Appendix
Course Descriptions

6450 CONTRACT DRAFTING

This course explores the key practices of contract drafting and the connection between the business transaction and the contract. Students will learn the skills of good drafting, such as understanding the business transaction, knowing how to use contract concepts to accurately reflect the parties’ deal, how to draft and recognize nuances in language that change the deal, and how to discern and resolve business issues. The course also addresses the ethical issues in contract drafting. Instruction includes drafting exercises and simulations.

3 credits

6718 DOMESTIC VIOLENCE WORKSHOP

Domestic violence is a societal problem of epidemic proportions. This course will explore domestic violence issues in various areas of the law. Students will produce a domestic violence manual for a particular community, conduct a presentation on domestic violence before a group or organization, and write a paper on a selected domestic violence topic. The course will provide students with the opportunity to prepare memoranda, motions, and protection orders. Students will observe domestic violence hearings. Relevant Florida Statutes will be used in the course.

3 credits

6388 INTERVIEWING, COUNSELING AND NEGOTIATION

This course studies theories and skills involved in interviewing, counseling and negotiating. Student performances in role plays and simulations will be a primary means of instruction.

2 credits

6751 LAW OFFICE MANAGEMENT

An introduction to management of a law practice. This course will develop concepts related to four areas – business management, practice management, client management and life management. In the area of business management, students will be exposed to business start-up considerations, including choice of entity, financing, bookkeeping and trust accounting. In the area of practice management, the students will cover administrative and substantive systems, including conflicts of interest, docket management, form files and employee management. In client management, the students will be exposed to issues related to client acceptance, declination, disengagement, client satisfaction and malpractice to name a few. Quality management rounds out the course with quality-of-life issues such as succession planning, contingency arrangements, substance abuse and maintaining a balance in life.

2 credits
5312 MEDIATION THEORY AND PRACTICE

This course presents a summary overview of alternative dispute resolution (ADR) processes, focusing on the facilitative model of mediation. The fundamentals of the facilitative mediation model are explored to gain an understanding of the primary causes for conflict, the fuel that keeps conflict going, and the methods to resolve conflict through the use of collaborative problem solving and principled negotiation. It is a skills development course that emphasizes the importance of the mediator’s empowerment of the parties to help them resolve their dispute through more effective communication. Because of a strong emphasis on the nuances of communication, the skills developed in more precise and effective communication are generally very helpful in human interaction.

Students will gain an understanding of the mediation process and through participation in role plays will be able to experience the significance of the empowerment of the parties in the resolution of their own disputes.

3 credits

6361 PRETRIAL PRACTICE WORKSHOP

This course covers every aspect of pretrial preparation of a civil or criminal case. The focus of the course focus varies by semester. When the course covers civil pretrial practice, students proceed from initial client interview through formulating client representational strategy, developing a theory of the case, drafting pleadings, fact investigation, discovery and disclosure (depositions, issues, requests for production), motion practice, settlement conferences and negotiations, and final pre-trial preparation. When the course covers criminal pretrial practice, students proceed from initial client interview through formulating client representational strategy, developing a theory of the case, drafting motions, fact investigation, discovery and disclosure (depositions), Motions to Suppress, Arthur Hearings, Richardson Hearings and Motions in Limine.

This course also covers professionalism issues that arise in pretrial practice.

Prerequisite: Evidence.

3 credits

6363 TRIAL PRACTICE

A series of classes and simulations devoted to the study of trial techniques, followed by the preparation and trial of a mock trial.

Prerequisite: Evidence.

3 credits
6367 ADVANCED TRIAL PRACTICE: CRIMINAL LITIGATION

This advanced trial practice seminar will provide instruction on advanced technique in criminal litigation. Students will learn these techniques through a mixture of lecture, class discussion, and practical exercises. Students will also have the opportunity to perform as a prosecuting or defense attorney in a criminal mock trial.
The Florida Board of Bar Examiners, through its Chair, the Honorable Gail E. Sasnett of Gainesville, Florida, has announced that the grades from the February 2013 General Bar Examination have been approved for release by the Supreme Court of Florida.

On February 26-27, 2013, 1,587 applicants took the Bar Examination in Tampa, Florida. The Supreme Court posted the pass/fail results for each applicant on its website and score reports were mailed to each applicant today.

The Court approved 632 candidates for admission to The Florida Bar on April 15, 2013, and Chief Justice Ricky Polston has announced that they may be sworn in as members of The Florida Bar. Formal induction ceremonies to swear in the new attorneys will be held at the First, Second, Third, Fourth, and Fifth District Courts of Appeal on Monday, May 6, 2013.

Statistics for the February 2013 General Bar Examination are attached.
The Supreme Court of Florida has released the following bar examination statistical information developed by the Florida Board of Bar Examiners. These results apply to the February 2013 General Bar Examination administered on February 26-27, 2013 in Tampa, Florida. This datum applies to only those persons sitting for both Parts A and B of the examination for the first time.

<table>
<thead>
<tr>
<th>Institution</th>
<th>Number Taking</th>
<th>Number Passing</th>
<th>Percent Passing</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Miami School of Law</td>
<td>66</td>
<td>57</td>
<td>86.4</td>
</tr>
<tr>
<td>University of Florida College of Law</td>
<td>22</td>
<td>16</td>
<td>72.7</td>
</tr>
<tr>
<td>Stetson University College of Law</td>
<td>49</td>
<td>46</td>
<td>93.9</td>
</tr>
<tr>
<td>Florida State University College of Law</td>
<td>25</td>
<td>24</td>
<td>96.0</td>
</tr>
<tr>
<td>Nova Southeastern University College of Law</td>
<td>47</td>
<td>35</td>
<td>74.5</td>
</tr>
<tr>
<td>St. Thomas University College of Law</td>
<td>54</td>
<td>35</td>
<td>64.8</td>
</tr>
<tr>
<td>Florida Coastal School of Law</td>
<td>58</td>
<td>46</td>
<td>79.3</td>
</tr>
<tr>
<td>Barry University School of Law</td>
<td>41</td>
<td>38</td>
<td>92.7</td>
</tr>
<tr>
<td>Florida A&amp;M University College of Law</td>
<td>23</td>
<td>19</td>
<td>82.6</td>
</tr>
<tr>
<td>Florida International University College of Law</td>
<td>36</td>
<td>33</td>
<td>91.7</td>
</tr>
<tr>
<td>Ave Maria School of Law</td>
<td>10</td>
<td>5</td>
<td>50.0</td>
</tr>
<tr>
<td>non-Florida law schools</td>
<td>388</td>
<td>303</td>
<td>78.1</td>
</tr>
<tr>
<td>Totals</td>
<td>819</td>
<td>657</td>
<td>80.2</td>
</tr>
</tbody>
</table>

The Florida Bar Examination consists of the following:
- General Bar Examination (Part A and Part B)
- Multistate Professional Responsibility Examination

Notice: The enclosed results reflect the performance of individuals on the February 2013 General Bar Examination. These statistical data do not represent an evaluation of the listed law schools.
Analysis of First-Attempt Bar Passage: FAMU College of Law

The OIR used a logistic regression model to estimate the odds of first try bar passage for graduates who first enrolled at the Florida A&M University College of Law during the Fall 2007 and Fall 2008 semesters. The model’s dependent variable was measured by whether or not each graduate passed the Bar on their first attempt, and was coded “1” if they did, and “0” if they did not. A limited number of predictors were used in the model including:

1. Undergraduate grade point average (Under 3.0, 3.0 – 3.49, and 3.5 or higher);
2. Number of probations experienced (0, 1, 2 or more); and
3. LSAT score.

The model also included controls for gender and race. Model results are presented and discussed in more detail below.

Logistic Model Results

| Pass First Attempt | Odds Ratio | Std. Err. | z   | P>|z| | [95% Conf. Interval] |
|--------------------|------------|-----------|-----|-----|---------------------|
| LSAT 144 to 149    | 1.04458    | 0.35577   | 0.130 | 0.898 | 0.53584 | 2.03632 |
| LSAT 149 or over   | 3.22349    | 1.58141   | 2.390 | 0.017 | 1.23236 | 8.43174 |
| GPA 3.0 - 3.49     | 0.73164    | 0.30503   | -0.750 | 0.454 | 0.32316 | 1.65642 |
| GPA Under 3.0      | 0.34968    | 0.15317   | -2.400 | 0.016 | 0.14819 | 0.82511 |
| 1 Probation        | 0.27878    | 0.10312   | -3.450 | 0.001 | 0.13502 | 0.57562 |
| 2+ Probations      | 0.25250    | 0.14573   | -2.380 | 0.017 | 0.08147 | 0.78258 |
| Female             | 0.60439    | 0.17941   | -1.700 | 0.090 | 0.33779 | 1.08140 |
| White              | 0.85516    | 0.29194   | -0.460 | 0.647 | 0.43799 | 1.66968 |
| Other              | 1.13740    | 0.44110   | 0.330 | 0.740 | 0.53187 | 2.43232 |

Note: Analysis excludes 7 students for whom no undergraduate GPA is reported.

LSAT Score

LSAT score appears to be an important predictor of first-attempt Bar passage for graduates in the study sample. For the purpose of the analysis, LSAT scores for graduates were divided into the following three ranges: 1) 143 or less; 2) 144 to 149; and 3) 150 or greater. LSAT scores in the lowest range served as the basis for comparison in the model. Controlling for other factors, when compared to graduates with LSAT scores of 143 or less, those with scores ranging from 144 to 149 had slightly higher odds of passing the Bar exam on the first attempt. The effect was not statistically significant. However, for students scoring at or above the 75th percentile (LSAT of 149 or greater), the odds of passing the Bar exam on the first attempt were slightly more than three times greater than those for students in the lowest score range (P < .05).
Undergraduate Grade Point Average

Undergraduate grade point average also appears to be a significant predictor of first-attempt bar passage for students in the sample. When compared to students with undergraduate GPAs of 3.5 or greater, the odds of passing the Bar on the first attempt for students with undergraduate GPAs between 3.0 and 3.49 are lower. The difference is not, however, statistically significant. For FAMU College of Law graduates with undergraduate GPAs lower than 3.0, the odds of passing the Bar on their first attempt are slightly less than a third of the odds those for students with undergraduate GPAs of 3.5 or greater (p < .05). Collectively, these results suggest that students with higher undergraduate GPAs are more likely to pass the bar on their first attempt.

Chart 1 and Chart 2 below provide some context in this area. It is important to note that while a higher percentages of graduates in the Fall 2007 cohort with college GPAs below 2.0 failed the bar on their first attempt, improvements appear to have been made among the same category of students within the Fall 2008 cohort, though the margins between those who passed and those who failed the Bar on their first attempt was narrower than those for students with college GPAs of 3.0 or higher.

Chart 1: First Try Bar Passage Results for FAMU College of Law Graduates: Fall 2007 Cohort

Chart 2: First Try Bar Passage Results for FAMU College of Law Graduates: Fall 2008 Cohort

Probations

To assess the relationship between students’ academic performance while in law and first-attempt Bar passage, we used an indicator measuring whether a student has experienced any episodes of probation during their matriculation. Values for this measure equaled “0” if the graduate experienced no probations during their matriculation, “1” if they experienced only one episode of probation, and “2” if they experienced multiple episodes of probation during their matriculation.

For the study sample, probations appear to be a factor regardless of how many a student experiences. The odds of passing the bar on the first attempt for students who experienced one probation were slightly less than a third as high as those of student who experienced no probations during their matriculation (p < .01). Graduates who experienced two or more probations had even lower odds of passing the Bar on their first attempt (p < .05).

Summary and Discussion

The overall results of this limited logistic regression model suggest that undergraduate GPA, LSAT score, and academic performance while in the law program are all important predictors for the
odds of graduates passing the bar on their first attempt. Overall, students with lower college GPAs, lower LSAT scores, and who experience probations during their matriculation are less likely to pass the bar on the first attempt. The results suggest that the law school may need to limit the number of students admitted with college GPAs below 3.0. Admissions staff may also need to consider higher acceptance thresholds for the LSAT.

Of course, other factors that could not be incorporated into this model due to data and time constraints may also influence first-attempt Bar passage rates. Students’ personal circumstances, instruction and curriculum, and other factors may also be at play. Hence, this analysis should not be treated as a comprehensive assessment of factors contributing to first-time Bar passage, but rather as a preliminary guide post for future consideration in evaluating admissions and student progress.
Supplemental Analysis of Overall Bar Passage: FAMU College of Law
Fall 2007 and Fall 2008 Cohorts

In response to a follow-up request from the FAMU College of Law (College of Law), the OIR conducted a follow-up to its analysis on first-attempt bar passage for graduates of the College of Law who first enrolled during the Fall 2007 and Fall 2008 semesters. This follow-up analysis includes a series of tables which detail overall bar passage by fall cohort and by race. Also included are results from a logistic regression model which estimates the odds of passing the bar at any point using a nearly identical set of predictor variables; however one adjustment has been made.¹

**Overall Bar Passage by Cohort:**

As Table 1 and Table 2 show, approximately half of the students from the Fall 2007 and Fall 2008 cohorts have to date passed the bar exam. The slightly higher percentage for the Fall 2007 cohort is likely attributable to the additional year of bar exam eligibility for those students. The cohorts also have similar failure rates. It is worth noting that non-completers (students never earned a degree due to stop-out, drop out, or other reasons) comprise approximately 31% of students for each cohort.

<table>
<thead>
<tr>
<th>Undergrad GPA</th>
<th>Pass #</th>
<th>%</th>
<th>Fall #</th>
<th>%</th>
<th>Non Completers¹ #</th>
<th>%</th>
<th>Other² #</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.49 or Less</td>
<td>7</td>
<td>3.4%</td>
<td>1</td>
<td>0.5%</td>
<td>5</td>
<td>2.4%</td>
<td>0</td>
<td>0%</td>
<td>13</td>
</tr>
<tr>
<td>2.5 to 2.99</td>
<td>35</td>
<td>17.1%</td>
<td>14</td>
<td>6.8%</td>
<td>30</td>
<td>14.6%</td>
<td>3</td>
<td>1.5%</td>
<td>82</td>
</tr>
<tr>
<td>3.0 to 3.49</td>
<td>47</td>
<td>22.9%</td>
<td>10</td>
<td>4.9%</td>
<td>21</td>
<td>10.2%</td>
<td>4</td>
<td>2.0%</td>
<td>82</td>
</tr>
<tr>
<td>3.5 or Higher</td>
<td>12</td>
<td>5.9%</td>
<td>3</td>
<td>1.5%</td>
<td>9</td>
<td>4.4%</td>
<td>2</td>
<td>1.0%</td>
<td>26</td>
</tr>
<tr>
<td>Unreported</td>
<td>2</td>
<td>1.0%</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0%</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>103</td>
<td>50.2%</td>
<td>28</td>
<td>13.7%</td>
<td>65</td>
<td>31.7%</td>
<td>9</td>
<td>4.4%</td>
<td>205</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Undergrad GPA</th>
<th>Pass #</th>
<th>%</th>
<th>Fall #</th>
<th>%</th>
<th>Non Completers¹ #</th>
<th>%</th>
<th>Other² #</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.49 or Less</td>
<td>6</td>
<td>2.6%</td>
<td>3</td>
<td>1.3%</td>
<td>4</td>
<td>1.7%</td>
<td>5</td>
<td>2.2%</td>
<td>18</td>
</tr>
<tr>
<td>2.5 to 2.99</td>
<td>26</td>
<td>11.3%</td>
<td>8</td>
<td>3.5%</td>
<td>21</td>
<td>9.1%</td>
<td>4</td>
<td>1.7%</td>
<td>59</td>
</tr>
<tr>
<td>3.0 to 3.49</td>
<td>50</td>
<td>21.6%</td>
<td>12</td>
<td>5.2%</td>
<td>35</td>
<td>15.2%</td>
<td>6</td>
<td>2.6%</td>
<td>103</td>
</tr>
<tr>
<td>3.5 or Higher</td>
<td>26</td>
<td>11.3%</td>
<td>4</td>
<td>1.7%</td>
<td>11</td>
<td>4.8%</td>
<td>3</td>
<td>1.3%</td>
<td>44</td>
</tr>
<tr>
<td>Unreported</td>
<td>2</td>
<td>0.9%</td>
<td>3</td>
<td>1.3%</td>
<td>1</td>
<td>0.4%</td>
<td>1</td>
<td>0.4%</td>
<td>7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>110</td>
<td>47.6%</td>
<td>30</td>
<td>13.0%</td>
<td>72</td>
<td>31.2%</td>
<td>19</td>
<td>8.2%</td>
<td>231</td>
</tr>
</tbody>
</table>

¹ The previous analysis on first-time bar passage included three categories for race/ethnicity (Black, White, and other). Based on questions/comments received by the OIR in response to that analysis, the current analysis includes four categories (Black, White, Hispanic, and other). Black/African-Americans serve as the comparison group (i.e. the group to which performance on the bar for other groups is compared).
² Includes students reported by the College as not having earned their degree.
³ Includes students for whom bar passage status is unknown, who only recently became eligible, whose status was reported by the College as "pending", or who the College reported as having never sat for the bar exam.
Bar Passage Rates for Bar Takers Only:

Focusing on bar exam takers only presents a more positive picture of overall bar passage rates. For the 2007 Cohort, 103 of the 131 (78.63%) graduates reported as having taken the bar exam passed at some point. Similarly, for the 2008 entering class 110 of the 140 (78.56%) graduates reported as having taken the exam have passed to date. Summaries of passage rates by cohort and undergraduate grade point average range are included in Tables 3 and 4 below.

### Table 3: Exam Takers Only: Bar Passage Result for FAMU Law School Graduates Entering during the Fall 2007 Semester

<table>
<thead>
<tr>
<th>Undergrad GPA</th>
<th>Pass</th>
<th></th>
<th>Fall</th>
<th></th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>#</td>
<td>%</td>
<td>#</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>2.49 or Less</td>
<td>7</td>
<td>5.3%</td>
<td>1</td>
<td>0.8%</td>
<td>8</td>
</tr>
<tr>
<td>2.5 to 2.99</td>
<td>35</td>
<td>26.7%</td>
<td>14</td>
<td>10.7%</td>
<td>49</td>
</tr>
<tr>
<td>3.0 to 3.49</td>
<td>47</td>
<td>35.9%</td>
<td>10</td>
<td>7.6%</td>
<td>57</td>
</tr>
<tr>
<td>3.5 or Higher</td>
<td>12</td>
<td>9.2%</td>
<td>3</td>
<td>2.3%</td>
<td>15</td>
</tr>
<tr>
<td>Unreported</td>
<td>2</td>
<td>1.5%</td>
<td>0</td>
<td>0.0%</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>103</strong></td>
<td><strong>78.63%</strong></td>
<td><strong>28</strong></td>
<td><strong>21.4%</strong></td>
<td><strong>131</strong></td>
</tr>
</tbody>
</table>

### Table 4: Exam Takers Only: Bar Passage Result for FAMU Law School Graduates Entering during the Fall 2008 Semester

<table>
<thead>
<tr>
<th>Undergrad GPA</th>
<th>Pass</th>
<th></th>
<th>Fall</th>
<th></th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>#</td>
<td>%</td>
<td>#</td>
<td>%</td>
<td></td>
</tr>
<tr>
<td>2.49 or Less</td>
<td>6</td>
<td>4.3%</td>
<td>3</td>
<td>2.1%</td>
<td>9</td>
</tr>
<tr>
<td>2.5 to 2.99</td>
<td>26</td>
<td>18.6%</td>
<td>8</td>
<td>5.7%</td>
<td>34</td>
</tr>
<tr>
<td>3.0 to 3.49</td>
<td>50</td>
<td>35.7%</td>
<td>12</td>
<td>8.6%</td>
<td>62</td>
</tr>
<tr>
<td>3.5 or Higher</td>
<td>26</td>
<td>18.6%</td>
<td>4</td>
<td>2.9%</td>
<td>30</td>
</tr>
<tr>
<td>Unreported</td>
<td>2</td>
<td>1.4%</td>
<td>3</td>
<td>2.1%</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>110</strong></td>
<td><strong>78.57%</strong></td>
<td><strong>30</strong></td>
<td><strong>21.4%</strong></td>
<td><strong>140</strong></td>
</tr>
</tbody>
</table>

Predicting overall Bar passage for all enrolled College of Law students entering during the Fall 2007 and Fall 2008 semesters

The OIR used a logistic regression model to estimate the odds of passage for all College of Law students who first enrolled at the Florida A&M University College of Law during the Fall 2007 and Fall 2008 semesters. A total of 428 students are included. The model’s dependent variable was measured by whether or not each graduate passed the Bar at any point. The dependent variable was coded “1” if a graduate passed the bar and “0” if they did not. A limited number of predictors were used in the model including:

1. Undergraduate grade point average (under 3.0, 3.0 – 3.49, and 3.5 or higher);
   - Students with undergraduate grade point averages under 3.0, and ranging from 3.0 to 3.49 were compared with those having undergraduate grade point averages of 3.5 or higher.
2. Number of probations experienced (0, 1, 2 or more); and
3. LSAT score (below 144, 144-148, over 149)
   - Students with LSAT scores lower than 144 served as the comparison group in the model.

The model also included controls for gender and race. Model results are presented and discussed in more detail below.

**Table 5: Logistic Model Results (Overall Bar Passage)**

| bar_pass_all          | Odds Ratio | Std. Err. | z    | P>|z|   | [95% Conf.] | Interval |
|-----------------------|------------|-----------|------|------|-------------|----------|
| LSAT 144 to 148       | 0.866489   | 0.227885  | -0.54| 0.586| 0.517486    | 1.450868 |
| LSAT 149 or over      | 1.0794     | 0.338304  | 0.24 | 0.807| 0.583983    | 1.9951   |
| UGRAD GPA 3.0 - 3.49  | 1.102366   | 0.329587  | 0.33 | 0.744| 0.613526    | 1.980702 |
| UGRAD GPA under 3.0   | 0.795919   | 0.243158  | -0.75| 0.455| 0.437343    | 1.44849  |
| 1 PROBATION           | 0.385499   | 0.105895  | -3.47| 0.001| 0.22501     | 0.660458 |
| 2 + PROBATIONS        | 0.246667   | 0.100593  | -3.43| 0.001| 0.110914    | 0.548577 |
| FEMALE                | 1.235015   | 0.261402  | 1    | 0.319| 0.815657    | 1.869978 |
| WHITE                 | 1.053261   | 0.268087  | 0.2  | 0.838| 0.639557    | 1.734574 |
| HISPANIC              | 0.64283    | 0.193547  | -1.47| 0.142| 0.356296    | 1.159795 |
| OTHER                 | 0.803924   | 0.42157   | -0.42| 0.677| 0.287643    | 2.246863 |

The variables used in this model appear to be less effective in predicting bar passage after several attempts than they are at predicting first-attempt bar passage. In fact, only the measures used to gauge academic performance during students’ matriculation are significant in the model. The odds of passing the bar are lower for students who experienced one episode of probation when compared to those of graduates who experienced none. The odds of passing the bar for students who experienced one episode of probation were roughly .4 times as high as those of students who experienced no probations (P < .01). Similarly, the odds of passing the bar after even multiple attempts also appear to be significantly lower for students who experienced more than one episode of probation. On average, the odds of passing the bar for FAMU College of Law graduates who experienced two or more probations were roughly a quarter of those of students who experienced no probations (P < .01).

**Predicting overall Bar passage for Bar taking students who entered the College of Law during the Fall 2007 and Fall 2008 semesters**

An additional model was run to estimate the odds of Bar passage for only those College of Law graduates who sat for the exam. It is important to note that the data used reflect known bar passage as of the date of this report, and may not include the most recent results for students who recently became eligible to sit for the exam, or who have only recently taken it.
Again, the variables used in this model appear to be less effective in predicting bar passage beyond the first-attempt. The results of this model suggest that academic performance while enrolled at the College of Law is perhaps the best predictor of Bar passage. On average, the odds of passing the bar for students who experienced one probation were approximately .36 times as high as those of students who experienced no probations (P < .05). Similarly, odds of passing the bar for students who experienced two or more probations were .20 times those of students who experienced no episodes of probation (P < .01).

Table 6: Logistic Model Results (Bar Passage: Bar Exam Takers Only)

| bar_pass_bartakers       | Odds Ratio | Std. Err. | z    | P>|z| | [95% Conf.| Interval |
|--------------------------|------------|-----------|------|-----|----------|---------|
| LSAT 144 to 148          | 0.661076   | 0.267737  | -1.02| 0.307| 0.298891 | 1.462144|
| LSAT 149 or over         | 1.42945    | 0.771803  | 0.66 | 0.508| 0.496112 | 4.118681|
| UGRAD GPA 3.0 - 3.49     | 0.964831   | 0.48588   | -0.07| 0.943| 0.359579 | 2.588857|
| UGRAD GPA under 3.0      | 0.709135   | 0.369341  | -0.66| 0.509| 0.255502 | 1.968171|
| 1 PROBATION              | 0.357862   | 0.143898  | -2.56| 0.011| 0.162721 | 0.787023|
| 2+ PROBATIONS            | 0.198968   | 0.108599  | -2.96| 0.003| 0.068263 | 0.579934|
| FEMALE                   | 0.883344   | 0.312125  | -0.35| 0.726| 0.441939 | 1.76562 |
| WHITE                    | 1.018843   | 0.415826  | 0.05 | 0.964| 0.457828 | 2.267318|
| HISPANIC                 | 0.579938   | 0.261814  | -1.21| 0.227| 0.23939  | 1.404941|
| OTHER                    | 1.26516    | 1.411964  | 0.21 | 0.833| 0.141963 | 11.27501|

Summary and Discussion

Overall it appears that many of the variables used to predict first-attempt bar passage may be less reliable in predicting bar passage overall. While logistic regression results for the first-attempt model found undergraduate GPA, LSAT score, and academic performance (measured by probations) as important predictors of first-attempt bar passage, only the academic performance model is significant in the model predicting overall passage. This may be attributable to continued preparation for, and familiarity with, the exam over several attempts. Data limitations prohibit the inclusion of these and other potential explanatory variables in the current model.

While limited in scope, the results detailed in this supplemental analysis and the previous report analyzing first-attempt Bar passage suggest that the College of Law may need to review its policies relating to student probations, and/or for assessing both pre-enrollment, institutional, and other factors which may contribute to a student being placed on probation.

A Note on Race and Performance on the LSAT

As part of its follow-up request, College of Law representatives asked whether there were any notable differences in performance on the LSAT based on racial classification. The average LSAT score for the 2007 student sample was 146.16. The average for the 2008 cohort was 146.56. Tables 6 and 7 below provide a snapshot of average LSAT scores by race and cohort. As the tables show, the average
LSAT scores for African-American students are lower than those of Whites who comprise the second largest racial group in the College of Law.

<table>
<thead>
<tr>
<th>Race</th>
<th># Students</th>
<th>Avg. Score</th>
<th>Std. Dev.</th>
<th>Min Score</th>
<th>Max Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Am. Indian</td>
<td>2</td>
<td>144.5</td>
<td>0.7</td>
<td>144</td>
<td>145</td>
</tr>
<tr>
<td>Asian</td>
<td>3</td>
<td>146.3</td>
<td>4.0</td>
<td>142</td>
<td>150</td>
</tr>
<tr>
<td>Black</td>
<td>93</td>
<td>144.5</td>
<td>3.3</td>
<td>137</td>
<td>159</td>
</tr>
<tr>
<td>Hispanic</td>
<td>28</td>
<td>145.0</td>
<td>2.5</td>
<td>141</td>
<td>150</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
<td>148.0</td>
<td>1.4</td>
<td>147</td>
<td>149</td>
</tr>
<tr>
<td>White</td>
<td>75</td>
<td>148.7</td>
<td>4.5</td>
<td>140</td>
<td>158</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Race</th>
<th># Students</th>
<th>Avg. Score</th>
<th>Std. Dev.</th>
<th>Min Score</th>
<th>Max Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Am. Indian</td>
<td>3</td>
<td>148.7</td>
<td>2.1</td>
<td>147</td>
<td>151</td>
</tr>
<tr>
<td>Asian</td>
<td>6</td>
<td>147.0</td>
<td>4.1</td>
<td>140</td>
<td>150</td>
</tr>
<tr>
<td>Black</td>
<td>99</td>
<td>145.3</td>
<td>3.8</td>
<td>140</td>
<td>158</td>
</tr>
<tr>
<td>Hispanic</td>
<td>41</td>
<td>145.5</td>
<td>4.7</td>
<td>139</td>
<td>159</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
<td>148.5</td>
<td>0.7</td>
<td>148</td>
<td>149</td>
</tr>
<tr>
<td>White</td>
<td>73</td>
<td>148.7</td>
<td>3.9</td>
<td>140</td>
<td>162</td>
</tr>
</tbody>
</table>
### Ultimate Bar Pass Rate 2007-2011

#### Five Year Comprehensive Summary

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduates</td>
<td>691</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less: Non-Persisters &amp; Never Attempted</td>
<td></td>
<td>39</td>
<td>71</td>
</tr>
<tr>
<td>Net Takers</td>
<td>619</td>
<td></td>
<td></td>
</tr>
<tr>
<td>70% of Net Takers</td>
<td>433</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>Florida</td>
<td>600</td>
<td>503</td>
</tr>
<tr>
<td>Bar Exam Takers</td>
<td></td>
<td>Failed</td>
<td>93</td>
</tr>
<tr>
<td>Bar Exam Passers</td>
<td></td>
<td>Unknown</td>
<td>32</td>
</tr>
<tr>
<td>Pass Rate %</td>
<td>83.83%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A law school's bar passage rate shall be sufficient, for purposes of Standard 301-6, if the school demonstrates that it meets any one of the following tests: 1) That for students who graduated from the law school within the five most recently completed calendar years: (a) 75 percent or more of these graduates who sat for the bar passed a bar examination, or (b) in at least three of these calendar years, 75 percent of the students graduating in those years and sitting for the bar have passed a bar examination.

Updated 3/11/13
## Ultimate Bar Pass Rate 2007

<table>
<thead>
<tr>
<th>Graduates</th>
<th>103</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less: Non-Persisters</td>
<td>Non-Persisters 11</td>
</tr>
<tr>
<td>&amp; Never Attempted</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Unknown 2</td>
</tr>
<tr>
<td>Net Takers</td>
<td>90</td>
</tr>
</tbody>
</table>

| 70% of Net Takers | 63  |

<table>
<thead>
<tr>
<th>Total</th>
<th>Florida</th>
<th>Florida</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bar Exam Takers</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Bar Exam Passers</td>
<td>90</td>
<td>60</td>
</tr>
<tr>
<td>Failed</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Unknown</td>
<td>3</td>
<td>2</td>
</tr>
</tbody>
</table>

**Pass Rate %** 90.00%

A law school's bar passage rate shall be sufficient, for purposes of Standard 301-6, if the school demonstrates that it meets any one of the following tests: 1) That for students who graduated from the law school within the five most recently completed calendar years: (a) 75 percent or more of these graduates who sat for the bar passed a bar examination, or (b) in at least three of these calendar years, 75 percent of the students graduation in those years and sitting for the bar have passed a bar examination.

Updated 3/11/13
### Ultimate Bar Pass Rate 2008

<table>
<thead>
<tr>
<th>Category</th>
<th>Florida Florida</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduates</td>
<td>141</td>
</tr>
<tr>
<td>Less: Non-Persisters</td>
<td>11</td>
</tr>
<tr>
<td>&amp; Never Attempted</td>
<td>19</td>
</tr>
<tr>
<td>Net Takers</td>
<td>122</td>
</tr>
<tr>
<td>70% of Not Takers</td>
<td>85</td>
</tr>
<tr>
<td>Total</td>
<td>132 132</td>
</tr>
<tr>
<td>Bar Exam Takers</td>
<td>111 111</td>
</tr>
<tr>
<td>Failed</td>
<td>19 19</td>
</tr>
<tr>
<td>Unknown</td>
<td>8 8</td>
</tr>
</tbody>
</table>

**Pass Rate %** 84.09%

*Florida Agricultural and Mechanical University College of Law*

*Ultimate Bar Pass Rate Data 2007-2011*

A law school's bar passage rate shall be sufficient, for purposes of Standard 301-6, if the school demonstrates that it meets any one of the following tests: 1) That for students who graduated from the law school within the five most recently completed calendar years: *(a) 75 percent or more of these graduates who sat for the bar passed a bar examination,* or (b) in at least three of these calendar years, 75 percent of the students graduation in those years and sitting for the bar have passed a bar examination.

*Updated 3/11/13*
# Ultimate Bar Pass Rate 2009

<table>
<thead>
<tr>
<th></th>
<th>Florida</th>
<th>Florida</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduates</td>
<td>132</td>
<td></td>
</tr>
<tr>
<td>Less: Non-Persisters &amp; Never Attempted</td>
<td>9</td>
<td>12</td>
</tr>
<tr>
<td>Net Takers</td>
<td>120</td>
<td></td>
</tr>
<tr>
<td>70% of Net Takers</td>
<td>84</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bar Exam Takers</td>
<td>111</td>
<td>111</td>
</tr>
<tr>
<td>Bar Exam Passers</td>
<td>91</td>
<td>91</td>
</tr>
<tr>
<td>Failed</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Unknown</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

**Pass Rate %** 81.98%

A law school's bar passage rate shall be sufficient, for purposes of Standard 301-6, if the school demonstrates that it meets any one of the following tests: 1) That for students who graduated from the law school within the five most recently completed calendar years: (a) **75 percent or more of these graduates who sat for the bar passed a bar examination**, or (b) in at least three of these calendar years, 75 percent of the students graduation in those years and sitting for the bar have passed a bar examination.

Updated 3/11/13
<table>
<thead>
<tr>
<th>Ultimate Bar Pass Rate 2010</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduates</td>
<td>144</td>
<td></td>
</tr>
<tr>
<td>Less: Non-Persisters</td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>&amp; Never Attempted</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Net Takers</td>
<td>129</td>
<td></td>
</tr>
<tr>
<td>70% of Net Takers</td>
<td>90</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bar Exam Takers</td>
<td>114</td>
<td>114</td>
</tr>
<tr>
<td>Bar Exam Passers</td>
<td>93</td>
<td>93</td>
</tr>
<tr>
<td>Failed</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>Unknown</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>

A law school’s bar passage rate shall be sufficient, for purposes of Standard 301-6, if the school demonstrates that it meets any one of the following tests; 1) That for students who graduated from the law school within the five most recently completed calendar years: (a) 75 percent or more of these graduates who sat for the bar passed a bar examination, or (b) in at least three of these calendar years, 75 percent of the students graduation in those years and sitting for the bar have passed a bar examination.

Updated 3/11/13
## Ultimate Bar Pass Rate 2011

<table>
<thead>
<tr>
<th>Category</th>
<th>Graduates</th>
<th>Less: Non-Persisters &amp; Never Attempted</th>
<th>Non-Persisters</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduates</td>
<td>171</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Takers</td>
<td>159</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70% of Net Takers</td>
<td>111</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Florida</th>
<th>Florida</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bar Exam Takers</td>
<td>143</td>
<td>143</td>
</tr>
<tr>
<td>Bar Exam Passers</td>
<td>118</td>
<td>118</td>
</tr>
<tr>
<td>Failed</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Unknown</td>
<td>9</td>
<td>9</td>
</tr>
</tbody>
</table>

**Pass Rate %** 82.52%

A law school's bar passage rate shall be sufficient, for purposes of Standard 301-6, if the school demonstrates that it meets any one of the following tests; 1) That for students who graduated from the law school within the five most recently completed calendar years: (a) 75 percent or more of these graduates who sat for the bar passed a bar examination, or (b) in at least three of these calendar years, 75 percent of the students graduation in those years and sitting for the bar have passed a bar examination.

Updated 3/11/13
2011-2012 Law Review
Editorial Board

PAIGE L. CARLOS, EDITOR- IN- CHIEF

LANISE M. PARKER, EXECUTIVE EDITOR
CASSANDRA MESA, ARTICLES EDITOR
MICHAEL MACKHANLALL, NOTES & COMMENTS EDITOR
ALLISON KREIGER WALSH, BUSINESS MANAGING EDITOR

Senior Staff Editors

DAVID ABRAMS
CATHERINE BARQUIN
KENNETH COSTELLO
LEONARD DESIR
WESLEY DUNAWAY
NATALIA GOVE

AMBER INMAN
DONNA KING
PERCY KING
JENNY LIABENOW
XAVIER LUTCHMIE PERSAD
MATTHEW McLAIN

AMANDA OKOLO
TREMAIME REESE
KAREN RODRIGUEZ
NORDA SWABY
JONATHAN WOODARD

Junior Staff Editors

ERIN BARTHOLOMEW-COOK
DAVID BERMAN
DENISE CESPEDES
JOSHUA DAY
JENNIFER DRUFFEL
STACY FALLON
PHILLIP GUERRA
DANA M. HEYDORN

ANDREW IRVIN
KYLE J. LEE
DANIEL LEWIS
JOSHUA MARTELL
LESLEE DENNIS McMORRIS
STEVEN MILLER
RYAN MURPHY
JEFF NUCKOLS

THU PHAM
PATRICK RAJASINGAM
TA’RONCE M. STOWES
COURTNIETE SWEARINGEN
ROBINSON KEITH USTLER
LASHARONTE D. WILLIAMS
# TABLE OF CONTENTS

**INTRODUCTION TO *Law Review*** ................................................................. 1

**Constitution** ............................................................................................... 2

**By-Laws** ....................................................................................................... 6

**Manual & Guidelines** ................................................................................... 21

A. **Organization of the *FAMU Law Review*** ............................................. 21

B. **Selecting Publishable Material and the Editing Process** ................. 24

   a. **Selecting Publishable Materials** ......................................................... 24
      
      i. **Articles & Essays** ........................................................................... 24
      
      ii. **Student Notes** ............................................................................ 25

   b. **Editing Process: Introduction** .......................................................... 25
      
      i. **Initial Edit** .................................................................................... 26
      
      ii. **Gathering & Copying Sources** .................................................... 26
      
      iii. **Verifying Substantive Support** .................................................. 28
      
      iv. **Check Citations for Correct Bluebook Form** ......................... 31

      v. **Editing for Style & Grammar** ..................................................... 31

      vi. **Critiquing the Substance of the Piece** ..................................... 31

      vii. **Editing the Article/Essay/Note Electronically** ..................... 32

      viii. **Writing a Memo to Your Team Lead** .................................. 32

   c. **Cite Check** ......................................................................................... 33
| i.           | THE EXECUTIVE EDIT .................................................................34 |
| d.          | ELECTRONIC EDITING .................................................................35 |
| i.          | TRACKING CHANGES ........................................................................35 |
| ii.         | HOW TO SET UP TRACK CHANGES .........................................................35 |

**WHAT IS A STUDENT NOTE?** .......................................................................39

**LOGISTICS** .................................................................................................43

A. **Office Duty** ..........................................................................................43

B. **Committees** ............................................................................................43

C. **Submit an Article to Law Review** ..........................................................44

D. **Production Cycle** ..................................................................................45

**Editorial Team Assignment Distribution** ...................................................49
INTRODUCTION TO LAW REVIEW

What is a Law Review? A Law Review is a professional legal publication produced and edited by law students. Although most articles are exclusively devoted to legal topics, Law Reviews do publish articles on interrelated topics ranging from economics and finance to psychology and urban policy. Law Reviews, as technical legal journals, focus primarily on legal reasoning. The FAMU Law Review places a premium on accuracy and excellence in all respects including in propositions regarding the law, points of grammar, citation format, and analytical reasoning.

Who are our authors and readers? Most articles are written by law professors from various schools across the country. Occasionally, articles or essays are written by judges, and less often, by legal practitioners. Law Review articles are read first and foremost by legal academics, and many of the debates contained in Law Reviews are essentially scholarly. Judges also use Law Review articles, however, and it is not uncommon to see pieces from the FAMU Law Review cited in judicial opinions, including opinions of the Supreme Court.

The FAMU Law Review prides itself on producing a quality publication and on maintaining excellent working relationships with our authors. This manual provides an overview of the FAMU Law Review and the various stages of our editing process.
CONSTITUTION

of the

FLORIDA A&M UNIVERSITY LAW REVIEW

PREAMBLE

The members of the Florida A&M University Law Review, in order to annually publish at least one scholarly legal periodical, promote legal scholarship, and create a forum for legal discourse do adopt and enact this Constitution of the Florida A&M University Law Review.

ARTICLE I

Short Title

The Constitution of the Florida A&M University Law Review may herein after be referred to as (“The Constitution.”)

ARTICLE II

Abrogation of Previous Constitutions and By-Laws

All previous constitutions and by-laws of the Florida A&M University Law Review, discovered or undiscovered, are hereby superseded and rendered void.

ARTICLE III

Editorial Board

1. The Florida A&M University Law Review shall be governed by an Editorial Board.
2. Individuals who have fulfilled the first year requirements and satisfy criteria as specified in the By-Laws shall be eligible for the following positions, which comprise the Editorial Board:
   a) Editor-in-Chief
   b) Executive Editor
   c) Articles Editor
d) Notes & Comments Editor

e) Business Managing Editor

3. As required by the *Law Review* organization, additional seats on the Editorial Board may be created by amendment to The Constitution following procedures outlined in the By-Laws.

4. The election of Editors shall be conducted in accordance with the following provisions:
   a) An election shall be determined by a majority of votes cast by *Law Review* members.
   b) Vote by proxy is prohibited.
   c) All elections shall be by secret ballot to include, but not limited to, electronic voting.
   d) Elections shall be held during March of each year. The Editor-in-Chief shall announce the date of elections, no later than fourteen (14) days prior to the voting period.

5. The duties of the Editorial Board Members shall be set forth in the By-Laws.

6. Any Board member may be removed from office for serious misconduct, dereliction of duty, or violation of the By-Laws by a majority vote of the *Law Review* membership.

7. The Editorial Board shall schedule general membership meetings on a monthly basis and as needed to pursue the goals of the *Law Review* organization.

**ARTICLE IV**

*Members*

The *Law Review* strives to attract law students from diverse backgrounds who share a commitment to legal scholarship. Members must be Florida A&M University College of Law students, in good standing. Requirements for eligibility shall be determined by the By-Laws.

**ARTICLE V**

*By-Laws*

By-Laws shall remain in effect until repealed or amended. By-Laws shall be adopted by a majority of the *Law Review* members. Members shall receive at least four (4) days notice prior to any vote to amend or change the By-Laws.
ARTICLE VI

Amendments

1. Any Member of the Law Review may propose an amendment to the By-Laws or The Constitution. Proposed amendments shall be submitted to the Editorial Board in writing, outlining the need and justification for any change. The proposal shall be included on the agenda for the next general membership meeting.

2. Proposed amendments to the By-Laws shall become effective immediately upon approval by a majority of the Law Review membership, subject to approval of the faculty advisor.

3. Proposed changes to The Constitution shall become effective immediately upon approval by a majority of the Law Review membership, subject to approval of the faculty advisor.

ARTICLE VII

Anti-Hazing Policy

A. It is the policy of Florida Agricultural and Mechanical University that any student(s), group(s) of students, or student organization(s) affiliated with Florida Agricultural and Mechanical University are prohibited from engaging in any form(s) of hazing activities.

B. The term hazing shall include, but not be limited to, any brutality of a physical nature, such as striking in any manner, whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of food, liquor, drugs, or other substances, or other forced physical activities which would adversely affect the health or safety of the individual, and also includes any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contacts, forced conduct which would be demeaning or results in extreme embarrassment or any other forced activity which could adversely affect the mental health or dignity of the individual. For purposes of this section, any activity as described above, upon which the initiation or admission into or affiliation with a university organization is directly or indirectly a condition, shall be presumed to be a “forced” activity, the willingness of an individual to participate in such activity notwithstanding.

C. Penalties – Any student(s), student group(s), or student organization(s) which are affiliated with Florida Agricultural and Mechanical University, on campus or off-campus, that are found responsible
for hazing will be subject to appropriate sanctions by the university, which may include the imposition of fines; withholding of grade(s), transcripts and/or diplomas pending payment of fines or pending compliance with the current Student Code of Conduct, Rule 6C3-2.012, F.A.C., of which this rule becomes a part of; the imposition of probation, suspension, dismissal or expulsion of said person(s) or organization(s), and/or the rescission of permission for the University sanctioned organization(s) to operate on the Florida A&M University campus or to otherwise operate under the sanction of the University.

D. All penalties imposed by the University do not absolve the student(s), group(s) of students, or student organization(s) from any penalty imposed for violation of criminal laws of the State of Florida or for violation of any other university rule(s) to which the violator(s) may be subject.
BY-LAWS

of the

FLORIDA A & M UNIVERSITY LAW REVIEW

ARTICLE I

General Provisions

Section 1: Name of Organization
This organization shall be called The Florida A&M University Law Review ("Law Review").

Section 2: Purpose and Goals
The Law Review is a student-operated academic honors organization whose purpose is to publish, annually, at least one legal periodical, celebrating scholarship and contributing to the development of the law. It is the goal of the Law Review to strive for excellence in legal research, writing, and critical thinking skills of all members. The Law Review will provide a forum for the expression of diverse ideas and views of interest to the academic and professional legal community.

ARTICLE II

Members and Faculty Advisors

Section 1: Student Membership
Members must be Florida A & M College of Law students seeking a Juris Doctor degree, in good standing, and demonstrate outstanding academic achievement, writing ability, and character. The Law Review organization consists of the Editorial Board and Editorial Staff ("Members"). Students who have completed at least thirty hours of successful study and are ranked in the top 10% of the combined class, day and night, shall receive an invitation to join the Law Review ("Grade-On process"). Students who have completed at least thirty hours of study and are ranked in the top 50% of the combined class, day or night, are eligible to compete in the Write-On Competition. The Write-On Competition will be conducted as follows:
The Write-On Competition shall be held towards the end of the Summer semester, of each year. The Notes and Comments Editor shall organize and serve as a member of the Law Review Selection Committee ("LRSC").

The LRSC shall be comprised of two members of the Editorial Board, at least one faculty advisor, and three Members. In order to complete the Write-On competition in a timely fashion, more Members and faculty volunteers may be added to the LRSC by the Notes and Comments Editor to facilitate the selection process (the number of Write-On positions open in any year shall be determined by 20% of those participating in the Competition). The topic of the Write-On Competition shall be determined by the LRSC. The Write-On Competition shall be conducted to insure anonymity for all students competing. Students competing in the Write-On Competition may not use research materials other than those provided by the LRSC or assistance from faculty or other students in completing their submission. Write-On submissions will be scored based on analysis, style, technical accuracy, and compliance with all directives.

Students who fail to pick up the Write-On packet during the designated time period or miss the deadline period are automatically disqualified. Students are only permitted to compete after successful completion of thirty (30) hours of study in their respective classes, either day or night.

Prior to the end of the Summer semester, notification shall be sent to all students who are eligible for invitation through the Grade-On or the Write-On process.

Section 2: Faculty Advisors
The Law Review shall have one (1) faculty advisor assigned by the Administration to provide training, instruction, guidance, and/or support as warranted.

ARTICLE III
Editorial Board

Section 1: Definition
The Editorial Board ("Board") shall consist of the Editor-in-Chief, Executive Editor, Articles Editor, Notes and Comments Editor, Business Managing Editor, and additional seats as created through
amendment to the By-Laws. The Board shall be the official governing body of the Law Review. There shall be no fewer than five (5) filled positions on the Editorial Board at any time.

Section 2: Authority
Editorial powers of the Law Review shall be vested in the Board as specified in the By-Laws. The Board reserves the right to propose rules and regulations to all members of Law Review as needed to carry out the provisions of these By-Laws and to insure the efficient and timely operation of the Law Review. The Board shall exercise its powers pursuant to the By-Laws and in the best interest of the Law Review and shall have:

a) responsibility of all property of the Law Review;

b) authority to set policies and general procedures for the Law Review;

c) authority to take disciplinary actions according to guidelines established in the By-Laws;

d) authority to make decisions deemed necessary to fulfill the duties and obligations of each Board position.

Section 3: Terms of Office
Elections for all Board positions shall be held in March of each year. The outgoing Board may relinquish all Boards duties to the incoming Board at an earlier date to facilitate the transition process.

Section 4: Voting Power
All members of the Editorial Board of Law Review have equal voting power. All Board decisions shall be determined by a majority vote from a quorum as mandated by these By-Laws. In the event of a tie, the Editor-in-Chief shall serve as the tie-breaker.

Section 5: Recording of Board Voting
Any vote taken by the Board in an Executive Session shall be recorded. The record shall contain a summary of the proposal, the outcome of the vote and will be transcribed and placed on file in the Law Review office within two business days of the Board meeting.
Section 6: Veto Power of Editor-in-Chief
The Editor-in-Chief shall have the right to veto any decision voted by the Board. The Board may override the Editor-in-Chief’s veto power by either a two thirds or three-fourths vote.

Section 7: Editorial Board Attendance
Attendance by all members of the Editorial Board is necessary and required for satisfactory service to the Law Review. Failure to attend general membership meetings shall result in a deficiency notice being forwarded to the Member and the faculty advisor.
A. Failure to attend 70% of Board meetings shall be grounds for removal.
B. Prior to adjournment of each Board meeting, attendance shall be taken, and any absence shall be recorded in the Minutes of the Meeting. Alternative attendance measures shall be recorded if utilized.

Section 8: Removal of Editorial Board Members
Any Board member may be removed for serious misconduct, dereliction of duty, or violation of the By-Laws upon a written complaint by two other Board members outlining the basis for removal and a majority vote of the Law Review membership.

Section 9: Board Elections
The election of a new Board shall be conducted in March of each year. The voting shall be conducted by secret ballot. Each Law Review member shall be entitled to one vote.
Candidates meeting criteria for any office shall file with the Executive Editor a signed statement of candidacy containing the following:
1. The name of the individual.
2. The office sought.
Editorial Board members shall be elected upon a majority of the votes cast in the election. In the event that no candidate receives a majority of the votes, a runoff election between the two candidates receiving the most votes shall be held within seven (7) days. The Editor-in-Chief shall appoint two Board members and one Member to count and certify the votes in any election.
Section 10: Vacancies
Any vacancies on the Board will be filled by election. The candidates’ names will be submitted within 1 week of the vacancy. The election process will follow the rules set forth in Article 3 § 8.

ARTICLE IV
Powers and Duties of Editorial Board

Section 1: Editor-in-Chief
The Editor-in-Chief is the chief executive and administrative officer of the Board and shall be selected from the Law Review members who rank in the top 10% of the combined class, day and night. The Editor-in-Chief shall maintain no less than a 3.0 cumulative GPA. The Editor-in-Chief shall serve as liaison between the Law Review, Law School faculty, Administration, and the Legal Community and be responsible for coordinating all Law Review activities. The Editor-in-Chief shall have ultimate responsibility for the substantive, technical, stylistic, and content of each publication. The Editor-in-Chief shall exercise all responsibilities with due care and concern for the best interest of the Law Review and shall:

1. preside over Board meetings;
2. be responsible for proof reading the “Blue-lines” of each issue;
3. be responsible for the format, accuracy of cover, “i” pages, and masthead of the Law Review;
4. be responsible for dealing with the publishing company of the Law Review;
5. submit an annual budget to faculty advisors to be submitted to Administration;
6. provide to faculty advisors the evaluations that are based on criteria established by these By-Laws of all members of the Law Review to comply with requirements for academic credit;
7. organize committees and appoint chairpersons as needed to further the goals of the Law Review; and
8. perform or delegate such other duties as necessary to insure the proper operation of the Law Review.
Section 2: Executive Editor

The Executive Editor shall serve the Editor-in-Chief in carrying out her/his powers, duties, and responsibilities and shall assume such additional duties and responsibilities as designated by the Editor-in-Chief. The Executive Editor shall maintain no less than a 2.75 cumulative GPA. The Executive Editor shall be responsible for appointing a Law Review member to act as secretary for each general meeting three days prior to the meeting date. The Executive Editor shall manage the process of publishing the Law Review to include:

1. setting the production schedule and deadlines for each stage of the publication;
2. supervise the Law Review staff and maintain files which reflect the progress, quality, and quantity of work produced;
3. within 48 hours, notify staff members of any deficiency, corrections, or additions needed to successfully complete an assignment;
4. maintain ongoing communication with the publisher;
5. perform a complete edit of each stage of the issue production;
6. be responsible for preparing manuscript material and galley proofs; and
7. solicitation of new subscriptions.

Section 3: Articles Editor

The Articles Editor shall be responsible for the solicitation, selection, and revision of articles from non-student authors for publication in the Law Review. The Articles Editor shall maintain no less than a 2.75 cumulative GPA. The Articles Editor shall maintain correspondence with authors and shall:

1. be responsible for proofing, editing, source and citation checking, and formatting of each article selected for publication;
2. insure the timely completion of the editing process;
3. be responsible for assisting the Editor-in-Chief in proof reading the “Blue-line” copy of each issue before publication;
4. identify and correct sub-citing problems and conduct training as necessary to improve the sub-citing process; and
5. assume further duties and responsibilities as the Editor-in-Chief designates.
Section 4: Notes and Comments Editor
The Notes and Comments Editor shall select and edit final drafts of submitted comments and notes. The Notes and Comments Editor shall maintain no less than a 2.75 cumulative GPA. The Notes and Comments Editor shall be responsible for coordinating the LRSC and to insure the timely selection of the topic, case materials, and criteria as outline in the By-Laws. The Notes and Comments Editor shall assume further duties and responsibilities as designated by the Editor-in-Chief to include:

1. working with Articles Editor to assist in the editing process of article submissions;
2. soliciting student Note and Comment submissions;
3. coordinating the editorial process for reviewing and revising student works;
4. designating members of the LRSC;
5. coordinating and conducting the Write-On Competition; and
6. responsible for recommending to the Editor-in-Chief rejection or acceptance of member pieces submitted for publication in the general issues of the Journal.

Section 5: Business Managing Editor
The Business Managing Editor shall oversee all business and financial affairs of the Law Review including the registration of all copyrights as needed. The Business Managing Editor shall maintain no less than a 2.75 cumulative GPA. The Business Managing Editor shall:

1. maintain accurate financial records and submit a monthly financial report to the Board;
2. prepare and submit an annual budget to the Editor-in-Chief;
3. solicit subscriptions for the Law Review;
4. order office supplies as needed;
5. maintain accounts of all pre-paid subscriptions and monetary contributions; and
6. perform all other duties as assigned by the Editor-in-Chief.
ARTICLE V

Meetings of the Editorial Staff

Section 1: Meetings
Regular meetings of the Law Review membership shall be called by the Editor-in-Chief at least once per month with notice being provided at least four (4) days before the start of the meeting. Written notice shall be deemed sufficient if posted in the Law Review office or forwarded by electronic mail to an address provided by a member. Such notice shall indicate if a vote is to occur and shall include a summary of the vote topic.

Section 2: Quorum
No business shall be conducted unless a quorum of one-half of the Law Review membership is in attendance. Members may not be considered in attendance by proxy.

Section 3: Attendance
Attendance by all members is necessary and required for satisfactory service to the Law Review. Failure to attend three (3) consecutive membership meetings shall result in a Warning notice being forwarded to the Member and the faculty advisor.

A. Failure to attend 70% of combined general membership meetings and committee meetings shall constitute “Unsatisfactory” participation.

B. Prior to adjournment of each Board meeting, attendance shall be taken, and any absence shall be recorded in the Minutes of the Meeting. Alternative attendance measures to include video conferencing, voice conference, webcast or other electronic communication shall be recorded if utilized.

C. A member who selects to use alternative attendance measure assumes full responsibility for virtual attendance.

D. An absence may be excused due to extenuating circumstances by a majority vote of the Editorial Board if received within two (2) days before or after the meeting date.
Section 4: Minutes
Minutes of each meeting shall be transcribed and presented to the Executive Editor within two business days of the meeting and placed on file in the Law Review office.

ARTICLE VI
Membership Duties

Section 1: Duties
All members shall be active participants in the Law Review organization by regularly attending general meetings as outlined in Article V § 3 and completing all assignments in a timely, thorough, and accurate manner. Staff members shall not obligate the Law Review or take independent action on behalf of the organization without Editorial Board approval.

Section 2: Responsibilities

Section 3: Conduct and Character
Law Review members shall represent the highest standards of professionalism, civility, and character as evidenced by honesty, trustworthiness, integrity, and reliability. Members must behave in an appropriate manner in the Law Review office, at all Law Review functions, with faculty, administrative staff, students, and members of the community when representing the Law Review. Members must consider the best interests of the Law Review organization and shall not engage in any malicious conduct against a Law Review member, property, or work product.
ARTICLE VII

Disciplinary Action

Section 1: Academic Probation
Any member of the Board or Law Review staff who is placed on academic probation shall be dismissed from the Law Review. Upon dismissal, no further academic credit for Law Review membership will be awarded, which includes a non-award during the semester of dismissal.

Section 2: Disciplinary Action
Any member of the Board or Law Review staff is subject to disciplinary action by the Editorial Board for failure to perform duties and responsibilities of the Law Review for offenses described hereinafter, academic dishonesty, including:

A. Plagiarism. Plagiarism is the use, without attribution, of the material (language or ideas) of another by one who, by direct claim of credit or by implication, indicates that the material is his/hers.
B. Honor Code Violation. All submissions to Law Review must comply with the FAMU College of Law Honor Code.
C. Unprofessional Conduct, including:
   1. failure to complete an assignment or comply with time deadlines;
   2. failure to behave in an appropriate manner at all Law Review functions;
   3. disclosure of confidential Law Review material or information;
   4. malicious conduct against a Law Review member, property or work product;
   5. engaging in any act that the Editorial Board by a majority vote determines to be sufficiently harmful to the Law Review organization or its goals to warrant immediate disciplinary action, and any such violation outlined in the Student Handbook. The standards for disciplinary action shall be enforced equally among all members.

Section 3: Initiation of Disciplinary Action and Procedure
Any member of the Law Review is subject to disciplinary action for failure to perform duties and responsibilities of the Law Review as outlined in the By-Laws. The following procedures for disciplinary action shall apply:

A. Initiation of Investigatory Proceedings: Investigatory proceedings shall be commenced only upon a written complaint stating specifically the offense alleged, forwarded to the Editorial Board by any
Board member or two (2) Law Review members. The Board shall conduct a full investigation to determine the validity of the complaint and if further disciplinary action is warranted.

B. Warning Procedures: The Board shall issue warning notices to any member as specified in Article 5 § 3. Any Law Review member receiving three (3) written warning notices shall be removed from the Law Review.

C. Disciplinary Proceedings: If the Board determines that disciplinary action is warranted against any member, the following procedures shall apply:

1. The Editor-in-Chief shall inform the faculty advisors of proposed disciplinary action, recommended by the Board and Editor-in-Chief. The Editor-in-Chief will impose sanctions unless such disciplinary action is not approved by the (faculty advisor).
2. If there is no objection by the faculty advisors, the Editor-in-Chief's decision shall be final.
3. If removal is the sanction imposed, the Editor-in-Chief will notify the faculty advisor who in turn shall notify administration of the action taken and assess a grade of “U” for the (removal) semester.

ARTICLE VIII

Academic Credit

All members of the Law Review staff and the Editorial Board who have satisfactorily completed their duties shall be eligible to receive one academic credit per year or more as the College of Law allows. The Editorial Board may provide any information requested by the faculty advisor in determining an award of academic credit. The Editor-in-Chief will be awarded two academic credits in their second semester of service on Law Review.

A grade of satisfactory will be rendered upon successful completion of:

1. Attendance requirements as outlined in Article V §3; and
2. All provisions of Article VI to include §1-3.

The faculty advisor shall report to the Registrar’s Office those students who are to receive a Satisfactory “S” or Unsatisfactory “U” grade for the semester. All members who are awarded one Law Review credit shall receive a Law Review Certificate upon graduation.
ARTICLE IX

Non-Credit Law Review Participation

A student cannot participate on Law Review on a non-credit basis.

ARTICLE X

Ad Hoc Committees

All Editors are authorized to create committees as necessary with the approval of the Editorial Board. Each editor is authorized to offer committee chair appointments to any member of the Law Review in good standing. The appointee may reasonably decline the offer. Upon acceptance of the appointment, the Chairperson, with Board approval, may select committee members from the general membership of the Law Review. The Editor-in-Chief may veto the creation of any committee.

ARTICLE XI

Grievances

Section 1. Grievance Committee

Any written grievance or complaint shall be forwarded to the attention of the Editor-in-Chief who shall call an Executive Session of the Editorial Board to address the issue. The Board shall have discretion to form a Grievance Committee to be chaired by either the Editor-in-Chief or Business Managing Editor. The Grievance Committee shall be comprised of two (2) Board members, a faculty advisor, and two (2) Members, as appointed by the Editor-in-Chief. In the event the Editor-in-Chief and Business Managing Editor are interested parties, the Executive Editor, Articles Editor, or Notes and Comments Editor, in that order, will chair the Grievance Committee. The Grievance Committee shall forward its recommendation to the Editorial Board for further action.
ARTICLE XII

Office Hours

All members of the Law Review staff shall have access to the Law Review offices for the purpose of conducting Law Review business. Each member may be assigned office hours to handle incoming calls or e-mail correspondence. No materials may be removed from the Law Review office without prior approval by a member of the Board. The Law Review offices shall not be used by non-member students for any purpose, unless accompanied by a member of Law Review in good standing.

ARTICLE XIII

Amendments to the By-Laws

Any member of the Law Review may propose amendments to the By-Laws. Proposed amendments shall be submitted to the Board in writing, outlining the need and justification for any change. Upon approval by a majority of the Board, proposed amendments shall be submitted to the membership for a vote. Proposed amendments to the By-Laws shall become effective immediately upon approval by a majority vote of the Law Review membership, subject to approval by the faculty advisor.

ARTICLE XIV

Resignation

Any Law Review member may resign by submitting a letter of resignation to the Editor-in-Chief. A member who resigns is authorized to list on her/his resume only the semester(s) completed while serving as a member of Law Review. Any member who is removed from the Law Review for any reason may only list those semester(s) in which a “Satisfactory” grade was awarded.
ARTICLE XV

Non-discrimination Policy

The Law Review shall not discriminate in any decision, policy, or publication on the basis of age, disability, ethnicity, gender, national origin, political affiliation, race, religion, or sexual orientation. The Law Review shall comply with the Anti-Hazing policy of Florida A&M University.

ARTICLE XVI

Anti-Hazing Policy

A. It is the policy of Florida Agricultural and Mechanical University that any student(s), group(s) of students, or student organization(s) affiliated with the Florida Agricultural and Mechanical University are prohibited from engaging in any form(s) of hazing activities.

B. The term hazing shall include, but not be limited to, any brutality of a physical nature, such as striking in any manner, whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of food, liquor, drugs, or other substances, or other forced physical activities which would adversely affect the health or safety of the individual, and also includes any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contacts, forced conduct which would be demeaning or results in extreme embarrassment or any other forced activity which could adversely affect the mental health or dignity of the individual. For purposes of this section, any activity as described above, upon which the initiation or admission into or affiliation with a university organization is directly or indirectly a condition, shall be presumed to be a "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

C. Penalties – Any student(s), student group(s), or student organization(s) which are affiliated with the Florida Agricultural and Mechanical University, on campus or off-campus, that are found responsible for haz ing will be subject to appropriate sanctions by the university, which may include the imposition of fines; withholding of grade(s), transcripts and/or diplomas pending payment of fines or pending compliance with the current Student Code of Conduct, Rule 6C3-2.012, F.A.C., of which this rule becomes a part of; the imposition of probation, suspension, dismissal or expulsion of said person(s) or organization(s), and/or the rescission of permission for
the University sanctioned organization(s) to operate on the Florida A&M University campus or to otherwise operate under the sanction of the University.

D. All penalties imposed by the University do not absolve the student(s), group(s) of students, or student organization(s) from any penalty imposed for violation of criminal laws of the State of Florida or for violation of any other university rule(s) to which the violator(s) may be subject.
MANUAL & GUIDELINES

A. ORGANIZATION OF THE FAMU LAW REVIEW: THE EDITORIAL BOARD

The FAMU Law Review consists of one board, the Editorial Board. The outgoing Editorial Board hosts an election forum in April, and new members take office in late May of their 2L year, and execute their position throughout their 3L year. The Editorial Board is elected by members of the FAMU Law Review. In addition, our Executive Editor, oversees the operation of our offices, works closely with the Business Managing Editor on financial issues, and provides the necessary institutional memory and stability as the Editorial Board turns over each year. A brief description of the various Editorial Board positions follows. The responsibilities of the editorial members of FAMU Law Review are addressed in Section II (Bylaws) and Section III(b) of this manual, which describes the editing process.

Editor-in-Chief ("EIC"): The Editor-in-Chief oversees the entire operation of the FAMU Law Review. S/he presides at meetings of the Editorial Board and Law Review members and serves as the Law Review’s representative to the administration, faculty, and the rest of the Law School. S/he also interacts with every member of the Editorial Board at various stages of the production process. S/he is a member of all pools – Articles, Notes, and Comments – and tracks and monitors pieces as they go through the production process. In addition, s/he conducts a — final read of the entire issue before it goes to print, working with the Executive Editors on final edits. The EIC, along with the Executive Editor, oversees the Law Review’s budget and investments and works closely with the Articles Editor, and the Notes & Comments Editor on larger issues such as article selection strategy and the journal competition. More generally, the EIC is responsible for leading the Editorial Board in policy changes and overseeing all aspects of the Law Review.

Executive Editor ("EE"): The Executive Editor is responsible for ensuring that the FAMU Law Review is published on time and is in charge of developing the yearly production schedule. S/he makes all Editorial Board assignments, and works with the Articles and Notes editors to gauge the necessary amount of Editorial Board staffing on individual pieces. The EE also oversees the various social events held by the FAMU Law Review, ranging from the annual Induction Ceremony, to the New Members Orientation and the annual Law Review Banquet Reception in the Spring. S/he also
works with the Editor-in-Chief to develop the annual budget and works closely with our Business Managing Editor to ensure proper accounting and payment of bills.

**Articles Editor (“AE”):** The Articles Editor is in charge of selecting the articles that are read and considered by the Articles Pool. The *FAMU Law Review* receives hundreds of article submissions every year, and it is the responsibility of the AE to cull the best pieces as quickly as possible so that good articles are not lost to competing *Law Reviews*. The AE must also ensure that the pieces which are sent to the Articles Pool represent a wide range of legal topics. In addition to reading submissions, the AE discusses pieces with faculty members, and in consultation with the Editor-in-Chief, negotiate offer terms with authors whose pieces have been accepted by the Articles Pool. The Articles Editor then supervises a team of *FAMU Law Review* members through the initial edit and cite check phase of production. The Articles Editor compiles the edits provided by the Editorial Board and advises the author on structural and grammatical edits. They often meet with the EE and EIC when larger substantive changes are in order.

**Business Managing Editor (“BME”):** The Business Managing Editor is responsible for the financial records of the *FAMU Law Review*. The BME reviews the *Law Review* bank account, and is responsible for seeing that all creditors are paid in a timely manner. The BME is also responsible for coordinating the annual *Law Review* Induction Ceremony in the Fall. The BME must reserve a venue for the ceremony (preferably the FAMU College of Law), a catering service, and order invitations and the official *Law Review* pins. The BME will maintain all necessary documentation for preparing the Induction Ceremony and creditor information. Finally the BME will provide the EIC and EE with status updates of the *Law Review* bank account, sale of journals, and any other financial matters.

**Notes & Comments Editor (“NCE”):** The two main responsibilities of the Notes & Comments Editor are overseeing the Notes Pools and running the annual journal competition. The NCE monitors the progress of all Notes that are published in the *FAMU Law Review*, and advises the author of major substantive and structural changes that are required before the piece will be sent to the *Law Review* members for editing. In addition, the NCE meets with student authors to discuss criticisms raised during the editing process. Finally, the NCE in consultation with the Editor-in-Chief and the Editorial Board, selects the competition topic and format, and administers the competition in the Summer. He
also arranges for information sessions about the journal competition and is in charge of coordinating competition grading.

**National Conference of Law Reviews Representative (NCLR):** Each spring, the National Conference of Law Reviews brings together the editorial boards of all the Law Reviews and student journals throughout the United States, Canada and Puerto Rico for a four-day conference. The conference consists of training seminars and panels led by students, professors, judges, attorneys and other prominent members of the legal and academic communities (the NCLR attends the annual Conference and keeps the Editorial Board and all Staff Members with updates on the organization’s scheduled training seminars and other activities).

The NCLR’s National Headquarters are at Stetson University College of Law, although the conference is hosted by a different Law Review in a different city every year. The 2009 NCLR was hosted by the Southern University Law Review in beautiful downtown Baton Rouge. All Law Reviews and journals are welcome and are encouraged to attend. For more information on the National Conference of Law Reviews, including membership forms, please visit the National Website at the following URL: http://www.ncrlaw.com.

**Team Lead Editors (TL):** The Team Leads handle the final edits of a piece, editing for citations, grammar, and substance (each piece is eventually read by approximately five team leads). The team leads supervise the Law Review staff members on their individual teams. For instance, a team lead may have approximately three to seven staff members on his or her team, and may divide the article assignments accordingly. TLs must meet the AE’s deadlines and report any noncompliance of team members to the AE. The TLs are also responsible for formatting the pieces and communicating with our AE. They interact with the AE during the final stages of the process to incorporate the team’s changes from the Final Read. Lastly, the TL are in charge of all citation rules and conventions, while using the Bluebook.
B. SELECTING PUBLISHABLE MATERIAL AND THE EDITING PROCESS

This section describes our processes and strategies for selecting publishable material and for editing the pieces that we accept for publication. In short, the Articles Editor selects the pieces, and the piece is then passed to a Team Lead Editor for editing. Collectively, these editors are often referred to as Team Lead Editors. The Articles Editor assigns members to each piece, and Team Lead Editors work directly with Staff Editors. Team Lead Editors arrange meetings with their Staff editing team to discuss the piece; highlight areas of the argument that need additional work, and discuss potential citation problems.

There are several stages of our editing process: the Initial Edit, the Cite Check, and the Executive Edit. Most of the substantive changes, however, are contained within the document itself through the use of the Track Changes tool.

a. Selecting Publishable Material

i. ARTICLES and ESSAYS

Law Reviews around the country operate under intense competition for high-quality articles. Every year FAMU Law Review receives hundreds of unsolicited articles and essays academics, jurist, and practitioners. These pieces arrive throughout the year, but the majority of the submissions are received in March, April, September and October. During these peak periods, it is crucial to maintain efficiency in sorting through the manuscripts in a timely manner. A delay of a few days may result in highly desired articles being published in other journals.

To maintain its competitive edge, FAMU Law Review has structured its selection process to maximize the efficient selection of articles for publication. We are capable of receiving, screening, pooling and deciding whether to publish an article in less than forty-eight hours. In recent years, this level of efficiency has enabled FAMU Law Review to land top pieces before other journals have an opportunity to consider the submissions. We achieve this efficiency through the following process.

The first stage is an initial screening conducted by the Articles Editor (AE). The AE distributes the article to randomly selected staff members and the Editorial Board members to read and complete an articles review and evaluation form. The selected members screen for topicality, writing quality, argument structure, length, and, most importantly the significance of the contribution to the relevant field of scholarship. Less than 5% of submissions survive this first stage of the selection process. We
also often receive requests for expedited review from authors who have received offers of publication at other journals. These requests usually allow for extremely short time frames of anywhere between eight hours and a few days for us to complete our initial review.

If a majority of the selected staff members who completed an articles evaluation and review form decide to accept a piece, the AE will contact the author to extend an offer of publication. When conferring with the author, the AE will discuss a possible publication date, and answer any questions the author might have concerning the editing process. Submissions with expired offers are not reconsidered. Combined with the efficiency of our review process, this policy promotes our competitive advantage by enabling us to secure an early commitment from authors of articles we have accepted. It is *FAMU Law Review*’s policy select articles four to six months before publication. In the past, *FAMU Law Review* published approximately four articles and four Essays per year.

**ii. STUDENT NOTES**

Each year, *FAMU Law Review* publishes between two and four student-written Notes. Notes may only be submitted by J.D. candidates at an ABA accredited law school. Any FAMU law student may submit a Note for publication, and all are encouraged to do so. Student Notes must go through the same rigorous process as article submissions.

**b. Editing Process: Introduction**

Once a piece has been selected, it enters our editing process. Editing involves several steps, most of which are discussed in greater detail later in this section. First, the AE assigns each Team Lead (TL) Editor an individual piece (article/note/essay/comment). TL Editors are responsible for the initial edit and cite check stages of the editing process. The AE assigns *Law Review* staff members to a TL. The TL distributes the piece to each assigned staff member, along with a memo outlining the specific editing instructions. The TL meets with his/her respective team members to discuss the piece and any potential problems associated with the edit. The team then completes the first round of editing, which is referred to as the Initial Edit (IE). The IE entails gathering sources to verify substantive support, editing the body of the document and the footnotes, and providing the TL with a memo commenting on the piece, along with any problems encountered while editing. The TL enters the changes into the document and provides the author with feedback. Student notes often require more significant revisions, and must undergo an additional round of editing. The Notes & Comments Editor is assigned to review the edits of all Student Notes. Once the author returns the piece, the second round of editing, called the Cite Check (CC), commences. For most pieces, the same TL will oversee the IE and the CC. The team staff members again provide a memo and along with the edited manuscript to the TL, who enters the appropriate changes and sends a memo to the author. The author is then given two weeks to address the changes.

Once an author returns the piece following the CC, it is turned over to the AE or Notes and Comments Editor, who is responsible for the final steps in the production process. Working with the
TL and the Editor-in-Chief, the Editorial Board performs three separate stages of detailed editing, reviewing Bluebook citations, grammar, style, and the cohesiveness of the argument. At this stage, substantive issues are not the primary focus, as the Executives assume they have been addressed in the earlier rounds of editing. Executives typically do not consult the sources; they rely on the staff editors and the TL to thoroughly check the substantive support. Once the Executives have completed the three readings, the Editor-in-Chief reads all of the pieces; known as the final read. Following the final read, the TL enters any changes recommended by the Editor-in-Chief, address any final issues, format the piece, and send it to the printer.

i. The Initial Edi:

The Initial Edit (IE), in many respects, is the most important stage in the entire editing process. The team staff members assigned to the IE verifies every source cited in a piece to ensure that the source accurately supports the proposition to which it refers. A halfhearted initial edit can weaken the academic contribution made by a piece and undermine the Law Review’s reputation. If an initial editor misses a substantive error, there is a significant chance that the error will not be caught and that it will end up being included in the publication. Although the cite check editors are also responsible for verifying substantive support, the primary burden for all substantive edits is on the initial editors. Upon completion of an initial edit, Editorial Board members will turn in two separate documents: (1) an electronic version of the piece with track-changes edits; and (2) a memo. The initial edit can be divided into seven separate tasks. These are: (1) gathering the sources; (2) verifying substantive support; (3) checking citations for correct Bluebook format; (4) editing for style and grammar; (5) critiquing the substance of the piece; (6) editing the piece electronically; (7) drafting a memo to the TL. These seven tasks are described in more detail below. TLs must contact their team staff members and request completion or revision of any unsatisfactory parts of the edit. Failure to make requested revisions or edits, by the specified deadline, may result in remedial measures.

ii. Gathering and Copying the Sources

The purpose of gathering and copying sources is to provide a quick reference file for TLs. That is, as the TL checks the text and accompanying footnotes, he/she should be able to pull a copy of each cited source and its bibliographical information to check for substantive support and correct citation information.

File Cabinet: For every piece, there will be folders in the file cabinet, which will be tabbed and arranged by footnote number. When a staff member has to copy or print a source, staple the pages together, locate the corresponding tabbed file, and place the photocopy in the bin. At the top of each photocopy, write the footnote number in a corner. Please note that often a footnote will contain multiple sources. When this occurs, identify each source by the footnote number and the number of the source within the footnote. For example, if footnote 16 has three different sources, and you are assigned the second source, write 16-2 in a corner and place it in the bin after footnote 16-1.
**Uploading Source Documents**: In addition to printing or copying the specific page ranges cited in a particular footnote, if it is the first time a source is referenced in the piece, the editor should upload the full source being cited and email it to the TL. For example, if a footnote contains a citation to *Roe v. Wade*, the editor should upload a PDF file of the entire case (available on HeinOnline or Westlaw) and email the file to the TL. The first page of the case and the specific pages being cited should be printed out and placed in the source box. *The entire source document should never be printed and placed in the file cabinet, unless there is no electronic version of the document available to be uploaded.* If unsure on which pages to print and place in the source box, contact the TL, make a notation in the electronic version of the piece, and/or print the entire range of possible pages and highlight the passage(s) thought to be relevant.

**What to Photocopy**: There are six general guidelines for compiling your photocopies and making sure you are copying all relevant materials:

1. The overriding principle of the source gathering process is to upload / copy everything the staff editor and TL will need to verify both the substance (checking that what the author is saying is supported) and the form of the citation (making sure the citation is in correct *Bluebook* format). Please note that sources are often available in multiple forms, and the *Bluebook* prioritizes one over others (e.g., Supreme Court cases should be uploaded and printed from the PDF of the U.S. Reporter, available at HeinOnline, unless the particular volume of the U.S. Reporter is unavailable). Please note that Westlaw PDF files are generally not from the U.S. Reporter.

2. There must be separate copies for each citation in every footnote—even if a source has appeared previously, the relevant pages still must be copied and put in the proper order in the bins. This includes *supra* citations to previously cited works.

3. The full source document only needs to be uploaded (or copied, if unavailable electronically) the **first time** it is cited within the entire piece. If a source appears in a staff editor’s assigned section of the piece, after having been previously cited in another section, do not upload the full source document if it is already uploaded and sent to the TL; instead, only print the first page (or bibliographic information) and the relevant pin-cite pages. The pin-cite pages include the actual pages cited, as well as one page before and one page after the cited pages.

4. If working on a CC and there are copies that were not done properly during the IE, the default rule is to make the necessary copies, unless the TL indicates otherwise.

5. If it is determined that a footnote is needed in the text and the staff member is aware of the source that should be cited (typically this will be the case when the citation is to a previously cited source), make those copies, place them in the file cabinet, and write on the copies —New Fn., To be Placed Between Fns __ and __.

6. Anytime a book is cited, in addition to copying the relevant pages (usually the title page, table of contents, and pin-cited/surrounding pages) the book itself should be checked out to the carrel and left there for the TL.

27
**Strategies for Collecting and Photocopying Sources:** After completing several Initial IEs or CCS, staff members generally develop individual methods and strategies for collecting, uploading, and photocopying sources in the most efficient manner. Typically, pieces are broken down by footnote, so that one Editorial Board member edits the footnotes and accompanying text for footnotes 1 to 50, another edits the footnotes for 51-100, and so on. The TL will break up the piece according to the number of sources in a particular block of footnotes to try to even out the workload as much as possible. This means that often more than one team staff member will be responsible for the same sources. But this method also gives individual team staff member more ownership over a particular section of the piece, and leads to better substantive critiques.

After reading the entire piece, most staff members make up a list of the sources they are responsible for checking. The benefit of making this list before starting the copying is that it allows Editorial Board members to see when a given source is cited multiple times, so that all of the copies can be made at once. While there is no general requirement that such a source list must be created, some TLs may request that staff members draft such a list. It is highly suggested that each staff member read the memo from your TL carefully to determine whether a source list is required for the editing process. Making this kind of working list will also allow staff members to keep track of the sources that are difficult to locate. Once the source list is compiled, staff members should attempt to locate the hard-to-find sources first, generally these are books and other materials that must be obtained from the library at the Main Campus, or materials that must be ordered Inter-Library Loan (ILL). The TL may have requested books or recalled books prior to sending out the edit; if unsure if the TL has started this process, contact the TL to clarify this as soon as possible. If the source is hard to find, contact the Reach Librarian in the Library to assist you in this process. Please note that a key section of the memo to be submitted to the TL is a description of the sources that could not be found or did not arrive prior to the editing due date. In the memo, note the date of the requests and upon arrival, staff members must follow up with the sources. It is very important that request are made early in the editing process, delay is not a valid excuse from completing the necessary follow-up work upon the arrival. Please keep in mind that many sources are cited throughout a piece, and several staff members may be looking for the same source at the same time. Making a working list will allow staff members to make all the copies of a single source at one time, thereby minimizing the time others do not have access to a source. While working on the edits, please be considerate both of other staff members and other library patrons who may be looking for the same source.

iii. **Verifying Substantive Support**

After gathering the sources, staff members are responsible for verifying that the cited material actually supports the author’s stated proposition. There are four aspects to this process: (a) checking that the source substantively supports the proposition it is being cited for; (b) checking the accuracy of quotations; (c) determining whether a pin-cite can be added for general citations; and (d) determining whether a footnote has been unnecessarily included and recommending its deletion, or determining whether a footnote may be needed and recommending its inclusion. Staff Members
should always highlight the relevant passages used to verify substantive support on the physical copy of the source.

(a) Check the substance of the citation. Team Staff Members are responsible for ensuring that cited material substantively supports the author’s position and that pinpoint citations are correct. Read the cited page and highlight the portion or portions that support the assertion in the article. Specifically, check to see that the author has not distorted the support or stated it without its limiting factual conditions. Read the introduction to a Law Review article or the head notes to a case when the author cites to the entire article or case. This ensures that the article or case supports the stated proposition. Obviously, staff members must read all pinpoint cites to verify substantive support. Staff members also should scan the surrounding (or introductory) material to ensure that the cites are not taken out of context. If there is a substantive support issue, write a full description of the concerns in the memo to the TL (see below for the proper form for these notes) in the electronic version of the piece. It is important that staff members note any substantive support problems, even if they are relatively or seemingly minor, and that staff members give adequate explanation of the problem and suggest possible remedies.

(b) Check the accuracy of quotations. It is remarkable how many quoted passages are ever-so-slightly wrong. It is the staff member’s job to carefully compare the original source with the quote in the article. First, highlight the quotation in the copy of the source. Then, in the manuscript, place a checkmark above each and every word, capital letter, and punctuation mark in the quotation. This helps the TL ensure the quotation’s accuracy. It is especially important that staff members check that all quoted material has been photocopied.

It is also important to check for proper use of ellipses and also check any odd punctuation or capitalization so that the TL can be sure that they were reviewed. The rules about ellipses are particularly difficult, so indicate the omitted material on the photocopy. If there are doubts, consult the TL. If a staff member fails to resolve a problem prior to submitting his/her edits, note the problem and what was completed in an embedded comment to the TL. Staff members should make any necessary changes in your section of the piece electronically using track changes.

(c) Check whether a pin-cite can be added for general citations: Citations to an entire Law Review article, case, or book are disfavored, and it is frequently possible to locate the exact page or pages being referenced. When you encounter a general citation without a pin-cite, it is the staff member’s responsibility to provide the pin-cite. When the point being made is truly a general one, a pin-cite to the introduction or conclusion is often an appropriate way to direct the reader without making the cite too narrow. Again, make sure that the photocopies include the pages for the added pin-cite. One way to find pin-cites for cases or articles is to retrieve the source on Westlaw or Lexis, and search for key terms or quotes.

(d) Determine whether a footnote has been unnecessarily included and recommend its deletion, or determine whether a footnote may be needed and recommend its inclusion. Footnotes serve two primary purposes in a Law Review article: (1) to provide substantive support for a given proposition,
so that a reader could go to the cited source and find clear support for the stated proposition; or (2) to address or highlight an issue tangential to the above-the-line discussion, and to provide brief commentary on it, or to otherwise lead the reader to more sources on a given topic if the reader is interested. This section concerns the first use; the second use is largely a stylistic and strategic decision for the author.

The subject of the proper use of footnotes in Law Review articles is one of some contention, and Law Reviews are often criticized for excessive footnoting. The FAMU Law Review, unlike many of its peers, does not engage in a practice of adding significant amounts of footnotes to the piece during the editing process. To the contrary, excessive footnoting is disfavored. It is FAMU Law Review’s policy that footnotes after every sentence are not required to ensure that a piece is substantively supported, and that excessive footnoting decreases the readability of the piece. Furthermore, adding footnotes increases the burden on the staff members and TLs (to make more copies), and hurts our relationship with authors because adding footnotes may require FAMU Law Review to ask the author for an appropriate source. FAMU Law Review’s approach is instead fairly even-handed: We do not add a significant amount of footnotes to the piece, and we often recommend to the author when we feel footnotes or below-the-line material can be deleted. In generally, student notes are often unnecessarily heavy in their footnoting.

Unfortunately, it is difficult to describe any hard-and-fast rules for when a footnote is or is not required. However, here are a few guidelines and examples:

(i) When footnotes are required: There are three paradigmatic situations where footnotes are required:

a. Official Sources: when a case, statute, regulation, or other official source is cited.
   i. Ex. A footnote to the case would be added after this sentence: In *Hipolite Egg Co. v. United States*, the Supreme Court held that Congress could regulate the interstate transport of contaminated eggs.

b. Quotes: whenever a source is directly quoted, a footnote is always required.

c. Factual assertions that is non-obvious to those with knowledge of the law:
   i. Ex. No footnote would be required for: Alexander Hamilton wrote many of the Federalist papers. A footnote would be required for: In the 2003, the House of Representatives considered approximately 340 different pieces of legislation concerning gun control.

(ii) When footnotes are not required. *Footnotes are not required to support general propositions that are common knowledge to a reader with knowledge of American law, or of the area of academic discussion more specifically.*
a. Ex. Footnotes would not be required for the following propositions: (i) A contract requires offer and acceptance; (ii) Transaction costs impede optimal bargaining.

Again, make sure that all material statements are covered. For example, for the statement —John Jay was elected as governor of New York in 1795 by a popular majority, the cited material should support the fact that John Jay was (1) elected governor; (2) of New York; (3) in 1795; (4) by a popular majority.

iv. Check Citations for Correct Bluebook Form
Always refer to the Bluebook for rules and writing out abbreviations correctly. Never assume! If significant or obscure Bluebook changes are made, be sure to note the Bluebook page and rule number in the memo. Staff members do not need to note the relevant Bluebook rule number or page number for all edits; only include this information if a) unsure of which rule ought to apply and indicated the desired rule (in this situation, include an embedded comment indicating which other rules might be applicable), or b) if the rule is particularly obscure or complicated. When editing the assigned section, make all Bluebook edits directly to the piece through electronic track changes.

v. Editing for Style and Grammar
Staff members should edit for style and grammar both above and below the line. In the assigned section, please make all of these edits directly to the piece using track changes. For any significant stylistic or substantive edits, please also include an embedded comment to the TL explaining why the edits were made. While editing, be careful not to change the author’s argument.

vi. Critiquing the Substance of the Piece
Staff members critique substance in both embedded comments and in their memo to the TL. Staff members should give their comments about the style, structure, and substance of the piece. Staff members should comment generally about the entire piece, and more specifically about the section assigned. To clarify, only embed changes and comments in the electronic version of the piece for the assigned portion of the piece, and use the memo to discuss the piece as a whole. In the memo, staff members should focused on macro-level comments, such as suggestions or thoughts about the structure of the piece, the argument generally, persistent stylistic problems or issues, or any other comments that are not specific to a particular page or section. Most of the comments should be very detailed and should be embedded in the electronic version of the piece — both above and below the line — as notes to the TL.

The substantive critique is a great opportunity for staff members to have major input on the development of a piece. Please do not overlook the importance of substantive comments on the piece. Be specific — do not simply state that a certain section of the piece is disliked, rather suggest ways to improve it, or explain why deleting it altogether would not substantially impair flow of the argument. TLs relay the substantive comments of their team to the author and find it very helpful to be able to say — this section would be stronger if .... The comments of the team staff members are like a small-scale survey that the TL uses to decide which substantive issues to address, how to address them, and what suggestions to send to the author. Making substantive comments and edits is a required part of
the editing process; if an editor fails to make substantive comments, they may be asked to re-read the piece and send comments and suggestions to the TL.

vii. Editing the Article / Essay / Note Electronically

All of the above five elements of editing should be reflected in the electronic version of the Article / Essay / Note. The memo from the TL will describe the electronic editing process, although the process will be basically the same for all of the pieces staff members typically work on. When the TL initially distributes the editing assignment, he/she will send staff members an electronic (Microsoft Word) version of the piece. If staff members do not have Microsoft Word software on the personal computer, contact the TL or the IT Department on campus (upon receipt of the electronic version, save it locally on the computer with the appropriate file name (e.g., for an article, in the IE stage, by Smith, if the staff member's name is Jones, the correct file name would be SmithIE_A(Jones) (see below for the Guide to File Names)). Then, verify that the track changes feature of Word is turned on. Beginning with the text associated with the first footnote assigned; make all of the relevant and appropriate edits to the piece directly. In other words, if a staff member believes a sentence should be deleted, delete it; if the font for a citation needs to be changed, change it. Track changes will indicate any and all edits that are made. Staff members should not make any edits without the track changes feature turned on. Please remember that all substantive or significant edits should be explained in a comment to the TL.

In order to make a comment to the TL, use the following format: {TL: I suggest cutting this sentence because it is duplicative of the prior sentence and is therefore unnecessary.} Staff members should not make any comments addressed to the author. All comments should be addressed to the TL.

Staff members should use the embedded (that is, the {TL: }) comment format for any and all comments to the TL. This includes explanation of edits made directly, notations about questions concerning sources or citation format or other issues, comments about the style or substance of a sentence or paragraph, suggestions about where footnotes or text should be deleted or inserted, and anything else staff members might want to convey to the TL. When in any doubt, use the embedded comment form to communicate anything that might possibly be relevant to the TL.

It is important that the TL be able to distinguish between comments written by staff members to him/her and edits that are suggested directly to the piece. Therefore, please be careful about using the proper form for direct edits and comments.

viii. Writing a Memo to Your Team Lead

Before returning the IE assignment to the TL, write a memo summarizing certain key elements of the edit. The memo received from the TL at the beginning of the edit will describe the required components of the memo, and every staff member must read the TL’s memo carefully, as some TLS have unique requirements for the memo that must be returned to them. The basic elements of the memo will, however, remain consistent among TLS and all memos prepared at the end of editing a
piece should conform to the basic format (an example of a typical memo is included at the back of this manual).

The memo should be divided into two sections; Part I of will be about sources, and Part II general substantive comments.

Under Part I, the following lists must be included with your edit: (1) any sources that were checked out to complete the edit, and the due date of those sources; (2) any sources recalled from within the FAMU library system, any sources requested but not yet received, and the date(s) on which the items were requested. Staff members are responsible for tracking, checking and adding to the edit outstanding sources upon arrival to the library, even if they arrive after the edit is completed and returned to the TL. If there are any other problems or issues with the sources, write a note in this part of the memo as well. For problems with citations to particular sources, comments, questions, or suggestions should be embedded in the electronic version of the piece wherever the problematic source appears.

Part II of the memo is about the substance of the piece, and should include: (1) any overall thoughts and comments on the piece, (2) any substantive or stylistic problems that appear throughout the piece, (3) any structural or organizational comments or suggestions, and (4) any other substantive comments that do not pertain to a specific part of the piece. All comments relating to the assigned section of the piece should be embedded in the piece itself. Remember that FAMU Law Review's goal is to suggest to the author(s) ways to make the argument and writing stronger, so please indicate possible solutions to the problems identified in the memo and embedded comments.

At the end of the edit, please email a copy of the memo to the TL, or the Article or Notes editors.

c. The Cite Check

When the IE is submitted to the TL, he/she will incorporate necessary changes, and will send the author a copy of the piece with all changes in track changes format. The author has approximately two weeks to accept or reject each change. This is also the last time when an author can add new material to his/her piece. The author will send back his/her changes and the TL incorporates these new changes before sending the piece out for the Cite Check.

The Cite Check is the second phase of team staff members editing and does not differ significantly from the Initial Edit. Staff members should follow all the steps outlined above for an Initial Edit, namely, making sure all sources are uploaded and copied, that the sources substantively support the text, and that the Bluebook form is correct. Staff members should also make stylistic edits and write a memo to the TL.

There are several things to be aware of when completing a Cite Check:
New Sources/Footnotes: The major difference in a Cite Check is that many of the sources have already been gathered. Cite Checks, however, present their own challenge: the edits made during the Initial Edit and by the author have often resulted in new footnotes with new citations, and photocopies made during the initial edit are unlikely to be assigned the same footnote number. Staff members on Cite Checks are responsible for reordering the footnotes, and making all necessary copies to ensure a full set. The TL will provide some guidance in correspondently the IE footnote numbers to the numbers in the CC manuscript, but staff members are responsible for ensuring that the assigned section is accurately numbered and complete before submitted to the TL. The next step is to consult with the TL. If staff members still have questions about particular sources or edits after consulting the TL, staff members may also contact the other team members who worked on the Initial Edit. It is imperative that sources that were unavailable during the Initial Edit are located during this process. Staff members should also check all copies that have already been made to ensure that the proper pages are cited, pin-cites change and additional copies may be required. In addition, if the copies made during the Initial Edit do not follow the copying requirements, these copies must be made during the Cite Check. Finally, if there are photocopies of sources that are no longer found in the article, remove them from the numbered folders in the bin, write deleted on them, and place them in the back of the bins behind the last folder.

Substantive Support. Check all propositions for substantive support. It is essential that you verify substance, even for sources that appear to have been dealt with correctly during the Initial Edit. Very often, the author rearranges sources in the piece, and in any event, we arrange two rounds of editing specifically so that team staff members can check for substantive support.

Bluebook, Style, and Critiquing the Piece: Once again, please be as aggressive in checking Bluebook citations and editing for style as in an Initial Edit. Do not assume that the Bluebook corrections made in the Initial Edit are correct. In addition, please do not refrain from making serious substantive suggestions because it the edits are occurring in the CC, many pieces have benefited greatly from the critiques of staff members during the Cite Check. When the piece is returned to the TL, he/she will incorporate the changes into the manuscript. The TL will send the author a copy of the piece that incorporates all proposed changes. Again, the author will have one or two weeks to accept or reject each change before sending back his/her final version of the article. The TL incorporates the author’s final changes before it becomes the responsibility of the Executives.

i. The Executive Edit

After a TL has completed the Cite Check, he/she organizes a meeting with the team of staff members for a reading. At the meeting, staff members and their TL will read the piece, commenting on grammar, citation forms, and particularly troubling substantive elements (though the time for major substantive changes is long past). After the first reading, the TL incorporates his/her own comments and then sends the piece along with a list of comments and questions, to the author for final review. Finally, when the TL receives the piece from the author, he/she incorporates the author’s comments, suggestions, and changes. After that process is complete, the AE proofreads the finished piece. After
the second read, the EE assembles all of the pieces in a given issue and presents them to the Editor in Chief, who also performs a complete (if sometimes expedited) proofread, known as the "final read." In the meantime, the EE finalizes all other aspects of that issue, such as the cover, spine, table of contents, and subscription disclosure statements. Some of this information is determined in conjunction with the Business Managing Editor, who is responsible for advertisement and subscription information. Once the EE receives the pieces back from the EIC, all of the Editorial Board Members will proofread the entire issue, piece by piece. This means that the Board members continue to proofread each piece until they find no typographical errors. Finally, the EE sends the issue to the printer. The goal to get the issue to the printer is the 15th day of the month before the issue is to be published (i.e., the May issue should go to the printer on April 15th). After the EE approves a proof copy of the printed issue returned by the publisher, the book goes to press. The finished issue will be accessible to the public within eight working days.

**Final Note:** The completion of IEs and CCs is the principal responsibility of staff members of *FAMU Law Review*. A competent and complete edit makes *Law Review* run more smoothly and shortens what is an already-long editing process. Be aware that any TL reserves the right to ask Staff members to go back and re-do an inadequate IE or CC. In the interests of disclosure, staff members should also be aware that TLs evaluate Staff members work after each IE or CC. These evaluations are used to help Staff members improve their future edits, and they are also used during future Team Lead selection. Please note that repeated poorly completed work is grounds for disciplinary action, including expulsion from *Law Review*. This rarely occurs, but it is mentioned in order to reemphasize the importance of IEs and CCs to the review.

d. **Electronic Editing**

i. **Tracking Changes**

Most staff members have probably used the Track Changes feature in Microsoft Word before. Track Changes underlines and highlights changes made to a document so the TLs can easily combine the work of everyone who edited a piece and go through each change quickly. Before the implementation of electronic editing, each editor had to make a spreadsheet with each change documented, and the TLs would manually input each change.

1. **How to Set Up Track Changes**

This process typically happens several weeks after the CC is completed. It is important for the Staff members’ sources to be correctly numbered and substantively accurate so the TL can go back to the sources if there is a problem without having to hunt through an entire box.
A. Each staff member must ensure Microsoft Word 2003 or later is present on the personal computer. To check which version of Word is on a computer, go to the Help menu in Word and select About Microsoft Word.

B. As a precautionary measure, ensure Microsoft Word contains the most recent updates.

   (1) For PCs (Windows XP or higher):


      ii. Click on —Check for Updates

      iii. Follow the instructions. If there are updates to download, agree and download.

      iv. Continue until you get the green shield on the right, which says —Your Office products are up-to-date.

   (2) For Macs (OS X or higher):

      i. Click on the Apple icon in the top right-hand corner of the screen.

      ii. Select —Software Update.

      iii. Follow the instructions. If there are updates to download, agree and download.

      iv. Continue until there is a green shield on the right, which says —Your Office products are up-to-date.

C. Store random number to improve accuracy (PCs only)

   (1) In Word, go to the Tools menu and select —Options.

   (2) Click the —Security tab.

   (3) Check box, if not already checked, that says —Store random number to improve accuracy.

   (4) Click —OK.

D. If staff members use Outlook to send attachments:

   (1) Open Outlook.

   (2) Go to the Tools menu and select —Options.

   (3) Click the —Preferences tab.

   (4) Click —Email Options.

   (5) Click —Advanced Email Options.
(6) Uncheck, if not already unchecked, the box that says —Add properties to attachments to enable Reply with Changes.

E. Update your name in Word

(1) In Word:
   i. PCs: go to the Tools menu and select —Options.
   ii. Macs: go to the Word menu and select —Preferences.

(2) Click on the —User Information tab.

(3) Enter your name

(4) Enter your initials.

(5) Click —OK.

Do not include quotation marks when typing in web addresses or anything else.

2. How to Track Changes

A. In Word, right-click any tool bar (the parade of small icons across the top of the screen below the menus).

B. A list of terms will appear. About two-thirds down the list is the —Reviewing option. Click on —Reviewing, unless there is already a checkmark next to it.

C. Now have the track changes icons will appear in the tool bar. Take a moment to hold the cursor on top of each to learn the function of each icon.

D. The red-lined document with a pencil turns track changes on and off. Click it once to turn track changes on.

E. Now anything typed will appear in a different color and underlined. A dash in the margin opposite any edited text will also appear.

F. Comments can be added with the —New Comment icon that looks like a yellow sticky-note on the tool bar.

3. To Track or Not to Track?

All changes within the assigned section should be tracked, both above and below the line. Any changes suggested that are outside the assigned section are welcomed, but do not actually put them into the document; please include them in the memo to the TL.
Equally important, in the places staff members recommend adding in or taking out a footnote, *do not do so in the original document.* It is fine to put in a note or comment outlining the recommendation, but anything that changes the numbering of the footnotes should be addressed in the memo. Staff members must also explain reasons for adding new footnotes or deleting existing ones.

Consult the TL if you have questions about what form they want your work to appear.
WHAT IS A STUDENT NOTE?

A. What is a Note?

A Note is simply a research paper on a legal topic written by a law student. Typically, Notes are about 25 pages long, but they often run longer. Although most Notes tend to conform to a fairly formal structure and style, there is no reason to be intimidated by the work required to produce a quality product. Students have the potential to write well and think critically about legal issues, and writing a Note simply requires students to do both those things in a somewhat deeper and more substantial way than required by typical law school classes.

B. Why write a Note?

a. Requirement

The most obvious reason to write a Note is because it is required. If student members do not complete a Note by the first day of the second semester of the third year (full time) / fourth year (part time), to remain in Law Review and receive certification prior to graduation.

b. Intellectual Development

Writing a Note gives students a rare opportunity to research an area of the law that may be particularly interesting. More importantly, it offers students a chance to be intellectually creative in a way that goes beyond the work done for law school classes. Developing a sustained legal argument over a period of several months can be a deeply rewarding experience that many students look back upon as one of the most intellectually stimulating parts of their law school career. As with anything, the more work that is put into it, the more you’ll get out of it.

c. Working with Professors

Professors often serve as sources of inspiration and correction for students as they choose and research a Note topic. Often you will form a valuable relationship with a professor who is a scholar in your area of interest. If you look at the biographical footnotes of most published Notes, the author will mention and thank a professor who helped the student along the way. It is predominately the case that the best student Notes are written by those who seek and receive help from a professor.
d. Immortality
You may submit your Note to the Notes & Comments Editor, and it may be selected for publication in the FAMU Law Review. If it does, your work will soon find a permanent home in hundreds of law schools and courts across the country, outlasting your existence by decades if not centuries.

C. Writing a Note: Seminars v. Independent Studies and Choosing a Topic

a. Enroll in a Seminar or Independent Study
Most students write their Note through one of two ways. They either write a paper for a seminar, which they then turn into their Note, or they sign up to do an Independent Study with a professor. The reason for doing either of these is twofold: first, it enables you to get academic credit for your work; and second, it provides a formal structure to get the assistance of a professor.

b. Seminar Paper
If you don’t have any ideas for a Note topic, it may be a good idea to sign up for a seminar this fall or spring that requires a finished written product. Seminars give students the opportunity to become acquainted with a relatively confined area of legal scholarship. Typically, seminars only require 25 page papers, but you can turn in a lengthier paper.

c. Independent Study
If you already have a general area of interest, you should consider doing an Independent Study with a professor. The advantage of this approach is that it gives you direct contact with a professor and it allows you to direct 100% of your work toward your Note. The only disadvantage is that it requires slightly more focus in finding your topic and more self-discipline in staying up on your work. Consult the Registrar’s Office for the procedures for signing up for an Independent Study.

d. Writing Your Note: Below is a very brief description of some of the basic elements of writing a Note that should help you get a better sense of what it entails.
i. Finding a Topic

Finding a topic for your Note is probably the hardest part, but you should realize that this part of the process often consists of two distinct stages: first you find a topic, and then you find a thesis.

**Topic.** Your topic should ideally be in the form of a question (e.g., Why have courts shaped a given doctrine in a certain way? What does a case or series of cases reveal about the development of a doctrine or area of law? What has been overlooked in a particular area of academic literature?). Oftentimes such a question is sparked by a topic you cover in one of your classes, but you may also want to begin looking for Law Review articles on general areas of law you find interesting to see what professors are writing about.

**Thesis.** The most important part of your Note will be your thesis. By the time you begin writing your Note, you should be able to articulate your argument in one or two sentences. Ultimately, this should address two questions: what does your Note say? And why does it matter? Remember, though, that you may not discover the thesis of your paper until you have been reading cases and articles for several weeks or even months. It may take reading your materials several times before you begin to see where your Note is going. Do not panic if you do not have a thesis right away.

**Preemption.** Once you do have a thesis, you'll want to make sure that no one else has said exactly what you want to say, so you should do an extensive scan of the academic literature in your area. This is called a preemption check, and you should feel free to contact your Notes Advisor about how best to perform it.

ii. Mechanics (Structure and Form): Probably the most common problems with Notes have to do with the structure of the argument and the clarity of the prose.

**Make an argument.** While there are many forms that your Note may take, at bottom, it must make an argument. Framing and thinking about your Note as an argument will allow you to better see how it fits in with the existing scholarly literature, and what research is necessary to make the claim.

**Structure - Clear and logically sound.** Writers vary in the extent to which they like to outline before writing. Some require that they have a very detailed outline of their argument before writing, while
others find that they often discover the complete structure of their paper only after they begin writing. In either case, though, by the time it is ready for submission as your Note, it must have a clear argumentative structure. Once again, this is something that your Notes Advisor may help you with, but the moment you begin writing, you should be thinking about how the different pieces of your paper fit logically together.

**Prose and Citations - Simple and Direct.** Good prose is equally important to a successful Note. You are all good writers, so that should not be a problem for you, but remember that no matter how good of a writer you are, you can always improve. Getting someone else to read early drafts is a good way to catch vague language, thought-clichés, and unnecessary verbiage. While notes must be adequately supported, beware of excessive footnoting and adding a large amount of below-the-line material.

**Types of Notes.** There is no fixed rule about the type of thesis your Note may have, but it is possible to describe several common types or categories of Notes:

- **Classic Doctrinal Analysis** – How a certain interpretation of an area of case law both explains and justifies the outcomes (and doctrinal formulations) of the relevant cases.

- **Theoretical Analysis** – How a certain legal theory or perspective (e.g., Law and Economics, Critical Theory, moral philosophy, etc.) illuminates a given doctrine or area of the law, or why case law or other extralegal factors support or fails to support one side in a scholarly debate.

- **Empirical Analysis** – How certain social science data (economic, psychological, etc.) supports or contradicts the assumptions of a given doctrine or area of the law.

- **Historical Analysis** – How a certain case, series of cases, or extra-legal events explains the development of doctrine or outcome of a specific case in a given area of law.

- **Case Comment** – How a recently decided case (or Circuit split) fits into relevant case law and what it reveals about the likely development of the doctrine.

**Past Topics.** It is a good idea to review Notes that have been previously published in the *FAMU Law Review*. Notes are available on Westlaw and Lexis, or in the *FAMU Law Review* Office.
LOGISTICS

As a student organization of the law school, the Law Review has its own offices and manages its own business relations and budget. We are unique in that we have our own dedicated Office and Business Managing Editor, who works in the office year-round and who is a critical asset to the Law Review team. In addition, we have a system of delegating work amongst the Editorial Board that ensures the effective and efficient operation of the journal.

The Articles Editor allocates the assignments among staff members. The TLs responsible for a given piece will then distribute the assignment to their designated editors. The Articles Editor will give advance notice of upcoming editing periods so that the staff members will know what to expect, and s/he will alert editors of their assignments as soon as the TLs receive all the pieces for a given edit.

A. OFFICE DUTY

Office duty is an integral part of the daily operations of the Law Review. Office duty takes place from 9:00a.m. to 11:00p.m. every Monday through Friday throughout the semester. All Staff members can expect to participate in office duty one hour per week.

Office duty assignments include substantive editorial work and business operations work, as well as any other Law Review-related assignment necessary to the functioning of the journal. Typical office duty assignments include cite checking, proofreading, renumbering sources, mailing packages, obtaining books from libraries across campus, shelving new issues, and following up on phone calls.

B. COMMITTEES

All Law Review members, including Staff Editors and Editorial Board Members, must participate in one of the following committees:

- Constitution & Bylaws
- Marketing / Communications
- Operations
- Information Technology (Website)
- Law Review Selections Committee (LRSC)
• Law Review Annual Induction Ceremony
• Law Review Annual Awards Reception

A Chair person will be selected and appointed by the Editorial Board Members. Each committee shall conduct a minimum of one (1) meeting per month.

C. SUBMIT AN ARTICLE to LAW REVIEW

The FAMU Law Review gladly considers unsolicited manuscripts for publication. Our general guidelines for submitting manuscripts are as follows:

• Publication Schedule and Submission Dates: We publish two issues per year and review articles mostly in the summer and fall months. Late spring through summer is the best time for submitting an article.

• Contributors: We are most interested in publishing articles by law school faculty members and judges, practitioners, and current law students.

• Forms of Submissions: We accept submissions in the form of articles, essays, and notes/comments.
  
  • Articles: Although we consider articles of any length, we are particularly interested in publishing concise scholarship between 8,000 to 20,000 words (not including footnotes) or 12,000 to 30,000 words (including footnotes).
  
  • Notes/Commentaries and Essays: Notes/Commentaries and essays can be substantially shorter than articles.

• Submission Media: We accept submissions either electronically (by e-mail), through ExpressO (http://law.bepress.com/expresso) or in hard copy form. We do not accept submissions on disk or by fax. Please note that electronic submission are preferred.

• Submission Address: Electronic submissions should be sent to articleseditor@famu.edu, and should include the subject line: ARTICLE SUBMISSION: [insert title of manuscript].

Please address hard copy submissions to:

FAMU Law Review Attn: Articles Editor 201 Beggs Avenue
Suite 138
Orlando, FL 32811
• **Submission Format:** Manuscripts should be double-spaced. Citations in manuscripts should appear in footnotes, not endnotes. Footnotes should conform to the current edition of *The Bluebook: A Uniform System of Citation.*

• **Contributor Information:** All manuscripts submissions should be accompanied with a cover letter and curriculum vitae. The cover letter should prominently feature
  
  • The article’s title;
  
  • The author’s e-mail address;
  
  • The author’s mailing address;
  
  • A daytime telephone number; and,
  
  • If applicable, a short list of the author’s published scholarly works.
  
  • A brief description of the article is welcome

• **Offer for Publication:** If we would like to offer you publication, the Articles Editor will send you an offer e-mail. If you would like to check on the status of your article, please contact the Articles Editor at articleseditor@famu.edu.

• **Expedited Review:** If another journal has formally accepted your article, we will make every effort to comply with a request for expedited review. To request an expedited review, please e-mail articleseditor@famu.edu.

• **Antidiscrimination Policy:** It is the policy of the *FAMU Law Review* not to discriminate on the basis of race, gender, age, religion, ethnic background, marital status, disability, or sexual orientation. As a matter of policy, the *Law Review* encourages and promotes the use of gender-neutral language.

Thank you for your interest in the *FAMU Law Review.*

**D. PRODUCTION CYCLE 2011-2012**

**Introduction**

Articles are the very essence of our journal. As a member of *Law Review*, you have made a commitment to excellence in publishing. Our most important objective is to accomplish timely and quality publishing. We will need the staff’s help, cooperation and understanding in completing our journal. Below is an outline of the Editorial process.
Articles Evaluation and Review (E&R) Process

The Articles Editor will make selections of articles for evaluation and review (E&R) by staff members for consideration of publication in our journal. This process will involve the distributing of articles to all staff members, including the board. Three (3) to five (5) staff members will be assigned articles for E&R. This is the initial stage in determining whether an article is of the quality for publication. The timeframe for submitting your E&R is three (3) weekdays, after assignment. In evaluating the article for publication, please consider the frequency that its topic has been discussed in other law journals by conducting keywords searches on either Westlaw or LexisNexis.

Determine the timeliness of the piece, whether the issue is a current legal issue that has sparked a topic of debate by searching current events in law (i.e. check the New York Times, Washington Post, Google etc…). Evaluate how well the article is written, the style (word choice, variation and narration) and citation form by checking the document in CiteCheck using LexisNexis. See if the articles conclusion wraps up the article, states the author’s position, and connects the various legal analyses (makes a logical nexus) that completes the conclusion. Note: The E&R process is very important in our publication process. An initial evaluation that is not thorough will ultimately impact our ability to produce a quality journal and substantially burden the staff and editors timeliness and publication schedule.

Citation Teams

After an article has been selected for publication, a citation team shall be assembled, which will consist of three (3) to five (5) staff members. The citation teams are responsible for gathering, locating, assembly, verifying and storing all sources related to an article for publication, to include, but not limited to, printing all cases from either Westlaw or LexisNexis and saving in electronic medium. Additionally, the team is responsible for locating non-electronic sources, (i.e. books, articles) using the law or public library, and retaining a copy and scanning into electronic medium these sources. All printed sources shall be filed in the Law Review Staff Office (LRSO) and made available to the Editing Teams during the editing process.

Staff members in a citation process must use the Bluebook and LexisNexis Sheppard’s’ CiteCheck to ensure the citation comply with the proper formats of any article. The Citation Teams are divided into two phases of the editing cycle. The initial phase, Phase I, before an article enters an editing cycle, all sources are assembled and made available in the LRSO. The timeframe for Phase I is up to seven
days (1 week). The second phase, Phase II, during the editing process, is to check the format of each citation to ensure that it is in compliance with Bluebook formats (i.e. Infra, Supra, signals, subsequent history, periodicals, See, See also, Id., short form citations, etc...). Finally, Phase III, after an editing cycle is complete, verify that citations still align with the text. Note: Staff members on an Citation Team, will remain in the E&R process, however, the probability of assignment may be reduce to a two to one ratio, meaning for every two articles other staff members receive, they may get one.

Editing Team
After an article has been selected for publication, an editing team shall be assembled, which will consist of three (3) to five (5) staff members. Staff members in an editing process must use their critical thinking to evaluate the author’s legal analysis and conclusion. Editors must make corrections to grammar, punctuation, spelling, and sentence structure to improve the article flow and readability. Identify and correct the analyses application and interpretation, while preserving the author’s perspective. The timeframe for editing is up to, but no more than twenty-one (21) days, depending on the journal's publisher’s deadlines. Each staff member may be given no more than seven days (1 week) to perform edits.

It is encouraged that an editing team meet, after each member has completed their individual edits, where the article is read aloud, between the members of the team. Additionally, the editing team shall assist the Articles Editor with completion publishing coding for submission to the publisher. Editing Teams may be created, at anytime, as necessary, to complete the publication schedule. The maximum number of articles an Editing Team may have at anytime is three (3). Note: Staff members on an Editing Team, will remain in the E&R process, however, the probability of assignment may be reduced to a three to one ratio, meaning for every three articles other staff members receive, they may get one.

Articles
Assignment of articles for the E&R Process, assembly of the Citation Teams and Editing Teams shall be done by the Executive Editor. It shall be the responsibility of the Articles Editor to balance the assignment of work and the objectives of publishing and make a fair distribution of work. The Articles Editor shall maintain a log of current and past assignments of staff for review by anyone who believes that they are receiving more article assignments than others. Effective date of this tracking is
July 1, 2008. Please note that our journal shall have a preference in article lengths of 40-70 pages, including footnotes and citations. However, in certain circumstances, consideration will be given to longer articles. This is a common practice and trend amongst most Law Reviews. Consistently producing deficiencies (i.e. lateness, not performing task) in any of the processes may result in you being reported to the board for corrective actions.
EDITORIAL TEAM ASSIGNMENT DISTRIBUTION

Each team member will be assigned sources to pull. It will be that team member’s job to edit those sources throughout the piece.

**Editing Will Entail:**

1. Ensuring that the source states what the author says it is stating,
2. That footnotes conforms to Blue Book format, and
3. Checking grammar/usage.

Every footnote should have the Blue Book rule next to it. When there are complex footnotes team members should collaborate to ensure proper Blue Book format. The Chicago Manual of Style should be consulted for issues concerning grammar/usage. Editors should make changes on a hard copy of the piece using editor’s symbols in red ink.

*If there are issues with the citation, don’t just point it out, fix it. If it’s not fixable bring it to the leads attention, so that we can get it corrected by the author.*

When editing is completed, the team will meet and the whole document will be read aloud to find any mistakes that have escaped notice. At the end of that process the team will discuss any difficulties and try to resolve them. Any outstanding issues will be referred to the E-board.

**Team Lead Responsibilities**

- Assign duties/pages to editing team
- Enter all agreed to changes into computer using “track changes”
- Semi-final word on editing disagreements (E-board has final word)
- Ensure team is meeting deadlines
- Communicate with E-board
MEMORANDUM

TO: FAMU College of Law Students
FROM: Associate Dean Jeremy Levitt
RE: International Law Internship Policy
DATE: February 2, 2009

This memorandum details Florida A&M University College of Law’s policy for participating in the International Law Internship course (LAW 6987).

Difference between an Internship and Externship:

The terms internship and externship are often used interchangeably, particularly in law schools. An internship is either a credit-based or non-credit based practical work experience designed to provide a student intern with information and skills by working within an organization, industry, or functional area related to the student’s academic and professional interests.

Internships are typically geared toward professional graduate students. Although some internships provide salary or similar financial compensation, non-compensated internships are the subject of this memorandum. The internship is for academic credit and is designed to benefit the student intern, and secondarily to benefit the placement site. Internship programs are intended to provide student interns with firsthand experience in government, international organizations, international-orientated law firms, corporations, nonprofit organizations, scientific research, the arts, and other areas of interest. Internship placement decisions are typically made by the placement site. Internships usually involve full-time work for 10 to 24 weeks (totaling a minimum of 35 hours per week when paid and at least 45 hours of work for each credit earned). Student interns may not simultaneously earn credit and receive a salary or similar financial compensation.

Externships are typically geared towards undergraduate students, do not provide salary or similar financial compensation, are of a limited duration, 3 to 10 weeks, and tend to advance the interests of both the student extern and the placement site. Externship placement decisions generally are made by the school rather than the placement site. Externs usually work full time for a minimum of 35 hours per week and earn one academic credit per 40 hours of work.

Students may only participate in one internship, externship or clinical program at a time.
International Law Internship Course Description:

The International Law Internship course is designed to provide students with the opportunity to earn academic credit for internationally-focused legal and policy field placement work conducted overseas, or within the United States, but outside of the State of Florida. This requirement may be waived in special circumstances at the discretion of the Director of the Center for International Law and Justice (CILJ), whose office manages and supervises all international law interns. The Director of the Center for International Law and Justice (CILJ) may delegate supervisory duties to a full-time tenured or tenure earning member of the faculty.

The International Law Internship course is non-paid credit-based practical work experience that enables a student intern to gain advanced legal knowledge and skills within an organization, industry, or functional area that reflects the student's academic and professional interests. The internship should be designed primarily for the benefit of the student intern, rather than the placement site. It is intended to provide law students with firsthand experience in government, international organizations, international-orientated law firms, nonprofit organizations, and other globally-focused areas of interest relevant to legal education. The International Law Internship will involve full-time work for 8 to 12 weeks (totaling a minimum of 45 hours of work for each credit earned). Students may not simultaneously earn credit and be paid.

Justification:

The International Law Internship course complements the College of Law’s internationally-centered curriculum and focus. It will enhance and reinforce knowledge and skills acquired in law school, provide the intern with the ability to apply such knowledge and skills in a professional work environment, and allow them the opportunity to acquire new knowledge and skills relevant to the practice of law and/or the development and implementation of policy in an international setting.

Internship Objectives:

The International Law Internship course seeks to provide the student intern with:

1) The knowledge, skills and perspectives involved in the work of international lawyers;
2) The opportunity to work with experienced lawyers, administrators and diplomats on matters of international law and policy;
3) Greater understanding and insight into the international legal system and international lawyering as a profession;
4) Sensitivity to issues of professional responsibility and ethics that arise in the context of international lawyering and advocacy; and
5) The opportunity to reflect upon and learn from a practical professional legal experience.

Course Prerequisites:

Students must have completed the Public International Law course or its equivalent as determined by the Director of the Center for International Law and Justice (CILJ) with a grade of B or higher and must have a minimum cumulative GPA of 2.6 to participate in the International Law Internship course for academic credit.
Credit Hours:

Students will be awarded up to 6 academic credits. The International Law Internship course will involve full-time work for 8 to 12 weeks (totaling a minimum of 40 hours of work for each credit earned). Students may not simultaneously earn credit and be paid.

Grading:

Pass/Fail, provided the following requirements are fulfilled.

All students are graded by the Director of the Center for International Law and Justice (CILJ) on a Pass/Fail basis for the course. Grades will be based on 1) satisfactory completion of the internship requirements; 2) written work produced during the internship; 3) two written evaluations of the student intern by the Placement Supervisor [See Appendix 4]; 4) a written reflection paper; and 5) a written student evaluation of the internship.

Course Requirements:

1. Each student must obtain prior approval from the Director of the Center for International Law and Justice (CILJ) before registering and receiving academic credit for the International Law Internship course.

2. The International Law Internship course is available to students who have completed their first year of law school, provided the student has completed a minimum of 22 credit hours of study and taken the Public International Law course or its equivalent subject to the discretion of the Director of the Center for International Law and Justice (CILJ).

3. Students must have a cumulative minimum GPA of 2.6 to participate in the International Law Internship for academic credit.

4. Students must attend a mandatory internship orientation conducted by the Director of the Center for International Law and Justice (CILJ) or his/her designee.

5. Students must intern for a minimum of 8 weeks at their field placement to earn any academic credit. Students must keep time records using weekly timesheets (see Attachment 1) that must be signed by their Placement Supervisor.

6. The host institution may not charge or collect any fees associated with the interns work. An interns work may not be considered billable time by the host institution.

7. Interns must submit a minimum of 20 pages of written work (i.e. work product) from the field placement. Written work must reflect substantial legal analysis and be comparable to the work of a first-year law associate. This should be substantially the student’s work and may consist of a portfolio of numerous shorter writings. Note that this is in addition to the required reflection paper (see below). All written work product must be reviewed by the Director of the Center for International Law and Justice (CILJ) or his/her designee.

8. Reflection on the internship experience will occur through a required written reflection of at least 10 pages, completed and submitted to the Director of the Center for International Law and Justice.
(CILJ) at the end of the internship. Students should keep a journal or use the comments section on their weekly timesheets to record progress. This will prove extremely useful when writing reflection papers. See Attachment 2 for examples of what topics to cover in the reflection paper. Note that this paper will be taken into consideration in assigning a final grade. It is separate from the required student intern evaluation of the experience.

8 (a). If more than four academic credits are earned in the internship the Director of the Center for International Law and Justice (CILJ) or his/her designee are required to have bi-weekly communications about the nature and substance of the students work as it applies to the field placement in addition to the written reflection paper.

9. Timely submission and satisfactory completion of the Student Evaluation Form (see Attachment 3).

10. The Placement Supervisor will be provided with the Placement Supervisor Evaluation Form (see Attachment 4) by the Director of the Center for International Law and Justice (CILJ) and must return the form directly to the Director of the Center for International Law and Justice (CILJ). At least two evaluations must be conducted by the Placement Supervisor during the internship.

Placement Selection Criteria:

International Law Internship work sites will be approved for placement of College of Law students based on their ability to provide experiences that:

a) Provide local and international law, policy or diplomacy field work dimensions.
b) Provide the ability to acquire expertise in specific areas of international law, diplomacy and policy.
c) Provide exposure to the ethical and practical complexities of international law, diplomacy, advocacy or representation.
d) Incorporate practical grass roots dimensions:
   i. When appropriate meet with local actors and decision-makers, and liaison with target audiences on relevant international or policy-related law topics.
e) Offer professional practical experiences that include the opportunity to:
   ii. Engage in effective and efficient research on issues of law and policy;
   iii. Generate, collect and analyze general and comparative international information and data;
   iv. Draft commentary and analysis of legislation, treaties, policies, rules and similar documents;
   v. Engage in advocacy;
   vi. Participate in negotiations and consultations;
   vii. Conduct investigations; and
   viii. Provide technical assistance on the implementation of specific international law programs or the realization of, for example, specific human rights such as the development of a truth commission’s methodology, the establishment and implementation of a democracy program or the preparation of human rights complaints.

Appropriate sites, include, but are not limited to:

International Courts and Tribunals and Arbiter Chambers such as the International Criminal Court, International Criminal Tribunal for Rwanda, International Tribunal for the Law of the Sea, Inter-American Court on Human Rights, Special Court for Sierra Leone and Iran-United States Claims Tribunal; International Organizations such as the United Nations and its specialized agencies and bodies, World Bank and International Monetary Fund; Regional Organizations such as the African Union, European Union and Organization of American States; United States government agencies such as the U.S.
Department of Justice and other government authorities both domestic and foreign, U.S. Department of State postings both domestic and foreign and the U.S. Congress; Foreign government postings such as the Ministries of Justice of states; Not-for-profit organizations such as Human Rights Watch or Amnesty International; and international law firms.

Placement Supervisor:

The Placement Supervisor must have a law degree or equivalent legal and diplomatic training. The Director of the Center for International Law and Justice (CILJ) is responsible for assessing the suitability of Placement Supervisors.

The Director of the Center for International Law and Justice (CILJ) is responsible for maintaining regular communication with the student and Placement Supervisor throughout the internship placement. Whenever four or more academic credits are to be awarded in any academic term there must either be:

a) Periodic on-site visits (meaning, not for each internship field placement but periodically in the event of successive student placements in the same location); or

b) Their equivalent as necessary and appropriate (e.g. regular telephone and internet communication); or

c) Supervision by a faculty member at any law school to supervise or assist in the management or review of a field placement program.

Additional Considerations:

Students cannot participate in an Internship in the same semester in which they are enrolled in a clinic.

Students may not seek credit retroactively for internships completed without prior approval by the Director of the Center for International Law and Justice (CILJ).

Prior approval by the Director of the Center for International Law and Justice (CILJ) is mandatory and requests must be done in writing by completing the International Internship Registration Form. Approvals and registration for internships must be completed by the end of the Drop/Add registration period for the semester for which the internship is sought.

A student may not earn academic credit for an internship in a country that is the subject of a U.S. State Department travel warning. According to the State Department, "[t]ravel warnings are issued when the State Department recommends that Americans avoid a certain country. In addition to this list, the State Department issues Consular Information Sheets for every country of the world with information on such matters as the health conditions, crime, unusual currency or entry requirements, any areas of instability, and the location of the nearest U.S. embassy or consulate in the subject country."

Please see http://travel.state.gov/travel/cis_pa_tw/tw/tw_1764.html for more information and the latest travel warnings.
Attachment 1

Florida A&M University College of Law International Law Internship Program Weekly *Time Log*

Name: ____________________________________________________________

Placement: _________________________________________________________

Week Number: ________

<table>
<thead>
<tr>
<th>DATE</th>
<th>TOTAL HOURS WORKED</th>
<th>PLACEMENT SUPERVISOR</th>
<th>BRIEF DESCRIPTION OF WORK PERFORMED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Weekly Total: ________

Placement Supervisor Signature: _____________________________

Reflective Comment: __________________________________________

________________________________________________________________

________________________________________________________________
Attachment 2

Florida A&M University College of Law Suggested Topics for International Law Internship Reflection Paper

Use the following questions to organize ideas for your reflection paper:

- Do you feel you received an adequate opportunity to explore the particular area of law? Why or why not?
- Based on your internship experience and observations, do you see yourself practicing in the specific area of law? Why or why not?
- What do you find most challenging or exciting about the area of law?
- What do you find are the drawbacks to practicing in this area?
- What are the pros and cons of working in the particular legal environment?
- How did you find the nature of the legal work? (Interesting, difficult, boring, etc.)
- What did you enjoy the most? The least?
- Was the experience different from what you expected it to be?
- What was the most surprising aspect of the internship?
- What are the most valuable skills you gained during your internship?
- What are your observations of the organization, the attorneys, and the clients?
- What have you learned about the professional responsibility of attorneys?
- Did you feel there was a gap in the theory and the practice of law?
- Did you feel the attorneys and/or advocates you worked with/observed were effective?
- What is your evaluation of the effectiveness of the organization?
- If applicable, compare your classroom experience with the practical aspects of the internship.
Attachment 3

Florida A&M University College of Law International Law Internship Program Student Intern Evaluation Form

FORM INSTRUCTIONS: Fill out the form and submit it in person or by email to the Faculty Supervisor.

Name:__________________________________________________________

Class Year:________ Email:________________________________________

Telephone:_____________________________________________________

Internship:_____________________________________________________

Semester:_______________________________________________________

Name of Placement:_____________________________________________

Name of Supervising Attorney or Advocate:

Please answer the following questions regarding your internship experience on separate sheets of paper:

1. Did you feel the internship was a valuable experience? Why or why not?

2. Were you given varied and substantial legal assignments?

3. Did you receive adequate feedback on your work? Please explain.

4. Was your supervising attorney available to you during your internship? Did you feel you could bring your questions and concerns to her/him?

5. Were you given adequate exposure to the legal environment? Did you have adequate opportunities to observe attorneys as they performed their duties?

6. How do you think this internship can be improved?

7. Would you recommend this internship to other students? Why or why not?

8. Any additional comments?
Attachment 4

Florida A&M University College of Law International Law Internship Program Placement Supervisor Evaluation Form

NAME OF INTERN:______________________________________________

NAME OF PLACEMENT:__________________________________________

VERIFICATION OF TIME WORKED: Please check box ☐

The above student intern has worked a minimum of 8 weeks during his/her Internship

Please rate each intern's performance in the following areas by circling a number ranging from 1 ("lowest") to 3 ("highest"). You may attach additional sheets to this evaluation if needed.

<table>
<thead>
<tr>
<th>PROFESSIONALISM</th>
<th>Lowest</th>
<th>Highest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reliability/Responsibility</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Self-Motivated/Self-Initiative</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Cooperative/Responsiveness</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Effort/Enthusiasm</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LAWYERING SKILLS</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Research</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Legal Analysis</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Writing Skills</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Creativity</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Judgment</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Oral Communication</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Independence</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Work Habits/Timeliness</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Regular/Appropriate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance of timesheets</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

Additional Comments:________________________________________________________________________

________________________________________________________________________________________

NAME OF SUPERVISOR:_______________________________________________________________________

SUPERVISOR'S SIGNATURE:_________________________________________________________________
Name: ____________________________________________________________

Class Year: ______

Credits Earned in Semester Preceding Internship: ______

GPA: ______

Telephone: ________________

Email: _______________________

Internship Location: ________________________________________________

Semester: ________________

Name of Placement: ________________________________________________

Name of Supervising Attorney or Advocate: ____________________________

Address: __________________________________________________________

Telephone: ________________  Email: _________________________________

Attach a detailed statement of the proposed work program with a letter of appointment by the Supervising Attorney or Institution.

I agree to follow all of the requirements of the FAMU College of Law International Law Internship Program and satisfy all of the paperwork and procedures required by the Director of the Center for International Law and Justice (CILJ) including, but not limited to, an application form, pre-departure orientation conducted by the Director of the Center for International Law and Justice (CILJ), proof of vaccinations (if applicable), health and repatriation insurance, participation agreement and waiver of responsibility.

Student Name: ________________________________________________

Student Signature: _____________________________________________

For Office Use Only

Approvals

Director of the Center for International Law and Justice (CILJ): __________________________

FAMU IS AN EQUAL OPPORTUNITY/EQUAL ACCESS UNIVERSITY
International Law Internship
Caribbean Court of Justice
Port of Spain, Trinidad & Tobago
Summer 2011

Florida A&M College of Law
Student Intern Evaluation Form
Florida A&M University College of Law Office of the Associate Dean for International Programs
International Law Internship Program Student Intern Evaluation Form

FORM INSTRUCTIONS: Fill out the form and submit it in person or by email to the Faculty Supervisor.

Name: __________________________________________

Class Year: 2012 Email: __________________________

Telephone: ______________________________________

Internship: Caribbean Court of Justice

Semester: Summer 2011

Name of Placement: Caribbean Court of Justice

Name of Supervising Attorney or Advocate: ______________________

Please answer the following questions regarding your internship experience on separate sheets of paper:

1. Did you feel the internship was a valuable experience? Why or why not?

2. Were you given varied and substantial legal assignments?

3. Did you receive adequate feedback on your work? Please explain.

4. Was your supervising attorney available to you during your internship? Did you feel you could bring your questions and concerns to her/him?

5. Were you given adequate exposure to the legal environment? Did you have adequate opportunities to observe attorneys as they performed their duties?

6. How do you think this internship can be improved?

7. Would you recommend this internship to other students? Why or why not?

8. Any additional comments?
Student Intern Evaluation
Summer 2011 - Caribbean Court of Justice

1. Do you feel the internship was a valuable experience? Why or why not?

My internship at the Caribbean Court of Justice (CCJ) was a very valuable experience. I had the opportunity to interact with the Justices of the Court, observe court proceedings, and delve into some very interesting international law research. Overall, this internship broadened my knowledge of many different areas of international law and fostered my interest in the legal field.

2. Were you given varied and substantial legal assignments?

While interning at the CCJ, I was given the freedom to take on varied and substantial legal assignments. I was given the opportunity to conduct legal research for the Justices of the CCJ relating to ongoing cases. Moreover, I had the opportunity to conduct research relating to the establishing treaty of the CCJ (the Agreement Establishing the Caribbean Court of Justice), as well as the foundational Treaty of Chaguaramas. Finally, I was able to assist the court with its operational and administrative tasks from time to time.

3. Did you receive adequate feedback on your work? Please explain.

Yes, I received adequate feedback on my research and reports. My supervising attorney, as well as the CCJ’s research assistants, thoroughly dissected my work and provided insightful critiques and research aid.

4. Was your supervising attorney available to you during your internship? Did you feel you could bring your questions and concerns to her/him?
Ms. [Redacted] was exceptionally welcoming and available to me during my internship. Her office door was always open, and she was exceptionally understanding and timely in responding to my questions and concerns.

5. **Were you given adequate exposure to the legal environment? Did you have adequate opportunities to observe attorneys as they performed their duties?**

My internship at the CCJ provided me with more than adequate exposure to the legal environment. I was able to attend several court proceedings, including case management conferences, preliminary hearings, and appeal hearings. Moreover, I was able to interact directly with the Justices of the CCJ, as well as their lead research assistants. Through these observations and interactions, I learned a great deal about how the court operates as well as how to effectively advocate for clients.

6. **How do you think this internship can be improved?**

Overall, this internship was ideal. One minor suggestion for future improvement would be to encourage greater interaction between the intern department and the other departments of the court via increased court-wide staff meetings and activities.

7. **Would you recommend this internship to other students? Why or why not?**

I would undoubtedly recommend this internship to other students. Apart from the wealth of knowledge and legal skills one acquires from this position, Trinidad provides for a memorable and enriching cultural experience.
8. *Any additional comments?*

My internship at the CCJ was one that I will not forget. I am thankful for this opportunity, and I hope that future FAMU College of Law students will avail themselves of this wonderful internship.
Placement Supervisor Evaluation Form
Florida A&M University College of Law
Office of the Associate Dean for International Programs

International Law Internship Program Placement Supervisor Evaluation Form

Description: This form should be filled out by the intern’s immediate supervisor every fourth (4th) week of the internship period. The supervisor should evaluate the intern’s work performance, work product, attendance, and make any relevant comments that would attest to the intern’s overall performance.

NAME OF INTERN: _____________________________

PLACEMENT SITE: Caribbean Court of Justice

NAME OF PLACEMENT SUPERVISOR: _____________________________

VERIFICATION STATEMENT OF TIME WORK: Please check box ☑
The above student intern has worked a minimum of four (4) weeks during his/her internship

Please rate each intern’s performance in the following areas by circling a number ranging from 1 ("lowest") to 3 ("highest"). You may attach additional sheets to this evaluation form if needed.

<table>
<thead>
<tr>
<th>PROFESSIONALISM</th>
<th>Lowest</th>
<th>2</th>
<th>Highest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reliability/Responsibility</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Self-Motivated/Self-Initiative</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Cooperative/Responsiveness</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Effort/Enthusiasm</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LAWYERING SKILLS</th>
<th>Lowest</th>
<th>2</th>
<th>Highest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Legal Analysis</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Writing Skills</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Creativity</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Judgment</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Oral Communication</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Independence</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Work Habits/Timeliness</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Regular/Appropriate</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Maintenance of Timesheets</td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

Additional Comments: _____________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

PLACEMENT SUPERVISOR’S SIGNATURE: _____________________________ 20/06/2011
International Law Internship Program Placement Supervisor Evaluation Form

Description: This form should be filled out by the intern’s immediate supervisor every fourth (4th) week of the internship period. The supervisor should evaluate the intern’s work performance, work product, attendance, and make any relevant comments that would attest to the intern’s overall performance.

NAME OF INTERN: ____________________________

PLACEMENT SITE: Caribbean Court of Justice

NAME OF PLACEMENT SUPERVISOR: ____________________________

VERIFICATION STATEMENT OF TIME WORK: Please check box □
The above student intern has worked a minimum of four (4) weeks during his/her internship.

Please rate each intern’s performance in the following areas by circling a number ranging from 1 (“lowest”) to 3 (“highest”). You may attach additional sheets to this evaluation form if needed.

**PROFESSIONALISM**

<table>
<thead>
<tr>
<th></th>
<th>Lowest</th>
<th>Highest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reliability/Responsibility</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Self-Motivated/Self-Initiative</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Cooperative/Responsiveness</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Effort/Enthusiasm</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

**LAWYERING SKILLS**

<table>
<thead>
<tr>
<th></th>
<th>Lowest</th>
<th>Highest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Legal Analysis</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Writing Skills</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Creativity</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Judgment</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Oral Communication</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Independence</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Work Habits/Timeliness</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Regular/Appropriate</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Maintenance of Timesheets</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

Additional Comments: ________________________________________________________________

__________________________________________________________________________________

__________________________________________________________________________________

Placement Supervisor’s Signature: ____________________________
Reflection
International Law Internship
Caribbean Court of Justice
Summer 2011

Reflection

My time at the Caribbean Court of Justice in Port of Spain, Trinidad was an enthralling and enlightening experience. In addition to deepening my knowledge of international law, I learned a great deal about the culture of Trinidad and the Caribbean region. Moreover, my experiences inside the courtroom as well as my insight into the daily administrative operations of this regional court granted me a renewed interest in the many aspects of the international law field.

The Beginning

My internship at the Caribbean Court of Justice started off with a somewhat rudimentary, yet fundamental assignment: learn about all things relating to the court, its composition, judges, staff, enabling acts, and the region its serves. Upon my initial arrival at the CCJ, I was met with a warm reception, in line with the culture here. Simone, one of the newer staff members here at the Court, gave me a tour of the impressive and relatively new facility. She also introduced me to her fellow staff members - all of who were uncommonly pleasant. Most surprisingly, the Judges of the court were exceptionally welcoming and humble. Thereafter, I was greeted by my immediate supervisor, who stationed me at my work desk and explained my initial tasks. The tasks that she assigned were just what I expected: conduct research into the history of the court, its enabling treaty, and its past and currently pending cases. More specifically, I was asked to peruse and brief the following documents: the Revised Treaty of
Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy, The Agreement Establishing the Caribbean Court of Justice, The Code of Judicial Conduct, The Annual Report of the CCJ (2007-2008), and the Application for Special Leave: *Hummingbird Rice Mills LTD v. Suriname & The Caribbean Community CCJ (Application No. AR 1 of 2011)*. In addition to briefing these documents and thoroughly researching the historical context of the CCJ, its current political posture, and its repertoire of case law, I had the opportunity to sit in on staff meetings and learn about the administrative operations and underpinnings of the court. Through this research process, I learned a great deal not only about the Caribbean Court, but about the states of the Caribbean Community as well.

*Original and Appellate Jurisdiction of the Caribbean Court of Justice*

One observation I made from my research is that many of the early cases handled by the Caribbean Court of Justice are original jurisdiction cases in which the Justices of the Caribbean Court were asked to interpret and apply the Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy (Revised Treaty of Chaguaramas). However, more of the recent cases involve the exercise of the Caribbean Court’s *appellate* jurisdiction. In the exercise of this type of jurisdiction, the Caribbean Court of Justice exercises its function as a final court of appeal for the minuscule faction of CARICOM states that have agreed to submit to such authority of the court: Guyana, Barbados, and Belize. During my internship here, most of the court hearings that I personally witnessed were appellate jurisdiction appeals from the country of Guyana.

*Human Rights*
Furthermore, I noticed that none of the Caribbean Court cases that I perused involved the provisions of the Revised Treaty of Chaguaramas that directly or tangentially deal with human rights or non-discrimination (which the court would hear pursuant to its original jurisdiction). These provisions are as follows:

Within the scope of application of this Treaty and without prejudice to any special provisions contained therein, any discrimination on grounds of nationality only shall be prohibited. The Community Council shall, after consultation with the competent Organs, establish rules to prohibit any such discrimination.¹

In particular, COTED shall promote and encourage research and development, and the adaptation, diffusion and transfer of appropriate technologies in order to achieve increased agricultural production and productivity, bearing in mind the need to protect the independence and human rights of the farming community.²

(emphasis added)

Because of my avid interest in human rights in general, I would have loved to see some Caribbean Court of Justice jurisprudence on any topic even tangentially related to these human rights and non-discrimination provisions. However, to my slight dismay, the cases of the Caribbean Court dealt almost exclusively with property rights and economic matters. The lack of human rights related cases notwithstanding, I found my research of the Caribbean Court of Justice’s past and currently pending cases to be very interesting and insightful.

Conflation of Civil and Common Law

¹ Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy, Article 7(1)-(2).
² Id. at Art. 64(3)
One aspect of the case law that was a bit perplexing was the conflation of civil and common law in some cases heard by the court; namely, cases arising out of Guyana. In some of the written opinions explicating the Court’s final adjudication and supporting rationale in these types of cases, the Justices of the Caribbean Court occasionally assume a professorial role, instructing the attorneys on how to parse and reconcile conflicting civil law and common law principles. I found this dynamic to be very interesting.

\textit{Flexibility and Autonomy}

One of the largest boons of interning for the Caribbean Court of Justice is the autonomy and flexibility granted by the supervisors to seek out and work on projects that suite your individual interests. I had the opportunity to seek out research projects from individual Justices of the Court. Moreover, I had the freedom to assist the Court’s research assistants with projects that they were working on. This led to variegated and compelling readings and research assignments. Moreover, the more I interacted with the Justices of the Caribbean Court, the more I was amazed by their friendly and humble nature. This was quite refreshing.

\textit{Court Hearings}

My favorite and most enthralling moments of this internship occurred during the times I had the opportunity to observe live court proceedings. Although court protocol remain virtually unchanged from what I am accustomed to seeing in U.S. court proceedings (e.g., the formality to rise in reverence when the Justices enter the courtroom is preserved), some aspects of the courtroom environment differed. For one, the Justices of the Court were adorned with more-decorative-than-usual robes. Instead of a plain black robe, the Justices wear a black robe with blue and orange accents, as well a white satin ribbon-like bow-tie. Moreover, I found it
interesting that the attorneys who argued before the court also wore robes, although these robes were not full-robos, as they covered only the shoulders and arms. Furthermore, I was surprised at how friendly the judges were in the Court room. Even when attorneys attempted to persist with an assertion that the court clearly was not buying, the Justices were patient and gentle in urging the attorney to move forward with other, yet-unaddressed points.

The very first court case I observed was Colby v. Felix Enterprise, in which Colby sued for specific performance of a contract in which Felix Enterprise agreed to purchase Colby’s property for the sum of $465,000 USD. The appellate court found the contract enforceable and ordered that the contract be specifically performed. The court also awarded Colby legal fees. Felix Enterprises appealed to the CCJ. In observing this proceeding, my initial impression was that the lawyers were well prepared and did a great job making their respective arguments. It was rather exciting watching a live proceeding of the CCJ, and observing the interaction between the CCJ judges and the attorneys.

Another case I witnessed demonstrates the aforementioned and unique (in judicial terms) patience and teacher-like persona of the Justices of the Caribbean Court. This matter involved a parcel of land in Guyana to which a non-rent-paying tenant claimed title by adverse possession. Observing this case was particularly interesting because of the apparent ill-preparation and substantially weak case asserted by the appellants. The appellant’s attorney was excessively insistent in claiming that his client had adversely possessed the land for more than the required twelve years, the clear lack of evidence notwithstanding. The Justices repeatedly made the point that the evidence and legal precedents did not support the appellant’s averment. Not to be deterred, the attorney refused to move on or point to any solid evidence or case law that supported his contentions for almost two hours. Although undoubtedly frustrated, the Justices
maintained a calm, fatherly-like tone in inciting the appellant to move forward with additional arguments until the appellant actually did so. Once the appellant wrapped up his case, the opposing side presented their case for a mere ten minutes, since the law was unequivocally on their side. Needless to say, the three-Justice-panel reached a decision in favor of the respondents after a mere ten minute recess.

Skills Gained

This internship presented me with the opportunity to refine my legal research and writing skills, while helping me acquire new ones. For one, I feel much more comfortable in the courtroom environment and interacting with judges as a result of my experiences at the Caribbean Court of Justice. Also, I am much more knowledgeable about international law with regard to topics outside of the human-rights sphere, with which I am most familiar. I learned a great deal about regional and international jurisprudence involving property transfers, inheritance, adverse possession, and business and trade practices, to name a few. Moreover, many of the case law that I perused solidified property and contractual concepts that I initially learned during my first year of law school. Finally, I can honestly assert that my research and analytical skills, in general, had the opportunity to develop and grow as a result of the research assignments I conducted during my tenure at the Caribbean Court of Justice.

Effectiveness of the Caribbean Court of Justice

During my internship at the Caribbean Court of Justice, I was able to gain first-hand insight into the administrative and judicial functions of the organization. I found the Court to be extremely effective, both from an administrative and judicial standpoint.

1. Administrative Effectiveness
As one who is an ardent tech-follower, I was please to see that the Caribbean Court of Justice utilizes the latest technology to make the performance of their functions more expeditious, practical, economical, and expeditious. For instance, many of the hearings in which the Justices decided whether or not the Court will entertain or dismiss an application are conducted via tele- or video-conferencing. This saves the attorneys and the parties they represent substantial travel-related costs. There were some notable challenges that emanated from this reliance on technology in court hearings, however. For instance, from time to time, effective communication between the Justices and the attorneys was halted due to breaks or interferences with the internet or phone connections. I also noticed that the attorneys sometimes tend to become less formal while speaking with the Justice via tele-conference, which may hurt their standing in the eyes of the Court. These hurdles notwithstanding, the Court’s integration and utilization of technology is prudent, pioneering, and effective.

Apart from technological efficacy, the Caribbean Court of Justice’s administrative staff does a superb job of executing the daily administrative functions of the court in a streamlined and expeditious manner. From the tech support staff who ensures that all technology-dependent hearings run smoothly to the registrar staff who ensures that all court communications are effectively delivered and archived, each staff member at the Caribbean Court of Justice goes above and beyond the call of their job responsibilities to ensure that the court functions with any glitches.

2. Judicial Effectiveness

The outcome of any assessment of the judicial effectiveness of the Caribbean Court of Justice depends on the angle from which the assessment is conducted. In terms of its juridical
reach from a regional standpoint, the Caribbean Court has much progress to make, since its appellate jurisdiction reaches only three states of the Caribbean Community. However, with regard to cases germinating from the three states that currently subscribe to the appellate role of the Caribbean Court (Guyana, Barbados, and Belize), the Caribbean Court has proven to be exceedingly effective and respected.

An examination of the judicial efficacy of the Caribbean Court of Justice with respect to the cases that it does hear pursuant to its appellate and original jurisdiction yields a different result. In this area, the court is extremely effective. In addition to its efficacy and prudent practices with regard to technology, as alluded to above, the Courts judgments have been consistently adhered to by the private parties or State governments involved. Moreover, from personally observing the interactions between the Justices in and out of the courtroom, I would say that the Justices of the Court work well together and are very efficient in reaching equitable decisions in a timely fashion.

I think that it is necessary and intriguing to note that although the Caribbean Court of Justice is physically located in Trinidad, the Court’s appellate reach does not reach Trinidad. While Trinidad has subscribed to the original jurisdiction of the Caribbean Court (see above discussion on the appellate and original jurisdictions of the CCJ), Trinidad has not agreed to submit to the Court’s authority as a final court of appeals for plenary cases outside of the original jurisdiction function of solely interpreting and applying the terms of the Revised Treaty of Chaguaramas. Trinidad still relies on the Judicial Committee of the Privy Council in London, a remnant of its colonial era, to function as its court of last resort.
I researched some media articles and statements from the current Prime Ministers and government leaders to determine why this paradoxical relationship exist between the Caribbean Court of Justice and the country of Trinidad and Tobago. The current government of Trinidad has seemingly shied away previous promises to accept the Caribbean Court as its final court of appeals for political reasons. Many posit that the current government is apprehensive of change and currently does not have enough faith in the Caribbean Court of Justice. Furthermore, there is some speculation that the current government is unhappy with the fact that none of the current Justices of the Caribbean Court of Justice are of Indian decent. Finally, some attribute Trinidad’s resistance to accepting the Caribbean Court’s appellate jurisdiction to disputes over constitutional reform.

Concluding Thoughts

To conclude, I tremendously enjoyed my time interning with the Caribbean Court of Justice in Port of Spain, Trinidad. Leaving Trinidad presented me with a conflation of sentiments. While I was saddened by the fact that my time here had come to an end, I was excited to get back to what I’ve always known as home. Even more, I was elated to be able to spend time with my family and friends, whom I grew to miss very much during my time in Trinidad. Nevertheless, there are some things about Trinidad that I will miss for some time to come. Most prominent of these items is Trinidad’s wide array of unforgettable foods. Trinidad’s delightful cuisine is perhaps my favorite aspect of the Trinidadian culture. I will mourn the loss of the

---

4 What’s Up With the Caribbean Court of Justice, Caribbean Court of Justice Blog http://www.caribbeancourtofjustice.blogspot.com/ (last visited July 20, 2011).
5 See Supra, note 3.
ubiquitous presence of doubles (curried chick-peas in a tortilla-like wrapping), curry chicken and roti (a tortilla-like bread), and pilau (a unique blend of stewed chicken, rice, and beans). Apart from the cuisine, I will certainly miss Trinidad’s profound natural beauty - most notably, it’s majestic mountainous backdrop and picturesque beaches.

I am thankful for my time in Trinidad. I made many new friends and enjoyed spending time with my co-workers. More importantly, this experience left me enriched with a greater knowledge of a culture that is indelibly infused in the very core of my being. This experience has made me feel more at one with myself and my history. I am happy to be able to say that I have walked away from this internship with an enriched mind and a revived thirst for fresh knowledge and new, enlightening experiences.
Work Product
Revised Treaty of Chaguaramas (RTC)

The RTC represents an optimization of the original Treaty of Chaguaramas (TOC), which established the Caribbean Community and Common Market (also known as CARICOM). The TOC was signed by Barbados, Guyana, Jamaica, and Trinidad and Tobago on July 4, 1973, and took effect on August 1st of the same year. Moreover, the TOC replaced the then-existing Caribbean Free Trade Association with the Caribbean Single Market and Economy (CSME). Substantively, the original TOC sought to create economic unification and regional integration, while creating unity on foreign policy issues. The RTC was signed in 2001, and included inter alia, a restructuring of CARICOM and a recognition that “the original jurisdiction of the Caribbean Court of Justice is essential for the successful operation of the CSME.”¹ This eager call for acceptance of a central judicial organ to interpret and apply the RTC was informed by past failures. Under the old TOC, disputing parties were merely required to arbitrate their issues — there was no authoritative judicial body set up to settle disputes. This proved ineffective, as the arbitration process between disputing parties was never utilized, and conflicts often were left unresolved under the original TOC.²

The Agreement Establishing the Caribbean Court of Justice (AECCJ)

The AECCJ establishes the Caribbean Court of Justice (CCJ), pursuant to the realization that “the [CCJ] is a further step in the deepening of the regional integration process.”³

Substantively, the AECCJ sets forth the juridical structure, authority, jurisdiction, and procedural

¹Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the Single Market and Economy, Preamble.
²About the Caribbean Court of Justice, a Publication of the CCJ.
³See Agreement Establishing the Caribbean Court of Justice
logistics of the Caribbean Court of Justice (CCJ). The AECCJ entered into force on July 23, 2003, and currently boasts twelve signatories: Antigua & Barbuda, Barbados, Belize, Grenada, Guyana, Jamaica, St. Kitts & Nevis, St. Lucia, Suriname, Trinidad & Tobago, Dominica, and St. Vincent & The Grenadines.

Part II and Part III of the AECCJ set forth the original and appellate jurisdictions of the CCJ, respectively. The CCJ has original and exclusive jurisdiction over all matters concerning the application or interpretation of the RTC. More interestingly, the CCJ functions as a final court of appeal for CARICOM States that assent to this function. Thus far, only three Caribbean States have fully ratified the AECCJ, including the Court’s appellate jurisdiction: Guyana, Barbados, and Suriname. Trinidad and Tobago has yet to sign-in to allow the CCJ to serve as its court of last resort. Perhaps the most significant reason for this is the perpetual fear of the unknown and a visceral longing for inertia.

---

4 Id.
5 Id.
6 Id at Art. 16.
8 See supra note 2.
Comparison of CARICOM States' Domestic Laws and The Agreement Establishing the Caribbean Court of Justice (AECCJ) and Applicable Protocols

A. St. Kitts and Nevis – Caribbean Court of Justice (Original Jurisdiction) Act (No. 7 of 2004)
   1. Agreement Establishing the Caribbean Court of Justice......................1
   2. Protocol on the Status, Privileges and Immunities of the CCJ.............2
   3. Agreement Establishing the CCJ Trust Fund....................................3

B. St. Lucia (Act No. 34 of 2003 – The Caribbean Court of Justice Agreement)
   1. Agreements Establishing the Caribbean Court of Justice....................3
   2. Protocol to the Agreement Establishing the CCJ............................6
   3. Treaty of Chaguaramas Establishing the Caribbean Community............7
   4. Revised Treaty of Chaguaramas..................................................8

C. St. Vincent and the Grenadines
   1. Agreement Establishing the Caribbean Court of Justice....................9
   2. Revised Treaty of Chaguaramas..................................................11
A. St. Kitts and Nevis - Caribbean Court of Justice (Original Jurisdiction) Act (No. 7 of 2004)

1. Agreement Establishing the Caribbean Court to Justice

   a. St. Kitts and Nevis rejects the appellate jurisdiction conferred upon the CJJ by the AECCJ in Art. 3(1)(a) of the law

   b. “national” includes (1) citizens, lawful residents, or any lawful entity - 2(a)-(c)

   c. original jurisdiction provision of domestic law left unchanged - 4(2)(a)-(b)

   d. Added provisions to Article XII of AECJJ:

      i. Nothing in this Act shall confer jurisdiction on the Court to hear matters in relation to the decision of the Court of Appeal which at the time of entry into force of the Agreement was, pursuant to the Constitution or any other law, declared to be final.

      ii. any matter pertaining to the exercise of the original jurisdiction of the court shall be brought before the court by written application, in the manner prescribed by the Rules of Court.

   e. Article III of the AECCJ (ESTABLISHMENT AND SEAT OF THE CARIBBEAN COURT OF JUSTICE) remains unchanged.

   f. Article IV (CONSTITUTION OF THE COURT) of the AECCJ remains unchanged.

   g. Article V (ESTABLISHMENT OF THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION) of the AECCJ remains unchanged.

   h. Article VI (THE FIRST APPOINTMENT OF THE PRESIDENT AND MEMBERS OF THE COMMISSION) of the AECCJ remains unchanged.
i. Article VII (LEGAL STATUS OF THE COMMISSION) remains unchanged.

j. Article VIII (ACTING APPOINTMENTS) remains unchanged.

k. Article IX (TENURE OF OFFICE OF JUDGES) was adopted verbatim.

l. Article X (OATH OF OFFICE) was adopted without changes.

m. Article XI (CONSTITUTION OF THE COURT) was adopted without changes.

n. Article XII (JURISDICTION OF THE COURT IN CONTENTIOUS PROCEEDINGS) was adopted without revisions.

o. Article XIII (ADVISORY OPINIONS OF THE COURT) is unchanged.

p. Article XIV (REFERRAL TO THE COURT) is enacted without changes.

q. Article XV was adopted without revisions.

r. Articles XVI-XXIV (PART II of the Agreement Establishing the Caribbean Court of Justice) left unchanged.

s. Part III of the AECCJ - APPELLATE JURISDICTION OF THE COURT - was not revised.

t. Part IV of the AECCJ - ENFORCEMENT, FINANCIAL AND FINAL PROVISIONS - was enacted without redactions.

2. Protocol on the Status, Privileges and Immunities of the Caribbean Court of Justice and the Regional Juridical and Legal Services Commission

a. Article I - USE OF TERMS - enacted without technical or substantive redactions.

b. Article II - PROPERTY, FUNDS AND ASSETS OF THE COURT AND THE COMMISSION - has been deleted from the domestic legislation.

d. Article XII - SETTLEMENT OF DISPUTES - is enacted with stylistic, non-substantive changes.

e. Articles IV - XIX were left unedited.

3. Agreement Establishing the Caribbean Court of Justice Trust Fund

a. All provisions of this treaty remain unchanged, substantive or otherwise, in the domestic legislation.

B. St. Lucia (Act No. 34 of 2003 - The Caribbean Court of Justice Agreement)

1. Agreement Establishing the Caribbean Court of Justice

a. The following provisions have been added to Article I (USE OF TERMS) of the AECCJ:

i. "minister" means the Attorney-general;

ii. "record" mean the aggregate of documents relating to proceedings before the court, including the pleadings, evidence and judgements and exhibits;

iii. "judgment" includes a conviction, decree, ruling, sentence, order or decision;

iv. "relevant judgment" means the judgement which is the subject of an appeal;

v. The Agreements and the Rules of Court made thereunder shall, in accordance with this Act, have the force of law in St. Lucia.

b. Article XII (JURISDICTION OF THE COURT IN CONTENTIOUS PROCEEDINGS) contains the following technical, non-substantive changes:

i. excludes the word "tribunals" in Sec. 1(c).

c. Article XIII (ADVISORY OPINIONS OF THE COURT) includes the following revisions:
i. "at the request of a Contracting party of the Caribbean Community [the court has original jurisdiction to] deliver advisory opinions

1. original wording: *The Court shall have exclusive jurisdiction to deliver advisory opinions concerning the interpretation and application of the Treaty*

ii. excludes: *Advisory opinions shall be delivered only at the request of Contracting Parties or the Community.*

d. Article XX (REVISION OF JUDGMENTS OF THE COURT IN THE EXERCISE OF ITS ORIGINAL JURISDICTION) contains mere stylistic, non-substantive changes.

e. The following revisions were made to Part III (APPELLATE JURISDICTION):

1. the addition of the following provisions:
   1. nothing in this Act shall confer jurisdiction on the Court to hear matters in relation to any decision of the Court of Appeal which at the time of entry into force of this Act was declared to be final by any law.

ii. all other revisions are technical and does not alter the original meaning of the AECCJ

f. The following revisions were made in the domestic law version of Article IV (ENFORCEMENT, FINANCIAL, AND FINAL PROVISIONS) of the AECCJ:

i. Article XVIII (INTERVENTION BY THIRD PARTIES) was reworded to emphasize the ability of the persons to apply to intervene, in addition to states and entities.
ii. Article XIX (APPLICATION FOR INTERIM MEASURES) was left substantively the same, with only technical revisions.

iii. Article XXVI (ENFORCEMENT OF ORDERS OF THE COURT) was revised with the following minor, non-substantive changes:

1. Section (b) has been rephrased as follows. These minor revisions do not affect the meaning of the provision as a whole

   a. The Court shall have the same power as the Supreme Court to make any order for:

      i. (a) the purpose of securing the attendance of any person
      ii. (b) the discovery or production of any document; or
      iii. (c) the investigation or punishment of any contempt of court

iv. Article XXVII (OFFICIALS AND EMPLOYEES OF THE COURT) of the AECCJ was adopted with the following revisions:

   1. Section (1) was truncated to: The Registrar of the Supreme Court shall be a Deputy Registrar of the Court.

   2. All other provisions remain unchanged.

v. Article XXVIII - FINANCIAL PROVISIONS - is left completely unredacted in St. Lucia’s domestic legislation.

vi. Article XXIX - RIGHT OF AUDIENCE - is pronounced verbatim in St. Lucia’s domestic legislation.

vii. Article XXX - PRIVILEGES AND IMMUNITIES - of the AECCJ is unchanged in the domestic legislation.
viii. Articles XXXI - XXXIX are unchanged.

2. Protocol to the Agreement Establishing the Caribbean Court of Justice Relating to the Juridical Personality and Legal Capacity of the Court

   a. This Act amends Section 2 of the aforementioned domestic legislation (and thereby deviates from the corresponding AECJJ provision) in that it promulgates the addition the following definitions:

      i. “Privileges and Immunities” means the Protocol on the Privileges and Immunities of the Caribbean Court of Justice and the Regional Judicial and legal Services Commission the text of which is set out in the Third Schedule.

      ii. “Protocol” means the Protocol to the Agreement Establishing the Caribbean Court of Justice the text of which is set out in the Second Schedule.

      iii. “Trust Fund” means the revised agreement establishing the Caribbean Court of Justice Trust Fund the text of which is set out in the Fourth Schedule.

3. Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy (CARICOM Treaty)

   a. The most notable revision of the CARICOM Treaty is akin to a reservation made by St. Lucia. Section (3) of the legislation outlines Lucia’s reservation to the CARICOM treaty:

      i. This act shall not apply to (a) any activity involving the exercise of governmental authority in St. Lucia that is not conducted on a commercial basis and not conducted in competition with one or more economic enterprises; (b) an activity conducted by the Eastern Caribbean Central
Bank pursuant to monetary or exchange rate policies; (c) an activity forming part of a statutory system of social security or public retirement plans; (d) an activity forming part of a system of national security or for the establishment or maintenance of public order; (e) any other activity conducted by a public entity for the account of, or with the guarantee or using financial resources of, the Government of St. Lucia.

b. Article 46 - RESTRICTIONS TO SAFEGUARD BALANCE OF PAYMENTS - contains only stylistic, non-technical changes to the original language of the CARICOM treaty.

c. Article 47 - RESTRICTIONS TO RESOLVE DIFFICULTIES OR HARDSHIPS ARISING FROM THE EXERCISE OF RIGHTS - was left unchanged in St. Lucia’s domestic law.

4. Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy (Revised CARICOM treaty)

a. The following additions were made to the Revised CARICOM treaty in order to give the domestic legislation the full force and effect of the law:

i. Sec. 3(2) - The Community shall have full juridical personality.

ii. Sec. 5 - The minister shall take necessary steps to ensure that the Government takes appropriate measures for the effective implementation of the provisions of the Treaty including measure involving the making of any laws and the establishment of administrative and other measures.

iii. Sec 6(2) - An order made under subsection (1), may contain such consequential, supplemental, or ancillary provisions as appear to the
Minister to be necessary or expedient for the purpose of giving due effect to the amendment of the Treaty.

iv. Sec. 7 outlines establishes that the terms of the Revised CARICOM treaty are supreme over any conflicting domestic legislation. It reads:

1. In the event of any inconsistency between the provisions of this Act and the operation of any other law, the provisions of the Act shall prevail to the extent of the inconsistency.

b. The remainder of the Revised CARICOM treaty is left unchanged in the domestic law of St. Lucia.

C. Saint Vincent and the Grenadines

1. Agreement Establishing the Caribbean Court of Justice

a. Part I of the AECCJ is not changed in the domestic legislation of St. Vincent and the Grenadines.

b. Part II - JURISDICTION OF THE COURT - as reflected in St. Vincent and the Grenadine's domestic iteration of the AECCJ changes the AECCJ as follows:

i. Article XXIV - LOCUS STANDI OF PRIVATE ENTITIES - is changed solely in a technical manner, to clarify the generic use of the term "nationals" in the original AECCJ. The corresponding domestic legislation provision reads, in relevant part:

1. (3)(a)-(b) - Persons who are citizens, permanent residents or residents of St. Vincent and the Grenadines; or who are incorporated or registered under the Companies Act, may, with
special leave of the Court, be allowed to appear as parties in proceedings before the court...

2. This revision of the original language of the AECCJ explicitly identifies Companies registered or incorporated pursuant to the domestic Companies Act as “persons” under the treaty who may appear as parties before the Caribbean Court of Justice.

3. Article IV - CONSTITUTION OF THE COURT - reflects the following alterations

   a. Non-substantive change: removal of the phrase “notwithstanding the provisions of this article...”

4. Technical, non-substantive change in Article XVII - LAW TO BE APPLIED BY THE COURT IN THE EXERCISE OF ITS ORIGINAL JURISDICTION -

   a. Section (3) - The phrase “the provisions of paragraph (1) and (2) shall not prejudice the power of the court” was changed to “the court shall have the power to...”

   b. This change in language most likely does not reflect any substantive changes, although clause may be more vulnerable to attack based on the the language of paragraphs (1) and (2), since the explicit reference to these articles are erased in the domestic legislation.

5. Article XVIII contains one non-substantive change:
a. instead of "it shall be for the Court to decide on the application," the domestic legislation reads "the Court shall decide whether to allow the application."

b. This minor adjust does not implicate any changes in meaning or interpretation.

6. Article XX - REVISION OF JUDGMENTS OF THE COURT IN THE EXERCISE OF ITS ORIGINAL JURISDICTION - contains only stylistic changes.

7. Article XIV - REFERRAL TO THE COURT - is changed in a minor, non-substantive manner, as reflected below:

   a. "a national court or tribunal" was changed to "a national court or tribunal of St. Vincent and the Grenadines."

c. Part IV- ENFORCEMENT, FINANCIAL AND FINAL PROVISIONS - of the AECCJ is changed in the following respects in the domestic legislation of Saint Vincent and the Grenadines.

   1. The following sections were not restated in the domestic legislation of St. Vincent and the Grenadines

      1. (2) The privileges and immunities to be accorded the Commission and its members in the territories of the Contracting Parties shall be laid down in a Protocol to this Agreement.

      2. (3) The Contracting Parties undertake to make provision to ensure that the proceedings of the Commission shall not be enquired into in any Court.
d. The remainder of St. Vincent and the Grenadines’ domestic legislation does not reflect any depart in linguistic or substantive terms from the original AECJI.

2. Revised Treaty of Chaguaramas Establishing the Caribbean Community

a. Substantively, the content of the domestic legislation of St. Vincent and the Grenadines implementing the Revised Treaty of Chaguaramas is left unchanged. For purpose of clarity and specificity, however, the domestic legislation replaces the term “the Community” with “the territory of St. Vincent and the Grenadines.”
Misfeasance in Public Office: Attorney General of Belize v. Florencio Marin and Jose Coye

I. Introduction

Executive or administrative power must be exercised in good faith and not for ulterior or improper purposes. Where it can be shown that a body or official was not acting in good faith, liability in the tort of misfeasance in public office may exist.

Misfeasance can be distinguished from other torts invoked against public authorities such as negligence and breach of statutory duty. It can be differentiated from both by its requirements of deliberateness and dishonesty, actual or constructive. Furthermore, neither negligence nor breach of a statutory duty, in contrast to misfeasance, is confined to acts or conduct arising out of public office. As Justice Brennan noted in the case of Northern Territory v Mengel:

The tort of misfeasance is not concerned with the imposition of duties of care. It is concerned with conduct which is properly to be characterized as an abuse of office and with the results of that conduct. Causation of damage is relevant; foreseeability of damage is not.¹

The decision of the House of Lords in Three Rivers District Council v Bank of England identified the following as constituent elements of the tort of misfeasance:

(a) The act or conduct has been committed by a public officer;

(b) The act or conduct must have been done by him in the purported exercise of his power as a public officer;

¹ 185 CLR 307 (1955).
(c) The act or conduct must have been done either;
   
   i. Maliciously; or
   
   ii. Knowing that the impugned act or conduct is invalid or unauthorized and knowing that it will probably injure the claimant.
   
(d) The act or conduct must cause loss or harm to the claimant.²

Therefore, it is an abuse of public office which constitutes the basis of the tort of misfeasance.

II. President Mottley’s Proposition in the Belize Court of Appeal

In The Attorney-General of Belize v Florencio Marin and Jose Coye,³ President Mottley disagreed with Chief Justice Conteh’s judgment in favor of the respondents.⁴ President Mottley held that the Attorney General of Belize had standing to bring a claim against the respondents, two ex-Ministers, for the tort of misfeasance in public office. In support of this decision, President Mottley determined that:

(1) Under the National Lands Act,⁵ the respondents owed the Government of Belize a duty to transfer Crown lands according to the scheme set out. Their failure to do so constituted a breach of duty, entitling the Attorney General, as an agent of the government, to bring a claim against them.⁶

² (No.3) [2001] UKHL [Three Rivers].
⁵ Cap. 191, Law of Barbados.
⁶ See Marin 2010, supra note 3 at para 2, 10.
(2) Notwithstanding the first point, under *Three Rivers*, if economic loss is suffered by a plaintiff due to the tort of misfeasance in public office, that plaintiff may bring a claim regardless of whether a duty was owed to him.\(^7\)

(3) Under *Common Cause, A Registered Society v Union of India*,\(^8\) a loss of public property caused by the malicious acts of a public official is enough to bring a cause of action.

(4) Under *Shivsagar Tiwari v Union of India*,\(^9\) the State is entitled to be awarded damages if it suffers loss because of its officers’ conduct.

(5) The plaintiff in an action for a tort of misfeasance in public office must be identifiable and must have suffered loss, as laid down by the Indian Supreme Court in *Common Cause, A Registered Society v Union of India*.\(^10\) Since the Government of Belize suffered an alleged loss, the Attorney General as its agent is entitled to bring an action in court against the Respondents.\(^11\)

(6) The Attorney General is the guardian of public rights and, as stated by the Court in *Gouriet v Union of Post Office Workers*,\(^12\) is entitled to bring a claim in court when public rights have been violated.\(^13\)

(7) The fact that Chief Justice Conteh in the lower court could not find case precedent to support the proposition that the Attorney General is entitled to bring

---

\(^7\) See *Marin 2010*, supra note 3 at para 14.
\(^8\) 3 SCJ 432 [*Common Cause (1996)*].
\(^9\) (1996) 6 SCC [*Tiwari*].
\(^10\) INSC 240 [*Common Cause (1999)*].
\(^12\) [1977] 3 All ER 70 [*Gouriet*].
\(^13\) See *Marin 2010*, supra note 3 at para 21.
a claim is understandable yet should not have barred the Attorney General’s right
to do so.\textsuperscript{14}

\textbf{III. Common Cause Cases}

President Mottley referred to both \textit{Common Cause (1996)} and \textit{Common Cause (1999)} to
support his rationale that a current Attorney General has standing to bring suit against former
officers of the government on the theory of misfeasance in public office. The extent to which
these cases can be used to buttress President Mottley’s contention that the Attorney General has
standing to sue is limited. This is due to the fact that these cases are easily distinguishable from
the case at bar.

First, the claim in \textit{Common Cause (1996)} was grounded in constitutional law.\textsuperscript{15} There is
no such constitutional basis in the case at bar. Furthermore, whether the claimant had standing to
sue was not a point of contention between the parties in \textit{Common Cause}. Rather, the issue was
whether the State was entitled to be awarded exemplary damages. The Court was charged with
ruling on whether such damages were a constitutional remedy that it had the authority to grant
under the Indian Constitution.\textsuperscript{16}

Although the Constitution of Belize contains comparable provisions to those in the Indian
Constitution that were used to bring a claim in the Common Cause cases, such arguments were

\textsuperscript{14} \textit{Id. at para 27.}

\textsuperscript{15} Specifically, the claimant in \textit{Common Cause} was bringing a claim against the defendant under Article 14 (which
is the equality guarantee provision) of the Indian Constitution (see \textit{Common Cause (1996), supra note 8 at para 56}).

\textsuperscript{16} See \textit{Common Cause (1996), supra note 8.}
not made before the Court in the present appeal.\textsuperscript{17} Even if the present case were brought on constitutional grounds, the constitutional rights and remedies provided for in the Belize Constitution are specifically granted to the citizens of Belize, not the Government. Since the current appeal is neither grounded in a constitutional claim or violation, but is rather a claim of tort brought in civil court, President Mottley’s reliance on the \textit{Common Cause} cases does little to support his averment that his Attorney General has legal standing to bring a tort-based claim for misfeasance in public office against former government officials.

Moreover, it is worth noting that the case precedents relied upon by the Court in \textit{Common Cause (1996)} were all cases in which a private individual brought a claim against the government or one of its officers. None of these cases involved a current government official bringing suit on the grounds of misfeasance in public office against former officers of the government.

It cannot be overlooked that the Indian Supreme Court did assert in \textit{Common Cause (1999)} that an identifiable plaintiff who has been harmed by a public officer may bring suit against that public officer on the ground of misfeasance in public office. As the Court noted:

Having regard to the definition of tort of misfeasance in public office [ ] and having regard to the ingredients of that tort, it is obvious that there has to be an\textit{ identifiable plaintiff} or claimant whose \textit{interest was damaged} by the public officer maliciously or with the knowledge that the impugned action was likely to injure the interest of that person [ ] unless there is an\textit{ identifiable plaintiff}, there cannot

\textsuperscript{17} Like in the Indian Constitution, § 3 of the Constitution of Belize grants fundamental rights to its citizens, and § 20 (like Articles 32 and 226 of the India Constitution) empowers the Courts to award constitutional remedies for violations of those rights.
be any order for compensation or damages to redress the loss caused to that
plaintiff" (emphasis added).\textsuperscript{18}

However, even if the Attorney General of Belize can be deemed to be an identifiable
plaintiff whose interests were damaged, the aforementioned statement by the Indian
Supreme Court is still not sufficient to support the President’s contention in the current
appeal. As noted earlier, the \textit{Common Cause} cases involved suits by private individuals
against public officials. This is certainly not the case in the instant dispute.

\textbf{IV. Tiwari Case}

President Motley referred to the Indian case of \textit{Tiwari}\textsuperscript{19} to support the proposition that the
misuse of power by a public official is actionable in tort and punitive damages are allowable in
such cases. This contention, in and of itself, is highly supported. It is well-acknowledged that
where public officials misuse their power, an action in the tort of misfeasance may properly
ensue. The court in \textit{Tiwari} went discussed the tort of misfeasance in public office in great detail.
It cited \textit{Roncarelli v. Duplessis}\textsuperscript{20} and \textit{Farrington v. Thomson}\textsuperscript{21} as authorities to show that
misfeasance in public office is indeed an actionable in tort. In both of these cases, damages were
awarded against public officials for misuse of their power within their respective offices. Though
there is much discussion on the tort of misfeasance in public office in \textit{Tiwari}, the authorities
cited by the court involved claims brought by private individuals, as in the aforementioned
\textit{Common Cause} cases. Therefore, as with the previous cases cited by the President to support his

\textsuperscript{18} See \textit{Common Cause} [1999], supra note 10.
\textsuperscript{19} See \textit{Tiwari}, supra note 9.
\textsuperscript{20} (1959) 16 DLR (2d) 689 [\textit{Roncarelli}].
\textsuperscript{21} 1959 VR [\textit{Farrington}].
government's claim of misfeasance in public office, the nexus between the Tiwari case and the present case is tenuous at best due to this glaring distinction.

I. Conclusion

In summary, Common Cause (1996), Common Cause (1999), and Tiwari are all distinguishable from the case at hand. Since each case did not deal directly with the issue of whether the Attorney General has standing to sue for the tort of misfeasance in public office, the application of these cases is not germane to the present one. Furthermore, many of cases cited by the Indian courts to support their final judgments in the aforementioned cases were only tangentially applicable to the ultimate holdings of the courts. Therefore, the proposition laid out by President Mottley that the aforementioned cases (and their relied-upon authorities) support his averment that an attorney general has standing to sue former government ministers on the ground of misfeasance in public office is unsubstantiated.
Curriculum Vitae

LINDA BIRGE BARRETTE
1243 WALD ROAD, ORLANDO FL 32806
PHONE (407) 694-6617 • E-MAIL linda.barrette@famu.edu lbbarrette@aol.com
FAX (407) 812-6390

SUMMARY OF QUALIFICATIONS

Strong administrative, interdepartmental, public and technical services background; experience with budget and financial planning and payments, strategic planning, grant writing, reference, research, teaching, presentation and training; collection management and acquisitions of monographs, serials, and electronic resources; extensive work with faculty, students, and administration in one of the most diverse law schools in the country. Although the Library’s organizational structure did not allow for obtaining a middle management position, I had performed administrative and supervisory tasks on a near daily basis for the past several years before serving as Interim Director of the Law Library, effective July 1, 2012.

EDUCATION

- MASTER OF ARTS, Library and Information Science, University of South Florida, Tampa, FL, 2005  4.0 GPA
- JURIS DOCTOR, University of New Mexico, Albuquerque, NM, 1980, Dean’s List, Honor Roll, Bondurant Scholar, AmJur Book Awards Criminal Procedure and Rights of Children (approximate rank 11 out of 104, transfer students not officially ranked)
- BACHELOR OF ARTS, Magna Cum Laude, University of Central Florida, Orlando, FL, 1976 Criminal Justice

EMPLOYMENT

FLORIDA A & M UNIVERSITY COLLEGE OF LAW LIBRARY, Orlando, FL (July 1, 2012-present)
Interim Director of the Law Library

- Providing leadership during transition from previous directorship to future administration in order to maintain and improve superior level of service
- Responsible for budget management of the FAMU and Orange County Law Libraries
- Develops and oversees library services consistent with changing faculty and student needs in order to provide superior resources and service
- Manages staff hiring, training, library employee relations, and continuing education
- Provides for and oversees the organization, administration and supervision of the Law Library
- Anticipates and articulates library developments, financial needs and strategic planning
- Drafts and maintains Law Library office manual.
- Drafts and maintains a written library strategic plan.
- Maintains records in order to compile statistics as required by the various educational, library and accrediting agencies.
- Simultaneously performs duties of Acquisitions Librarian set forth below
- Participate in professional organizations and committees including AALL, AALL Price Index for Legal Publications Committee, COL Computer and Technology Committee, Library Committee

Special Projects, 2012-2013:

Conceived, researched and articulated a Library initiative to include the College of Law, University, and community in an ongoing Civil Rights education program to improve racial equity
and showcase the Library’s collection in electronic, print, photographic, and audio/visual formats. Submitted grant funding proposal for same.

Delegated and oversaw appropriate portions of Acquisitions Librarian duties in order to provide quality services of two full time positions (Interim Director and Acquisitions Librarian)

Coordinated with faculty, and provided Library resources for, an immigration seminar for the COL.

Negotiated a new vendor contract at substantial savings to Library

Coordinated and addressed human resources issues and training with Department of Equal Opportunity Employment, HR department at COL, and University HR Department

Coordinated Library’s cooperation with Legal Methods program for Fall Semester

Coordinating re-organization of office space to better suit personnel needs.

Contributor to AALL’s annual publication Price Index for Legal Periodicals

Researching, for possible development, print and electronic repository of faculty scholarship

FAMU, COLLEGE OF LAW LIBRARY, Orlando, FL (1/2006-present) Acquisitions Librarian:

- Collection development and acquisitions management, through selection, ordering and purchasing of all books, law reviews and journals, serials, and electronic databases and resources for the College of Law Library and the Orange County Law Library to support College of Law educational objectives.
- Serials selection, acquisition, management and claiming
- Liaison to faculty and administration regarding their scholarship and curricular needs as they can be supported by the Library; incorporating these needs into the Collection Development Policy and acquisitions plan
- Planning the use of, encumbering, and reconciling FAMU Law Library and Orange County Law Collection materials budgets
- Maintaining statistics, running and preparing statistical reports on various budgetary issues, acquisitions matters, user groups, and usage factors, for inclusion in American Bar Association accreditation, Orange County, and other external and internal reports
- Negotiating and corresponding with vendors on all materials purchases, plans, claims
- Reviewing licensing agreements for electronic resources and coordinating with University General Counsel on same
- Management of payment process, in coordination with University Comptroller, Purchasing Department, Accounts Payable Department and financial system, including the requisition and purchase order process, and approval of invoices for payment
- Teaching Legal Methods and bibliographic instruction to first year law students; providing library instruction to students and faculty; providing research assistance to students, faculty and public patrons;
- Cataloging with OCLC Connexion; serving as backup Reference Librarian; supervising Library Technical Assistants, student assistants, and Interns; surveying faculty regarding research interests
- Human Resources tasks including writing job descriptions, interviewing, supervising time records
- Supervising library technical assistant, student assistants, and interns

Additional Activities:

- Chair, Library Collection Development Policy Committee, revised policy Fall, 2011
- Library Strategic Planning Committee, Co-chair 2010- June 30, 2012, Chair July 1, 2012 –
- Price Index for Legal Publications Committee, American Association of Law Libraries 2012-2013

- Assisted faculty in preparation of self-study for ABA accreditation purposes, Fall 2011
- Representative to Florida Council of State University Libraries (CSUL) Collection Planning Committee, 2006-2010
- Chair, CSUL Task Force on Valuation of Library Collections for Insurance Purposes (see below)
- Representative of Faculty Liaison program
- College of Law Disaster Preparedness Committee and contributor to Disaster Preparedness Manual
- Consultation with Multi-county Library Co-operative as Library Director’s representative
- Grant Writing
- Staff Ambassador to Annual Campus-wide Fundraising Campaign
- Liaison to VIP and faculty participants in graduation/hooding program
- Book Review contributor to FAMU College of Law Library Newsletter

**Special Projects:**

2012-2013: Coordinating a civil rights program with the College of Law, the main campus, and the community

2012: Initiating a patron-demand driven acquisitions program.

2011-2012: Worked with electronic resource librarian to develop and implement tutorial programs using QR code technology and voiceover videos for bibliographic and catalog instruction and information about library policies and resources.

2011: Negotiated with Orange County attorney and facilities personnel to allow major weeding of Orange County Law collection; currently coordinating with staff to create and implement weeding plan.

2010-2012: Creating a special collection of civil rights materials and creating a digital collection of civil rights photographs and documentary history of the University; training and supervising student to obtain copyright permission for digital publication of photos.

2009-2012: Coordinated with Associate Dean to create International Law collection.

2009: Chaired Florida Council of State University Libraries (CSUL) Task Force on Valuation of Library Collections for Insurance Purposes; surveyed state university libraries regarding methods currently in use for inventory and valuation purposes. Researched methods used nationwide and performed literature review of current trends. With assistance from committee member, prepared report for CSUL and university library directors.

2006: In January, 2006, the entire Orange County Law Library was transferred to the FAMU College of Law Library. Having been involved in the evaluation of the collection prior to its move to FAMU, during which time it was learned that many of the continuations in the collection had lapsed due to financial constraints, I analyzed the collection to determine the most critical needs of the patrons, devised a collection development plan, and proceeded toward building the collection according to the plan.


- Serials check-in, copy cataloging using OCLC Connexion, routing and preparation of materials for binding; receiving and processing materials; cataloging; ordering materials; working with invoices; keeping track of faculty requests and checking out materials to faculty.
- During this time, the State University Libraries were migrating to a new Integrated Library System (Aleph). I learned the new system and trained the Library Technical Assistants.

- Wrote annotated bibliography and subject access bibliography of Library’s electronic databases
- Worked in Circulation, Reference and Technical Services departments performing numerous activities including cataloging; placing orders through vendors, serials check-in, routing and preparation of materials for bindery
- Prepared "pathfinders," research aids, maps, and finding aids


SCHOLASTIC BOOK FAIRS, LAKE MARY, FL (2/1997-6/1998), Educational Trainer and Outside Sales Representative

MORTGAGE PROFESSIONALS, MAITLAND, FL (9/1990-1/1993), Mortgage Broker

Commercial Transactional Attorney

Assistant Public Defender

PUBLICATION

Linda B. Barrette, Technical Services IS Public Service: Or how I got out of the back room and why you should too, AALL Spectrum, November 2011, at 20.

REFERENCES

Phebe Poydras, Associate Dean for Library Affairs and Assistant Professor of Law Indiana Tech Law School, 1600 East Washington Boulevard, Fort Wayne, Indiana 46803 260-422-5561 ext. 3436 1-855-TECHLAW PEpoydras@indianatech.edu

Joan R. M. Bullock, Associate Dean for Teaching and Faculty Development and Professor of Law, Florida A&M University College of Law, 201 Beggs Ave. Orlando, FL 32801, 407-254-3241 joan.bullock@famu.edu

Randall Abate, Associate Professor of Law, Florida A&M University College of Law, 201 Beggs Ave. Orlando, FL 32801, 407-254-4044 randall.abate@famu.edu
March 21, 2013

To: Leroy Pernell, Esq., Dean
    College of Law

From: Michael A. James, Interim Chief Information Officer
      Office of Enterprise Information Technology

Re: ABA Audit Recommendations

As requested, to address the recommendation below from the ABA we are providing the following as a response:

"FAMU’s College of Law has technological capabilities that are adequate for both its current program of legal education and for program changes anticipated in the immediate future, including sufficient server space for student computing and email use and sufficient wireless access, or other means of accessing the Internet, throughout the Law School and the library;"

Sufficient Wireless Access:

In August 2012, the wireless network at the College of Law was upgraded to add additional access points and malfunctioning access points were replaced throughout the building. In addition, all wireless switches were upgraded in each communication closet to increase total overall capacity and bandwidth for laptops, smartphones, and tablets. The network now covers an estimated 95% of the Law School building, including an outside courtyard area.

Sufficient Server Space/Computer and Email:

By the end of May 2013, the Office of Enterprise Information Technology will complete a University-wide upgrade of the Email System to Exchange 2013. As part of this upgrade, all Law School student email accounts will be migrated to a cloud based messaging system which will increase individual mailbox sizes from 250 Megabytes to 25 Gigabytes.

The Law School’s computer lab was recently re-populated with new machines and monitors. It now offers 30 reliable concurrent stations exclusively for student training, research, and general usage. Additionally, a laptop check out program has been implemented for students whose machines are down or do not have sufficient computing power for electronic exam taking.

Please contact me if you have questions or need additional information.

cc: Professor. Rodner Wright, Interim Provost and VP Academic Affairs
    Dr. Gita Pitter, Associate Vice President, Institutional Effectiveness

Florida A&M University is an Equal Opportunity Employer