

PACE INTERNATIONAL LAW REVIEW

CONSTITUTION AND BYLAWS

ARTICLE I: Name; Location; Purpose

- A. Pace International Law Review, originally known as the Pace Journal of International and Comparative Law, was founded in 1985. The periodical became known as the Pace Yearbook of International Law in 1988. As of March 11, 1993 the review's current title is Pace International Law Review (hereinafter "PILR").
- B. PILR is located at Elisabeth Haub School of Law at Pace University, 78 North Broadway, White Plains, New York, 10603.
- C. The purpose of PILR is to further the art of scholarly legal writing, and to contribute to both public and private international law through the preparation and publication of a professional periodical known as PILR.
- D. PILR is edited and managed by students of Elisabeth Haub School of Law at Pace University. The Editors of PILR accept the responsibility for the operation of PILR as an integral part of the educational mission of the School of Law. To that end, they will regularly consult with the Faculty Advisors and such other members of the Faculty as may be appropriate. Except for those matters which require determination by individual editors, the normal decision-making process will strive for collegial consensus of all editors and consultation with the Faculty Advisors on issues of institutional concern.
- E. PILR shall publish, on a regular schedule, at least one issue a year. The decision to publish more than one issue a year will be based upon the amount of material and time, at the discretion of the Board of Editors.

ARTICLE II: PILR Staff

- A. Junior Associates

- 1. **Number of Junior Associates**

- The number of Junior Associates will be limited to twenty (20) students. Junior Associates must fulfill all requirements within their first year of membership in order to qualify as a permanent member.

2. **Selection of Junior Associates**

A. Invitation by Writing Competition

Full-time students who have completed their first year or part-time students who have completed either their first or second year shall be eligible to compete in the Unified Law Review Writing Competition, provided that they are ranked in the top fiftieth (50%) percentile of their class at the end of that year. Full-time students who have completed their second year shall not be eligible to compete as membership in PILR requires a two-year commitment. The Board of Editors shall determine the number of students invited to become Junior Associates of PILR. Invitations will be based on the combination of each student's class standing and competition score. However, the Board in its discretion, reserves the right to invite a certain percentage of students who ranked in the top fiftieth (50%) percentile of their class to become Junior Associates of PILR solely on the basis of class standing or solely on the basis of writing ability.

Junior Associates must also attend an orientation program prior to assumption of the Junior Associate role or otherwise be granted an exception by the Editor-in-Chief. Prospective members will be granted the title of Junior Associate upon successful completion of the orientation program.

3. **Requirements for Full Membership:**

- a. All students invited to join PILR as Junior Associates must commit to membership for two full years.
- b. Each Junior Associate is required to write a Case Note or Comment of publishable quality as set forth in the Handbook. Any Junior Associate who does not fulfill this requirement will not be eligible for full membership.

Those Junior Associates whose articles the Editors have accepted and who have successfully discharged all their responsibilities, as set forth in the Handbook will be eligible for full membership. Selection of members by the Board of Editors shall commence no later than the end of March. Junior Associates who do not fulfill their duties in accordance with the timetables established for them by the Editors will lose their

status as Associates and will not be eligible for a position as Senior Associate or Editor at the discretion of the Board.

4. Standards of Academic Honesty

All submissions to PILR, whether through the Writing Competition or otherwise, must comply with the Pace Law School Code of Academic Integrity.

B. *Senior Associates*

Members who have successfully completed all assigned work during their first year on PILR and who are not elected as officers are eligible to be elected as Senior Associates for their second year on PILR. Senior Associate designation is not a matter of right, but is, rather, a recognition of substantial contribution to PILR. Senior Associates shall be responsible for assisting the Managing Editor with Bluebook assignments, the Bluebook Editor Quiz, the blog, and any additional assignments as the Editor-in-Chief shall direct.

C. *Two Year Commitment*

PILR requires a two-year commitment. The two-year commitment may be waived by the Board of Editors, at its sole discretion, for students who indicate early in their PILR tenure that they intend to graduate one semester early. A program for making up the work that would be missed must accompany such waiver.

ARTICLE III: Officers

A. *Board of Editors*

The Board of Editors of PILR shall include an Editor-in-Chief, Managing Editor, Productions Editor(s), Articles Editor(s), Case Note & Comment Editor(s), Symposia and Submissions Editor(s) and any other officers as may be elected from time to time by the Board of Editors.

B. *Duties and Powers of Editors*

1. Editor-in-Chief

The Editor-in-Chief shall be ultimately responsible for administrative, financial, and editorial policies and decisions of Pace International Law Review, the Pace International Law Review Online Companion, and the Pace International Law Review Blog. The Editor-in-Chief shall review articles submitted for publication along with the Symposium &

Submissions Editor(s) to decide whether to select the articles for publication. The Editor-in-Chief may select an Articles Submissions Committee comprised of no more than five board members to review submissions and recommend articles for publication. Upon request by the Note & Comment Editor(s), the Editor-in-Chief may also review student articles with the Note & Comment Editor(s). The Editor-in-Chief shall give final approval for all professional and student articles before being sent to the publisher. The Editor-in-Chief shall approve every element of the publication of Pace International Law Review before it goes to the publisher, the Pace International Law Review Online Companion (including Editor's Top 5) before it is posted with Pace University's Digital Commons Database, and the Pace International Law Review Blog submissions and comments before posting. The Editor-in-Chief shall coordinate all operations of the review, including: overseeing all activities related to the Write-On Competition and Orientation; calling and chairing all meetings; allocating duties among the Editorial Board and staff, meeting at least once per month with each of the members of the editorial board; meeting periodically with the faculty advisor; assigning professional and student articles selected for publication to Articles Editors; overseeing the assignment of office hours tasks assigned by the Articles editors and determine the publications schedule. The Editor-in-Chief shall be responsible for obtaining executed copyright release contracts from the authors whose articles have been selected for publication.

The Editor-in-Chief is the sole official voice of the Pace International Law Review. The Editor-in-Chief shall act as the liaison with the Review's Faculty Advisors, the Administration, and the Law School Faculty. The Editor-in-Chief shall approve registration of editors and senior associates for academic credit and shall, certify to the Registrar, via the Faculty Advisors and the Vice Dean of the Law School, the satisfactory performance by the editors and senior associates, for the receipt of passing grade for the academic credits. The Editor-in-Chief shall update the Pace International Law Review Handbook and Bylaws. Any update to the Bylaws beyond the correction of a typographical error must be approved by the Board of Editors in accordance with the procedure set forth below. The

Editor-in-Chief shall assist in policy and decision implementation with the Faculty Ad Hoc Committee for the Pace Law reviews.

The Editor-in-Chief shall maintain the PILR subscription list, and shall also work to increase the subscription base and visibility of PILR. One of the ways this is accomplished is by immediately sending copies of our bound editions to subscribers who claim that they never received their copy.

2. Managing Editor

The Managing Editor shall maintain day-to-day operations of PILR with a primary responsibility of reviewing all articles completed by the Articles Editors before submitting them to the Editor-in-Chief. The Managing Editor shall also maintain working relationships with various university officials, interact with the Editor-in-Chief and other board members regarding the quality of submissions at publication stage. The Managing Editor shall maintain communication with the Editorial Board, especially with Articles Editors, to ensure that all publication deadlines will be met.

The Managing Editor shall manage all PILR responsibilities related to the Write-On Competition. The Managing Editor shall also work together with the Symposia and Submissions Editor to organize and manage Symposia on the years that Symposia is the responsibility of PILR. The Managing Editor shall manage the PILR office by maintaining adequate supplies and other necessary materials and shall act as liaison with maintenance and the law school administration. The Managing Editor will be responsible for establishing and maintaining contact with an Alumni Board. The Managing Editor shall be responsible for such other duties as the Editor-in-Chief shall direct.

3. Productions Editor

The Productions Editor ensures an efficient and consistent production process. Duties include, but are not limited to: accurate Bluebooking; source checking; formatting; editing of spelling and grammar; suggesting of stylistic changes; checking for punctuation errors; and overall editing of the articles to be published. The Productions Editor further assists the Editor-in-Chief and Managing Editor, ensuring timely publication of PILR articles. Finally, as third executive officer, the Productions Editor assists the Editor-in-Chief and Managing Editor as needed. Should any other editors have any

questions or issues in respect to matters falling within the Productions Editor's duties, such should be directed to the Productions Editor for resolution to ensure consistency throughout the publication.

4. Articles Editors

The Articles Editors shall be primarily responsible for editing the professional and student articles selected for publication by overseeing and reviewing the work product of the Junior Associates for which the Articles Editor is responsible for. Articles Editors shall be assigned an articles group (a group composed of Junior and/or Senior Associates for which they are responsible for) each semester. Articles Editors are to receive an assignment from the Managing Editor on a periodic basis to be determined by the Managing Editor. Articles Editors are responsible for holding weekly office hours with the Associates in their articles group. The Articles Editor shall divide each respective article assignment among their assigned articles groups and shall provide supervision and guidance regarding the Bluebook rules, as well as grammar, punctuation, and spelling. The Articles Editors are wholly responsible for the finished product submitted by their groups. The Articles Editors are therefore, responsible for assuring the technical accuracy of all the Junior Associate's assigned work. Articles Editors may also be asked to review professional articles submitted for publication along with the Editor-in-Chief and Symposia/Submissions Editor to decide whether to select them for publication. Articles Editors shall be responsible for certifying to the Editor-in-Chief that all members and associates in the office hours group have sufficiently contributed to the group and PILR as a whole to be granted full membership or credits as applicable. Articles Editors shall be responsible for such other duties, as the Editor-in-Chief or Managing Editor shall direct.

5. Note & Comment Editors

Note & Comment Editors shall coordinate, with the Editor-in-Chief, the Associate Writing Program. They shall review student articles submitted for publication along with the Editor-in-Chief to decide whether to select them for publication. They shall be responsible for editing and assisting in the development of Junior Associate articles, including but not limited to: preparing sample documents to assist associates in the writing process (i.e. topic sheet, preemption sheet, outline, overview of first draft, etc.),

performing extensive preemption checks on all allocated topics; scheduling conferences with students to keep track of the status of student pieces; arranging a meeting where faculty involved in international law can interact with associates and discuss potential topics; reviewing and evaluating research memoranda and outlines; editing drafts of Associates' articles and providing feedback; ensuring that all deadlines are met; and assuring the technical accuracy of all pieces.

The Note & Comment Editors shall also investigate current legal issues and trends for topic development. The Note & Comment Editors shall keep abreast of all current events and legal decisions impacting upon the authoritativeness of the material in articles. They shall comprehensively read the first, second and final draft of student articles and comment in detail on the strengths and flaws. The Note & Comment Editor shall be responsible for such other duties, as the Editor-in-Chief or Managing Editor shall direct.

6. Symposia and Submissions Editor

The Symposia and Submissions Editor is primarily responsible for soliciting a full set of publishable quality articles (4-8 depending on their length) for PILR's bound editions. If necessary, the Symposia and Submissions Editor shall begin soliciting articles for the next issue as soon as elected. He/She shall perform a cursory review of all incoming articles and secure the author's credentials. If necessary, the Symposia and Submissions Editor submits the articles to the Articles Editors to prepare for publication and interacts with the Editor-in-Chief and consults with the Articles Editors regarding the quality of submissions.

The Symposia and Submissions Editor shall organize Symposia, and any other lectures or events hosted by the PILR. He/she shall be responsible for having these events recorded and transcribed.

The Symposia and Submissions Editor shall handle all invitation lists and is primarily responsible for sending out all invitations to the outside legal community for International Law Review events. The Symposia and Submissions Editor shall be responsible for such other duties, as the Editor-in-Chief or Managing Editor shall direct.

7. Other Officers

The Board of Editors shall determine the duties and powers of any other officer(s) elected by the Board of Editors.

C. *Election of Officers*

1. The Board of Editors shall meet to elect officers for the next year from the second year day and third year evening PILR Members by April 1st of the applicable academic year. The newly elected Board of Editors shall take office and assume full control of PILR on the last day of classes in the spring semester.
2. An application period of at least ten days for new officers will be established and announced prior to the Board of Editors' meeting to elect officers for the next year. During those periods, any interested candidate must file an application form with the Board of Editors. The Board of Editors may consult with the Faculty Advisor as to the qualifications of the applicants.
3. The Board of Editors may conduct interviews of applicants. The qualifications of any applicant for a given position will be determined at the discretion of the sitting Editorial Board.
4. To be elected as a new officer, an applicant must receive two-thirds of the votes of the outgoing Board of Editors.

D. *Removal of Officers*

An Editorial Officer may be removed from his or her position for good cause only, upon the vote of two-thirds of the entire Board of Editors, with the officer who is subject of the removal proceeding not voting and not counted; an officer removed from office remains a Member of PILR.

Only the Board of Editors shall have the power to fill any vacancy that may occur among its members. A two-thirds vote by the Board shall be necessary to fill the vacancy. Only members of the Senior Staff are eligible to fill vacancies. Applicants must file an application form with the Board of Editors. In the event that a member of the Board of Editors becomes incapacitated such that they are unable to continue in their position, the faculty advisor may upon request immediately fill the vacancy. Only the faculty advisor may make the determination that a member of the Board of Editors is incapacitated.

In the event an Officer is being considered for involuntary removal, the Editor-in-Chief and Board of Editors shall be obligated to insure that due process and fundamental fairness are accorded to any member involved in such a proceeding. For the purposes of this article, an elected officer that has not yet taken office shall be afforded all protections and consequences of this article.

ARTICLE IV: Academic Credit

To maintain the highest quality of work on the PILR, Pace University School of Law has made available academic credit for Editors and Senior Staff. Upon successful completion of their duties and responsibilities, Editors shall be eligible to receive four academic credits for work on the PILR, with a maximum of two credits per semester. Upon successful completion of their duties and responsibilities, Senior Associates shall be eligible to receive two academic credits for work on PILR, with a maximum of one academic credit per semester.

Academic credit shall be authorized by the faculty advisor upon certification by the Editor-in-Chief. The Editor-in-Chief shall not unreasonably withhold certification of academic credit for any Editor or Senior Associate. In the event the Editor-in-Chief feels that an Editor or Senior Associate has not satisfied the requirements set forth by the law school for earning credit, the matter will be referred to the Board of Editors; If a quorum of the Board of Editors votes by a simple majority not to certify that the credit has been earned, the matter will be referred to the Faculty Advisors for a final decision.

Academic credit for work on PILR shall be awarded based upon the work and duties performed during the period for which the Editor or Senior Staff has registered for such academic credits. The work demanded for the fulfillment of such credits shall involve at least the same requirements as a typical course of the same number of credits. Editors or Senior Associates wishing to register for credit shall first obtain the approval of the Editor-in-Chief.

ARTICLE V: Discipline

- A. Each PILR member is affirmatively obligated to maintain the highest ethical standards of the profession of law. For the purpose of this article, the word “member” shall include Junior Associates, Senior Associates and Editors.
- B. The Editor-in-Chief and Board of Editors shall be obligated to insure that due process and fundamental fairness are accorded to any member involved in a disciplinary proceeding.

- C. Disciplinary proceedings may be convened only for offenses defined and proscribed hereafter by this Article.
- D. Each offense, when committed, may constitute a “strike” against a PILR member. The following offenses are defined and proscribed for all members of PILR.

1. 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) Intentional misuse of research resources. Intentional misuse of research resources is the deliberate violation of the policies or rules of the Pace Law Library or any other research resource.
- c) Honor Code Violation. All submissions to PILR must comply with the Pace Law School Code of Academic Integrity.

2. Unprofessional Conduct

Unprofessional conduct is any deliberate or negligent conduct by which a PILR member fails to competently carry out his/her duties. Unprofessional conduct includes:

- a) Willful refusal to obey the proper directions of duly constituted PILR officers.
- b) Willful refusal to complete properly assigned tasks.
- c) Failure to complete an assignment in a timely fashion. This includes failure to meet specified deadlines without prior notice and permission. Permission may be granted only if a written request is submitted forty-eight hours prior to the deadline of said assignment.
- d) Failure to complete the Note/Comment writing requirement in compliance with the guidelines set out by the Note & Comment Editors.
- e) Failure to attend mandatory meetings and events. This includes mandatory meetings with editors regarding assignments.
- f) Two or more incidents of submitting deficient writing samples.

- g) Two or more incidents of negligently performing assigned tasks in any academic semester or vacation period.
 - h) A pattern of disruptive or uncooperative behavior consisting of two or more incidents.
 - i) Any behavior unbecoming of a PILR member as determined by the PILR board in conjunction with the faculty advisor.
- E. Junior Associates will be disciplined for poor performance using a “three strikes” policy.
1. The first strike will result in formal written notice from the Editor-in-Chief, and possibly a meeting with the Editor-in-Chief, Managing Editor, and any other Editors or Senior Associates implicated.
 2. Upon receiving a second strike, the Junior Associate will have a mandatory meeting with the Editor-in-Chief and/or Managing Editor.
 3. After a Junior Associate’s third strike, he/she will be removed from PILR.
- F. With regard to articles editing requirements, two late assignments (“late” meaning the Junior Associate failed to communicate with his/her editor and provide an acceptable reason why the work was not handed in on time) will equal one strike. Additionally, if a document is handed in with fifty percent (50%) of the footnotes incorrect, that will also constitute a strike. With regard to the blog requirement, one late blog post or comment will result in a written e-mail warning to the Junior Associate, copying the Editor-in-Chief. If a Junior or Senior Associate accumulates two (or more) late post/comments, they receive a strike for every late post or comment. With regard to the Note/Comment process, one late assignment will constitute a strike, and every late comment after that constitutes a strike.
- G. Any Junior Associate who is abusive, disrespectful, or dishonest with respect to any fellow Members or Editors, or otherwise engages in any unethical behavior of any kind toward any fellow Junior Associate, Editor, or PILR itself may be subject to immediate dismissal. In addition, any intentional mutilation, destruction, or theft of PILR property will lead to a Junior Associate’s immediate removal.
- H. Dismissal for any reason and at any time during the school year means that the student cannot claim membership for any time already served as a PILR member.

Any party that may have relied on a student's membership in PILR when making any decision that benefited the student will be notified of the dismissal.

- I. A member may request a review of the Board's dismissal decision by the Faculty Advisor. If requested by the Faculty Advisor, the Board shall reconsider, but need not alter, its decision.
- J. A two-thirds vote of the entire Board of Editors shall be required for disciplinary action under this Article.
- K. Upon a finding that a member has violated this Article, the Board may remove the member from the PILR or take other appropriate action.

ARTICLE VI: Leave of Absence

In extraordinary circumstances, the Board of Editors may grant a member the right to take a leave of absence. The decision to grant a leave of absence must be ratified by two-thirds of the Board.

ARTICLE VII: Meeting and Quorum Requirements

A. *Board of Editors*

- 1. The Board of Editors shall meet at such times as the Editor-in-Chief directs. A quorum shall consist of a majority of the Board of Editors. No meeting may proceed unless a quorum is present. In each matter where a vote is required at a meeting, each Editor shall have one vote. The Editor-in-Chief shall determine in his or her discretion when a vote is required at a meeting, except that a vote will always be required upon written petition of at least three (3) editors of the Board of Editors. A majority vote of the Editors present (provided there is a quorum) shall be required for action on any item of business unless otherwise provided for in these by-laws. The Editor-in-Chief may veto any vote of the Board, except that two-thirds of the entire Board of editors, inclusive of those not present at the meeting, may override such veto. If a vote to override a veto of the Editor-in-Chief is attempted, those Editors not present at the meeting will be promptly informed of such a vote. Editors not present will then have forty-eight hours to contribute to the vote by communicating their vote in an email to the entire Board. Any not present Editor who does not take a position on the matter will not be counted in calculating the total number of board members required to override the veto. Any unilateral decision, action, or deliberate inaction

made by the Editor-in-Chief may be overridden by a unanimous vote of the Board of Editors, Editor-in-Chief abstaining.

2. The Editor-in-Chief or any two editors may call a meeting by giving forty-eight hours notice. Notice may be waived by unanimous consent of the Board of Editors.

B. General Meetings

1. General meetings of the entire PILR shall be held as the Editor-in-Chief directs. Such general meetings may be called upon forty-eight hours notice.
2. Upon receipt of a petition for a general meeting signed by one-fourth of the members of PILR, the Editor-in-Chief must call a meeting within one week of receiving the petition.

ARTICLE VIII: Adoption and Amendment to the Constitution and By-Laws

- A. This Constitution and Bylaws shall be effective when adopted by three-fourths of the Board of Editors and ratified by two-thirds of the Officers and Senior Associates.
- B. The Constitution and Bylaws may be amended by a vote of three-fourths of the Board of Editors. Such vote must be ratified at a general meeting by a majority of the Officers and Senior Associates voting.
- C. Proposals to amend the Constitution and Bylaws may be originated by petition signed by one-fourth of the Editors and Senior Associates or at least four Members of the Board, whichever is lesser. Upon receipt of such a petition, the Editor-in-Chief must submit it to the Board within twenty-four hours.

Amended and Approved by Vote on November 15, 2017.

Ratified on December 7, 2017.