for LL.M. and J.S.D. Members.
  - ✎ A qualified person will have shown a substantial commitment to the productivity and quality of The IHRLR during their previous (1) one academic year of work on The IHRLR.
- ✎ Each individual's commitment to the productivity and quality of The IHRLR will be assessed only by the Executive Committee of The IHRLR. The assessment of individuals made by the Executive Committee is confidential and is not reviewable. An individual wishing to challenge an assessment of the Executive Committee shall be allowed to do so upon application to The Managing Editor.
- ✎ Any Member that expects to graduate less than (12) twelve months after the Executive Committee elections will not be qualified, or considered, for a position on the Executive Committee. A member may be allowed to fill a position on the Executive Committee when expecting to graduate less than (12) twelve months after the Executive Committee Elections if dire need or extraordinary circumstances are found to exist by the Executive Committee.
- ✎ Dire need or extraordinary circumstances will exist when a majority, 51%, of the (8) eight total voting members of the Executive Committee vote in favor of declaring that such a condition exists.

### **D. ELECTIONS**

- ✎ The election of persons to fill executive level positions occurs as described below.
- ✎ All elections will be administered by a J.D. Executive Editor or in his/her absence the Student Articles Editor. In the Absence of these Executive Officers, the election will be rescheduled until an Executive Officer named above is present to conduct the Election.

- ✎ If The IHRLR is in a declared state of dire need or extraordinary circumstances, elections will be conducted by the Executive Committee in as close manner as possible to these described procedures.
- ✎ The J.D. Editor-in-Chief and the Managing Editor will be selected by popular vote of the General Membership of the IHRLR. The General Membership shall vote for a candidate from a list of three people that have been nominated by the Executive Committee and certified by the Elections Committee. No person will be considered unless they have been officially nominated and certified in the manner described below.
- ✎ The election will occur on a time and date determined by the Executive Committee, but not less than (6) weeks after publication. This election will take place at a regular meeting of the General Membership. Members will vote by secret ballot. A candidate shall be considered elected when he/she obtains a majority vote of the General Membership. Members who are not present at the General Membership meeting while an election is conducted will not cast a vote and will not be considered in calculating the majority. All General Membership meetings where a vote is expected to occur will be will advertised to the General Membership by the Executive Committee.

## ARTICLE II: The Executive Committee

### **I. EXECUTIVE COMMITTEE**

#### **A. GENERALLY**

- ✎ The Executive Committee consists of eight (8) voting members. The Executive Board shall make all decisions regarding the present and future goals, business, placement of members, and quality standards necessary for the production of the highest quality and academically significant law review.
- ✎ Any substantial decision affecting the entire membership shall not be made without first going before the Executive Committee.
- ✎ The Executive Committee is the highest decision making body of the IHRLR and has veto power over any Executive or General Membership decisions.
- ✎ Any issue put to vote to the General Membership shall not be overruled by the Executive Committee.

#### **B. MEMBERS**

- ✎ The Executive Committee is comprised of the following executive positions. The Managing Editor acts as the head of the Executive Committee.
- ✎ The J.D. Editor-in-Chief is a voting member of the Executive Committee, and possesses one (1) vote. The LL.M./J.S.D. Editor-in-Chief is a voting member of the Executive Committee, and possesses one (1) vote. The J.D. Executive Editors and the LL.M./J.S.D. Executive Editors each are voting members of the Executive Committee and possess one (1) vote each. The Student Articles Editor is a voting member of the Executive Committee and possesses one (1) vote.
- ✎ Any person holding executive level positions may hold a second position simultaneously, with the approval of a majority vote of the Executive Committee. Any person holding multiple executive level positions will only cast one (1) vote during Executive Committee Meetings.

#### **C. MEETINGS:**

- ✎ A meeting of the Executive Committee requires, at least, a majority, 51%, of the eight (8) total voting members of the Executive Committee. These members are: The J.D. Editor-in-Chief, the LL.M./J.S.D. Editor-in-Chief Editor, the three

J.D. Executive Editors, the two LL.M./J.S.D. Executive Editors, and the J.D. Student Articles Editor.

- ✎ All Executive Committee Meetings will be called by the Managing Editor or the Editors-in-Chief. If the Managing Editor is unable to attend an Executive Committee meeting, one J.D. Executive Editor will serve as the head of the Executive Committee. Members serving as head of the Executive Committee will not cast a vote.
- ✎ In the absence of both the Managing Editor, and a J.D. Executive Editor the Student Articles Editor shall serve as head of the Executive Committee, and will not cast a vote. The person serving as head of the Executive Committee will not be used in the calculation of the majority needed to hold an Executive Committee meeting.
- ✎ A meeting of the Executive Committee that is headed by a J.D. Executive Editor or the Student Articles Editor will not take place unless a majority, 51%, of the total voting members of the Executive Committee are present.
- ✎ These voting members are the J.D. Editor-in-Chief, the LL.M./J.S.D. Editor-in-Chief, the J.D. and LL.M./J.S.D. Executive Editors, and the Student Articles Editor.

## **D. QUALIFICATIONS**

- ✎ No member will be considered for an Executive Committee position without meeting the minimum requirements.
- ✎ These minimum requirements are as follows. A qualified person will be a member of The IHRLR for a minimum of (1) one academic year. A qualified person will have shown a substantial commitment to the productivity and quality of The IHRLR during their previous (1) one academic year of work on The IHRLR.
  - ✎ Each individual's commitment to the productivity and quality of the IHRLR will be assessed only by the Executive Committee of IHRLR. The assessment of individuals made by the Executive Committee's is confidential and not reviewable. An individual wishing to challenge an assessment of the Executive Committee shall be allowed to do so upon application to The Managing Editor.
- ✎ Any Member that expects to graduate less than twelve (12) months after the Executive Committee elections will not be qualified, or considered, for a position on the Executive Committee. A member may be allowed to fill a position on the Executive Committee when expecting to graduate less

than twelve (12) months after the Executive Committee Elections if dire need or extraordinary circumstances are found to exist by the Executive Committee.

✎ Dire need or extraordinary circumstances will exist when a majority, 51%, of the (8) eight total voting members of the Executive Committee vote in favor of declaring that such a condition exists.

## **E. ELECTIONS**

- ✎ The election of persons to fill executive level positions occurs as described below.
- ✎ All elections will be administered by a J.D. Executive Editor, or in their absence the Student Articles Editor. In the absence of these Executive Officers, the election will be rescheduled until an Executive Officer named above is present to conduct the Election.
- ✎ If the IHRLR is in a declared state of dire need or extraordinary circumstances, elections will be conducted by the Executive Committee in as close manner as possible to these described procedures.
- ✎ The J.D. Editor-in-Chief and the Managing Editor will be selected by popular vote of the General Membership of The IHRLR. The General Membership shall vote for a candidate from a list of three people that have been nominated by the Executive Committee and certified by the Elections Committee. No person will be considered unless they have been officially nominated and certified in the manner described below.
- ✎ The election will occur no later than April 15<sup>th</sup> of each calendar year. This election will take place at a regular meeting of the General Membership. Members will vote by secret ballot. A candidate shall be considered elected when he/she obtains a majority vote of the General Membership. Members who are not present at the General Membership meeting while an election is conducted will not cast a vote. All General Membership meetings where a vote is expected to occur will be will advertised to the General Membership by the Executive Committee.

## **F. NOMINATIONS**

- ✎ All members found to meet the qualifications described above in the sections labeled “qualifications”, by the Executive Committee, and who have expressed their individual desire to obtain the executive positions of Editor-in-Chief or Managing Editor will be considered. The current Managing Editor will call a special meeting of the Executive Committee to confirm a candidate’s qualification and to consider each qualified candidate for nomination.

- ✎ This special session of the Executive Committee requires at least four (4) of the eight (8) voting members of the current Executive Committee, and the Managing Editor. In the event that this condition cannot be fulfilled, the Executive Committee will declare a state of dire need or extraordinary circumstances, and hold a special session as consistent with this described procedure as possible.
- ✎ The list of candidates considered for the position of J.D. Editor-in-Chief will be reduced to five (5) candidates. These candidates will be the individual's whose contribution and commitment to the IHRLR is judged, by the Executive Committee, to be the highest of the qualified candidates; and whose individual attributes best fulfill the requirements of the J.D. Editor-in-Chief.
- ✎ The list of candidates considered for the position of Managing Editor will be reduced to five (5) candidates. These candidates will be the individual's whose contribution and commitment to the IHRLR is judged, by the Executive Committee, to be the highest of the qualified candidates; and whose individual attributes best fulfill the requirements of The Managing Editor.
- ✎ All decisions of the Executive Committee, in matters of candidate nomination, will be subject to, but not limited to, each qualified individuals Member Personnel File. The Executive Committee will use any factor or source of information that is deemed necessary by the Executive Committee.
- ✎ The Executive Committee will submit two (2) lists of five (5) names, one (1) for the position of Editor-in-Chief, and one (1) for the position of Managing Editor to the Elections Committee. These names will be considered nominated by the Executive Committee. The Executive Committee will send the Membership Personnel File and any other information used during the nomination process for each person nominated for either position. A qualified individual may be nominated for both the Editor-in-Chief and Managing Editor positions and that person's name will be submitted to the Elections Committee on both lists.

## **G. CERTIFICATION**

- ✎ The certification of nominated individuals that will be presented to the General Membership as candidates will occur as described below.
- ✎ The Elections Committee will consist of the current J.D. and LL.M./J.S.D. Editors-in-Chief, or such person currently serving in that capacity, the current Managing Editor, or such person currently serving in that capacity, and the Faculty Advisors. The Elections Committee will receive lists for both the Editor-in-Chief and the Managing Editor position.
- ✎ The Elections Committee will consider each list individually of each other, and the Elections Committee will not consider any name not appearing on the



list presented by the Executive Committee. The Elections Committee will assess each nominee for the same standards, limitations, and conditions used by the Executive Committee during the nominating process and described in the section labeled “Nominations”.

- ✎ A person will not be denied certification for election as Editor-in-Chief or Managing Editor because they were already certified for election to one of the above named positions.
- ✎ The decisions of the Elections Committee are confidential. The decisions of the Elections Committee will not include any advisory opinion, recommendation, or communication beyond the official certification of the candidates for the positions of Editor-in-Chief or Managing Editor.

## II. APPOINTMENT OF EXECUTIVE OFFICERS

- ✎ This section describes the method by which non-elected executive officers will be appointed.
- ✎ The LL.M./J.S.D. Editor-in-Chief, the two LL.M./J.S.D. Executive Editor, the three J.D. Executive Editors, and the Student Articles Editor will be appointed in the following manner.

### A. THE LL.M./J.S.D. EDITOR-IN-CHIEF AND THE LL.M./J.S.D. EXECUTIVE EDITORS

- ✎ The LL.M./J.S.D. Editor-in-Chief and the two LL.M./J.S.D. Executive Editors will be appointed as follows. The IHRLR Faculty Advisors will accept applications for the position of LL.M./J.S.D. Editor-in-Chief and two LL.M./J.S.D. Executive Editors. These positions will be open only to LL.M. and J.S.D. students.
- ✎ These applications will include a list of the personal and professional goals that the applicant wishes to accomplish, while serving as the LL.M./J.S.D. Editor-in-Chief or Executive Editor and through their involvement with the IHRLR. This application should also include a personal statement consisting of a description of the applicant's qualifications, the qualities and advancements that the LL.M./J.S.D. program and the IHRLR will experience as a result of choosing the applicant, and any other such information that the applicant deems necessary to the decisions.
- ✎ This personal statement will not exceed five (5) double-spaced types pages, and shall be written in size twelve (12) Times New Roman font. The margins will not be less than one (1) inch on any side.
- ✎ Based on the quality and substance of each application, the Faculty Advisors will choose the LL.M./J.S.D. Editor-in-Chief and the two LL.M./J.S.D. Executive Editors with substantive input from the Executive Committee.
- ✎ In the event that no person is found to be qualified by the Faculty Advisors, or no person applies for the position, the Faculty Advisors will advise the Executive Committee. The LL.M./J.S.D. Editor-in-Chief Position will then be filled by election from the qualified J.D. membership in the same manner that is described above in the sections labeled, "Qualifications", "Elections", "Nomination", and "Certification."

## **B. Appointment of the J.D. Executive Editors and the Student Articles Editor**

- ✎ The J.D. Executive Editors and the Student Articles Editor will serve as Executive Officers of the IHRLR and will be appointed in the following manner.
- ✎ These positions will be filled at an Executive Committee meeting called immediately after elections are completed. This Executive Committee meeting will include, both, the newly elected J.D. Editor-in-Chief and the newly elected Managing Editor as well as the outgoing Editor-in-Chief and the out-going Managing Editor.
- ✎ The outgoing Managing Editor will serve as head of this Executive Committee meeting. The newly elected Editor-in-Chief and newly elected Managing Editor will each have one (1) vote during this meeting.
- ✎ This Executive Committee meeting will consider all candidates deemed to be qualified under the section labeled “Qualifications”, and not elected to a position during the immediately preceding General Membership meeting. This Executive Committee will choose an individual to fill each appointed position. These positions are three J.D. Executive Editors and the Student Articles Editor.
- ✎ The persons appointed to these positions will be chosen on the basis of merit, demonstrated ability and diligence. The decision of the Executive Committee will be according to the Membership Personnel File of the individuals considered and any other factor deemed necessary for the effective execution of the position to be filled.

### **III. DESCRIPTION OF EXECUTIVE OFFICERS RESPONSIBILITIES, OBLIGATIONS, AND AUTHORITY**

#### **A. THE J.D. AND LL.M./J.S.D. EDITORS-IN-CHIEF**

- ✎ Subject to the powers of the Executive Committee, the Editors-in-Chief shall be charged with the responsibility of preparing the IHRLR for publication.
- ✎ The Editors-in-Chief will handle the daily management and operations of the journal, and are responsible for overseeing the production of the journal. The Editors-in-Chief are involved in all phases of the selection and editing process. The Editors-in-Chief work closely with all members of the Executive Committee to ensure the overall quality of the journal.

#### **1. GENERALLY**

- ✎ The Editors-in-Chief are the IHRLR official representative to any outside organization, person, business entity, and candidates for article submission. The Editors-in-Chief will answer directly to the Executive Committee and are responsible for the overall quality and presentation of any IHRLR publication.
- ✎ The J.D. Editor-in-Chief will lead all general membership meetings and possess the “Tie Breaking Vote” at general membership meetings. The J.D. Editor-in-Chief will not possess an actual vote at general membership meetings, and will ensure the agenda set by the Executive Committee, for the general meetings, and goals, set by the Executive Committee, of the Law Review are adhered to.
- ✎ They will be responsible for the content of foot-notes, and articles chosen for publication ensuring that they fulfill the goals, topics, and scope of the law review publications.
- ✎ They will serve as the Primary Quality Control Officers for IHRLR.
- ✎ They will ensure all content of any IHRLR publication remains novel, and pertinent to present day issues.
- ✎ They will ensure all footnotes for the articles are meaningful and add to the overall effect and substance of the IHRLR and the articles featured within.
- ✎ They will ensure the IHRLR produces a quality, academically distinctive work product, and guide future publications of the IHRLR

toward meaningful human rights issues, which will impact the field of human rights.

- ✍ All articles requesting publication shall be submitted to the Executive Committee by the J.D. and LL.M./J.S.D. Editors-in-Chief for review and selection. Each article will include a written synopsis of the content and the EICs will present an opinion on each submitted article regarding the writer's credentials and the academic quality of each article.

## **2. ELECTION AND ELIGIBILITY**

- ✎ The position of the J.D. Editor-in-Chief will be elected by the general membership by popular vote. The general membership shall vote for 1 of 3 candidates submitted by the “Elections Committee.” The Elections Committee shall consist of the outgoing Editor-in-Chief, the outgoing LL.M./J.S.D. Editor-in-Chief, and the Faculty Advisors.
- ✎ The Elections Committee will choose from a list of five (5) qualified nominees, presented to them by the Executive Committee. Each name shall be accompanied by their corresponding file compiled by the Managing Editor and Executive Editors.
- ✎ The Executive Committee shall choose a list of five names based upon the members that meet the requirements set forth in the organizations by-laws and information in their files.
- ✎ Anyone under consideration for the position shall be excluded from all proceedings regarding the selection process.
- ✎ The LL.M./J.S.D. Editor-in-Chief will be appointed by the Faculty Advisors, i.e. the Directors of the LL.M./J.S.D. Program in Intercultural Human Rights. Potential applicants will submit a formal application for consideration to the Faculty Advisors. This application shall consist of a resume, and an outlined one (1) year plan that declares, defines, and clarifies their vision for the year, what topics they want to cover, and a statement of what they wish to accomplish.
- ✎ These applicants will, at the discretion of the Faculty Advisors, be screened for qualification and reduced to the three top candidates, and then be presented to the current Executive Committee for a formal interview process. After the interview, the Executive committee shall present to the Faculty Advisors their impressions of each candidate and formally recommend one for the position.
- ✎ Based upon the input of the Executive Committee, the Applications, and the individual’s qualifications the Faculty Advisors shall then appoint of the qualified applicant to the Executive Committee of the IHRLR.

## **3. POWERS AND DUTIES**

- ✎ Subject to the powers of the Executive Committee, the Editors-in- Chief will have the following powers and responsibilities.

- ✎ To serve as liaison to the faculty and the administration of the law school;
- ✎ To call and preside over meeting of the General Membership;
- ✎ To meet at regular intervals with the Faculty Advisors on any and all matters The Editors-in-Chief, or the Executive Committee deem necessary;
- ✎ To supervise and assign duties, as necessary, to the Managing Editor, and Executive Editors.
- ✎ To set deadlines and delegate assignments, in the absence of a regular meeting of the Executive Committee, for the Managing Editor and Executive Editors.
- ✎ To record and maintain the minutes of the Executive Committee meetings.
- ✎ To serve on the Elections Committee in accordance with this constitution.
- ✎ To oversee the substantive edit of all articles, essays and book reviews;
- ✎ To maintain communication with all authors selected for publication;
- ✎ To supervise and assign deadlines and duties to all the Executive Editors working on all articles chosen for publication, essays and book reviews.
- ✎ To supervise the focus and direction of IHRLR by ensuring that all articles, notes and comments, and topics are novel and important in the field of human rights.
- ✎ To ensuring the content of footnotes, and articles chosen for publication meet the goals and scope of the law review.
- ✎ To serve as the Primary Quality Control Officer for the St. Thomas IHRLR.
- ✎ To ensure all footnotes for the articles are meaningful and add to the overall effect and substance of the IHRLR and the articles featured within.
- ✎ To ensure the IHRLR produces a quality, academically distinctive, work product, and guide future publications of the IHRLR toward meaningful human rights issues, which will impact the field of human rights, and distinguish future publications of the law review.
- ✎ To screen and submit, to the Executive Committee, all articles submitted for publication by LL.M. or J.S.D. students.
- ✎ To read and present, to the Executive Committee, these articles and proffer an opinion regarding the writers qualifications and the articles quality.
- ✎ Sits as a voting member of the Executive Committee.

- ✎ To research prospective topics for articles, essays, book reviews and symposiums.
- ✎ To perform any and all other duties prescribed by the Executive Committee.

## **B. THE MANAGING EDITOR**

- ✎ The Managing Editor is the staff manager for the journal; responsibilities include room reservations, corresponding with staff members, and maintaining staff lists.

### **1. GENERALLY**

- ✎ This Managing Editor will answer directly to the Editor-in- Chief and the Executive Committee. The Managing Editor will be responsible for overseeing the acquisition of Articles for publication in the IHRLR
- ✎ The Managing Editor will be responsible for overseeing the organization of symposiums and all logistics involved with the planning, presentation, and participation. The Managing Editor will solicit articles from speakers at the symposiums.
- ✎ The Managing Editor will be responsible for the day to day management of the IHRLR, and will keep, in trust, all financial and business records of the IHRLR. The Managing Editor will report the status of the Law Review’s financial and business affairs monthly at the meeting of the Executive Committee.
- ✎ The Managing Editor will run all Executive Committee meetings as well as set the agenda for the Executive Committee meetings, with prior approval from the Editors-in-Chief. The Managing Editor will assume the duties of the J.D. Editor-in- Chief should the person holding the position of Editor-in-Chief become unable to do so, and will assume the responsibility for the publication of the IHRLR under these circumstances.

### **2. ELECTION**

- ✎ The position of Managing Editor will be elected by the general membership by popular vote. The general membership shall vote for 1 of 3 candidates submitted by the “Elections Committee.”



- ✎ The Elections Committee shall consist of the outgoing Editor-in-Chief, the outgoing LL.M. Editor-in-Chief, and the Faculty Advisors.
- ✎ The Elections Committee will choose from a list of five (5) qualified nominees, presented to them by the Executive Committee.)
- ✎ The Executive Committee shall choose a list of five names based upon the members that meet the requirements set forth in the organizations by-laws and information in their files.
- ✎ Anyone under consideration for the position shall be excluded from all proceedings regarding the selection process.

### 3. POWERS AND DUTIES

- ✎ Subject to the powers of the Editors-in-Chief and the Executive Committee, the Managing Editor shall have the following powers and duties:
  - ✎ To oversee all business and financial affairs of the IHRLR including, but not limited to, maintaining accurate financial records, preparing the annual budget, and registering copyrights as needed;
  - ✎ To supervise the Article/Symposium Manager by maintaining work files which reflect the progress, quality, and quantity of the work produced, and by overseeing assignment deadlines;
  - ✎ To solicit subscribers and advertisers;
  - ✎ To record and maintain the minutes of the General Membership meetings.
  - ✎ To act in place of the Editor-in-Chief, should the latter be unable to perform the duties of the office;
  - ✎ To perform all other duties prescribed by the Executive Committee, and Editor-in-Chief.
  - ✎ To serve on the Board Editing Committee in accordance with this constitution.
  - ✎ To coordinate the activities of the Executive Committee and cast the “tie breaking” vote should such a need arise.
  - ✎ To organize symposiums and all logistics involved with the planning, presentation, and participation.
  - ✎ To solicit articles from speakers at the symposiums.
  - ✎ To manage the day to day affairs of the IHRLR.
  - ✎ To report the status of the Law Review’s financial and business affairs monthly at the meeting of the Executive Committee.
  - ✎ Impose strikes and demerits on any member who does not comply with rules set out in this Constitution.

## **C. The JD AND LL.M/J.S.D. EXECUTIVE EDITORS**

- ✎ The Executive Editors lead the sub-cite trainings, and supervise all other editors for each article. The Executive Editors ensures consistency and accuracy of sources across articles, and resolves difficult style or formatting issues. The Executive Editors are the office managers for the journal. The Executive Editor works with the Managing Editor to maintain a budget replenish office supplies.

### **1. DESCRIPTION**

- ✎ The Executive Editors will answer directly to the Editors-in-Chief and the Executive Committee. The Executive Editor will ensure The IHRLR is formatted to fulfill the configuration standards of the publishing company and the printer.
- ✎ The Executive Editors will be responsible for the conversion of all relevant documents to conform to the above standards, and will delegate, in conjunction with all other Executive Editors and under the direction of the Editors-in-Chief and Executive Committee, all duties, responsibilities, and deadlines, as deemed necessary to any and all Editors, Sourcers, Footnoters, and candidates.
- ✎ The Executive Editors will work with the Managing Editor in all aspects of planning, coordination, and logistics, of and concerning symposiums and the daily business affairs of The IHRLR, and will answer to the Executive Committee, in the absence of the Managing Editor, for all aspects of the Managing Editor position,
- ✎ One designated Executive Editor will assume all duties of the Managing Editor in the event the person holding the position of the Managing Editor becomes unable to perform those duties.
- ✎ The Executive Editors will assist in the acquisition of articles and delegate all duties and responsibilities of sourcers, footnoters, to ensure all deadlines for publication and quality are fulfilled, shall sit as a permanent member of the Board Editing Committee.

- ✎ The Executive Editors will, consistent with the decisions of the Executive Committee, establish clear guidelines, duties, deadlines, and goals for each committee, person, or team. The Executive Editors will meet with Lead Editors biweekly and re-evaluate goals, guidelines, deadlines, and assess the quality of the work produced by the Lead Editors team or committee. The re-evaluation shall be consistent with and reflective of the views of the Executive Committee and the J.D. and LL.M./J.S.D. Editors-in-Chief.

## **2. ELECTION AND ELIGIBILITY**

- ✎ The out going Executive Committee and newly elected officers will, after a thorough review of the IHRLR personnel files, appoint a qualified, and returning, member of the IHRLR to the positions.

## **3. POWERS AND DUTIES**

- ✎ Subject to the powers of the Editors-in-Chief, and the Executive Committee, the Executive Editors shall have the following powers and duties.
  - ✎ To oversee and conduct the recruitment of and selection of Members in accordance with the provisions of this Constitution.
  - ✎ To ensure the IHRLR is formatted to fulfill the configuration standards of the publishing company and the printer.
  - ✎ To convert all relevant documents to conform to the above standards, and to delegate, in conjunction with all other Executive Editors and under the direction of the Editors-in- Chief and the Executive Committee, all duties, responsibilities, and deadlines, as deemed necessary to any and all Editors, Sourcers, Footnoters, and Candidates.
  - ✎ To assist the Managing Editor in all aspects of planning, coordination, and logistics, of and concerning symposiums and the daily business affairs of the IHRLR.
  - ✎ To answer to the Executive Committee, in the absence of the Managing Editor, for all aspects of the Managing Editor position.
  - ✎ To assume all duties of the Managing Editor in the event the person holding the position of the Managing Editor becomes unable to perform these duties.
  - ✎ To assist in the acquisition of articles and delegate all duties and responsibilities of sourcers, footnoters, Staff Editors, to ensure all deadlines for publication and quality are fulfilled

- ✎ To sit as voting members of the Executive Committee.
- ✎ To sit as a permanent member of the Board Editing Committee.
- ✎ To ensure, with other Executive Editors, the quality and accurate appearance of each publication after the substantive edit is complete, which includes responsibility for correct and consistent grammar, correct citation form and the preparation of Miscellaneous pages such as the table of contents, the cover, the masthead and faculty pages.
- ✎ To supervise the general members.
- ✎ To move every article, essay, book review and note from manuscript form to print.
- ✎ To interface with the publisher and maintain records of the manuscripts and the corrections sent to the publisher.
- ✎ To perform any and all other duties prescribed by the Executive Committee and the Editors-in-Chief.
- ✎ To supervise the Editors and Members, assigned to the substantive editing process and assign all duties and deadlines deemed necessary to the effective and quality completion of this task.
- ✎ To supervise each Member by maintaining Personnel Files which reflect the progress, quality, quantity of work, overall contribution, and other distinguishing works and efforts preformed by a Member or Member-Candidate.
- ✎ To remain informed with all works regarding the duties and responsibilities of the Managing Editor, and, should the Managing Editor become unable to fulfill the requirements of the position, sit as temporary Managing Editor until such time as a replacement may be appointed in accordance with the articles and sections of this constitution.
- ✎ To meet with Lead Editors regularly and re-evaluate goals, guidelines, deadlines, and assess the quality of the work produced by the Lead Editors team or committee.
- ✎ To sit as a voting member of the Executive Committee.
- ✎ To sit as a permanent member of the Board Editing Committee.
- ✎ To research prospective topics for articles, essays, book reviews and symposiums.
- ✎ To sit as a voting members of the Executive Committee.
- ✎ To sit as permanent members and designate one Executive Editor as Vice-Chair of the Board Editing Committee.
- ✎ To approve all topics for Members fulfilling their writing requirement and ensure that all writing submitted to fulfill this requirement conform to the provisions of this constitution
- ✎ To perform any and all other duties prescribed by the Executive Committee and the Editors-in-Chief.

## **D. THE STUDENT ARTICLES EDITOR**

The Student Articles Editor is the staff editor who is responsible for coordinating the write-on process, ensuring compliance with the writing requirement among members and member candidates, and will assist the other executive board members where needed.

### **1. GENERALLY**

- ✎ This Student Articles Editor will answer directly to the Editor-in-Chief and the Executive Committee. The Student Articles Editor will be responsible for overseeing the write-on process in order to acquire new members to the IHRLR.
- ✎ The Student Articles Editor will be responsible for overseeing the organization of mentors to be used in the write-on process, set dates for completion of objectives within the write-on process, and, in cases of extreme need, compel members to serve as mentors with the advice and counsel of the J.D. Editor-in-Chief.
- ✎ The Student Articles Editor will ensure timely review and return of all member candidate submissions during the write on process, and provide useful feedback which will serve to better help member candidates fulfill the obligations of the writing requirement.
- ✎ The Student Articles Editor will mentor members' articles for publication, by providing advice and feedback where requested.

### **2. ELECTION**

- ✎ The position of Student Articles Editor will be elected by the general membership by popular vote. The general membership shall vote for 1 of 3 candidates submitted by the "Elections Committee."
- ✎ The position of Student Articles Editor will be chosen for administrative and writing acumen, preferably as one who has stood out as a mentor in past write-on competitions.
- ✎ The Elections Committee shall consist of the outgoing J.D. Editor-in-Chief, the outgoing LL.M./J.S.D. Editor-in-chief, and the Faculty Advisors.

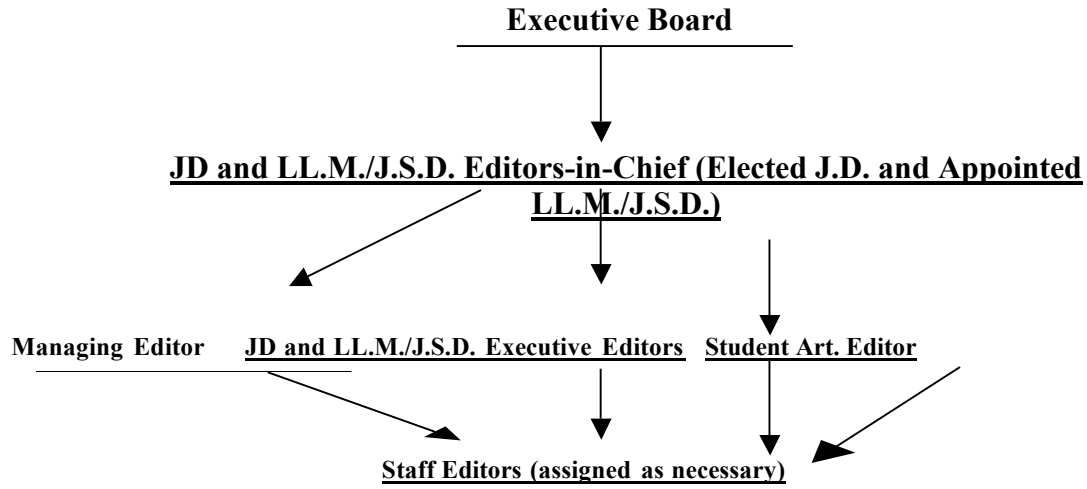
- ✎ The Elections Committee will choose from a list of five (5) qualified nominees, presented to them by the Executive Committee. Each name shall be accompanied by their corresponding file compiled by the Managing Editor.
- ✎ The Executive Committee shall choose a list of five names based upon the members that meet the requirements set forth in the organizations by-laws and information in their files.
- ✎ Anyone under consideration for the position shall be excluded from all proceedings regarding the selection process.

### **3. POWERS AND DUTIES**

- ✎ Subject to the powers of the Editors-in-Chief and the Executive Committee, the Student Articles Editor shall have the following powers and duties:
  - ✎ To oversee all areas related to the write-on process with the advice and counsel of the J.D. Editor-in-Chief;
  - ✎ To assist in the acquisition of articles;
  - ✎ To solicit member candidates;
  - ✎ To perform all other duties prescribed by the Executive Committee, and Editor-in-Chief as a voting member of the executive board.
  - ✎ To serve on the Board Editing Committee in accordance with this constitution.
  - ✎ To coordinate the activities of the Executive Committee when selecting member candidates for admission.
  - ✎ To perform all functions both necessary and proper in the fulfillment of the Writing Requirement section of Article VI, and the write-on process, as determined by the J.D. Editor-in-Chief.

**ARTICLE III: MANAGING STRUCTURE:**

THE MANAGING STRUCTURE OF THE IHRLR WILL APPEAR AS FOLLOWS.



## ARTICLE IV: STAFF EDITORS

Staff Editors will be selected by the Executive Editors. Responsibilities include, but are not limited to:

- ✎ Develops short list of potential authors and works with the Articles and Symposium Editor to solicit timely and topical pieces. Manages solicitations process, including communication with authors. Oversees student note solicitation process. Develops contacts with the human rights community.
- ✎ Oversees one article and resolves any problems that may arise. S/he completes a substantive edit of the article, negotiates revisions with the author, and generally serves as the author's primary contact person at the journal. Executive Editors also supervise staff editors as they complete their line edit of the article and coordinate the mass sub-cite.
- ✎ Are responsible for one-third to one-half of the footnotes in an article and also line-edit their portion of the article.
- ✎ Manage sources for articles, including retrieving them from area libraries for the mass sub-cite and resolving technical issues. Oversee the Bluebook and formatting aspects of article editing. Help organize sub-cite trainings at the beginning of the year.



## ARTICLE V: REMOVAL AND REPLACEMENT OF OFFICERS

### **I. REMOVAL**

- ✍ The Executive Committee, upon a majority vote of the eight (8) voting members of the Executive Committee, may remove a Managing or Senior Editor from office for failure to fulfill the officers duties described in section labeled “Executive Officers Duties Responsibilities and Authority.

### **II. REPLACEMENT OF RELIEVED OR REMOVED EXECUTIVE BOARD MEMBERS**

- ✍ If the Editors-in-Chiefs or the Managing editor are removed or relived, the Executive Committee will restart the Elections process as described in the section labeled “Elections.”
- ✍ In the Interim, the Managing Editor and LL.M./J.S.D. Executive Editor (in the case of the LL.M./J.S.D. Editor-in-Chief), will serve as acting Editor-in-Chief until such time as a replacement is Qualified, Nominated, and Certified as described in the sections labeled “Qualification”, “Nomination”, and “Certification” above. The Elections process should not last longer than (2) weeks under these describe circumstances.
- ✍ If the LL.M./J.S.D. Editor-in-Chief is removed or relieved, the Executive Committee will notify the Faculty Advisors and request a new candidate be submitted in the manner described above in section labeled “Appointment of Non-elected Officers.”
- ✍ If the Executive Editors or Articles Procurement Editor is relieved or removed, the Executive Committee shall begin the replacement process in the same manner as described above in the section labeled “Appointment of Non-Elected Officers.

## **ARTICLE VI: AMENDMENTS AND RECORDS**

- ✎ Amendments to this Constitution may be proposed by the recommendation of the Editor-in-Chiefs; and with a majority, vote of the Executive Committee; or by a written petition signed by a majority of the Members of The IHRLR.
- ✎ Notice of a proposed amendment shall be given to all Members at least three (3) business days prior to any special or general meeting at which a vote will be taken on the amendment.
- ✎ Amendments must be voted on by two-thirds (2/3) of the total membership. A proposed amendment shall pass upon a (2/3) vote of those present and those voting by written proxy. They must be approved by the Faculty Advisors.
- ✎ All members of the Executive Committee shall maintain record (electronic copy) of the constitution and any amendments to it.

## Article VII: Disciplinary Procedures

✎ This procedure is required reading for all members of The IHRLR

### **I. APPLICABILITY:**

✎ The requirements of this procedure will apply to all members of the IHRLR. Any member of the Executive Committee may initiate the processes described by this procedure against the general membership or Executive Committee member for good cause only.

### **II. DEFINITIONS**

#### **A. GOOD CAUSE**

1. Repeated substandard performance on assigned projects;
2. Refusal to accept work assignment without a compelling reason;
3. Failure to meet any writing requirement due date;
4. Failure to attend required law review activities without a viable, pre-approved excuse;
5. Misuse of law review equipment or supplies;
6. Deliberately malicious action against member, property or work product of the IHRLR; or
7. Any other activity or conduct which, in the reasoned judgment of the Executive Committee member, requires disciplinary action.

#### **B. DISCIPLINARY PROCESS**

The Disciplinary Process is defined through strikes and demerits.

✎ The Managing Editor will impose demerits first on members who do not comply with the Constitution. Two demerits equal one strike. Three strikes equate to dismissal from IHRLR.

The Disciplinary Process will take place following these three (3) steps:

1. Step One:
  - ✎ For initial problems of a mild to moderate nature the Executive Editor shall have the authority to take appropriate authoritative measures.
  - ✎ The measures taken may include, but are not limited to:
    - Additional work hours
    - Re-doing work.

✎ This authority does not include removal from secondary position.

2. Step Two:

✎ In the event that initial disciplinary measures are ineffective, the following secondary process shall take effect:

✎ A meeting of the Disciplinary Committee shall be called.

○ This committee shall exist of all Three (3) Executive Editors.

○ At the onset of this meeting, the three (3) Executive Editors shall choose one Executive Editor to sit as head of this Committee meeting.

• This Committee shall meet with all parties in interest to the issue in question.

• The Committee will attempt to identify, and resolve the issue before them.

• The Committee will have the authority and discretion to take any action it collectively deems necessary to resolve this issue.

• This Committee will not have the authority to revoke an individual's membership in the organization.

✎ The Managing Editor then may issue a strike against a member after a hearing with the Executive Committee

3. Step Three:

✎ Any member of the IHRLR who engages in any act that a member considers sufficiently serious such as; failure to complete an assignment, refusal to perform, deliberately malicious act, and plagiarism may be subject to an Executive Committee hearing. After the subject person receives notification of the hearing and the committee determines that the act was improper, an oral warning will be given to the member, and the Executive Committee shall, with the advice of the Faculty Advisors, take corrective actions to address the deficiencies.

✎ If the corrective actions taken in steps one (1) and two (2) are not completed or the corrective actions fail to address the deficiencies prompting the disciplinary action, the Executive Committee and faculty advisor shall schedule a second meeting with the subject person. The purpose of this meeting is to review the deficiencies prompting the disciplinary action with the subject person, counsel the subject person on areas in need of improvement, and develop corrective actions with due dates to address the deficiencies. If these corrective measures fail, the Executive Committee and the Faculty Advisors have the discretion to remove the subject person.

## ARTICLE VIII: THE ARTICLE SELECTION PROCESS

### **I. SELECTION OF ARTICLES, COMMENTS, AND STUDENT NOTES:**

- ✍ The Executive Committee shall review and select articles for each publication. The Executive Committee will then determine which authors will be extended offers to publish by majority vote, subject to approval by the Faculty Advisors.
  
- ✍ In the case of student notes and comments, the Editors-in-Chief and Executive Editors will be responsible for reading and selecting which ones will be published, subject to approval by the Faculty Advisors.

### **II. PUBLICATION:**

- ✍ The IHRLR will publish at least one (1) publication each academic year.
  
- ✍ It is the intention of the IHRLR to publish at least (1) each academic year. But it may not be limited to one (1).
  
- ✍ All authors shall be required to sign a contract granting an exclusive copyright to the IHRLR. However, the copyright may be modified or waived at the discretion of the Executive Committee or the Faculty Advisors.

## ARTICLE IX: WORK HOURS AND ACADEMIC CREDIT

### **I. WORK HOURS:**

- ✎ A member may earn work hour credit for:
  1. Attending a general board or executive board meeting, but may not earn more than one work hour per meeting.
  2. Attending a St. Thomas IHRLR organized social event, but may not earn more than one work hour per event.
  3. Assisting an Executive Board member in the completion of their duties. The Executive Committee member shall award the appropriate number of work hours based on the actual number of hours worked.

### **II. ACADEMIC CREDITS:**

- ✎ A member may earn academic credits, one (1) per semester based on faculty requirements.
- ✎ Executive Board members may earn academic credits, two (2) per semester based on faculty requirements.

### **III. FISCAL OPERATIONS:**

- ✎ The IHRLR shall make expenditures only from authorized sources, including but not limited to:
  - ✎ The Law School;
  - ✎ Transfers from colleges and research centers;
  - ✎ Private donations;
  - ✎ Subscription fees; and
  - ✎ Membership dues
- ✎ The Managing Editor shall prepare a budget each semester and the Executive
- ✎ Committee shall then approve or reject the budget.
- ✎ If rejected, the Managing Editor will revise the budget until approved by the Executive Committee.