ST. THOMAS UNIVERSITY
LAW REVIEW

CONSTITUTION

Updated August 2024

ARTICLE I PURPOSE

The *St. Thomas Law Review* (hereinafter "Law Review") is established for the purpose of enhancing the analytical, research, and writing skills of its membership, and advancing debate within the legal community by publishing a professional journal and online companion known as the *St. Thomas Law Review*.

ARTICLE II MEMBERSHIP

Section 1. There shall be two classes of members of the Law Review. These classes shall be designated as "Staff Editors" and "Member-Candidates."

Section 2. Any eligible second year student at the St. Thomas University School of Law may be selected as a Member-Candidate. Each Member-Candidate shall be required to author a Note/Comment of publishable quality; failure to author a Note/Comment, or if the Note/Comment is not of publishable quality, shall cause the Member-Candidate to be ineligible for membership. Additional procedures and eligibility requirements for selection of Member-Candidates shall be specified in the Bylaws. Member-Candidates shall not be eligible to vote on amendments to this constitution or the ratification of this constitution.

Section 3. Staff Editors shall be selected from among eligible Member-Candidates by the Executive Board at a meeting called for such purpose. Procedures and eligibility requirements for such selection shall be specified in the Bylaws. Nothing in this constitution shall prohibit the selection of all eligible Member-Candidates. Staff Editors shall be eligible to vote on amendments to this constitution and the ratification of this constitution.

Section 4. Any Member-Candidate not selected for membership may submit a written request for reconsideration to the Executive Board. Upon receipt of a request for reconsideration, the Executive Board shall meet within seven (7) days to consider the request.[1] In addition to said written request, the Member-Candidate may exercise the right to discuss his or her reasons for appealing in a meeting which shall consist of a majority of the members of the Executive Board. After review of the letter and potential meeting, the Member-Candidate will be notified of the Board's decision. Additional procedures and qualifications for reconsideration may be set out in the Bylaws, staff manual, or official notification from the Executive Board. All Executive Board decisions are final.

Section 5. All Staff Editors are required to serve a minimum of three (3) semesters to be eligible to graduate as a Member of the Law Review. A student must be a Staff Editor at the time of graduation to be considered an alumnus of the Law Review and to receive all honors, rights, and privileges thereunto appertaining.

[1] The seven-day period shall toll while school is not in session.

ARTICLE III EXECUTIVE BOARD

Section 1. The Executive Board shall be comprised of the officers of the Law Review and shall be responsible for the daily operation and publication of the Law Review and online companion.

Section 2. The officers of the Law Review shall include one (1) Editor-in-Chief, one (1) Managing Editor, one (1) Executive Editor, two (2) Notes and Comments Editors, three (3) Senior Articles Editors, one (1) Articles Solicitation Editor, one (1) Executive Online Editor, and one (1) Alumni Relations & Events Editor.

Section 3. The Editor-in-Chief shall set editorial policy and ensure accurate and timely publication of the Law Review and online companion and shall be the chief executive officer of the Law Review. The Editor-in-Chief shall be responsible for the appointment of Staff Editors to committees and shall serve as the Law Review liaison to the St. Thomas University School of Law administration and faculty. The Editor-in-Chief shall call meetings of the Executive Board and/or Staff Editorship as required by provisions of this constitution. The Editor-in-Chief may delegate other responsibilities as may be necessary and proper.

Section 4. The Managing Editor shall be the chief operating officer of the Law Review and shall assist the Editor-in-Chief in his or her editorial duties. In the event of the temporary absence or incapacity of the Editor-in-Chief, the Managing Editor shall assume temporary responsibility for the publication of the Law Review.

Section 5. The Executive Editor shall be responsible for the final review and edit of works selected for publication and shall be responsible for preparing a final version for distribution to the publisher or for immediate publication on the Law Review online companion.

Section 6. The Notes and Comments Editors shall be responsible for supervising, reviewing, and editing the works of student authors and recommending those suitable for publication to the Editor-in-Chief. The Executive Notes and Comments Editors shall also be responsible for the organization and supervision of the Law Review "Write-on" Competition and shall be responsible for recommending students suitable for Member-Candidacy to the Editor-in-Chief. Student eligibility and competition procedures shall be provided in the Bylaws.
The Executive Notes and Comments Editors additionally shall supervise each Member-Candidates' writing requirement as prescribed in the Bylaws.

Section 7. The Senior Articles Editors shall be responsible for supervising, editing, and preparing for publication works by authors for inclusion in the Law Review and online companion. The Senior Articles Editors shall allocate initial editing responsibilities among selected membership, subject to the approval of the Editor-in-Chief. The Senior Articles Editors shall divide their responsibilities in any manner they desire, subject to the approval of the Editor-in-Chief.

Section 8. The Articles Solicitation Editor shall be responsible for soliciting and selecting works to be considered for publication in the Law Review and online companion. The Articles Solicitation Editor shall serve as chairperson of the standing committee authorized to select works

for publication. The Articles Solicitation Editor shall also be responsible for managing the online companion.

Section 9. The Executive Online Editor shall be responsible for managing the Law Review's social media platforms and website with the oversight of the Editor-in-Chief. It shall be the Online Editor's responsibility to keep all social media pages active. The Online Editor is also responsible for collecting Forum Posts from the members to be published in the Law Review's website. The Online Editor shall fulfill their responsibilities in any manner they desire, subject to the approval of the Editor-in-Chief. The Editor-in-Chief may delegate other responsibilities as may be necessary and proper.

Section 10. The Alumni Relations & Events Editor shall be responsible for establishing relations with Law Review alumni through events, communications, and mentorship opportunities. The Alumni Relations & Events Editor shall create and update a database of all St. Thomas University Law Review alumni for the purpose of networking and helping our members with mentorship. This position is also responsibly for assisting the Articles Solicitation Editor with the logistical planning of the symposium and co-lead with the ASE the symposium committee. The Editor-in-Chief may delegate other responsibilities as may be necessary and proper.

Section 11. A quorum for conducting business shall consist of a majority of officers of the Executive Board.

Section 12. The Executive Board shall elect, at a meeting of the Board called for such purpose, its successors from among eligible Staff Editors who shall serve a term of one (1) year to commence on a date specified in the Bylaws. Each officer has the affirmative duty and responsibility to instruct and mentor his or her successor in the proper performance of the duties of their respective office. Eligibility, procedures, and rules for the selection of Executive Board officers shall be provided in the Bylaws.

Section 13. In the event an office becomes vacant, the Editor-in-Chief shall call a special meeting to fill such vacancy. If an officer who is already a member of the Executive Board fills the vacancy, the prior office shall immediately become vacant and shall be filled by selection at the same meeting. An office shall become vacant upon the officer's death, physical or mental incapacity, dismissal or resignation from the St. Thomas University School of Law, or removal or resignation from the Executive Board. Removal or resignation from the Executive Board does not include removal or resignation from the Law Review.

Section 14. Any officer of the Executive Board may be removed for failure to perform, in good faith, the duties of his or her office. The Removal of an officer from the Executive Board shall require three-fifths (3/5) vote of the entire Executive Board. Removal from the Executive Board shall exclude such member from future eligibility to serve on the Executive Board.

ARTICLE IV COMMITTEES

Section 1. The Editor-in-Chief and Executive Board may establish standing committees as it deems appropriate to discharge its responsibilities. The Editor-in-Chief shall appoint members of

committees and their chairs. Each committee shall consist of no less than three (3) Staff Editors. Members of committees shall hold office until the appointment of their successors or the conclusion of the publication year. Any vacancies on standing committees shall be filled by appointment of the Editor-in-Chief. Unless specifically delegated, or as otherwise provided in this constitution or the Bylaws, authority to act on matters is reserved to the Editor-in-Chief or Executive Board, and the duty of each committee shall be to consider and to make recommendations to the appropriate authority upon matters referred to it. Each standing committee shall provide in the Bylaws a written statement of its purpose and primary responsibilities. The Chairs of all committees shall perform their duties in consultation with the Editor-in-Chief.

Section 2. The Editor-in-Chief may establish ad-hoc committees with such powers and duties and for a period of service as the Editor-in-Chief may determine. No ad-hoc committee shall be created to act upon any matter appropriate for a standing committee. The Chair of any ad-hoc committee shall be appointed by, and shall perform his or her duties in consultation with, the Editor-in-Chief.

Section 3. A standing committee for the selection of works to be published in the Law Review and online companion shall be established at the commencement of each publication year and shall establish and maintain policies and procedures as provided in the Bylaws and not inconsistent with this constitution.

ARTICLE V MEETINGS

Section 1. The Executive Board shall meet at least once per month during the fall and spring semesters, and as deemed necessary during the summer term. A quorum of six (6) officers shall be required to conduct business, and all motions shall pass upon a majority vote, except as otherwise provided in this constitution.

Section 2. Special meetings of the Executive Board may be called from time to time at the discretion of the Editor-in-Chief. The Editor-in-Chief shall call such special meetings by providing e-mail notification to officers at least twenty-four hours (24) prior to the meeting and shall including the subject(s) for discussion and consideration.

Section 3. General meetings of the membership shall be called from time to time at the discretion of the Editor-in-Chief for the discussion of general Law Review business. A quorum for such meetings shall consist of a majority of the total membership. The Editor-in-Chief shall provide notice of such meeting to each member via e-mail at least seven (7) days prior to the date of the meeting and shall include the subject(s) for discussion and consideration.

Section 4. Special meetings of the membership may be called to consider matters of importance to the general membership or to propose amendments in accordance with Article VII, Section 1 of this constitution in advance of a general membership meeting. The Editor-in-Chief shall provide notice of such meeting including an agenda and, if called for, the adoption of amendment(s), distribute a copy of the proposed amendment(s) to each Staff Editor via e-mail at least three (3) days prior to the date of the meeting. A quorum is not required for a special meeting of the membership unless otherwise required by this constitution.

Section 5. Except as otherwise specified in this constitution or in the Bylaws, all questions shall be decided by majority vote of those present and eligible to vote.

Section 6. The use of proxies for purposes of determining a quorum, voting, or for any other purpose is prohibited.

Section 7. Nothing in this Constitution or in the Bylaws shall prohibit the holding of meetings among Staff Editors or Member-Candidates for the purpose of discussing matters pertaining to the Law Review. Such meetings may be held informally without call or quorum requirements; however, no action taken at any such meeting shall have any binding effect upon the Law Review. Recommendations made at such meetings may be presented to the Editor-in-Chief or Executive Board for action.

Section 8. Meetings of the Law Review shall be conducted in a courteous and professional manner and shall be governed by either rules of order provided in the Bylaws. Choice of rules of order shall be adopted each year by the Executive Board for use at meetings of the Law Review.

ARTICLE VI
AMENDMENTS AND BYLAWS

Section 1. An amendment to the constitution may be proposed by the Executive Board or by Staff Editor initiative. Any proposed amendment shall embrace only one subject.

Procedures for proposing amendments by the Executive Board or Staff Editor initiative shall be provided for in the Bylaws. Amendments shall be presented to the Law Review Staff Editors for consideration at a general or special meeting of the membership. At such meeting, a quorum shall consist of a majority of the total Members and the amendment shall be deemed adopted if approved by three-fifths (3/5) of the total members. If a quorum is not present for the consideration of an amendment, the amendment shall be deemed tabled until the next meeting at which a quorum is present. An amendment shall take effect upon adoption.

Section 2. Bylaws and amendments to the Bylaws shall be adopted by the Executive Board at a duly called meeting to supplement this Constitution and shall become effective upon approval by a majority of officers.

ARTICLE VII RATIFICATION

Section 1. This Constitution shall become effective when approved by three-fifths (3/5) of the Law Review Membership and shall supersede any prior constitution of the Law Review. A quorum for the adoption of this constitution shall consist of a majority of the total Staff Editors.

Section 2. Upon effectiveness of this constitution, all members shall retain their status as Executive Board officers, Staff Editors, or Member-Candidates. Officers shall continue to serve until expiration of their terms. Any current procedures consistent with this Constitution may remain in effect pending the adoption of Bylaws.