

LAW'S GREATEST INFLUENCE: THE LAW REVIEW PROCESS

Sonali R. Kolhatkar*

First-year law students are indoctrinated with the importance of doing well. The reward for high grades during one's first year of law school is a coveted spot on the law review. However, a new trend in law schools is becoming a member of a specialty law journal. Specialty law journals cater to practitioners, lawyers, and legal scholars within a particular area of the law. The specialty journal is becoming a new forum in which lawyers voice their opinions on how law should be made.

However, whether you are a member of a specialty law journal or a law review, the process involves the following four important steps: peer review, editing, mentoring other students, and selecting and soliciting articles. Although some law reviews require each student to attend a special class before becoming a member, most schools do not require such a class. Thus, students are required to learn editing skills on their own.

Incoming editors often misjudge the importance of peer review and the editing of a legal scholar's work. Neophyte editors are required to edit professional lawyers' articles, or even their own professors' articles, without any guidance. This task is very difficult for any new editor.

Editing, whether it is a peer's or a practitioner's paper, must be taught to incoming editors. One of the best ways for a law review to teach editing is by using a style manual. A style manual assists authors and editors in determining how to write or edit an article. The manual serves as a guideline for an editor by giving structure to the editing process. The manual also helps to create continuity between boards. Because all editors can follow the same guidelines, if an author is working with one board, the next board will not need

* © Sonali R. Kolhatkar, 2000. All rights reserved. J.D., John Marshall School of Law, 2000. Ms. Kolhatkar served as the production editor of *The John Marshall Journal of Computer & Information Law* from 1999 to 2000. The duties of a production editor include editing articles for publication and assisting authors in researching and writing articles for publication.

The Author would like to thank her editor in chief, Bradley A. Ullrick, for selecting her to attend the National Conference of Law Reviews 2000. The Author also would like to thank her parents for patiently supporting her legal career and Professor Kevin Hopkins for his guidance and mentoring through law school.

to change any of the former edits. A style manual also will prevent inconsistent editing based on subjective opinion. The style manual will become the “last word” on how to edit the article. In addition to assisting editors with articles, the manual also will create continuity among editors when editing a peer’s paper. Editors not only edit and cite-check articles for publication, but also assist members in writing articles for the law review.

In editing a peer’s paper, editors often give conflicting advice. A style manual will help to create evenhanded editing of student papers. Members also may use the manual as a guide when writing their papers, thus improving the quality of student submissions. Moreover, the style manual will assist the production editor¹ or managing editor in editing the final product. Often, the production editor is responsible for the presentation of the entire volume. The responsibility of a smooth transition from one volume to the next typically falls upon the production editor. However, a style manual will allow authors and editors to take part of the burden off the production editor, because the form of the law review will be dictated by the style manual before the production editor makes the final edits.

Law reviews and journals are notorious for their annual board transitions. Most law reviews allow a student to be an editor for only one year. After one year, new editors are elected and thus ideas and skill levels change. Consequently, there must be some method by which the law review or journal can maintain its continuity. This continuity can be achieved through training. Outgoing board members must be willing to train new editors in the law review process. Many schools publish issues during the summer months, and training new editors can begin as soon as the new editors have been selected. The John Marshall Law School has the advantage of selecting editors on the *Journal of Computer & Information Law* in both the fall and spring semesters. This selection process helps to bring continuity, because editors are members of both an outgoing board and an incoming board. These editors are the best resource to help assimilate other editors into the law review process.

Unfortunately, many law reviews and journals do not have this process. Thus, the best method for continuity is training. Outgoing editors can train incoming editors through workshops. The editors can host production, solicitation, symposia, and peer-editing

1. *The John Marshall Journal of Computer & Information Law* has a production editor position rather than a managing editor position.

workshops during the last month of school. During these workshops, new editors are given guidance as to how the law review process works. Workshops create continuity between boards by allowing students to learn from old editors. Thus, the experience will not be as daunting when the students begin their tenure as editors during the summer.

Finally, the selection and publication of articles is the cornerstone of a law review or journal. Practitioners, judges, and law professors write articles for law reviews and journals. New editors are forced to solicit articles without any prior training. Sometimes authors do not meet deadlines or articles are ultimately rejected, thus leaving a journal without sufficient articles to meet its deadlines. Therefore, many law reviews and journals are not published on time. The *Journal of Computer & Information Law* is fortunate that it is located in Chicago, because it can use the United States Court of Appeals for the Seventh Circuit to solicit lawyers to present briefs to publish in the journal.² Student editors rely on past boards in selecting articles to publish. Old boards must maintain records about authors to assist future boards in determining the selection of authors. Determining “hot topics” in the law and current cases is an excellent way to prepare for solicitation.³ Law reviews rely on their lead articles to attract readers and subscribers. Thus, if files are created on authors and topics, future boards will have a starting point in determining symposia or finding lead articles.

The National Conference of Law Reviews (NCLR) is an excellent forum in which law review and specialty journal members have an opportunity to attend workshops and learn new techniques to create a better publication than they had in the past. The NCLR is another way in which incoming and outgoing boards develop continuity. Outgoing editors can share their experiences while learning about new techniques at the conference. Incoming editors can learn new methods to share with the outgoing board and determine new methods to implement as new board members. Thus, the conference provides valuable information for maintaining a high standard of excellence.

2. For example, a law review can ask an attorney to give his or her brief to the journal for publication. It would have been fascinating to see the brief for the Microsoft defense or for the unsuccessful party in the *Miranda* case.

3. Terri LeClercq, *The Nuts and Bolts of Article Criteria and Selection*, 30 *Stetson L. Rev.* 437, 440 (2000).

Law reviews are very important. They educate student editors and serve as fora for authors, practitioners, and courts to learn about different areas of the law. United States Supreme Court Chief Justice Earl Warren aptly stated that “[law reviews] have long served an invaluable function in the development of our jurisprudence.”⁴

4. Earl Warren, *Introduction*, 1 *Creighton L. Rev.* 7, 8 (1968).