**Ohio State Journal on Dispute Resolution**

**Constitution**

Article I: Journal on Dispute Resolution

**Section A: Name**

The name of this organization shall be the Ohio State Journal on Dispute Resolution, and shall be referred to as “the Journal” in all governing documents.

**Section B: Purpose**

The purpose of this organization is to publish the Ohio State Journal on Dispute Resolution, a publication dedicated to the exploration, criticisms, and development of methods of resolving conflicts outside of the conventional legal process. Contributions to the Journal are intended to promote the field of alternative dispute resolution as well as to enhance the prominence of the Moritz College of Law.

**Section C: Meetings**

The members of the Journal staff shall meet a minimum of three times per academic year. The Editor in Chief may call additional meetings of the Managing Board, whose attendance shall be restricted to Managing Board members and faculty advisors.

**Section D: Advisors**

Faculty Advisor(s) shall have only those powers expressly granted by this Constitution. The Faculty Advisor(s)' primary role shall be to represent the Journal's interests before the law school faculty and administration and to transmit to the faculty, in their discretion, the recommendation of the Board regarding awards of credit to members of the Journal. The Faculty Advisor also assists in removal procedures.

Article II: Definitions

1. **The Managing Board**: consists of all Journal members in positions other than Staff Editor or Associate Editor.
2. **Mandatory Position**: consists of all positions necessary for the functioning of the Managing Board. The Editor in Chief must fill these positions.
3. **Discretionary Position**: consists of all positions for which the Editor in Chief has discretion to appoint based on the needs of their particular Managing Board. The Editor in Chief has discretion to leave these positions vacant or combine duties of these positions as needed.

Article III: Membership

**Section A: Eligibility**

1. Except as otherwise provided in this Constitution and Bylaws, all persons currently enrolled at the Moritz College of Law who hold the rank of second or third-year law student shall be eligible for membership.
2. Membership on the Journal shall preclude membership on all other law journals associated with the Moritz College of Law.
3. Transfer students shall be eligible for Journal membership. Transfer students should, if possible, participate in the spring Write-On Competition. Otherwise, Journal membership may be granted and exceptions may be made at the discretion of the Managing Board.
4. Any student who would have been entitled to receive a Journal invitation after their first year of law school will be entitled to receive such invitation upon return from military service. Any Journal member inducted into the armed forces will be entitled to resume Journal membership in an appropriate position approved by the Managing Board upon their return.
5. Every Journal member shall have the right to be free from, and shall have the responsibility to refrain from, discrimination on the basis of age, ancestry, color, disability, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, race, religion, sex, sexual orientation, protected veteran status, or any other basis, in the exercise of Journal activities.

**Section B: The Editor in Chief**

1. **Duties**: the Editor in Chief is the chief executive officer of the Journal. If the following responsibilities, as well as any additional unforeseen responsibilities, are adequately met, the Editor in Chief will earn 3 credit hours for the academic year:
	1. Make and implement all decisions regarding Journal operations, except as otherwise provided by this Constitution and Bylaws;
	2. Hold all Journal members accountable for the discharge of their duties;
	3. Call meetings of the Managing Board and entire Journal staff as necessary;
	4. **Appointment of the Managing Board**: within fourteen calendar days of their election, the Editor in Chief shall assign Managing Board positions for the subsequent academic year.
		1. The Editor in Chief shall confer with successor Board members to determine each member’s desired position, and may confer with outgoing Board members. The Editor in Chief has the sole discretion to make final appointment decisions.
		2. The Editor in Chief shall meet with each incoming Managing Board member to complete a position agreement form that, when completed, will identify their agreed upon duties for the upcoming year.
2. **Selection**: no later than the sixth week of the second semester of each academic year, on a weekday selected by the outgoing Editor in Chief, an election shall be held to select a new Editor in Chief.
	1. Any Journal member entering their second year of membership shall be eligible to nominate themselves for election. To appear on the ballot, first-year staff members must declare their candidacy by submitting a statement of interest to the current Editor in Chief no later than five business days prior to the election.
	2. An open forum for candidates shall be held not more than five business days and no less than two business days before the election.
	3. **Manner of Election**
		1. All current Journal members are eligible to vote except for Editor in Chief and Executive Editor.
		2. The candidate who receives a majority of votes cast shall be declared the new Editor in Chief.
		3. The election shall take place using a system of instant runoff voting (IRV), in which voters shall rank the candidates in order of preference in descending order. Voters must indicate a first preference, and may rank other candidates in descending order.
		4. The outgoing Editor in Chief and Executive Editor shall tally the votes.
		5. If one candidate does not receive a simple majority, the following procedures are used to select the winner:
			1. The candidate receiving the lowest number of votes shall be eliminated from contention;
			2. Ballots cast for the eliminated candidate shall be reallocated to the remaining candidates according to each ballot’s next highest ranked candidate;
			3. If the next highest ranked candidate has already been eliminated, the ballot shall be reallocated to the highest ranked candidate still in contention;
			4. If a ballot cannot be reallocated to an eligible candidate, the ballot will continue to count toward the total number of votes cast only for purposes of determining a simple majority;
			5. Following reallocation, if a candidate now has a simple majority of votes, they will be declared the winner. If there is still no winner, the above process is repeated until one candidate receives a simple majority.
		6. If the above procedure results in a tie between two candidates, the candidate with the highest number of first preference votes shall win.

**Section C: The Managing Board**

1. **Mandatory Positions**
	1. **Executive Editor**
		1. The Editor in Chief shall appoint **one** Journal member to serve as Executive Editor. If the following responsibilities are adequately met, the Editor will earn 3 credit hours for the academic year:
			1. Handle all subscriber correspondence and invoicing;
			2. Maintain subscriber database;
			3. Prepare subscription list for publisher before each issue;
			4. Handle all individual subscriber dilemmas, such as change of address;
			5. Coordinate publication schedule and assignments with the Managing Board;
			6. Format and approve publisher drafts for final publication;
			7. Any other responsibilities noted in the position agreement.
	2. **Chief Managing Editor**
		1. The Editor in Chief shall appoint **one** Journal member to serve as Chief Managing Editor. If the following responsibilities are adequately met, the Editor will earn 3 credit hours for the academic year:
			1. Oversee Managing Editors;
			2. Allocate, compile, and distribute assignments for each accuracy check in accordance with the publication schedule established by the Managing Board;
			3. Communicate with authors throughout the accuracy check and revision process to obtain approval for potential revisions;
			4. Grade the editing portion of the Journal Write-On Competition in collaboration with the Chief Note Editor, Managing Editors, and Note Editors;
			5. Collaborate with the Managing Board to plan and facilitate Staff Editor Orientation;
			6. Any other responsibilities noted in the position agreement.
	3. **Chief Note Editor**
		1. The Editor in Chief shall appoint **one** Journal member to serve as Chief Note Editor. If the following responsibilities are adequately met, the Editor will earn 3 credit hours for the academic year:
			1. Oversee Note Editors;
			2. Allocate and distribute assignments and create deadlines for each component of the Student Note writing process;
			3. Solicit feedback from Note Editors regarding Staff Editor progress throughout the Student Note process;
			4. Create and grade the writing portion of the Journal Write-On Competition in collaboration with Note Editors and other Moritz law journals;
			5. Any other responsibilities noted in the position agreement.
	4. **Chief Articles Editor**
		1. The Editor in Chief shall appoint **one** Journal member to serve as Chief Articles Editor. If the following responsibilities are adequately met, the Editor will earn 3 credit hours for the academic year:
			1. Oversee Articles Editors;
			2. Monitor all outlets through which articles are submitted for consideration;
			3. Compile batches of articles to distribute to Articles Editors for consideration and set deadlines for their review;
			4. Review articles alongside Articles Editors and keep records of all evaluation scores and decisions;
			5. Communicate decisions regarding publication, including suggested changes, with the Editor in Chief and, as needed, with authors and the Chief Managing Editor throughout the accuracy check process;
			6. Coordinate with Chief Managing Editor and Chief Online Editor to determine which articles selected for publication will be included in print and online editions;
			7. Any other responsibilities noted in the position agreement.
	5. **Chief Online Editor**
		1. The Editor in Chief shall appoint **one** Journal member to serve as Chief Online Editor. If the following responsibilities are adequately met, the Editor will earn 3 credit hours for the academic year:
			1. Oversee and manage all aspects of the Journal’s online presence;
			2. Publish Journal articles and newsfeeds to the Journal website;
			3. Coordinate with Chief Managing Editor and Chief Articles Editor related to articles submitted for publication to JDR Online;
			4. Any other responsibilities noted in the position agreement.
	6. **Symposium Editor(s)**
		1. The Editor in Chief shall appoint **one or two** Journal members to serve as Symposium Editor(s). During years when the Journal does not have a Symposium planned, the Editor in Chief has discretion on whether to appoint more than one Symposium Editor. If the following responsibilities are met, the Editor(s) will earn 3 credit hours for the academic year:
			1. Choose the topic of the next Symposium hosted by the Journal;
			2. Organize and oversee planning of the Symposium, including but not limited to scheduling, financial, and logistical aspects;
			3. Ensure the Managing Board and faculty advisor(s) are updated on each aspect of planning;
			4. Work with relevant Editors in discretionary positions as appointed by the Editor in Chief to contact and invite Symposium participants and guests, write press releases, and create promotional materials;
			5. Acquire funding from all potential sources;
			6. Any other responsibilities noted in the position agreement.
2. **Discretionary Positions:** Upon the appointment of a Journal member to a discretionary position, the Editor in Chief shall meet with the Journal member to identify the duties of their role for the year and complete the position agreement as described in Section B.
	1. Possible Discretionary Roles
		1. Managing Editor
		2. Note Editor
		3. Online Note Editor
		4. Articles Editor
		5. Business Editor
		6. Marketing Editor
		7. Source Editor
		8. Community Relations Editor
		9. Associate Editors
		10. Ad Hoc Positions
	2. The following responsibilities shall be fulfilled by a member filling either a discretionary or mandatory Managing Board position:
		1. Deposit subscriber checks and maintain subscriber payment database;
		2. Alert Executive Editor to late or missing subscriber payments;
		3. Develop the Journal budget with the Editor in Chief and the Journal’s academic advisor(s);
		4. Handle reimbursement requests;
		5. Ensure resource room budget is replenished each semester;
		6. Assist Symposium Editor with budgeting and funding requests;
		7. Monitor donations made to the Journal.
		8. Oversee all Journal public relations and social media;
		9. Maintain a complete network of JDR alumni;
		10. Any other duties that the Editor in Chief sees fit.
3. **Staff Editor Representative:** Upon the first meeting of the academic year, the Staff Editors shall elect one (1) Staff Editor to serve as a Staff Editor Representative. This Representative shall attend all scheduled meetings of the Managing Board as a non-voting member.
	1. **Manner of Election**
		1. All current Staff Editors shall be eligible to vote.
		2. The candidate who receives a majority of votes cast shall be declared the new Staff Editor Representative.
		3. The election shall take place using a system of instant runoff voting (IRV), in which voters shall rank the candidates in order of preference in descending order. Voters must indicate a first preference, and may rank other candidates in descending order.
		4. The Editor in Chief and Executive Editor shall tally the votes.
		5. If one candidate does not receive a simple majority, the following procedures are used to select the winner:
			1. The candidate receiving the lowest number of votes shall be eliminated from contention;
			2. Ballots cast for the eliminated candidate shall be reallocated to the remaining candidates according to each ballot’s next highest ranked candidate;
			3. If the next highest ranked candidate has already been eliminated, the ballot shall be reallocated to the highest ranked candidate still in contention;
			4. If a ballot cannot be reallocated to an eligible candidate, the ballot will continue to count toward the total number of votes cast only for purposes of determining a simple majority;
			5. Following reallocation, if a candidate now has a simple majority of votes, they will be declared the winner. If there is still no winner, the above process is repeated until one candidate receives a simple majority.
		6. If the above procedure results in a tie between two candidates, the candidate with the highest number of first preference votes shall win.

**Section D: Staff Editors**

1. **Duties**: all Journal members spend their first year of Journal membership as Staff Editors. If the following responsibilities are met, each Editor will earn up to 3 credit hours for the academic year:
	1. Complete one of the following
		1. To receive 2 credits, each Editor must complete either a 25-page Student Note pursuant to deadlines and criteria established by the Chief Note Editor or five 5-page Blog Articles pursuant to deadlines and criteria established by the Chief Online Editor ;
		2. To receive 3 credits, each Editor must complete either a 40-page Student Note pursuant to deadlines and criteria established by the Chief Note Editor or five 8-page Blog Articles pursuant to deadlines and criteria established by the Chief Online Editor.
	2. Complete all Accuracy Checks pursuant to deadlines and criteria established by the Chief Managing Editor.
2. **Selection**: invitations for Journal membership shall be extended to eligible students who demonstrate quality writing and editing skills through to a Write-On Competition. Students who are selected through the Write-On Competition will be offered the position of Staff Editor for the upcoming academic year.
	1. The Chief Note Editor, Chief Managing Editor, Note Editors, Managing Editors, and other Board members as appointed by the Editor in Chief shall compile and distribute the Write-On Competition materials, and may do so in collaboration with other Moritz law journals.

**Section E: Timeline and Transition Documents**

Within ten calendar days of the Editor in Chief’s appointment of the Managing Board for the subsequent academic year, incoming Board members shall meet with their predecessor(s) to complete the transition process.

1. In advance of transition meetings, outgoing Board members shall create or update transition documents which comprehensively outline the duties of their Managing Board position. These documents shall be reviewed annually to ensure they accurately reflect responsibilities as they currently exist.

**Section F: Resignation and Removal**

Each Journal member shall make a good faith effort to effectively fulfill their duties as set out in the Constitution and Bylaws and their position agreement. At any time, any Journal member may indicate their resignation of their Journal responsibilities to the Editor in Chief in writing. Any Journal member who has repeatedly or gravely failed to fulfill their responsibilities as required by the Constitution, Bylaws, or their position agreement may be subject to removal.

1. Notice to the member at risk of removal that they are not appropriately fulfilling their duties shall be given in written format by the Editor in Chief.
2. If the member at risk continues to not give a good faith effort, the Editor in Chief shall schedule a meeting with the member at risk and at least one Journal advisor to discuss the issue.
3. If the member at risk does not give a good faith effort after this meeting, or fails to attend the meeting, the Editor in Chief shall schedule a meeting of the Managing Board to discuss the member’s termination. The member at risk shall be informed in writing that the vote is taking place. After discussion of termination, the Managing Board shall affirmatively vote to remove this member by a two-thirds vote. If the member at risk is a member of the Managing Board, they do not vote.
4. The vote to terminate the member at risk shall be communicated to the member and Journal advisors within 24 hours after the vote. The member shall be told which parts of their role they violated.
5. An appeal of this decision to terminate may be made by writing to all Journal advisors within 72 hours of the notification. If an appeal is made, all Journal advisors, the Editor in Chief, and the member will meet to discuss the termination. The member should only be reinstated if all Journal advisors agree that the member has made a good faith effort and should not have been terminated.
6. If no appeal has been commenced after 72 hours, the Journal shall notify relevant administrators of the student’s removal from journal and the student’s credits will be removed from their schedules.

Article IV: The Writing Requirement

**Section A: The Writing Requirement**

During the first year of Journal membership, each Journal member shall complete a publishable Student Note or five publishable Blog Articles. The standards and deadlines for the Note writing program shall be set by the Chief Note Editor. In addition, the Chief Note Editor shall publish guidelines outlining the criteria for a publishable paper. The standards and deadlines for the JDR Online program shall be set by the Chief Online Editor. In addition, the Chief Online Editor shall publish guidelines outlining criteria for a publishable Blog Article.

**Section B: Student Note Publication Selection**

Staff Editors may submit their Student Notes to the Publication Selection Committee for consideration to be published in the Journal. The Committee shall include the Editor in Chief, Executive Editor, and Chief Managing Editor, and the Editor in Chief has discretion to appoint **up to two** additional Managing Board members. Staff Editors are not permitted to discuss their Student Note topic with Managing Board members who shall take part in the publication selection process.

**Section C: JDR Online Publication Selection**

Staff Editors may submit their Blog Articles to the Chief Online Editor for consideration to be published in JDR Online. The Chief Online Editor may consult with the Online Note Editor and the Editor in Chief at their discretion. Staff Editors do not have restrictions on with whom they may discuss their Blog Article topics

Article V: Journal Credit

Journal credit shall be granted to students upon adequate completion of responsibilities and completion of required hours. Staff Editors shall be eligible to receive two credits during the academic year, with one credit designated per semester. All other members shall be eligible to receive one to three credits, depending on work hours completed and documented. Non-Staff Editors shall preliminarily choose how many credits they would like to earn during the year; however, credits can be adjusted as needed at the discretion of the member, the Advisors, and the Editor in Chief.

Article VI: Interpretations of Constitution, Bylaws

The Board shall be the final arbiter of disputes regarding the interpretation of the principles and rules in this document and, in resolving interpretive disputes, the Managing Board shall be guided by the understanding that this Constitution includes both statements of policy regarding Journal operation and statements of binding obligations.

Necessary and proper Bylaws may be adopted by a majority vote of the entire Managing Board. Any Board or staff member may propose additional Bylaws or amendments to existing Bylaws. The Board shall retain the Bylaw until amended, or until another concerning any subject is adopted to replace it.

Article VII: Amendments

This Constitution may be amended only upon both a three-quarters vote of the entire Managing Board by a secret ballot, as well as a majority vote of the entire staff by a secret ballot.