

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

**Faculty, Alumni, and Students
Opposed to Racial Preferences
(FASORP),**

Plaintiff,

v.

**Michigan Law Review Association;
University of Michigan; Heather
Jane Foster**, in both her individual
capacity and official capacity as
editor-in-chief of the Michigan Law
Review; **Nathaniel B. Magrath**, in
both his individual capacity and his
official capacity as managing editor of
the Michigan Law Review; **Delpha
Carpenter**, in both her individual
capacity and official capacity as
executive development editor of the
Michigan Law Review; **John Does
Nos. 1-4**, in both their individual
capacities and their official capacities
as members of the Holistic Review
Committee of the Michigan Law
Review; **Jordan B. Acker, Michael J.
Behm, Mark J. Bernstein, Paul W.
Brown, Sarah Hubbard, Denise
Ilitch, Carl J. Meyers**, and
Katherine E. White, each in their
official capacities as members of the
Board of Regents of the University of
Michigan; **Timothy G. Lynch**, in his
official capacity as vice president and

Case No. 5:25-cv-11837

general counsel of the University of
Michigan,

Defendants.

COMPLAINT

Federal law prohibits universities that accept federal funds from discriminating on account of race or sex. *See* 42 U.S.C. § 2000d (Title VI); 20 U.S.C. § 1681 (Title IX); *see also* 42 U.S.C. § 1981 (prohibiting racial discrimination in the making and enforcement of contracts). The Michigan Law Review is flouting these requirements by using race and sex preferences to select its members and articles — a practice that violates the clear and unequivocal language of Title VI and Title IX. The plaintiff brings suit to enjoin these illegal discriminatory practices, and to ensure that all components of the University of Michigan comply with their obligations under federal anti-discrimination law.

JURISDICTION AND VENUE

1. The Court has subject-matter jurisdiction under 28 U.S.C. § 1331 and 28 U.S.C. § 1343.
2. Venue is proper because a substantial part of the events giving rise to the claims occurred in this judicial district. *See* 28 U.S.C. § 1391(b)(2).

PARTIES

3. Plaintiff Faculty, Alumni, and Students Opposed to Racial Preferences (FASORP) is a voluntary, unincorporated, non-profit membership organization formed for the purpose of restoring meritocracy in academia and fighting

race and sex preferences that subordinate academic merit to so-called diversity considerations. FASORP has at least one member who recently applied for membership on Volume 124 of the Michigan Law Review. FASORP's website is at <https://www.fasorp.org>.

4. Defendant Michigan Law Review Association is a 501(c)(3) nonprofit corporation organized under the laws of Michigan. It can be served at 625 South State Street, Ann Arbor, Michigan 48109.

5. Defendant University of Michigan is a non-profit educational institution organized under the laws of the state of Michigan. It can be served at its Office of the General Counsel, 1109 Geddes Avenue, Ruthven Building, Suite 2300, Ann Arbor, Michigan 48109-1079.

6. Defendant Heather Jane Foster is editor-in-chief of the Michigan Law Review. As editor-in-chief, Foster is a member of the Law Review's "Holistic Review Committee," which selects new student members of the Law Review by awarding illegal race and sex preferences to women, racial minorities, homosexuals, and transgender people, and selects applicants from these preferred demographics over heterosexual and non-transgender white men with better grades and better scores on the components of the Law Review's writing competition. Defendant Foster is sued in both her individual and official capacities.

7. Defendant Nathaniel B. Magrath is managing editor of the Michigan Law Review. As managing editor, Magrath is a member of the Law Review's "Holistic Review Committee," which selects new student members of the

Law Review by awarding illegal race and sex preferences to women, racial minorities, homosexuals, and transgender people, and selects applicants from these preferred demographics over heterosexual and non-transgender white men with better grades and better scores on the components of the Law Review's writing competition. Defendant Magrath is sued in both his individual and official capacities.

8. Defendant Delpha Carpenter is executive development editor of the Michigan Law Review. As executive development editor, Carpenter is charged with "lead[ing] the journal's diversity, equity, and inclusion efforts." Application Procedures for Electing and Selecting the Volume 124 Editorial Board at 20 (attached as Exhibit 2). Carpenter is also a member of the Law Review's "Holistic Review Committee," which selects new student members of the Law Review by awarding illegal race and sex preferences to women, racial minorities, homosexuals, and transgender people, and selects applicants from these preferred demographics over heterosexual and non-transgender white men with better grades and better scores on the components of the Law Review's writing competition. Defendant Carpenter is sued in both her individual and official capacities.

9. Defendants John Does Nos. 1–4 are members of the Michigan Law Review's "Holistic Review Committee," which selects new student members of the Law Review by awarding illegal race and sex preferences to women, racial minorities, homosexuals, and transgender people, and selects applicants from these preferred demographics over heterosexual and non-transgender

white men with better grades and better scores on the components of the Law Review's writing competition. The Michigan Law Review conceals the identity of the members of its "Holistic Review Committee," apart from the editor-in-chief, managing editor, and executive development editor, so they can operate in secret when selecting new members of the Law Review and escape accountability for the illegal race and sex preferences that they employ. They are sued in both their individual and official capacities.

10. Defendants Jordan B. Acker, Michael J. Behm, Mark J. Bernstein, Paul W. Brown, Sarah Hubbard, Denise Ilitch, Carl J. Meyers, and Katherine E. White are members of the Board of Regents of the University of Michigan. They can be served at the university's Office of the General Counsel, 1109 Geddes Avenue, Ruthven Building, Suite 2300, Ann Arbor, Michigan 48109-1079. The members of the Board of Regents are sued in their official capacities.

11. Defendant Timothy G. Lynch is vice president and general counsel of the University of Michigan. He can be served at the university's Office of the General Counsel, 1109 Geddes Avenue, Ruthven Building, Suite 2300, Ann Arbor, Michigan 48109-1079. Defendant Lynch is sued in his official capacity.

BACKGROUND

12. The Michigan Law Review is an academic journal edited and operated by students at the University of Michigan Law School. The students select and edit the articles that the Law Review will publish, and they also select the students who will serve as members and editors of the Law Review.

13. Until recently, membership on the Law Review was an academic honor reserved for students who were selected on account of their first-year grades and their performance on a writing competition.

14. But left-wing students and affirmative-action devotees at the University of Michigan Law School were unhappy with the demographic makeup produced by merit-based selection. So the Michigan Law Review, with the approval and acquiescence of the University of Michigan general counsel's office, has implemented a corrupt and illegal scheme of race and sex preferences to select its student members.

15. The Michigan Law Review implements these illegal race and sex preferences by inviting students to submit a 750-word "personal statement" when applying for membership on the Law Review. Applicants are not only permitted but encouraged to identify their race, sex, sexual orientation, and gender identity in the personal statement, even though it is illegal for the Law Review to discriminate on these grounds when selecting student members.

16. The Michigan Law Review chooses its new members from eligible first-year, transfer, and dual-degree applicants. Applicants must submit a "mini-note," a bluebook exercise, a note proposal, and a personal statement.

All of these are graded and scored by the incumbent student editors, and the applicant's name is concealed to ensure anonymous grading.

17. Only 40% of the new student members of the Michigan Law Review are chosen based on the raw scores of their mini-note and bluebook exercises. The remaining 60% of the new student members are chosen through a process that the Law Review calls "holistic review," in which the Law Review considers an applicant's mini-note, bluebook exercise, note proposal, first-year grades, and personal statement. But there is no fixed or announced formula for weighing these five different factors, or for deciding which students will be accepted through this "holistic review" process. Instead, the members of the Law Review's "Holistic Review Committee" have unfettered discretion to decide how these five factors will be weighted for each particular applicant, and they are given *carte blanche* to determine whom they will admit and whom they will reject in the "holistic review" process.

18. The personal statements are graded by a six- or seven-person "Holistic Review Committee." This committee includes the editor-in-chief, the managing editor, the executive development editor, as well as three or four additional members of the Michigan Law Review. The identity of these additional members of the Holistic Review Committee is kept secret, even from other Law Review editors and members. The Holistic Review Committee also chooses the applicants who will be accepted through the holistic-review process and those who will be rejected.

19. When the members of the Holistic Review Committee grade the personal statements and decide which applicants to accept, they award illegal and discriminatory preferences to applicants who indicate in their personal statements that they are female, members of an “underrepresented” (*i.e.*, non-Asian) racial minority, homosexual, or transgender. Applicants from these preferred demographics receive higher scores on the personal statement than they would have received had they chosen not to flag these demographic characteristics in their personal statements. Applicants from these preferred demographics are also awarded positions on the Law Review over heterosexual and non-transgender white men who have better grades and better scores on the components of the Law Review’s writing competition. The members of the Holistic Review Committee rig the holistic-review process to ensure that the eventual makeup of the incoming Law Review members contains what the committee members regard as a sufficiently “diverse” number of women, non-Asian racial minorities, and homosexual or transgender students. Whatever preferences are needed to attain the desired level of diversity are awarded, both in the grading of the personal statements and in the ultimate selection of Law Review members through the “holistic review” process.

20. The Law Review’s use of race and sex preferences in the grading of personal statements and the holistic-review process is a flagrant violation of state and federal anti-discrimination law. To carry out this regime of illegal race and sex preferences, the Law Review must ensure that all members of the Holistic Review Committee are ideologically committed to the cause of race and

sex preferences and willing to carry out this corrupt and anti-meritocratic scheme. Students who are believed to be conservative or members of organizations such as the Federalist Society are never chosen to serve on the Holistic Review Committee and are never chosen for editorial positions that entail a place on the Holistic Review Committee, because these students would resist or expose the Law Review's use of illegal race and sex preferences when selecting student members.

21. The Michigan Law Review instituted the personal statement and the holistic-review process for the purpose and with the intent of awarding the race and sex preferences that have been outlawed by Proposal 2 (codified at Mich. Const. art. I, § 26(2)) and federal anti-discrimination statutes. The Michigan Law Review thinks that it can continue awarding illegal race and sex preferences as long as applicants indicate their demographic traits in an essay or personal statement rather than by checking a box, and as long it uses the term “holistic review” to describe the illegal discriminatory preferences that it confers upon women, racial minorities, homosexuals, and transgender people. But race and sex preferences are illegal no matter how they are carried out and no matter what they are called. *See Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181, 206 (2023) (“Eliminating racial discrimination means eliminating all of it.”).

22. The Michigan Law Review also engages in illegal race and sex discrimination when selecting articles for publication. In its “Mission State-

ment,” the Law Review claims that it “seeks to elevate a diversity of viewpoints, ideas, and identities and to amplify historically marginalized voices.” *About Us*, Michigan Law Review, <https://michiganlawreview.org/about-us> [<https://perma.cc/5FQR-QRKQ>] (last visited June 11, 2025). The Law Review implements its Mission Statement by consciously and intentionally discriminating in favor of inferior manuscripts submitted by women, racial minorities, and homosexual or transgender authors, while rejecting better manuscripts submitted by heterosexual and non-transgender white men. The Law Review also consciously and intentionally discriminates in favor of women, racial minorities, and homosexual or transgender people when selecting authors for invited pieces such as book reviews and responses.

23. The Michigan Law Review also instructs its student editors to engage in illegal race and sex discrimination when citing sources. In its production manual, the Law Review repeatedly instructs its editors to cite sources written by “authors who are traditionally underrepresented in legal academia” and that “gives voice to historically marginalized identities” rather than articles written by white men. Whenever a manuscript makes an assertion that requires a citation for support, the Law Review’s production manual provides the following instruction:

Highlight the unsupported text in red. Leave a comment for the author explaining the issue and provide a specific recommendation for the source that should be cited. Be sure to include pincites and signals, as appropriate. ***MLR* prefers to cite authors who are traditionally underrepresented in legal academia.**

When suggesting a source, please use your best efforts to locate a source that gives voice to historically marginalized identities.

Volume 123 Production Manual at 20 (attached as Exhibit 1) (boldface in original, highlighting removed). This instruction appears in the Michigan Law Review's previous instruction manuals as well.

24. When the Michigan Law Review's production manual refers to authors who are "traditionally underrepresented in legal academia," it excludes from this category Republicans and Protestant Christians, even though Republicans and Protestants are significantly underrepresented in legal academia when compared to their numbers in the overall U.S. population. *See* James Lindgren, *Measuring Diversity: Law Faculties in 1997 and 2013*, 39 Harv. J.L. & Pub. Pol'y 89, 93 (2015) (noting that the two most underrepresented groups on law-school faculties when compared to the makeup of the overall U.S. population are Republicans and Protestant Christians); *id.* at 99 ("Republicans and Christians are more consistently underrepresented on law faculties than African Americans or women"). Instead, the Michigan Law Review limits the category of "traditionally underrepresented" demographics to women, non-Asian racial minorities, homosexuals, and transgender people, and awards illegal preferences to these groups (and only these groups) in violation of state and federal anti-discrimination laws.

25. Illegal DEI practices permeate everything that the Michigan Law Review does. The job description for the role of “Executive Development Editor,” which is currently held by Delpha Carpenter, reads (in relevant part) as follows:

The Executive Development Editor (EDE) recruits the incoming class of Associate Editors, manages the budget, assists with orientation, builds community, and leads the journal’s diversity, equity, and inclusion efforts

This role is ideal for someone who . . . is passionate about equity issues

The EDE is responsible for . . . leading the journal’s diversity, equity, and inclusion efforts. . . .

The EDE leads multiple committees including the Social Committee and the Diversity, Equity, and Inclusion Committee. . . .

The EDE, separately and in conjunction with the committee, is in charge of the diversity, equity, and inclusion efforts for the journal. The EDE should have a vision of diversity, equity, and inclusion within the journal and should facilitate it through recruitment, journal culture, and scholarship. The EDE is encouraged to bring this perspective to the journal in all areas.

Application Procedures for Electing and Selecting the Volume 124 Editorial Board at 20–21 (attached as Exhibit 2). These “diversity, equity, and inclusion efforts” consciously and intentionally subordinate quality and academic merit by awarding illegal discriminatory preferences to members of the journal’s preferred demographics: women, non-Asian racial minorities, and homosexual

and transgender people. And they infest every aspect of the Michigan Law Review's decisionmaking, including its selection of student members and editors, its selection of manuscripts submitted for publication, its selection of authors chosen to write invited pieces such as book reviews and responses, and its citation of sources.

FACTS RELATED TO STANDING

26. Plaintiff FASORP is a voluntary membership organization founded in 2018. FASORP seeks to restore meritocracy in academia and eliminate the corrupt and illegal race and sex preferences that subordinate academic merit to so-called diversity considerations.

27. FASORP has at least one member who has applied for membership on Volume 124 of the Michigan Law Review and meets all the eligibility requirements for membership on the Law Review. FASORP also has members who have submitted articles to the Michigan Law Review, who are ready and able to submit articles to the Michigan Law Review, and who intend to submit their future scholarship to the Michigan Law Review.

28. Individual A is a member of FASORP. He is a tenure-track law professor at an ABA-accredited law school. Individual A is a white man and is neither homosexual nor transgender.

29. Individual B is a member of FASORP. He is a tenured law professor at an ABA-accredited law school. Individual B is a white man and is neither homosexual nor transgender.

30. Individual C is a member of FASORP. He is a tenured law professor at an ABA-accredited law school. Individual C is a white man and is neither homosexual nor transgender.

31. Individuals A, B, and C have submitted articles to the Michigan Law Review in the past and stand able and ready to submit additional manuscripts to the Michigan Law Review for publication in future volumes. *See Carney v. Adams*, 592 U.S. 53, 60 (2020); *Gratz v. Bollinger*, 539 U.S. 244, 261 (2003); *Northeast Florida Chapter of Associated General Contractors of America v. City of Jacksonville*, 508 U.S. 656, 666 (1993). But the pervasive and ongoing use of race and sex preferences at the Michigan Law Review prevents Individuals A, B, and C from competing with other authors who submit articles to the law review on an equal basis. Specifically, Individuals A, B, and C are unable to compete on an equal basis with authors who are women, racial minorities, homosexuals, or individuals who engage in gender-nonconforming behavior or identify with a gender that departs from their biological sex. This inflicts injury in fact. *See Gratz*, 539 U.S. at 261; *Jacksonville*, 508 U.S. at 666.

32. Individuals A, B, and C will also suffer injury in fact from Michigan Law Review's decisions to subordinate academic merit and deploy race and sex preferences when selecting the student members and editors who determine whether their articles will be published, as their submissions will be judged by less capable students with lower academic credentials and abilities. In addition, students whose membership on the law review is attributable to race and sex preferences are more likely to discriminate against articles written

by white, heterosexual men who do not engage in gender non-conforming behavior than students who earned their place on the law review through their academic performance. All of this inflicts injury in fact.

33. Individuals A, B, and C are also suffering injury in fact from the Michigan Law Review's illegal and discriminatory citation policies, which instruct editors to cite sources authored by "traditionally underrepresented" demographics and "historically marginalized identities" and discourage citations of sources written by heterosexual and non-transgender white men. This makes scholarship written by white men such as Individuals A, B, and C less likely to be cited in the Michigan Law Review, which inflicts injury in fact.

34. Individual A has submitted at least one previous manuscript to the Michigan Law Review and his previous submissions were all rejected. Individual A is currently working on an article that he intends to submit to the Michigan Law Review in August of 2025. Law reviews consider and accept submissions during two "cycles" that occur each year — one in February and one in August. Individual A will submit additional manuscripts to the Michigan Law Review in the future, and he will continue doing so for as long as he remains a law professor.

35. Individual B has submitted several previous manuscripts to the Michigan Law Review and all were rejected, though he has successfully placed articles in equally and higher-ranked law reviews on numerous occasions. Individual B will submit additional manuscripts to the Michigan Law Review in the future, and he will continue doing so for as long as he remains a law professor.

36. Individual C has submitted at least seven manuscripts to the Michigan Law Review, all of which were rejected. Individual C is currently working on two articles that he plans to submit to student-edited law reviews when completed, including the Michigan Law Review, and he plans to submit one of those articles in February of 2026 and the other in August of 2026. Individual C will submit additional manuscripts to the Michigan Law Review in the future, and he will continue doing so for as long as he remains a law professor.

37. Individual D is a member of FASORP. He recently completed his 1L year at the University of Michigan Law School and is now a rising 2L. Individual D is a white man and is neither homosexual nor transgender. Individual D recently applied for membership on Volume 124 of the Michigan Law Review, and is awaiting a decision on whether he will be accepted for law-review membership. But the pervasive and ongoing use of race and sex preferences on the Michigan Law Review prevents Individual D from competing with other applicants for Law Review membership on an equal basis. Specifically, Individual D is unable to compete on an equal basis with applicants who are women, racial minorities, homosexuals, or individuals who engage in gender-nonconforming behavior or identify with a gender that departs from their biological sex. This inflicts injury in fact. *See Gratz*, 539 U.S. at 261; *Jacksonville*, 508 U.S. at 666.

38. Individual D is suffering additional injury in fact because the Law Review will not allow a known opponent of race and sex preferences to serve on the Holistic Review Committee. *See* paragraphs 20, *supra*. Individual D must therefore conceal his opposition to race and sex preferences and his support

for merit-based membership selection unless he wishes to disqualify himself from the positions of editor-in-chief, managing editor, or executive development editor, because the Michigan Law Review will never appoint a known opponent of race and sex preferences to an editorial position that comes with membership on the Holistic Review Committee. *See id.* This inflicts injury in fact.

39. Individual D is suffering additional injury in fact because the Law Review will not allow a known opponent of DEI to serve as executive development editor. The job description requires the executive development editor to “lead[] the journal’s diversity, equity, and inclusion efforts,” be “passionate about equity issues,” lead the Law Review’s “Diversity, Equity, and Inclusion Committee,” and “have a vision of diversity, equity, and inclusion within the journal and should facilitate it through recruitment, journal culture, and scholarship.” Individual D must therefore conceal his opposition to DEI practices unless he wishes to disqualify himself from the position of executive development editor, because the Michigan Law Review will never appoint a known opponent of DEI to the position of executive development editor. This inflicts injury in fact.

40. All of these Article III injuries are fairly traceable to the allegedly unlawful conduct of the defendants, who are discriminating on account of race and sex in violation of 42 U.S.C. § 1981, Title VI, and Title IX. And all of these injuries will be redressed by the requested relief, which will enjoin the Michigan Law Review and its editors from continuing these discriminatory policies

and require them to adopt colorblind and sex-neutral practices with regard to their selection of members and articles and their citations of sources.

41. FASORP has additional members who are suffering injuries in fact similar or identical to those suffered by Individuals A, B, C, and D. These individuals are only a representative sample and not an exclusive list of the members of FASORP who would have standing to sue the defendants if they sued as individuals.

42. The interests that FASORP seeks to protect in the litigation are germane to the organization's purpose. FASORP seeks to restore meritocracy at American universities by eliminating the use of race and sex preferences, as stated on its website. *See* FASORP, <https://fasorp.org> (last visited June 17, 2025).

43. Neither the claims asserted by FASORP nor the relief requested in this litigation requires the participation of the organization's individual members.

CLAIMS

Count One: Violation of Title VI (42 U.S.C. § 2000d)

44. Each of the defendants is violating Title VI by discriminating in favor of racial minorities and against whites when selecting members, editors, articles, and citations for the Michigan Law Review.

45. The University of Michigan is a "program or activity" that "receives Federal financial assistance" within the meaning of Title VI.

46. The Michigan Law Review Association is also a “program or activity” that “receives Federal financial assistance” within the meaning of Title VI. The Michigan Law Review Association is subject to the anti-discrimination requirements of Title VI because, among other reasons: (1) The student members of the Michigan Law Review receive federal financial assistance to pay their law-school tuition; (2) enrollment at the University of Michigan Law School is a prerequisite for membership on the journal; (3) the Law Review depends on the University of Michigan and the University of Michigan Law School to disclose the first-year grades that the Michigan Law Review uses to select its members; (4) the Michigan Law Review is subject to rules and regulations that the University of Michigan and the University of Michigan Law School choose to establish for the Michigan Law Review; (5) the faculty at the University of Michigan Law School assist and advise the Michigan Law Review; (6) the University of Michigan general counsel’s office advises the Michigan Law Review on the legality of its discriminatory race and sex preferences; (7) the Michigan Law Review occupies space on the campus of the University of Michigan; and (8) the Michigan Law Review draws upon the University of Michigan’s resources.

47. FASORP therefore seeks declaratory and injunctive relief that prohibits the defendants, their successors in office, and anyone in active concert or participation with them, from discriminating on account of race in the Michigan Law Review’s selection of members, editors, articles, and citations,

and that compels them to select the Law Review's members, editors, articles, and citations in a colorblind manner.

48. FASORP also seeks nominal damages for the defendants' illegal discriminatory acts. *See* 42 U.S.C. § 2000d-7(a)(1) (abrogating state sovereign immunity for Title VI claims).

49. FASORP seeks this relief under 42 U.S.C. § 1983, the implied right of action that the Supreme Court has recognized to enforce Title VI, *see Cannon v. University of Chicago*, 441 U.S. 677, 703 (1979), and any other law that might supply a cause of action for the requested relief, including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908).

Count Two: Violation of Title IX (20 U.S.C. § 1681(a))

50. Each of the defendants is violating Title IX by discriminating in favor of women, homosexuals, and transgender people and against heterosexual and non-transgender white men when selecting members, editors, articles, and citations for the Michigan Law Review.

51. The University of Michigan is a "program or activity" that "receives Federal financial assistance" within the meaning of Title IX.

52. The Michigan Law Review Association is also a "program or activity" that "receives Federal financial assistance" within the meaning of Title IX. The Michigan Law Review Association is subject to the anti-discrimination requirements of Title IX because, among other reasons: (1) The student members of the Michigan Law Review receive federal financial assistance to

pay their law-school tuition; (2) enrollment at the University of Michigan Law School is a prerequisite for membership on the journal; (3) the Law Review depends on the University of Michigan and the University of Michigan Law School to disclose the first-year grades that the Michigan Law Review uses to select its members; (4) the Michigan Law Review is subject to rules and regulations that the University of Michigan and the University of Michigan Law School choose to establish for the Michigan Law Review; (5) the faculty at the University of Michigan Law School assist and advise the Michigan Law Review; (6) the University of Michigan general counsel's office advises the Michigan Law Review on the legality of its discriminatory race and sex preferences; (7) the Michigan Law Review occupies space on the campus of the University of Michigan; and (8) the Michigan Law Review draws upon the University of Michigan's resources.

53. FASORP therefore seeks declaratory and injunctive relief that prohibits the defendants, their successors in office, and anyone in active concert or participation with them, from discriminating on account of sex in the Michigan Law Review's selection of members, editors, articles, and citations and that compels them to select the Law Review's members, editors, articles, and citations in a sex-neutral manner. The Court should also restrain these defendants from discriminating in favor of homosexuals or transgender people, which constitutes discrimination on the basis of sex. *See Bostock v. Clayton County*, 590 U.S. 644 (2020); *Ames v. Ohio Dep't of Youth Services*, 605 U.S. ---, 2025 WL 1583264 (2025).

54. FASORP also seeks nominal damages for the defendants' illegal discriminatory acts. *See* 42 U.S.C. § 2000d-7(a)(1) (abrogating state sovereign immunity for Title IX claims).

55. FASORP seeks this relief under 42 U.S.C. § 1983, the implied right of action that the Supreme Court has recognized to enforce Title IX, *see Cannon v. University of Chicago*, 441 U.S. 677, 703 (1979), and any other law that might supply a cause of action for the requested relief, including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908).

Count Three: Violation of 42 U.S.C. § 1981

56. 42 U.S.C. § 1981(a) guarantees individuals the same right to make and enforce contracts without regard to race. *See* 42 U.S.C. § 1981(a) (“All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts . . . as is enjoyed by white citizens”).

57. 42 U.S.C. § 1981(a) protects whites on the same terms that it protects “underrepresented” racial minorities. *See McDonald v. Santa Fe Trail Transportation Co.*, 427 U.S. 273, 295 (1976) (“[T]he Act was meant, by its broad terms, to proscribe discrimination in the making or enforcement of contracts against, or in favor of, any race.”).

58. Each of the defendants is violating 42 U.S.C. § 1981(a) by discriminating in favor of racial minorities and against whites when selecting members and articles for the Michigan Law Review.

59. Students who are offered membership on the Michigan Law Review execute a contract with the Law Review before they begin their work on the journal. Authors who receive offers of publication in the Michigan Law Review execute a contract with the Law Review before their article is published. But white student applicants and white authors who submit articles to the Michigan Law Review do not have the “same right . . . to make and enforce contracts” that minority applicants and authors enjoy.

60. FASORP therefore seeks declaratory and injunctive relief that prohibits the defendants, their successors in office, and anyone in active concert or participation with them, from discriminating on account of race in the Michigan Law Review’s selection of members, editors, and articles, and that compels them to select the Law Review’s members, editors, and articles in a colorblind manner.

61. FASORP also seeks nominal damages for the defendants’ illegal discriminatory acts.

62. FASORP seeks this relief under 42 U.S.C. § 1983, the implied right of action that the Supreme Court has recognized to enforce 42 U.S.C. § 1981(a), and any other law that might supply a cause of action for the requested relief, including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908). See *Johnson v. Railway Express Agency, Inc.*, 421 U.S. 454, 459–60 (1975).

63. FASORP is not asserting a section 1981 claim against the University of Michigan as an institutional defendant, as 42 U.S.C. § 1981 and 42 U.S.C.

§ 1983 authorize lawsuits only against “persons” and not states or state institutions, and neither the Declaratory Judgment act nor the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908), abrogates a state’s sovereign immunity. *See Will v. Michigan Dep’t of Police*, 491 U.S. 58, 64–71 (1989) (a state is not a “person” under 42 U.S.C. § 1983).

Count Four: Violations of the Equal Protection Clause

64. As public institutions, the University of Michigan and the Michigan Law Review Association are subject to the commands of the Equal Protection Clause, which prohibits state universities and their components from denying to any person the equal protection of the laws. *See* U.S. Const. amend. XIV, § 1.

65. The Supreme Court has held that the Equal Protection Clause prohibits race and sex discrimination by state universities. *See Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181, 206 (2023); *United States v. Virginia*, 518 U.S. 515, 531 (1996).

66. The Michigan Law Review’s use of race and sex preferences in its members, editors, articles, and citations is incompatible with the Supreme Court’s interpretation of the Equal Protection Clause.

67. FASORP therefore seeks declaratory and injunctive relief that prohibits the defendants, their successors in office, and anyone in active concert or participation with them, from discriminating on account of race or sex in the Michigan Law Review’s selection of members, editors, articles, and citations, and that compels them to select the Law Review’s members, editors, articles,

and citations in a colorblind or sex-neutral manner.

68. FASORP also seeks nominal damages for the defendants' illegal discriminatory acts.

69. FASORP seeks this relief under 42 U.S.C. § 1983 and any other law that might supply a cause of action for the requested relief, including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908).

70. FASORP is not asserting an Equal Protection claim against the University of Michigan as an institutional defendant, as 42 U.S.C. § 1983 authorizes lawsuits only against “persons” and not states or state institutions, and neither the Declaratory Judgment Act nor the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908), abrogates a state's sovereign immunity. *See Will v. Michigan Dep't of Police*, 491 U.S. 58, 64–71 (1989) (a state is not a “person” under 42 U.S.C. § 1983).

Count Five: Speech Clause Violations

71. The Supreme Court has interpreted the First and Fourteenth Amendments to prohibit state universities and their components from abridging students' freedom of speech. *See, e.g., Rosenberger v. Rector and Visitors of University of Virginia*, 515 U.S. 819 (1995).

72. The defendants are abridging Individual D's freedom of speech because they will not allow a known opponent of race and sex preferences or DEI to serve on the Holistic Review Committee. Nor will they allow such a person

to hold the positions of editor-in-chief, managing editor, or executive development editor, as those editorial posts come with an automatic seat on the Holistic Review Committee. Individual D — along with all other students at the University of Michigan Law Review who oppose race and sex preferences or DEI — must therefore self-censor and conceal his opposition to these practices to preserve his ability to attain these positions on the Michigan Law Review.

73. FASORP therefore seeks declaratory and injunctive relief that prohibits the defendants, their successors in office, and anyone in active concert or participation with them, from discriminating against opponents of race and sex preferences or DEI when selecting members of the Holistic Review Committee, or when selecting people for editorial positions or membership on the Michigan Law Review.

74. FASORP seeks this relief under 42 U.S.C. § 1983 and any other law that might supply a cause of action for the requested relief, including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908).

75. FASORP is not asserting a Speech Clause claim against the University of Michigan as an institutional defendant, as 42 U.S.C. § 1983 authorizes lawsuits only against “persons” and not states or state institutions, and neither the Declaratory Judgment act nor the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908), abrogates a state’s sovereign immunity. *See*

Will v. Michigan Dep't of Police, 491 U.S. 58, 64–71 (1989) (a state is not a “person” under 42 U.S.C. § 1983).

Count Six: Conspiracy to Violate Civil Rights (42 U.S.C. § 1985)

76. 42 U.S.C. § 1985(3) provides, in relevant part:

If two or more persons in any State or Territory conspire . . . for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws . . . in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

42 U.S.C. § 1985(3).

77. Defendants Foster, Magrath, and Carpenter have conspired among themselves and with others to deny the equal protection of the laws, and to deny equal privileges and immunities under the laws, to white men who are neither homosexual nor transgender, including Individuals A through D, as well as other heterosexual and non-transgender white men who apply for membership or submit articles for publication in the Michigan Law Review.

78. The Michigan Constitution, as well as federal anti-discrimination statutes, clearly and unequivocally ban race and sex preferences at state uni-

versities. Yet Foster, Magrath, and Carpenter have conspired to deprive heterosexual and non-transgender white men of the equal protection of these laws, and equal privileges and immunities under these laws.

79. FASORP therefore seeks declaratory and injunctive relief that prohibits defendants Foster, Magrath, and Carpenter, their successors in office, and anyone in active concert or participation with them, from implementing their conspiracy to discriminate on account of race or sex in the Michigan Law Review's selection of members, editors, articles, and citations, and that compels them to select the Law Review's members, editors, articles, and citations in a colorblind or sex-neutral manner.

80. FASORP also seeks nominal damages for the defendants' illegal discriminatory acts.

81. FASORP seeks this relief under 42 U.S.C. § 1983, 42 U.S.C. § 1985(3), and any other law that might supply a cause of action for the requested relief, including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908).

82. FASORP seeks this relief against defendants Foster, Magrath, and Carpenter, and any other individual who is found to be a party to their unlawful conspiracy, as 42 U.S.C. § 1985(3) authorizes lawsuits only against "persons" and not states or state institutions, and 42 U.S.C. § 1985 does not abrogate a state's sovereign immunity.

DEMAND FOR RELIEF

83. FASORP respectfully requests that the court:

- a. declare that the defendants are violating Title VI, Title IX, and the Equal Protection Clause in the Michigan Law Review's selection of members, editors, articles, and citations;
- b. declare that the individual defendants are violating 42 U.S.C. § 1981 in the Michigan Law Review's selection of members, editors, and articles;
- c. declare that the individual defendants are violating the First Amendment by excluding known opponents of race and sex preferences or DEI from membership on the Holistic Review Committee, or from holding the positions of editor-in-chief, managing editor, or executive development editor;
- d. declare that defendants Foster, Magrath, and Carpenter, and any other individual who is found to be a party to their unlawful conspiracy, are violating 42 U.S.C. § 1985(3) by conspiring to deny the equal protection of the laws, and equal privileges and immunities under the laws, to heterosexual and non-transgender white men who apply for membership or submit articles for publication in the Michigan Law Review;
- e. permanently enjoin the defendants, their successors in office, and anyone in concert or participation with them from considering race, sex, sexual orientation, or gender identity when selecting members, editors, articles, or citations for the Michigan Law Review;

- f. permanently enjoin the defendants their successors in office, and anyone in concert or participation with them from implementing any practice that gives discriminatory preferences to women, racial minorities, homosexuals, or transgender people;
- g. permanently enjoin the defendants, their successors in office, and anyone in concert or participation with them, from soliciting any information about the race, sex, sexual orientation, or gender identity of any person seeking or applying for authorship, membership, or an editorial position in the Michigan Law Review;
- h. order the Michigan Law Review to establish new policies for selecting members, editors, articles, and citations that are based entirely on academic and scholarly merit and that explicitly disavow any consideration of race, sex, sexual orientation, or gender identity, and to submit that revised policy to this Court for its review and approval within 30 days of judgment;
- i. appoint a court monitor to oversee all decisions relating to the Michigan Law Review's selection of members, editors, articles, and citations, to ensure that these decisions are free from illegal race and sex preferences;
- j. enjoin the University of Michigan from accepting any federal funds until the court monitor certifies that Michigan Law Re-

view has: (1) eliminated every vestige of race and sex preferences in its selection of members, editors, articles, and citations; and (2) has adopted and implemented colorblind and sex-neutral practices with respect to its selection of law-review members, editors, articles, and citations;

- k. award nominal damages;
- l. award costs and attorneys' fees;
- m. grant other relief the Court deems just, proper, or equitable.

Respectfully submitted.

RYAN GIANNETTI*
DC Bar No. 1613384
America First Legal Foundation
611 Pennsylvania Avenue SE #231
Washington, DC 20003
(202) 964-3721 (phone)
ryan.giannetti@aflegal.org

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
Texas Bar No. 24075463
Mitchell Law PLLC
111 Congress Avenue, Suite 400
Austin, Texas 78701
(512) 686-3940 (phone)
(512) 686-3941 (fax)
jonathan@mitchell.law

BENJAMIN M. FLOWERS
Ohio Bar No. 0095284
Ashbrook Byrne Kresge Flowers LLC
Post Office Box 8248
Cincinnati, Ohio 45249
(614) 705-6603 (phone)
(513) 216-9882 (fax)
bflowers@abkf.com

* *pro hac vice* application pending

Dated: June 18, 2025

Counsel for Plaintiff

INDEX OF EXHIBITS

| Exhibit | Description |
|----------------|--|
| 1 | Michigan Law Review's Production Manual, Describing Editing Procedures and Guidelines |
| 2 | Michigan Law Review's Application Procedures, Describing Editors' Roles and Responsibilities |



Volume 123

Production Manual



MICHIGAN LAW REVIEW

UNIVERSITY OF MICHIGAN LAW SCHOOL
801 MONROE STREET, ANN ARBOR, MI 48109

Dear Editors,

Welcome to your Production Manual! This manual is your guide to the *Michigan Law Review* (MLR) production process and how you will contribute to the process as an Associate Editor (AE) or Senior Editor (SE). As you will soon learn, you are an essential part of moving a piece from selection to publication! Thus, we hope, by reading this manual, you will learn not only how to complete your weekly assignments, but also how your work fits into the overall production process that makes *MLR* run.

The Production Manual is intended to be a helpful guide for you as you work through your assignments, but please don't hesitate to reach out if you have additional questions.

- If your question is substantive (e.g., which *Bluebook* rule to use), please reach out to the #citechecking Slack channel staffed by **Executive Editors**, your Executive Editor mentor, or your Deputy Editor-in-Chief, Peter VanDyken (pgvd@umich.edu).
- If your question is logistical (e.g., using Dropbox or the sourcelists, asking about deadlines or expectations, etc.) or relates to sourcegathering, please reach out to your **Managing Editor of Production, Savannah Miracle** (smira@umich.edu).
- If you are wondering about something generally or just want some support, **feel free to reach out to anyone on the journal** (but especially your 3L mentor!).

Happy citechecking!

Executive Editors

Arthur Etter

Dean Farmer

Hailey Badger Gordon

Elana Herbst

Karisma Keeton

Alexander Porter

Olivia Round

Peter VanDyken

Deputy Editor-in-Chief

Savannah Miracle

Managing Editor for Production

Emily Lovell

Managing Editor for Publication

Sunita Ganesh

Editor-in-Chief

Handy Links[Adobe Setup Instructions](#)[Sourcegathering Naming Conventions](#)[CC1 Checklist](#)[CC1 Color Coding Chart](#)[Substantive Support Guide](#)[Nonconsecutively Paginated Periodicals](#)[Guide to State Statute Websites](#)[CC2 Checklist](#)[Grade Form for CC2s](#)**Table of Contents**

| | |
|---|-----------|
| <i>Production Manual Overview</i> | 3 |
| <i>Handy Links</i> | 3 |
| <i>Part I: Completing Your Assignment (SG, CC1, CC2, & Incorp)</i> | 5 |
| Sourcegathering Assignments | 6 |
| Receiving a Sourcegathering Assignment..... | 6 |
| Completing a Sourcegathering Assignment..... | 7 |
| Submitting Your Sourcegathering Assignment | 9 |
| Sourcegathering Feedback..... | 9 |
| CC1 Assignments | 10 |
| Receiving a CC1 Assignment..... | 10 |
| Completing a CC1 Assignment..... | 10 |
| CC1 Highlighter Guide..... | 18 |
| How to Complete Quote Sheets | 28 |
| Completing the PLOG | 31 |
| Submitting a CC1 Assignment..... | 33 |
| CC1 Feedback..... | 34 |
| CC2 Assignments | 35 |
| Receiving a CC2 Assignment..... | 35 |
| Completing a CC2 Assignment..... | 35 |
| CC2 Highlighter Guide..... | 38 |
| Resolving Issues on the PLOG..... | 40 |
| Submitting a CC2 Assignment..... | 41 |
| Providing CC1 Feedback | 41 |
| Incorp Assignments | 44 |
| Receiving an Incorp Assignment..... | 44 |
| Completing an Incorp Assignment | 44 |
| Additional Citechecking..... | 47 |
| Completing the PLOG | 49 |
| Hyperlink Cross-references & New FN column | 50 |
| Submitting an Incorp Assignment..... | 51 |
| <i>Part II: Gathering Source Materials</i> | 52 |
| Types of Source Materials | 53 |
| Cases and Case Related Materials..... | 53 |

Constitutions 65

Statutes..... 69

Legislative Materials 80

Executive Materials..... 83

Nonperiodic Materials 90

Periodical Materials 101

Internet Sources..... 111

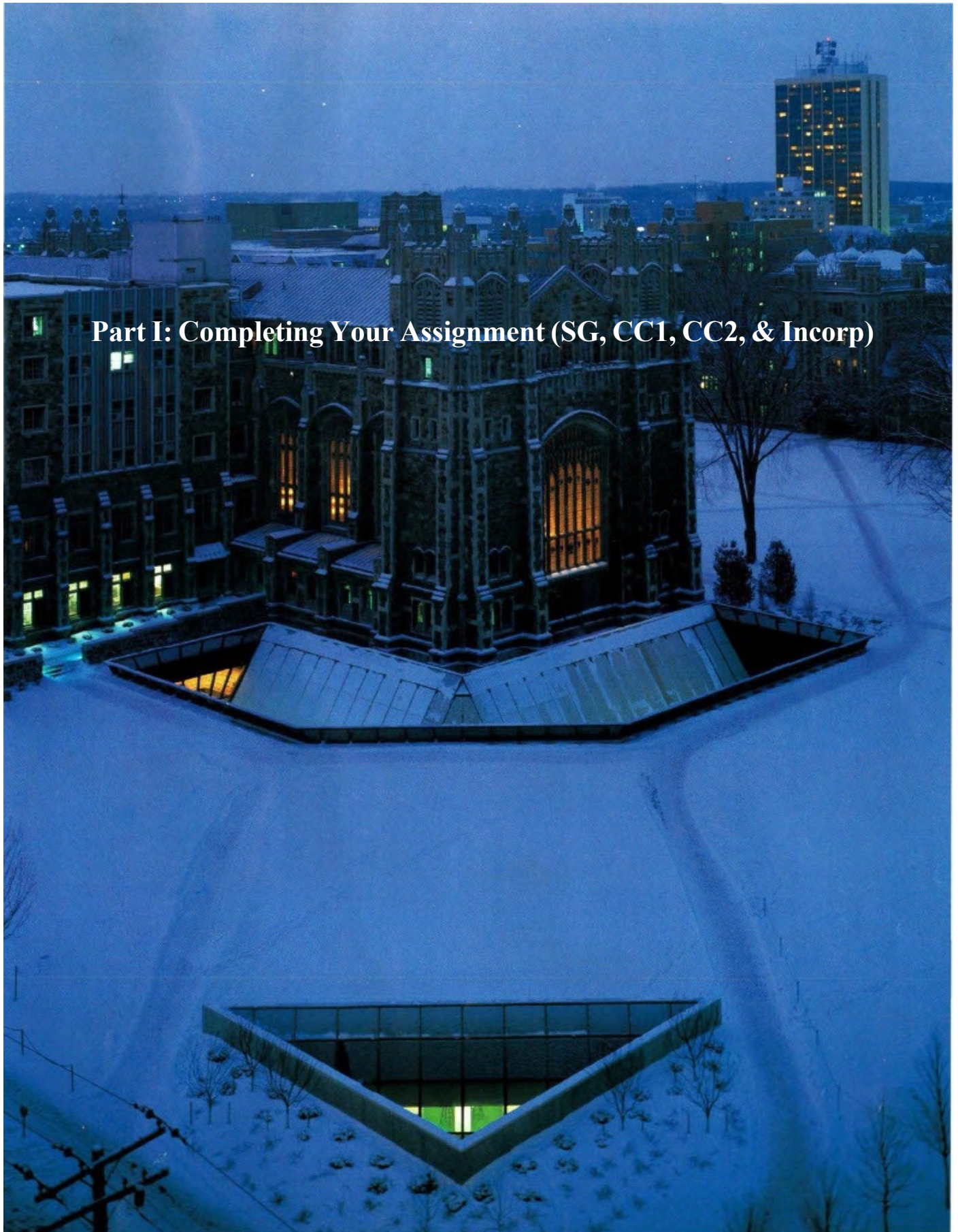
Fundamentals of Gathering Source Materials 112

 ILL Requests 112

 Hard Copy Requests 113

 Creating and Troubleshooting Permalinks 117

 Filling out the Sourcelist 121



Part I: Completing Your Assignment (SG, CC1, CC2, & Incorp)

Sourcegathering Assignments

Receiving a Sourcegathering Assignment

When you receive a sourcegathering assignment, you will get an email from the ME for Production whose subject line reflects both the piece that you're assigned to and the due date.



The body of the email will contain a table assigning sourcegatherers to certain rows of the sourcelist. Each row of the sourcelist contains one source. Because Victoria is assigned to rows 1 through 33, she must gather 33 sources. To complete your sourcegathering assignment, you must gather the sources from your assigned rows.

| Article - Waldman & Tokson SG | | |
|-------------------------------|--------------|------------|
| Sourcegatherer | Starting Row | Ending Row |
| Victoria Clark | 1 | 33 |
| Tyler Washington | 34 | 68 |
| John Friess | 69 | 102 |
| Caitlin Kierum | 103 | 136 |
| Elizabeth Fakhoury | 137 | 170 |
| Stephan Llerena | 171 | 204 |
| Charlie Balaan | 205 | 238 |
| Colton Lacy | 239 | 273 |

The assignment email will contain a link to the piece's sourcelist. The sourcelist is a Google Sheet that follows the piece through each phase of production (Sourcegathering, CC1, CC2, Incorp, and beyond!). It has fourteen (14) columns. Sourcegatherers must fill out columns C through K of the sourcelist.

| Row | Source | Title & Name of (Institutional) Author; if no author, First Source Element | Type of Source | Location & Status | File Name on Dropbox (hyperlinked to Dropbox location) OR Library Call Number | Website URL (if applicable) | Permalink (if applicable) | Problems & Details | SG Date | SG Uniquename |
|-----|--------|--|----------------|-------------------|---|-----------------------------|---------------------------|--------------------|---------|---------------|
|-----|--------|--|----------------|-------------------|---|-----------------------------|---------------------------|--------------------|---------|---------------|

Completing a Sourcegathering Assignment

| Column of the Sourcelist | Sourcegatherer Responsibilities |
|---|---|
| First 2 Source Elements (e.g., Title & Name Author, including institutional authors | <p>Include the first two elements (author and title) of any authored source. For sources without an author, include the first element (e.g., the case name for a case; the title, code, and section for a statutory provision; the name of an act if provided). In many cases, this will be duplicative of the first element(s) already included in the Source column; however, authors often include very generic (and incorrect) citations. If the source's actual name/title/caption differ from what the author has provided, this column helps find correct sources later in the production process. You do NOT need to Bluebook these elements.</p> <p>E.g., author includes "Marbury" as a citation, please put "<i>Marbury v. Madison</i>" in this column. Author includes "nondelegation article by Mortenson and Bagley" as a citation, please put "Julian Davis Mortenson & Nicholas Bagley, <i>Delegation at the Founding</i>" in this column.</p> |
| Type of Source | <p>Choose the type of source from the drop-down menu. For periodicals, be careful to choose the appropriate selection ("Periodical – consecutively paginated," "Periodical – nonconsecutively paginated," or "Newspaper."). An easy way to determine whether an article appears in a consecutively or nonconsecutively paginated journal is to look at the second issue of the volume being cited. If it starts on page 1, the volume is nonconsecutively paginated. As a general rule of thumb, most legal journals are consecutively paginated; many non-legal journals are nonconsecutively paginated.</p> <p>To make your life easier, we've compiled a list of frequently cited nonconsecutively paginated journals. If you're having trouble determining pagination, check the list!</p> |

| | |
|---|---|
| Location & Status | This column informs citecheckers and EEs of where the source is currently located. Choose the location and status from the drop-down menu and provide additional information in the Problems & Details column if helpful. For example, if you gathered multiple editions of a book to comply with the latest edition rule, and you gathered those editions from different libraries, select “Other (explain in Problems & Details column)” from the drop-down menu. In the Problems & Details column, explain which editions you gathered from which library. |
| File Name on Dropbox (hyperlinked to Dropbox location) OR Library Call Number | <p><i>Electronic Sources</i></p> <p>For electronic sources <i>that are not websites</i>, you should download the source as a PDF and name it according to the appropriate naming convention (explained in Part II of this guide). Copy and paste the name of the source file as it appears on Dropbox into this column of the sourcelist. Next, hyperlink the name of the source in this column to the source’s location on Dropbox.</p> <p><i>Hard-Copy Sources</i></p> <p>If you found the source by using a library call number, copy and paste the library call number in this column.</p> |
| Website URL (if applicable) | For electronic sources <i>that are websites or are most easily accessed via URL</i> , copy and paste the URL into this column. |
| Permalink (if applicable) | If the website requires a permalink, create a permalink (explained in “Creating a permalink” of Part II of this guide) and paste it into this column. |
| Problems & Details | <p>In this column, provide any additional information about the source that would be helpful to a citechecker. This includes, but is not limited to:</p> <ul style="list-style-type: none"> • The name of the source or author is incorrect • The book has a latest edition (please also provide the publication date of the latest edition and the locations from which you requested both the cited and latest edition) • A periodical does not have a table of contents or has weird pagination • Any ideas for how a tricky source should be Bluebooked |
| SG Date | Indicate the date you gathered the source |
| SG Uniqname | Put your uniqname in this column! |

Additional information on where to gather sources, naming conventions for sources, and the latest edition rule appear in **Part II** of this guide.

Submitting Your Sourcegathering Assignment

Once you have (1) properly filled out your assigned rows on the sourcelist, (2) checked each source for a latest edition and gathered both the cited and latest edition where necessary, (3) ensured that each source was gathered in the preferred format from the preferred location, and (4) ensured that each source was named correctly, congratulations—you have fulfilled your duties as a sourcegatherer! You do not need to send the ME for Production an email notifying them that you have completed your sourcegathering duties.

Sourcegathering Feedback

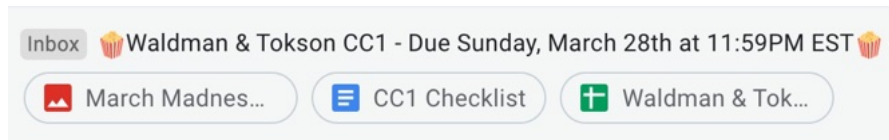
Sourcegathering is the single most important and high-stakes assignment that you can complete as an Associate Editor. That's because *everything* down the line relies on the sources that you gather. CC1-ers can't accurately assess substantive support if you gathered the wrong source. They also can't properly Bluebook a source if you gathered the incorrect edition!

Sourcegathering feedback happens in the following manner. First, CC1-ers, CC2-ers, and EEs will populate columns K, L, and M of the sourcelist with information regarding the quality of your sourcegathering. For example, they will comment on whether they had to re-gather a source because it was gathered incorrectly. Next, the ME for Production will assess these comments. If the ME or other editors notice a consistently poor quality of sourcegathering, the ME will reach out to you to set up a meeting to brainstorm ways to help you improve.

CC1 Assignments

Receiving a CC1 Assignment

When you receive a CC1 assignment, you will get an email from the ME for Production whose subject line reflects both the piece you're assigned to and the due date:



The body of the email will contain a table assigning each CC1-er to a certain CC1 part. You are responsible for completing the part that you've been assigned (duh).

| Article - Waldman & Tokson CC1 | | |
|--------------------------------|------|-------------------------|
| Assignment | Part | CC1 |
| Waldman & Tokson | 1 | Jesse Schupack |
| Waldman & Tokson | 2 | Kathryn Hurley (Scully) |
| Waldman & Tokson | 3 | Stephan Llerena |
| Waldman & Tokson | 4 | Erin Montera |
| Waldman & Tokson | 5 | Caitlin Kierum |
| Waldman & Tokson | 6 | Charlie Balaan |
| Waldman & Tokson | 7 | John Friess |
| Waldman & Tokson | 8 | Sam Crimmins |
| Waldman & Tokson | 9 | Denise Laspina |
| Waldman & Tokson | 10 | Elizabeth Fakhoury |
| Waldman & Tokson | 11 | Jacob Weaver |
| Waldman & Tokson | 12 | Brendon Anderson |
| Waldman & Tokson | 13 | Matt Folensbee |
| Waldman & Tokson | 14 | Tyler Washington |
| Waldman & Tokson | 15 | Kurt Wohlers |
| Waldman & Tokson | 16 | Colton Lacy |
| Waldman & Tokson | 17 | Charlie Wathieu |
| Waldman & Tokson | 18 | Jovian Marcelo |
| Waldman & Tokson | 19 | Sarah Siegel |

Completing a CC1 Assignment

Your CC1 assignment will be for one part of the piece. The assignment email will contain a PDF attachment of the entire piece, but **you should not perform your citechecking in this attached PDF**. Instead, you should download your assigned CC1 part from Dropbox and complete your citechecking in *that* PDF.

a. Accessing Your CC1 Part on Dropbox and Preparing to CC1

The assignment email will inform you of the issue and volume in which your assigned piece appears. Use this information to navigate the folders on Dropbox and access your CC1 part. For instance, the Tokson & Waldman assignment email might inform CC1-ers that the piece appears in Issue 2 of Volume 121, so in Dropbox you would navigate like this:

Vol. 121 Citechecking Carrels → Issue 2 → Tokson & Waldman →
Tokson & Waldman Parts for CC1

Once you access the appropriate folder on Dropbox, download your assigned part. The downloaded file will be in PDF format. You must use Adobe Acrobat Pro to complete your citechecking assignment. Be warned: **Adobe Acrobat Pro is prone to freezing and crashing. Save your work constantly!!!!**

Once you download your CC1 Part, you should save it locally to your computer as a new PDF. Please name the PDF using this naming convention: [Author] CC1 Part [##] [Your Last Name]. E.g., ToksonWaldman CC1 Part 07 Smith. **If the CC1 Part that you've been assigned is below 10, put a zero before the Part number (so it appears as 07 instead of 7).**

When you download your part, you'll notice a bunch of red boxes on it. These boxes indicate the above-the-line (ATL) and below-the-line (BTL) locations where your part begins and ends. You are responsible for all ATL text and all corresponding footnotes falling between the starting point and ending point of your assigned part.

Starting Text and Footnote for Part 5:

As reciprocals' early freedoms receded, they were subsequently visited
by harsher legal treatment than other forms faced. ← **Part 4 End Text**
Part 5 Start Text → In the 1920s and 1930s, two other factors reduced the prevalence
of reciprocals. First, increased regulation and better insurance
pricing reduced the role of reciprocals in the 1930s.¹¹⁷ Second, the
Great Depression put stress on badly run reciprocals in particular.
The number of reciprocals halved from 1920 to 1930 and then again
between 1930 and 1935.¹¹⁸

Ending Text and Footnote for Part 5:

just a portion of the enterprise. The best way to think of reciprocals may be as case studies, like Hansmann, Kraakman, and Squire's investigation of pre-modern enterprise forms, except from our very recent past.¹⁵⁴ Parts III and IV will examine what such case studies may teach. ← Part 5 End Text

¹⁵²History, USAA, https://www.usaa.com/inet/pages/about_usaa_corporate_overview_history?akredirect=true.

¹⁵³ Id.

¹⁵⁴ Hansmann et al., supra note 52. ← Part 5 End FN

Before you begin your CC1 assignment, you should have the following resources handy:

- The PDF of the entire piece (attached to the assignment email)
- The PDF of your assigned part (downloaded from Dropbox)
- The piece's sourcelist and Problem Log (PLOG) (one Google Sheet with two tabs, attached to the assignment email)
- The *Bluebook*
- The *Maizebook*
- This fabulous section of the Production Manual!

b. Performing Your CC1 Assignment

Your CC1 assignment will be complete once you perform the following tasks:

- Gather any sources that were gathered incorrectly during the sourcegathering stage
- Properly gather any new sources you suggested during the CC1 stage
- Perform a substantive support check on each ATL assertion
- Ensure that the Bluebooking is correct
- Complete quote sheets, as necessary
- Complete the PLOG, as necessary
- Upload your completed CC1 part to Dropbox

i. Gathering Sources

You are responsible for gathering 2 types of sources: (1) sources that were incorrectly gathered during the sourcegathering phase of production, and (2) sources that you recommend the author cite to support an ATL or BTL assertion. Please see Part II of this guide for step-by-step instructions on gathering sources by type of source.

If you can't locate a source that has already been properly gathered (for example, the hard-copy source is not in the library or the electronic source is not available on Dropbox), don't panic. Take a look at the following possible explanations and take the appropriate steps!

| Possible Explanations for Your Missing Source | Appropriate Next Steps |
|---|---|
| Another citechecker may be using the source | Either wait and check the library again at a later time or send a message to #checked-out on Slack to ask if another editor is using the source |
| The librarians may have recalled the book on behalf of another borrower | Speak to the librarian at the desk to confirm, then log onto the library website and re-request the book. |
| The source may be a book that will be reviewed in the Book Review issue | MLR holds all such books in a separate carrel, marked "Book Review Books" at the far right of all the other MLR carrels, so check there! |

If you are still stuck after considering these explanations, please post to the #sourcegathering Slack Channel and/or email the ME for Production.

ii. Performing Substantive Support Checks

You will assess the substantive support of each ATL and BTL sentence in your assigned part. You will communicate your substantive support findings by highlighting BTL call numbers and ATL or BTL text, as needed. Please consult [this Google Doc](#) for a handy summary of highlighting colors and functions. Accompanying each highlight will be a

comment. You will write either EE comments (comments addressed to EEs) or Author Comments.

Please note that Adobe does not let you carry a highlight across multiple pages. If you need to highlight an assertion that spans two pages, you'll have to separately highlight the assertions on each page. Leave the required author or EE comment on the highlight that appears on the first page. On the second page, leave a comment to the same party stating that the comment on the previous page applies to the highlighted text.

Leaving EE Substantive Support Comments

You must leave an EE substantive support comment on every single footnote, even if there are no substantive support issues! You will highlight the BTL call number in either **yellow**, if all the support is adequate, or **red** if it is not (as explained in [this Google Doc](#) and in the subsequent pages of this guide) and leave a comment explaining whether the sources cited in the footnote adequately support the assertion.

Your EE comment must contain the following 8 elements: (1) a brief description of author's assertion, (2) whether the assertion is supported, (3) whether the pincite is accurate, (4) whether the signal is appropriate, (5) whether you made a quote sheet, (6) whether you left an author comment, and (8) whether you updated the PLOG.

Many footnotes contain multiple citations. For example, a footnote might include a string cite of multiple different sources. Or it could include a source and an internal cross reference. Your EE substantive support comment must address each citation separately. Please designate each individual citation and explain how it supports the author's assertion.

Additionally, a single footnote might support multiple distinct assertions. For example, the ATL text might contain two different assertions. Or the footnote itself may contain BTL text that requires support. Furthermore, citations often include explanatory parentheticals, which always require support. Your EE comment must identify *each* assertion and explain whether the cited sources support that assertion. Often, it is necessary to break the EE comments down by assertion.

Please use one of the following templates when drafting each EE comment.

Template 1: Single Assertion

EE: The author’s assertion—[insert assertion]—is [supported or not].

Source 1: [Label of Cited Source]

[Describe how the source does (or does not) support the assertion, using quotes and page numbers. Suggest a new source if necessary.]

Source 1 Pincite: [Describe whether pincite is accurate. Suggest new pincite if necessary.]

Source 1 Signal: [Describe whether signal is accurate. Suggest new signal if necessary.]

Source 2: [Label of Cited Source]

[Describe how the source does (or does not) support the assertion, using quotes and page numbers. Suggest a new source if necessary.]

Source 2 Pincite: [Describe whether pincite is accurate. Suggest new pincite if necessary.]

Source 2 Signal: [Describe whether signal is accurate. Suggest new signal if necessary.]

Quote Sheet: [Provide Dropbox link to quote sheet if applicable.]

Author Comment: [Explain whether you left an author comment. If so, briefly describe the nature of the author comment (or comments).]

PLOG: [Explain whether you made a PLOG entry.]

For example,
“Smith Article” or
“Miranda Case.”

Omit the second
source when the
footnote contains
only one citation.
Add additional
sources where
applicable.

Always include
the “Quote
Sheet,” “Author
Comment,” and
“PLOG” headings,
even when they
aren’t applicable.
If they are
inapplicable,
write “N/A.”

Template 2: Separate Assertions

EE: There are [insert number] assertions here. [Provide bottom-line answer about whether each assertion is supported.]

For example:
“The first two assertions are supported, but the third assertion is not supported.”

Assertion 1: [Insert Assertion]

Either directly quote the author or paraphrase the assertion. If applicable, indicate the assertion’s location (ATL or BTL)

Source 1: [Label of Cited Source]

[Describe how the source does (or does not) support Assertion 1, using quotes and page numbers. Suggest a new source if necessary.]

Source 1 Pincite: [Describe whether pincite is accurate. Suggest new pincite if necessary.]

Source 1 Signal: [Describe whether signal is accurate. Suggest new signal if necessary.]

Source 2: [Label of Cited Source]

[Describe how the source does (or does not) support Assertion 1, using quotes and page numbers. Suggest a new source if necessary.]

Omit if only one cited source supports Assertion 1.

Source 2 Pincite: [Describe whether pincite is accurate. Suggest new pincite if necessary.]

Source 2 Signal: [Describe whether signal is accurate. Suggest new signal if necessary.]

Assertion 2: [Insert Assertion]

Source 3: [Label of Cited Source]

[Describe how the source does (or does not) support Assertion 2, using quotes and page numbers. Suggest a new source if necessary.]

Create additional subsections where needed for Assertions 3, 4, etc.

List additional sources where applicable. You may need to use the same source for different assertions.

Source 3 Pincite: [Describe whether pincite is accurate. Suggest new pincite if necessary.]

Source 3 Signal: [Describe whether signal is accurate. Suggest new signal if necessary.]

Quote Sheet: [Provide Dropbox link to quote sheet if applicable.]

Author Comment: [Explain whether you left an author comment. If so, briefly describe what the author comment refers to.]

PLOG: [Explain whether you made a PLOG entry.]

Leaving “High-Density” EE Substantive Support Comments

We sometimes work with incredibly dense footnotes with dozens (or more!) citations. Under such circumstances, the ME for Production may create a Google Doc for the “high density footnotes,” providing a link in the assignment email.

If you are assigned a high-density footnote and the ME provides you with a high density Google Doc, you should write your full EE substantive support comment in that Google Doc (instead of the PDF).

In the PDF, leave a yellow or red comment ([depending on level of substantive support](#)) that provides a high-level summary of your EE comment, along with a link to the Google Doc that the ME shared with you. Use the following template:

EE: The author’s assertion—[insert assertion]—is [supported or not].

The full substantive support analysis is contained in the high-density footnote Google Doc: [Provide link to high-density footnote Google Doc.]

Quote Sheet: [Provide Dropbox link to quote sheet if applicable.]

Author Comment: [Explain whether you left an author comment. If so, briefly describe what the author comment refers to.]

PLOG: [Explain whether you made a PLOG entry.]

Leaving Author Comments

Author comments should be deferential and extremely respectful. Author comments have 3 components

1. The author’s title and last name (if the piece is an Article or a Book Review) or first name (if the piece is a Note or a Book Notice) in **boldface**. The ME for Production will clarify how you should address the author(s) in the assignment email!
2. A brief explanation of the issue, including a citation to the relevant *Bluebook* or *Maizebook* rule
 - a. You should briefly and *gently* explain the nature of the issue. If there is a *Bluebook* rule with which the highlighted text does not cohere, state the rule and the rule number. Is there is a *Maizebook* issue, do not cite a specific *Maizebook* rule. Instead, state that “*MLR* Style recommends . . .”).

3. A recommended edit

- a. Introduce your recommendation with the phrase “We recommend.” **Never** use “I.” **Always use the editorial “we.”** Provide the recommendation in its complete and correct form, enclosed in angle brackets (“<>”). **The bracketed recommendation should exactly match the highlighted portion of the piece** (including minor spacing and punctuation details!). When suggesting a citation, use underline for things that should appear as italics and **boldface** for things that should appear as LARGE AND SMALL CAPS.

armed forces, has over ten million customers.¹²³ **Farmers Insurance has even more customers and is one of America's 250 largest enterprises.**

Jenny Whalen

 Highlighted Text

Professor Verstein: We suggest adding a citation to support this proposition. We found an article on the Farmers' website that details the number of customers (10 million plus) and Farmers' place in the 227th spot of the Fortune 500.

We recommend <Farmers Insurance Exchange (FIE), Today was Named Again to the List of Fortune Magazine's 500 Largest Companies Based in the United States, **Farmers** (June 6, 2016), <https://www.farmers.com/news/2016/farmers-insurance-exchange-makes-2016-fortune-500-list/> [<https://perma.cc/R8J3-5WFQJ>].>

.....CC1 Highlighter Guide

For the highlighter guide, see the following ~6 pages; and see [this Google Doc](#).

Assessing whether uncited sentences need support

If the ATL or BTL sentence does not have a footnote, you must assess whether it needs support. As a general matter, assertions do not need support when (1) it is the author's opinion; (2) it is supported in context by nearby text and the citations surrounding it; (3) it is common sense; or (4) it is a topic or concluding sentence. A rule of thumb for (2) above is that a single reasonably-sized paragraph, or portion thereof, may occasionally share a single footnote if the footnote cites a single source with a pincite page range of fewer than 5 pages. There it would be unnecessary to create a series of “*id.*”s attached to every single sentence, since the contextual end-of-paragraph footnote would support each of the

sentences, and the reader could easily skim ≤ 5 pages to find their desired information. However, if the footnote at the end of the paragraph contains multiple sources, and some sources do not apply to every sentence in the paragraph, please recommend breaking them up into multiple footnotes where sources are attached only to the assertions they support. Also, if the pincite range is broader than ~ 5 pages, please recommend a series of more precise footnotes rather than a single overly-broad footnote.

Example of a permissible shared footnote providing support through context:

¹¹⁵ U.N. SCOR, 5th Sess., 473d mtg. at 1-2, U.N. Doc. S/PV.473 (June 25, 1950), <https://digitallibrary.un.org/record/632558?ln=en> (last visited Jan. 12, 2022). A representative of the Republic of Korea also attended, at the invitation of UNSC President Sir Benegal N. Rau of India. Although the meeting was initially called in response to an American request, Rau ensured that the record also reflected a second request from the U.N. Commission on Korea, which had been established in 1948 to monitor the withdrawal of occupation forces from Korea and to enable U.N. support for the expected unification. The Commission warned that conditions in Korea were "assuming character of full-scale war," and urged UNSC attention. Id.



Sophie Bucci 12:06 AM

Professor Dudziak: We recommend pinciting to pages 2–4, since the sentence beginning "a representative" is supported on page 4, and the sentences beginning "although" and "the commission" are both supported on page 2:

<Id. at 2–4.>

Note here that the citechecker is NOT required to follow every individual sentence of this footnote with an individual citation, because all three sentences may share one small-ranged-pincite citation.

For additional guidance on substantive support, see [this guide](#).

| Substantive Support Determination | How to Respond |
|---|---|
| The unsupported assertion does NOT need support | You are not required to do anything. You can move on to the next sentence! |
| The unsupported assertion <i>maybe</i> needs support, but you aren't totally sure | Highlight the period at the end of the sentence in yellow. Leave a comment for the EE and explain why you are confused about whether the assertion needs support. |
| The unsupported assertion <i>definitely</i> needs support | <p>Highlight the unsupported text in red. Leave a comment for the <u>author</u> explaining the issue and provide a specific recommendation for the source that should be cited. Be sure to include pincites and signals, as appropriate. MLR prefers to cite authors who are traditionally underrepresented in legal academia. When suggesting a source, please use your best efforts to locate a source that gives voice to historically marginalized identities.</p> <p>Gather the suggested source appropriately and populate the sourcelist accordingly.</p> <p>Make an entry in the PLOG (additional details later in this section).</p> |

Assessing the adequacy of existing citations

If the ATL or BTL sentence already has a footnote, you must determine whether the cited source adequately supports the assertion. You must leave a comment to the EE conveying your determination. Recall that your EE comment must contain the following 8 elements: (1) a brief description of author's assertion, (2) whether the assertion is supported, (3) whether the pincite is accurate, (4) whether the signal is appropriate, (5) whether you made a quote sheet, (6) whether you left an author comment, and (8) whether you updated the PLOG.

| Substantive Support Determination | How to Respond |
|-----------------------------------|---|
| Substantive support is acceptable | <p>Highlight the BTL footnote number in yellow. Leave a comment for the EE explaining how, specifically, the source supports the assertion. When explaining your reasoning, it is imperative that you go beyond merely explaining that there is adequate support. When possible, you should include quotations from the source material that directly support the ATL text.</p> |
| Substantive support is inadequate | <p>Highlight the unsupported text in red. Leave a comment for the author explaining the issue and provide a specific recommendation for how to achieve adequate support. You may recommend a different pincite, a different source entirely, or a revision of the ATL assertion. If you recommend a different source, remember that <i>MLR</i> prefers to cite authors who are traditionally underrepresented in legal academia. When suggesting a source, please use your best efforts to locate a source that gives voice to historically marginalized identities.</p> <p>Highlight the BTL footnote number in red. Leave the usual 8-point comment for the EE explaining the issue and in the author comment field of the EE note, write that you left a comment for the author.</p> <p>Make an entry in the PLOG (additional details later in this section).</p> |

| | |
|--|---|
| | If you're suggesting a new source, gather the suggested source appropriately and populate the sourcelist accordingly. |
|--|---|

iii. Assessing other substantive support issues

As mentioned above, your EE comments must address pincites, signals, and each of the author's assertions (including those in explanatory parentheticals). The chart below outlines the things to keep in mind as you assess pincites, signals, and explanatory parentheticals. It also outlines the steps you should take when communicating your findings to EEs.

Remember: your job is *not* to address style and grammar issues in the ATL and BTL text. These issues will be resolved at later stages.

| Issue | What to Look For | How to Respond |
|-----------------|---|--|
| Pincites | <p>Verify that support for the assertion can be found on the pincited page(s).</p> <p>For citations that contain explanatory parentheticals, the pincited page(s) must support both the assertion <i>and</i> the explanatory parenthetical!</p> | <p>If the pincite needs to be adjusted and the adjustment is <u>100% objective</u> (e.g., the ATL text contains a direct quotation that appears on a different page than the one cited), highlight the pincite in green and leave a comment for the EE. Be sure to mention in the pincite portion of your main EE comment (the one on the footnote number) that you left a separate comment regarding the pincite!</p> <p>If the pincite needs a <u>slight adjustment</u>, such as an expanded page range, highlight the pincite in yellow and leave a comment for the author. In your author comment, explain why you think the change is appropriate. Be sure to mention in your main EE comment that you left a separate author comment regarding the pincite!</p> <p>If the pincite simply does not support the assertion and you're recommending a totally different pincite,</p> |

| | | |
|----------------|--|--|
| | | <p>highlight the pincite in yellow and leave a comment for the author. In your author comment, explain the recommended change. Be sure to mention in your main EE comment that you left a separate author comment regarding the pincite.</p> |
| Signals | <p>Check the appropriateness of each signal and each source under the signal. If a signal precedes a string cite, the signal should be appropriate for <i>all</i> of the sources that follow.</p> <p>Remember that “see” should only be used if an inference is required between the source and the text. Authors tend to overuse this signal!</p> | <p>If the signal is appropriate, do not separately highlight the signal. Merely explain that the signal is appropriate (and why) in your main EE comment.</p> <p>If the signal is not appropriate but your recommendation does not change the characterization of the source (e.g., you recommend changing a “see” signal to no signal), highlight the signal in yellow and leave a comment for the author explaining your recommendation. Be sure to mention in the signal portion of your main EE comment that you left a separate author comment regarding the signal!</p> <p>If the signal is not appropriate and your recommendation changes the characterization of the source (e.g., you recommend changing a “see” signal to a “but see” signal), highlight the signal in yellow and leave a comment for the author explaining your recommendation. You should also create a PLOG entry describing the issue. (PLOG entries are only needed if you have recommended that a <i>contrasting</i> signal from BB1.2(c) be used in place of a <i>supportive</i> signal from BB 1.2(a).) Be sure to mention in your main EE comment that you left a separate author comment regarding the signal <i>and</i> that you created a PLOG entry.</p> |

| | | |
|--|---|---|
| <p>Explanatory Parentheticals</p> | <p>BB 1.5 sets forth three <i>and only three</i> acceptable forms of explanatory parentheticals. If the parenthetical's form does not conform to the <i>Bluebook</i> rule, suggest a revision.</p> <p>BB 1.2 also "encourage[s]" that explanatory parentheticals be included with several signals, such as "see also" and "cf."; however, MB 1.2 slightly relaxes this requirement.</p> | <p>If the explanatory parenthetical is not supported, highlight the unsupported portion of the parenthetical in red. Leave a comment to the author recommending a change (either to the source itself or to the language of the explanatory parenthetical).</p> <p>Create a PLOG entry. Be sure to mention in your main EE comment that the parenthetical is unsupported, that you left an author comment, and that you created a PLOG entry!</p> <p>If an explanatory parenthetical is encouraged but does not currently exist, and per MB 1.2, the parenthetical would answer a reasonable reader's pressing question or significantly improve clarity, then recommend the addition of a parenthetical by highlighting the space where the parenthetical should be added in yellow. Leave a comment to the author explaining that BB 1.2 encourages a parenthetical. If the parenthetical is simple and factual, draft the language for the author; if the parenthetical would be long, complex, argumentative, or require drafting judgement, request that if the author agrees that the parenthetical would be helpful, that they respond with the parenthetical text they would like to add. In my main EE comment, also be sure to mention the parenthetical issue (and that you left an author comment). If the parenthetical would not improve the piece per MB 1.2, there is no need to do anything.</p> |
|--|---|---|

iv. Ensuring Appropriate Bluebooking



You will assess the accuracy of the Bluebooking for all existing citations in your assigned CC1 Part. You will use green highlights to communicate to the EE how to bring the citations into compliance with the *Bluebook* and *Maizebook*.

Tips for ensuring appropriate Bluebooking

1. Open the sourcelist and locate the cited source
2. Determine the type of source
3. Identify the corresponding section of the *Bluebook* and locate the relevant rules
4. Identify which portions of the existing citation need to be changed. Highlight those portions in green
5. Leave an objective Bluebooking comment addressed to the EE

Structure of an Objective Bluebooking Comment

Objective Bluebooking comments do not have to follow the formality of author comments. However, they should mention the BB or MB rule that you relied on, your reasoning (if it's not obvious), and your recommended change in angle brackets. Be sure to use boldface (which will become large and small caps) and underline (which will become italics) as appropriate. **It is critical that what is in the angle brackets exactly matches the highlighted text that will be replaced.** When adding a permalink, copy and paste the correct permalink in square brackets.

⁹¹ Wysong v. Auto. Underwriters, 204 Ind. 493, 184 N.E. 783 (1933)  See  also infra Part III.A., B.

Elizabeth Peterkort

 Highlighted Text

EE: < see also >. BB 1.3 requires signals of the same type be strung together within a single citation sentence ([no signal] and see also are both support signals). BB 2.1(d) requires signals in citation sentences be italicized.

Bluebooking questions to ask yourself and key BB rules to keep in mind

| | |
|---|---|
| Are prior and subsequent history accurate? | 10.7 Cases 11 Constitutions 12.7 – 12.8 Statutes 14.2 Rules and Regulations |
| Is weight of authority info accurate? | 10.6.1 Weight of Authority |
| Is the use of long form or short form appropriate? | 3.5 Internal Cross-References 4 Short Citation Forms |
| Are signals, authorities, and parentheticals ordered and connected correctly? | 1.2 Introductory Signals 1.3 Order of Signals 1.4 Order of Authorities Within Each Signal 10.6.3 Order of Parentheticals |
| Are quotations and related parentheticals accurate? | 1.5(b) Substantive Information 1.6(c) Order of Parentheticals Within a Citation 5 Quotations 10.6.3 Quoting/ Citing Parentheticals in Case Citations |
| Is the author's name accurate? | 13.4(b) Legislative Reports, Documents, etc. 15.1 Books, Reports, and Other Nonperiodic Materials 16.2 Periodical Materials 18.2.2(a) Direct Citation to Internet Sources |
| Is the case name and title of work accurate? | 10.2 Cases 12.3.1(a) Codes 12.4(a) Session Laws 13.4(b) Legislative Reports, Documents, etc. 14.2(a) Rules and Regulations 15.3 Books, Reports, and Other Nonperiodic Materials 16.3 Periodical Materials 18.2.2(b)(ii) Direct Citations to Internet Sources |

| | |
|--|---|
| Are all abbreviations correct? | T1 – T16 Abbreviations |
| Is the case reporter, compilation name, or periodical name/volume/ page info accurate? | 10.3 Case Reporters 12.3.1(b) – (c) Codes 12.3(b) Session Laws 13.4(a) Legislative Reports, Documents, etc. 14.2(a) Rules and Regulations 14.3.2 Administrative Adjudications and Arbitrations 15.5 Shorter Works in Collection 16.4 – 16.6 Periodicals 18.2.2(b)(i) Direct Citations to Internet Sources |
| Is all other identifying information accurate? | 15.4 Books, Reports, and Other Nonperiodic Materials 16.4 – 16.6 Periodicals 18.2.2(c) – (e) Direct Citations to Internet Sources |

v. Completing Quote Sheets

Quote sheets **must be made** for all quotations of **three words or more**. This includes quotations ATL, BTL, in explanatory parentheticals, or referred to in quoting parentheticals. Quotes will come in two forms—first-order quotations (quotations that do not quote other material) and second-order quotations (quotations that *themselves* contain a quote). Each must be treated differently.

You must pay careful attention when checking quotes to confirm whether a second-order quotation is present, even if the author did not indicate a second-order quotation using a “quoting” or “citing” parenthetical. Such an exclusion is often permissible, except that the *Maizebook* requires a “quoting” parenthetical each time there is a quote within a quote for *cases*, so please add such a parenthetical as an objective green change if it is required but absent. **For every second-order quotation, with or without a “quoting” or “citing” parenthetical, you must create both a quote sheet and second-order quote sheet (see below).**

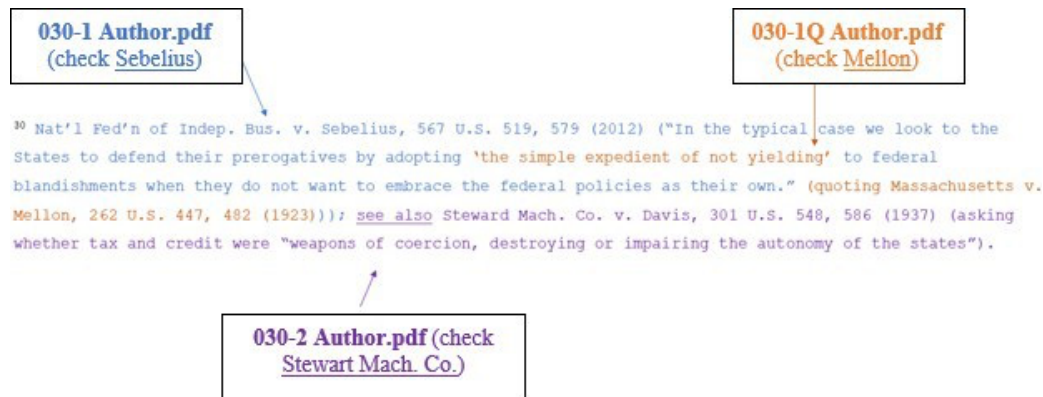
.....How to Complete Quote Sheets

1. **Download** the source as a PDF (if the source is electronic) or scan the source (if the source is hard copy). Select only the page(s) that the quoted material begins on, not the entire source. Some electronic sources may not allow print to pdf, requiring you to get creative (screenshots, snipping tool, etc.)
2. **Highlight** the quoted material in the PDF or scan. Note that for protected PDFs and screenshots, you will need to indicate the quoted material by creating a textbox around it or by using the highlighting function on Dropbox.
3. **Name** the quote sheet. Quote sheets are named after the footnote number they are associated with *and* the author of the piece. Footnote numbers **must** be indicated with a *3-digit number* (e.g., 001, 025)
 - a. If there is only one quote associated with a footnote:
 - i. [3-digit footnote number] [Author Name] (e.g., 003 Smith)
 - b. If there are multiple quotes associated with a footnote:
 - i. [3-digit footnote number – subnumber] [Author Name]
 - ii. To differentiate the quotes, include a *subnumber* based on the order in which the quotes appear
 1. Ex. Footnote 5 has both an ATL quote and a BTL quote associated with it. These quote sheets would be named “**005-1 [Author Name]**” and “**005-2 [Author Name]**,” with the ATL quote assigned subnumber 1, because it comes first.
 - c. If the quote contains a second-order quotation:
 - i. To create a quote sheet for a second-order quotation, you must go to the source being secondarily quoted. This source will often have been gathered during sourcegathering, but may not have been, especially if the author did not indicate that the quote included a second-order quote. If it was not gathered, you will need to gather it. **Within that source, create a quote sheet per the instructions above.**
 - ii. The first-order quotation follows the naming conventions above.
 - iii. The second-order quotation will have the *same name* as the first-order quotation, **with** a “q” appended to indicate that it is a second-order quote.

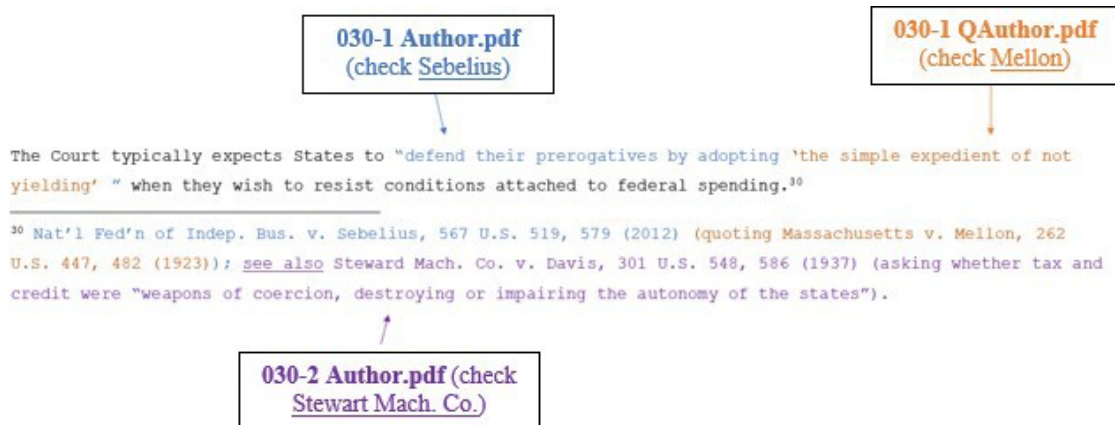
1. Ex. #1: Footnote 5 has a single quote associated with it. This quote, from Source X, contains a second-order quotation—Source X is quoting Source Y. The first-order quote sheet is a highlight of Source X named “**005 [Author Name]**”. The second-order quote sheet is a highlight of Source Y named “**005Q [Author Name]**.”

2. Ex. #2: Footnote 10 has an ATL and BTL quote associated with it. The ATL quote contains a second-order quotation. The ATL first-order quote sheet is named “**010-1 [Author Name].**” The ATL second-order quote sheet is named “**010-1Q [Author Name].**”
- d. If the quote is from a book **being reviewed in a book review**:
 - i. Quotations will follow the same naming conventions as given above for both first- and second-order quotations
 - ii. The only difference is (1) the addition of a “z” to the name to indicate that it is from the book being reviewed, (2) the three digit number being the number of the *most recent* footnote, and (3) the use of a letter, instead of a number, to indicate one of multiple quotations
 1. Ex. #1: First-order quotation from a book being reviewed is named “**[3-digit number of most recent footnote]-Z [Author Name]**”
 2. Ex. #2: First-order quotation from book being reviewed where there are multiple footnotes is named: “**[3-digit number of most recent footnote]-Z[letter corresponding to how many book review quotes after that footnote it is] [Author Name]**” (e.g., 005-ZA Smith)
 3. Ex. #3: Second-order quotation from book being reviewed is named: “**[3-digit number of most recent footnote]Q-Z [Author Name]**”
4. **Upload** the quote sheet to the relevant folder on Dropbox.

Example 1 (second-order quotation followed by another quotation, all quotations in parentheticals):



Example 2 (ATL quotation, "quoting" parenthetical, and quotation in parenthetical):



Example 3 (one source with quotations both ATL and in parenthetical):

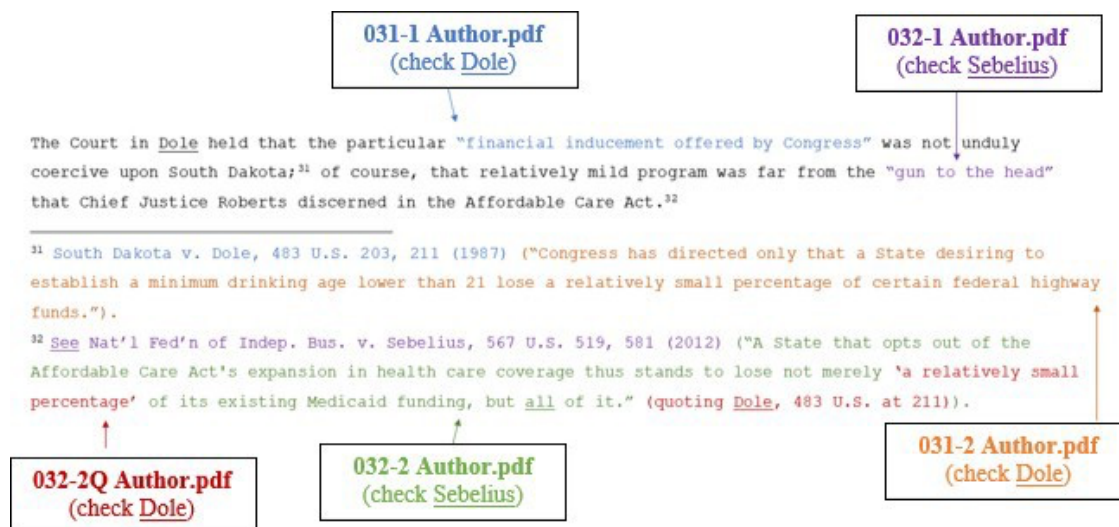
031-1 Author.pdf
(check Dole)

The Court in Dole held that the particular “financial inducement offered by Congress” was not unduly coercive upon South Dakota.³¹

³¹ South Dakota v. Dole, 483 U.S. 203, 211 (1987) (“Congress has directed only that a State desiring to establish a minimum drinking age lower than 21 lose a relatively small percentage of certain federal highway funds.”).

031-2 Author.pdf
(check Dole)

Example 4 (multiple quotations in the same sentence; “quoting” parenthetical for BTL quotation):



Example 5 (multiple “quoting” parentheticals for the same source):

Completing the PLOG

You must complete a Problem Log, or “PLOG,” for your assigned part. The PLOG should be used to identify (1) issues that you addressed in the PDF but that require further action or special attention and (2) issues that you did not address in the PDF because they did not relate to a particular footnote or citation. PLOGs are available on Google Sheets.

The following list gives examples of problems that belong on the PLOG. This list is not exhaustive—a good rule of thumb is to create a PLOG entry anytime you create a red highlight in the PDF. Some common PLOG issues are as follows:

- An egregious signal error (e.g., from “see” to “but see”).
- The cited authority does not support the assertion, or the author seriously mischaracterizes the support.
- You suspect plagiarism.
- You recommend that the author move or delete a footnote.

- The text suggests that the author intended to add (or should have added) a citation to a supporting authority, but no citation has been included.
- You cannot find a source that the author cited even after searching for it (in which case, also email the ME for Production).
- The source was requested but has not arrived yet (also email the ME).
- The *Bluebook* or *Maizebook* treatment is ambiguous and you can explain your decision more thoroughly in a PLOG entry than a comment in a PDF.

The following issues likely do NOT belong on the PLOG:

- You suggested a change in signal that did not alter the characterization of the signal (e.g., from no signal to “see” or from “contra” to “but see”).
- You corrected a clear *Bluebook* or *Maizebook* error.
- You corrected a mistranscription of source material.
- You gathered a source that was not gathered correctly.
- You found spelling or grammatical errors.
- You suggested a pincite change.

PLOGs contain a row for each footnote. Complete rows requiring a PLOG entry according to the following instructions:

- Numeric Location Information: If BTL, state the relevant footnote number, making sure to include subnumbering (e.g., “301-1” or “17-A”). If the problem does not relate to an existing or proposed footnote, indicate the surrounding footnotes (e.g., “between 12 and 13”).
- Quotation of the problem location: Sometimes an author may go 3 pages with only a single footnote, but have 7 unsupported assertions within these pages. Those 7 may become out of order in the PLOG. Please leave a quotation of about 5 words so others can more easily identify the problem, e.g. “I provided a short . . . shared with me.”
- Problem Description: Explain the problem(s) thoroughly. Conclusory statements (e.g., merely “the assertion is not supported” without reasoning) and bare references to the PDF (e.g., “see PDF”) comments are insufficient.

- CC1: To avoid repeated work, explain to subsequent editors what you have already considered and done ; if applicable, to aid efficiency, explain what still needs to be done.
- Leave everything else, including status, blank.

Do not address style and grammar issues in the ATL and BTL text during CC1.

- In general, you should not make any changes to the text (as opposed to citations) unless you are: (1) addressing support or accuracy issues; (2) fixing quotations; (3) correcting textual references to authors or sources (e.g., misspelled case names); or (4) applying an objective *Bluebook* rule.
- The *Bluebook* and *Maizebook* rules that relate to textual material are applied during the later Pageproof stage, which focuses on style and grammar issues (e.g., number formatting within text, hyphenation, and capitalization of words within text).

Other issues not to address: stray underlines and dashes

- Do not highlight or comment on “stray underlines.” An EE will delete any such highlights or comments. These will be resolved by the EE during Pageproof. However, when proposing a new citation in a comment, use correct grammar and punctuation—including by using underlined text to indicate italics.
- Do not worry about **correcting** any em dashes, en dashes, or hyphens. If there is an em dash where there should be an en dash, an EE will fix this later in Word.
- However, if you need to understand the dashes used for citechecking; note that MLR purposefully uses special temporary formatting to differentiate dashes at this stage:
 - Em dashes (—) temporarily become (--)
 - En dashes (–) temporarily become (-)
 - Hyphens (-) remain the same: (-)
- However, if you suggest new sources, please attempt to use the dash type that **would be correct in Word, without the temporary formatting.**

Submitting a CC1 Assignment

Once you complete your CC1 assignment, you should upload the PDF file to the proper folder on Dropbox: Vol. 123 Citechecking Carrels → [the issue your piece appears in] → [the piece your CC1 part appears in] à CC1 à CC1 Complete. You do not need to email the

ME for Production unless you run into an issue when submitting your completed CC1 part.

You should name your file according to the following convention: [Author Name] CC1 Part [##] [Your Last Name]. E.g., Doerfler CC1 Part 07 Smith. **If your CC1 part is below 10, put a zero before your part number (so it appears as 07 instead of 7).**

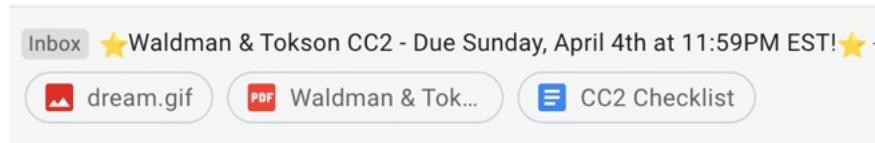
CC1 Feedback

The person who CC2s your CC1 part will assign you a number grade from 0 to 2. You will not be notified of the grade that you receive unless you receive a 0. For additional information on MLR's grading system, see the CC1 Feedback subsection of the CC2 Assignments section of Part I of this Production Manual.

CC2 Assignments

Receiving a CC2 Assignment

When you receive a CC2 assignment, you will get an email from the ME for Production whose subject line reflects both the piece that you're assigned to and the due date:



The body of the email will contain a table assigning each CC2-er two CC1 parts. You are responsible for CC2-ing the two CC1 Parts that you've been assigned (duh).

| Article - Waldman & Tokson CC2 | | | |
|--------------------------------|------|-------------------------|----------------|
| Assignment | Part | CC1 | CC2 |
| Waldman & Tokson | 1 | Jesse Schupack | Elizabeth Wei |
| Waldman & Tokson | 2 | Kathryn Hurley (Scully) | |
| Waldman & Tokson | 3 | Stephan Llerena | Sarah Siegel |
| Waldman & Tokson | 4 | Erin Montero | |
| Waldman & Tokson | 5 | Caitlin Kierum | Alaina Richert |
| Waldman & Tokson | 6 | Charlie Balaan | |
| Waldman & Tokson | 7 | Vol. 119 | Matt Lustbader |
| Waldman & Tokson | 8 | Sam Crimmins | |
| Waldman & Tokson | 9 | Denise Laspina | Matt Folensbee |
| Waldman & Tokson | 10 | Elizabeth Fakhoury | |
| Waldman & Tokson | 11 | Jacob Weaver | Sara El Souki |
| Waldman & Tokson | 12 | Brendon Anderson | |
| Waldman & Tokson | 13 | Matt Folensbee | Jacob Weaver |
| Waldman & Tokson | 14 | Tyler Washington | |
| Waldman & Tokson | 15 | Kurt Wohlers | Denise Laspina |
| Waldman & Tokson | 16 | Colton Lacy | |
| Waldman & Tokson | 17 | Charlie Wathieu | Julie Moroney |
| Waldman & Tokson | 18 | Jovian Marcelo | |

Completing a CC2 Assignment

You will be responsible for CC2-ing two CC1 Parts. The assignment email will contain a PDF attachment of the entire piece, but **you should not perform your citechecking in this attached PDF**. Instead, you should download the completed CC1 Parts that you've been assigned from Dropbox and complete your citechecking in *those* PDFs.

a. Accessing the Completed CC1 Parts You've Been Assigned on Dropbox and Preparing to CC2

The assignment email will inform you of the issue and volume in which your assigned piece appears. You'll use this information to navigate the folders on Dropbox and access the completed CC1 parts that you've been assigned. For example, the Waldman & Tokson assignment email might inform CC2-ers that the piece appears in Issue 2 of Volume 121. Here's how you would use that information to access the completed CC1 parts on Dropbox:

Vol. 121 Citechecking Carrels → Issue 2 → Tokson & Waldman → CC1 → CC1 Complete

Once you access the appropriate folder on Dropbox, download the completed CC1 Parts that you've been assigned. The downloaded files will be in PDF format. You must use Adobe Acrobat Pro to complete your citechecking assignment. Be warned: **Adobe Acrobat Pro is prone to freezing and crashing. Save your work constantly!!!!**

Once you download the CC1 Parts, you should save them locally to your computer as new PDFs. Please name them using this naming convention: [Author] CC2 Part [##] [Your Last Name]; e.g., ToksonWaldman CC2 Part 07 Smith. **If the CC1 Part that you've been assigned to CC2 is below 10, put a zero before the Part number (so it appears as 07 instead of 7).**

Ensure that your Adobe Acrobat username is your full name!

Before you begin your CC2 assignment, you should have the following resources handy:

- The PDF of the entire piece (attached to the assignment email)
- The PDF of your assigned parts (downloaded from Dropbox)
- The piece's sourcelist (attached to the assignment email)
- The piece's Problem Log (PLOG) (attached to the assignment email)
- The *Bluebook*
- The *Maizebook*
- This fabulous section of the Production Manual!

b. Performing Your CC2 Assignment

Your CC2 assignment will be complete once you perform the following tasks:

- Gather any sources gathered incorrectly during the sourcegathering or CC1 stages
- Properly gather any new sources you suggested during the CC2 stage
- Confirm that each ATL assertion is substantively supported
- Review the CC1 *Bluebook* comments and correct any errors that CC1 may have missed
 - Double-check subsequent history
 - Ensure that the appropriate parenthetical follows cases involving enslaved persons
- Ensure that CC1 transcribed all quotes correctly and made the necessary quote sheets
- Resolve all issues on the PLOG
- Upload your completed CC2 parts to Dropbox
- Send feedback emails to the CC1-ers whose Parts you CC2-ed
- Complete a CC1 grade form for each CC1-er whose Part you CC2-ed

i. Gathering Sources

You are responsible for gathering 2 types of sources: (1) sources that were incorrectly gathered during the sourcegathering and/or CC1 phase of production, and (2) sources that you recommend the author cite to support an ATL or BTL assertion during the CC2 phase. Please see Part II of this guide for step-by-step instructions on gathering sources by type of source.

If you can't locate a source that has already been properly gathered (for example, the hard-copy source is not in the appropriate library carrel or the electronic source is not available on Dropbox), don't panic. Take a look at page 15 of this guide for possible explanations and appropriate next steps!

ii. Confirm Substantive Support

.....CC2 Highlighter Guide

For CC1 comments that are highlighted in yellow

- **If you AGREE with CC1's reasoning AND CC1's EE Substantive Support Comment features all 8 required elements of an EE Substantive Support Comment**—(1) a brief description of author's assertion, (2) whether the assertion is supported, (3) whether the pincite is accurate, (4) whether the signal is appropriate, (5) whether CC1 made a quote sheet, (6) whether CC1 left an author comment, and (8) whether CC1 updated the PLOG—**change the BTL highlight from yellow to cyan.**
- **If you AGREE with CC1's reasoning but CC1's EE Substantive Support Comment has deficiencies** (e.g., it fails to address one of the 8 required elements) **or you disagree with some minor aspect of CC1's reasoning** (e.g., you disagree with the pincite), **leave the BTL highlight yellow and leave a comment for the EE filling in the gaps.** You should not leave an entirely new comment. Instead, you should leave your comment as a reply to CC1's original comment and address your new comment to the EE.
- **If you DISAGREE with CC1**—meaning that you think the source does NOT support the assertion—**change the BTL highlight from yellow to red.** Leave a comment as a reply to CC1's original comment explaining for the EE why you think that the assertion is not supported. Be sure to address all 8 required elements of an EE Substantive Support comment! You will also need to leave an author comment, complete a PLOG entry, gather any necessary sources, and update the sourcelist!

For CC1 comments that are highlighted in red

- Regardless of whether you agree or disagree with CC1, **leave the BTL highlight red.** Leave a comment for the EE as a reply to CC1's original comment explaining whether you agree or disagree with CC1. If you disagree with CC1, provide an explanation of why.

Never delete any of CC1's comments!

iii. Review CC1's Bluebooking

If you notice a Bluebooking issue that CC1 missed, highlight the text in **green** and comment as you would at the CC1 stage.

If you disagree with the way that CC1 Bluebooked something, you should do one of two things:

1. *If your disagreement is objective* (i.e., CC1 forgot a period in a citation or the recommendation in angle brackets does not exactly match the highlighted text), you may adjust CC1's Bluebooking comment directly.
2. *If your disagreement is subjective* (you think a different BB or MB rule applies, or you think the source should be cited as a report instead of a periodical), use the reply feature to leave a comment to the EE. Explain why you think your approach is correct and leave a suggested citation.

It is your responsibility to double-check two very specific aspects of Bluebooking at the CC2 stage: **subsequent history** and **required parentheticals for cases involving enslaved persons**.

- For all cases, ensure that the Supreme Court has not issued a decision overruling the cited case. [This](#) is a wonderful resource for determining whether cases have been overruled!
- For all cases, you must determine whether an enslaved party is at issue. BB Rule 10.7.1(d) requires that cases involving an enslaved person as a party use the parenthetical “(enslaved party).” It requires that cases involving an enslaved person as the subject of a property or other legal dispute but named as a party to the suit use the parenthetical “(enslaved person at issue).” To comply with this rule, consult [this list](#) of cases involving enslaved persons.
- For all statutes, ensure that a subsequent piece of legislation (or Supreme Court case) did not invalidate the cited one. [This](#) is a great resource for invalidation checks!

iv. Confirm Transcription and Quote Sheets

A quote sheet for each quotation and any second-order quotations should have been uploaded to Dropbox at the CC1 stage. To access these, navigate to the correct volume,

issue, and author folder, then click into the “Quote Sheets” folder. If a quote sheet is missing, you must create one via the process outlined in the CC1 portion of this guide. Compare the original source material to the quote to ensure that each element is exactly the same. Pay close attention to punctuation, capitalization, omissions, and substitutions!

Resolving Issues on the PLOG

Update the PLOGs as you go through each part, filling in the CC2 column on the Google Sheet.

- For existing rows, add notes in the CC2 column where appropriate.
 - CC2s should address all existing PLOG rows in their assigned sections. If you agree with CC1, indicate that on the PLOG. If there are any issues in the PLOG that you do not believe to be PLOG worthy, briefly note that in the CC2 column.
 - For PLOG-worthy issues not already included, add and complete a new row in the appropriate place. See the CC1 chapter for what constitutes a PLOG-worthy issue.
- Try to resolve as many issues at this stage as you can. While some issues, such as lack of substantive support, will have to go to the author, others, such as a formatting decision that requires a judgment call, can usually be resolved at the CC2 stage. In these instances, use your best judgment. Having as many issues as possible solved early on makes the rest of the production process run more smoothly.

Do not address style and grammar issues in the ATL and BTL text during CC2.

- In general, you should not make any changes to the text (as opposed to citations) unless you are: (1) addressing support or accuracy issues; (2) fixing quotations; (3) correcting textual references to authors or sources (e.g., misspelled case names); or (4) applying an objective *Bluebook* rule.
- The *Bluebook* and *Maizebook* rules that relate to textual material are applied during the later Pageproof stage, which focuses on style and grammar issues (e.g., number formatting within text, hyphenation, and capitalization of words within text).

Other issues not to address: dashes and stray underlines

- Do not highlight or comment on “stray underlines.” An EE will delete any such highlights or comments. These will be resolved by the EE during Pageproof. However, when proposing a new citation in a comment, use correct grammar and punctuation—including by using underlined text to indicate italics.
- Do not worry about **correcting** any em dashes, en dashes, or hyphens. If there is an em dash where there should be an en dash, an EE will fix this later in Word.
- However, if you need to understand the dashes used for citechecking; note that MLR purposefully uses special temporary formatting to differentiate dashes at this stage:
 - Em dashes (—) temporarily become (--)
 - En dashes (–) temporarily become (-)
 - Hyphens (-) remain the same: (-)
- However, if you suggest new sources, please attempt to use the dash type that **would be correct in Word, without the temporary formatting.**

Submitting a CC2 Assignment

Once you complete your CC2 assignment, you should upload the PDF files to the proper folder on Dropbox: Vol. 121 Citechecking Carrels → [the issue your piece appears in] à [the piece your CC2 parts appears in] → CC2. You do not need to email the ME for Production unless you run into an issue when submitting your completed CC2 parts.

You should name your file according to the following convention: [Author Name] CC2 Part [##] [Your Last Name]. E.g., Doerfler CC2 Part 07 Smith. **If your CC2 part is below 10, put a zero before your part number (so it appears as 07 instead of 7).**

Providing CC1 Feedback

To complete your CC2 assignment, you must provide feedback to the CC1-er. Feedback serves 4 purposes: (1) it flags any potential recurring areas of disagreement or misunderstanding for the EEs; (2) it lets citecheckers know what they have done well and what they need to work on; (3) it informs the ME for Production of whose work stands out and has earned the CC2-er’s respect; and (4) it informs the ME of who is not pulling their weight.

a. Feedback Emails

You should send a feedback email to each CC1-er whose work you CC2-ed. The subject of the email should be “[Author’s Name] CC1 Feedback.” **You must CC mlr.edits@umich.edu and mlr.me.prod@umich.edu.** You must also attach your completed CC2 to the email so the CC1-er can see the changes that you made to their work. The “sandwich method” is a tried- and-true format for sending these emails: start with pointing out something that CC1 did well, then highlight something that CC1 can improve upon in the future, and end by giving CC1 another compliment. Please be as specific as possible when providing feedback and refer to specific examples where possible.

Here are some examples of good, substantive feedback emails:

- Good job overall with this assignment! You had great explanations on substantive support and very clear explanations for what to change when you spotted issues. I especially appreciated the depth of your analysis of FN 10 to support your suggestion of removing the “see” signal. Keep it up! However, there were a couple of rules that you missed that I’d like to flag for future assignments. First, remember that case names in long form aren’t underlined and that those in short form are according to BB 2.1(a) (e.g., in FNs 8 and 11 “Terry v. Ohio, 392 U.S. 1 (1968)” but “*Terry*, 392 U.S. at 4.”). Additionally, take a look at MB 12.10[f]—it says that you can use *id.* for statutes when citing to the same title of a code (e.g., in FN 14 “47 U.S.C. § 302 (2000); *Id.* § 506.”). Great job overall!
- I can tell that you tried really hard, but I noticed 3 aspects of your citechecking that you should concentrate on in the future. The first is writing more thorough substantive support explanations. A lot of yours were really short and cursory, and I wasn’t sure how closely you read the material. I ended up having to essentially perform an entire CC1 (e.g., for FN 10 you wrote “the assertion here is supported because the cited text supports the assertion” and “the signal usage here is correct” with no further explanation, quote, or pincite to the supporting material). Second, please review BB and MB 10 and T6. Case names are tricky, and you made a lot of unnecessary errors—like not catching all of the words that need to be abbreviated (e.g., in FN 12 you did not abbreviate “independent” to “indep.” and you incorrectly abbreviated “federation” to “fed.” rather than “fed’n.”). Third, between FNs 15 and 16

you correctly noted that there was an assertion lacking support, which was a good catch, but you forgot to update the PLOG.

b. Grade Forms

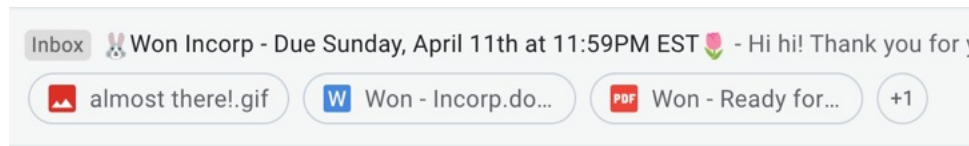
In addition to sending a feedback email, you must complete a [grade form](#) for each individual whose CC1 you CC2-ed. The only person who will receive the information in this grade form is the ME for Production. You should therefore be honest and candid when completing this form. The form will ask you to assign the CC1-er a score from 0 to 4. **The default score for all CC1-ers is a 2.** The scoring system is as follows:

| | | |
|----------|--------------------------------|--|
| 4 | Exceptional citechecking | There are no errors or only one or two very small ones. This score is reserved for citechecking that shows exceptional thoroughness, attention to detail, mastery of the relevant <i>Bluebook</i> rules, and considerable time investment. |
| 3 | Very good citechecking | May contain some errors (i.e. small BB errors scattered throughout, or misinterpreting substantive support once), but the citechecker clearly gave more effort and thoroughness than required to complete the CC1 |
| 2 | Good citechecking | There may be some errors, but CC1 clearly made a good-faith effort to perform their citechecking duties. |
| 1 | Acceptable citechecking | Citechecker completed the assignment in good faith, but the CC1 contained numerous errors, showing that the citechecker did not fully understand how to complete the assignment. Required a heavy lift from CC2 |
| 0 | Poor or bad-faith citechecking | This score is reserved for citechecking that requires a very heavy lift from CC2. CC1's citechecking was either incomplete or done in bad faith. |

Incorp Assignments

Receiving an Incorp Assignment

When you receive an Incorp assignment, you will get an email from the ME for Production whose subject line reflects both the piece that you're assigned to and the due date:



The body of the email will contain a list of people responsible for incorporating. Unlike SG, CC1, and CC2 assignments, the ME for Production will not assign each of the incorporers to a certain number of pages or footnotes. Instead, it is up to the individuals who are incorporating a piece to collectively decide how to divide the work amongst themselves.

During the Incorp process, the AEs and SEs type in all author-approved changes from the master PDF into a Word document using track changes. The Word document then becomes the master document going forward. The EEs use the Word document at the pageproof stage, to, for example, edit above-the-line text.

Completing an Incorp Assignment

The first thing you should do upon receiving an Incorp assignment is open the *Ready for Incorp* PDF attached to the assignment email. When you open the PDF, make note of the total number of comments and total number of pages. You'll need this info during the next step! Next, you'll need to divide the incorp work among the incorporers. **We highly recommend that you divide your work by footnotes, rather than by number of pages.** This ensures that every footnote is accounted for!

Once you have divided your work among yourselves, you'll each be responsible for incorporating your assigned portion of the piece. The easiest way to work together on an Incorp is to download the "[Author] – Ready for IC" document attached to assignment email and save it as a shared Word document. Step-by-step instructions for creating a shared word document are available [here](#). Although your document will be shared with other AEs/SEs online, do your work in the **Word desktop app**; do not do your work on the Word online/in-browser app or else things will be slow and spawn strange errors!

Incorp Step-By-Step Directions

- **Turn track changes ON** in the “[Author] Incorp” file. Note that the different viewing options for track changes may be helpful while performing the Incorp.
- **Go through the PDF document and incorporate all UNCONTROVERSIAL changes made by the author(s), citecheckers, and EEs.** You may choose to go through each comment in the order it appears in Adobe, or go through comments based on color (substantive support changes vs. Bluebooking changes, etc.). Delete comments from the PDF as you make changes to ensure you do not miss any edits. Ultimately, you want to make sure you:
 - **Make red-highlighted changes** that the author **ACCEPTED or ignored**
 - ATL statements where the citecheckers/EEs have recommended adding in support have been highlighted ATL.
 - Click these statements to confirm whether the author has accepted the recommended support. If the author has confirmed, **or** if there is **no comment**, add the recommended citation as a new citation, and where appropriate as a new footnote.
 - If the author accepted our suggestion and you implemented it, set the PLOG “status” column for the issue to closed and leave a corresponding comment (e.g., “implemented; closed”) in the “Incorp Comments” column.
 - Suggestions the author has not accepted, or new sources the author has recommended, are addressed below in “additional citechecking.”
 - **Incorporate all yellow-highlighted citechecking comments** that the author **ACCEPTED or ignored**.
 - If any part of the text of each call number is shaded yellow, check the comments to determine what change was recommended. Incorporate all changes that have been confirmed or not commented upon. < >
 - Disagreements over yellow-highlighted changes are addressed below in “additional citechecking.”
 - **Incorporate ALL green-highlighted formatting changes** that have not been rejected into the Word doc.

- Formatting changes that the author need not confirm have been marked in green. These indicate objective formatting changes that should be made to the citation.
- These changes are largely to cover incorrect typeface or other Bluebooking errors. Again, when in doubt, consult the relevant BB/MB rule to ensure the correct formatting is entered into the Word document. If you cannot determine why a portion of the footnote has been highlighted in green, please leave a note for the EE.
- We recommend that you copy and paste bracketed text out of the PDF comments and directly into Word, then that you make that text Times New Roman 11 pt. font in Word. This will ensure that all text is transcribed exactly correctly out of the PDF the EE has painstakingly edited for 15–80 hours. If you retype the bracketed text yourself, you might a change or introduce errors (e.g., you may type a hyphen between page numbers when they wanted an en dash).
- The Word doc should continue to use underlines and **bold**.
- If you spot any additional Bluebooking errors, feel free to change them, but this is not required.
- If the author objects to a change highlighted in green, **DO NOT** incorporate it, but instead convert the author’s comment to a comment in the Word document.
- **Incorporate** all remaining comments from the author (e.g., new stylistic changes they’ve noticed/want to change, or new sources they want to add even without our prompting)
- **Link all URLs and permalinks.**
 - First, **TURN OFF TRACK CHANGES.**
 - Second, remove all links. You need to do this because when Word makes hyperlinks, they treat the entire link as a single object and can no longer be edited character-by-character (future steps will malfunction if you do not do this step). Click somewhere BTL then using command+A to highlight all the BTL text. Now press FN+command+shift+F9 to unlink everything.
 - Then go to find and replace. Clean up the links by populating and running:
 - Find: </ [https://perma>

- Replace with: < [https://perma>
 - Note that there is a space mark before the open bracket in the replace
- Now, still in find and replace:
 - Find: <[https://perma>
 - Replace with: <[perma>
- Last, for each URL, highlight the entire URL, right-click, and select “link.” Click okay to confirm. Text will change to blue to indicate it is hyperlinked. Please double check that clicking on each perma works. It is okay if both the URL and also the perma are behind pawalls.
- After this, please **TURN TRACK BACK ON.**
- As in CC1 and CC2, **do not address style and grammar issues or hyphen types** (but please do not introduce hyphen errors) **in the ATL and BTL text.**

Additional Citechecking

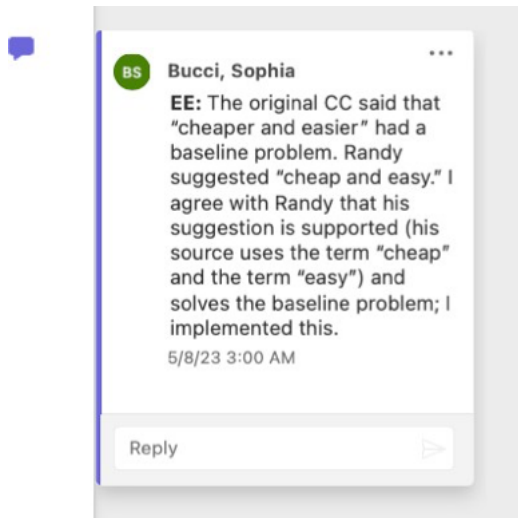
During the Incorp stage, you are responsible for completing any newly-arisen sourcegathering and citechecking. This is mostly called for when we highlighted text red and asked the author for a new source, and they provided one, but it might also occur any time the author rejects our change or proposes an alternative.

- When entering a new citation provided by the author, implement the change in the Word document. Then perform the same steps as you would to sourcegather and citecheck any other source and citation during CC1: gather the source into the sourcelist (if the source is truly new and has not been cited elsewhere in the piece), ensure the source substantively supports the ATL statement (and leave the 8-point CC1 template for the EE as Word document comment), and ensure the citation conforms to the relevant BB/MB rules (leave a comment for the EE with your suggested Bluebooking changes). Last, note in the PLOG Incorp Comments column that you have added the new source, but do not close the issue, since an EE will next perform an effective CC2 on this new material before finalization.
- Complex situations: If the author has disagreed with the journal’s comment to her, suggested a non-source solution, or done something else unusual, leave a Word comment for the EE. Please first give the EE context on the issue, either by summarizing the original problem the journal sent to the author, or by directly

copying the journal's original PDF comment to the author. Second, summarize or include, in Word, the author's PDF response to that comment. Third, if a substantive support issue was involved, leave your opinion as you would if you were citechecking (you might not need a full 8-point comment). Last, leave a note in your column of the PLOG, but leave the issue open because an EE and the EIC will decide.

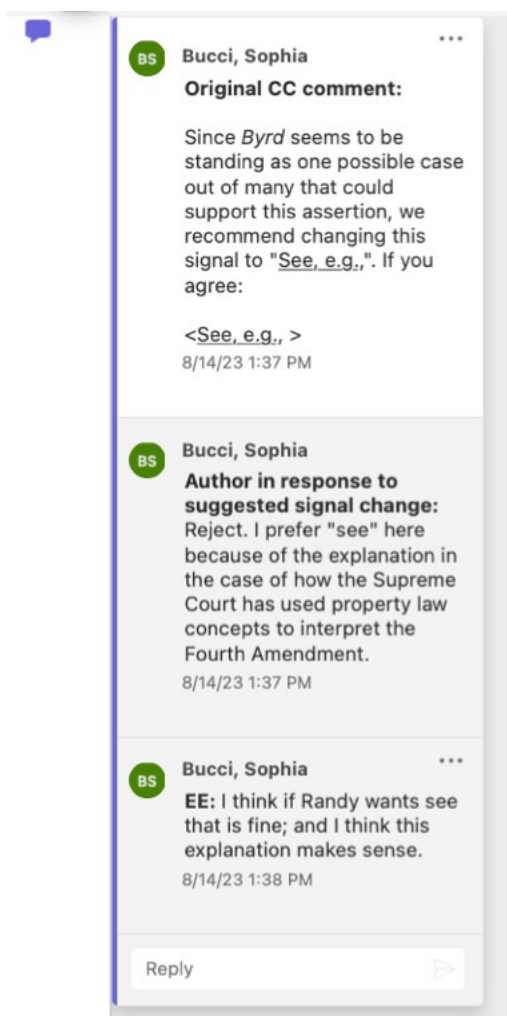
Example 1 (summary within the EE comment):

Clarity remains as important as ever in this area of the law. Use of drones to conduct aerial surveillance has become cheaper ~~cheaper~~ cheap and easy ~~and easier~~,¹ and law enforcement's use of drones will continue to expand.²



Example 2 (providing full quotations of back-and-forth within the EE comment):

Courts looked to property law for guidance in interpreting the reach of the Fourth Amendment.^[1]



Completing the PLOG

Update the PLOG throughout the Incorp, making notes in the “Incorp” column.

- As noted above, for clear-cut issues the author has accepted, write “incorporated; closed” and select status “closed.”
- As noted above, for new sources the author suggests, fill in the Incorp Comments section of the PLOG (e.g., “I agree with the author’s proposed source;” if you disagree, write your reasoning in the column as you would with a CC1 PLOG issue) suggests and leave those issues “open.”
- Check for any sources noted in the PLOG that were unavailable or incorrectly gathered during previous production phases and investigate whether they have since become available. Check the up-to-date sourcelist on Dropbox, look for the

source, in the library and/or on Dropbox, and consult the ME for production as needed. Then do the following:

- Indicate on the PLOG whether or not the source has become available.
- If it is still unavailable, note the date on which you sourcegathered it or last checked for it.
- For PLOG-worthy issues not already included (e.g., unresolved comments from the author) add and complete a new row in the appropriate place. Although all of the PDF footnote numbers will be different from the Word footnote numbers due to insertions and deletions, make sure the EE can find your issue by filling in the Word location information clearly and by including a small snippet of the text that has the issue.
- Once every incorporer has finished adding and deleting all of the footnotes to be added or deleted, update the “New FN Number” column for all open PLOG issues.
 - Save the Word document you’ve been working on, then “save as” to create a temporary duplicate copy (name it something like “Smith Incorp vTemp”). In the temporary document, go to the review ribbon and accept all of the changes. This will resolve a known issue where if your changes aren’t accepted, the footnotes do not number correctly.
 - Filter in the status column of the PLOG: uncheck all closed and blanks.
 - For the remaining open issues, fill in the “Word FN Number” column so that the EE will easily be able to find the outstanding problems.
 - Get rid of this temporary copy and go back to your normal copy **with all of the track changes on** and keep working out of there.

Hyperlink Cross-references

- Do this last so that the footnotes aren’t still slipping around everywhere! (If you did this as you went, just make sure you update before you submit; to update, place your cursor in a footnote and select the text of all footnotes by pressing Ctrl – A. Once the footnote text is selected, press F9).
- Hyperlink all footnote cross-references in *supra/infra* cites.
 - To find your tasks quickly, CTRL+F for “supra” and “infra.”
 - Highlight a cross-reference number (the “25” in “see supra note 25”) or place your cursor where a new cross-reference will be added.

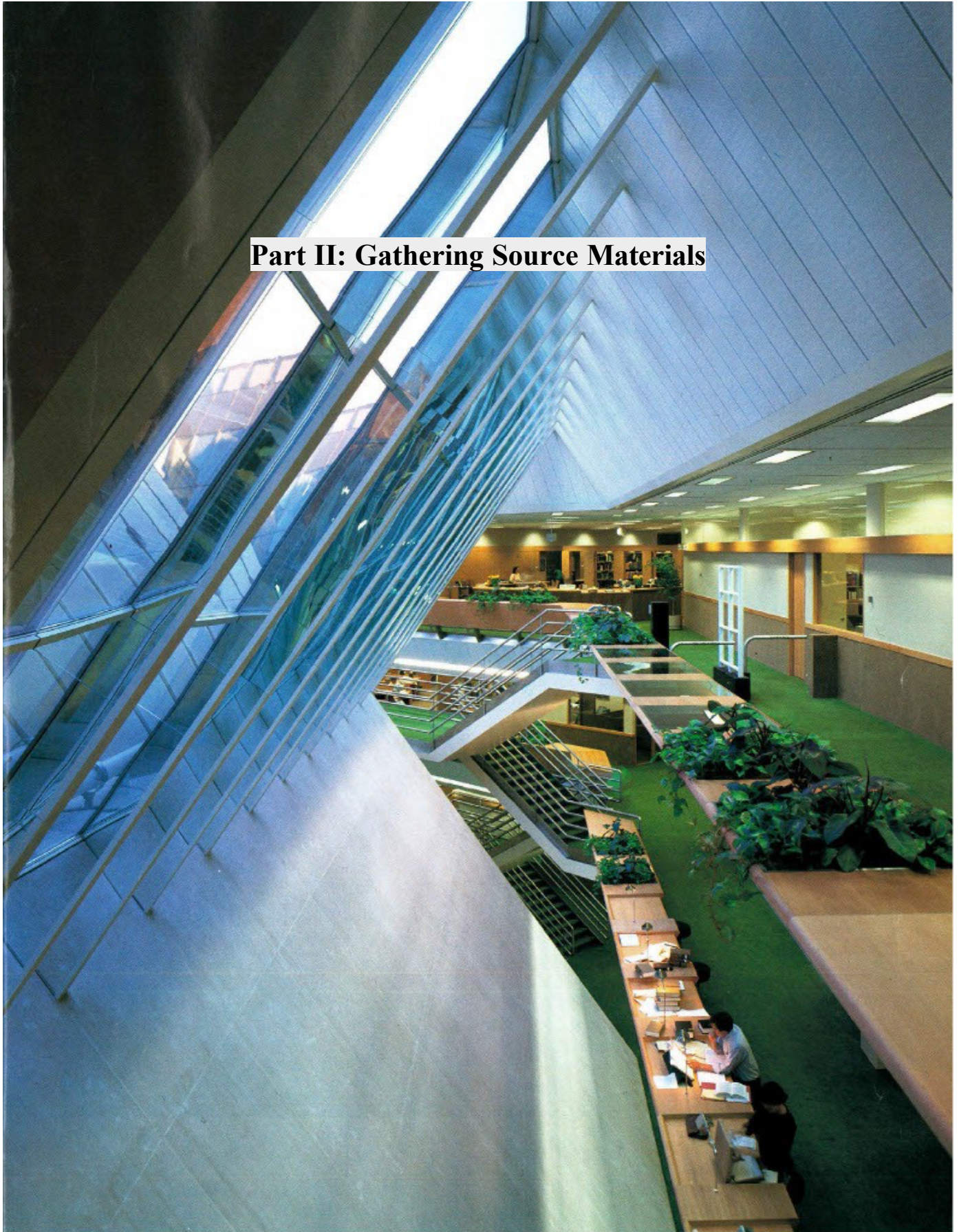
- On a PC: Click the cross-reference button on the Insert, Reference, Journals, or Add-Ins ribbon.
- On a Mac: Click the cross-reference button on the Insert, Links, or Cross-Reference ribbon.
- From the “Reference type” dropdown menu, select “Footnote.” Scroll to the footnote you wish to insert, select it, and press “Insert.”
 - To figure out where the original citation was, we recommend opening a second Word document copy of the incorp to simultaneously control+F.
- Note that internal cross references that reference footnote call numbers with three or more digits will retain all numbers (e.g., See supra notes 303–305 and accompanying text). See MB 3.5.

Submitting an Incorp Assignment

Email your assignment to both mlr.me.prod@umich.edu and mlr.edits@umich.edu. Please include the following: (1) The “[Author] Incorp” file and (2) A list in the body of the email of any hard-copy sources that you gathered that do not appear in the sourcelist. Make sure to provide the call number and date of request.

You’re the best!

Part II: Gathering Source Materials



Naming Conventions Sheet

Types of Source Materials

Cases and Case Related Materials

a. Where to Gather

| Source Type | Resources (In Order of Preference) | Preferred Format |
|--|---|------------------|
| Cases | | |
| U.S. Supreme Court decisions | <ul style="list-style-type: none"> • HeinOnline (for cases published in <i>U.S. Reports</i>) • Westlaw (for cases published in the <i>S. Ct. Reporter</i>) • ILL | Electronic |
| Other Federal Court decisions (Circuit Courts, District Courts, Bankruptcy Courts, etc.) | <ul style="list-style-type: none"> • Westlaw • ILL | Electronic |
| State Court decisions | <ul style="list-style-type: none"> • Westlaw • ILL | Electronic |
| Special Cases | | |
| Unpublished Cases (including those contained in the Federal Appendix) | <ul style="list-style-type: none"> • Westlaw • Lexis | Electronic |
| Slip Opinions | <ul style="list-style-type: none"> • Court's website • Lexis CourtLink | Electronic |
| Court Documents | | |
| | <ul style="list-style-type: none"> • Westlaw • Lexis CourtLink | Electronic |

b. How to Gather

As you're gathering cases, feel free to consult this [quick reference sheet](#) created by a fabulous SE, but do not use it exclusively – please be sure you're still checking the relevant portions of the PM.

i. U.S. Supreme Court Decisions

If you're gathering a U.S. Supreme Court decision, **look for it in the following places** (in order of *MLR* preference):

I. HeinOnline

1. Log into HeinOnline.
2. Type the citation into the search box at the top of the webpage. Do not include periods when typing in US (e.g., “US” instead of “U.S.”).



3. A drop-down menu will appear as you begin typing. Once you have fully typed the citation, select “Citation” from the drop-down menu.



4. The search bar will automatically populate with new information. (e.g., “citation:(118 US 356). Once the search bar populates, select the magnifying glass to run the search.



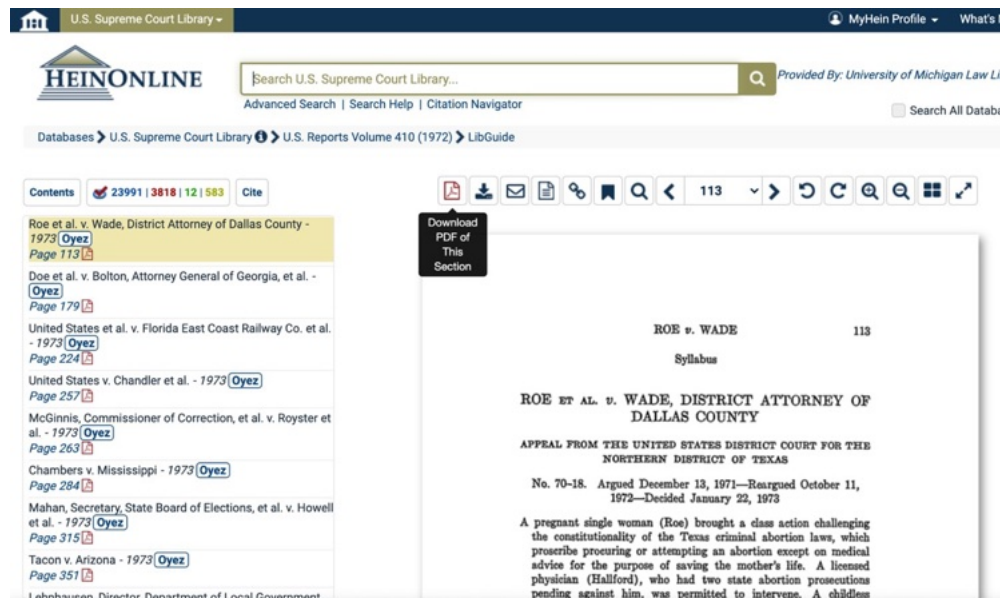
5. A page will appear with 2 search results. Select “HeinOnline (PDF version)”

instead of “Fastcase.”

There are 2 versions of the case 410 US 113 available. Please choose one:

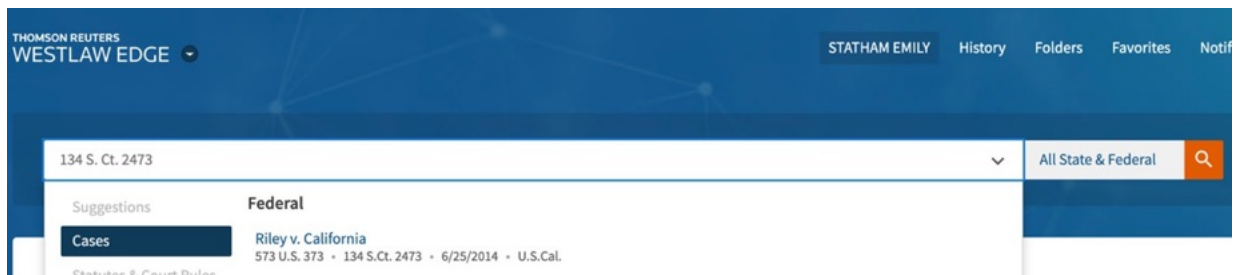
- **HeinOnline (PDF version)**
410 U.S. 113 (1973)
Roe et al. v. Wade, District Attorney of Dallas County
- **Fastcase**

- Once you have ensured that the case being displayed is the one that you're searching for, select the PDF icon that says "Download PDF of This Section" when you hover over it. When you select the PDF icon, the case will automatically download to your downloads folder. Please rename the download to ensure that it complies with MLR naming conventions.

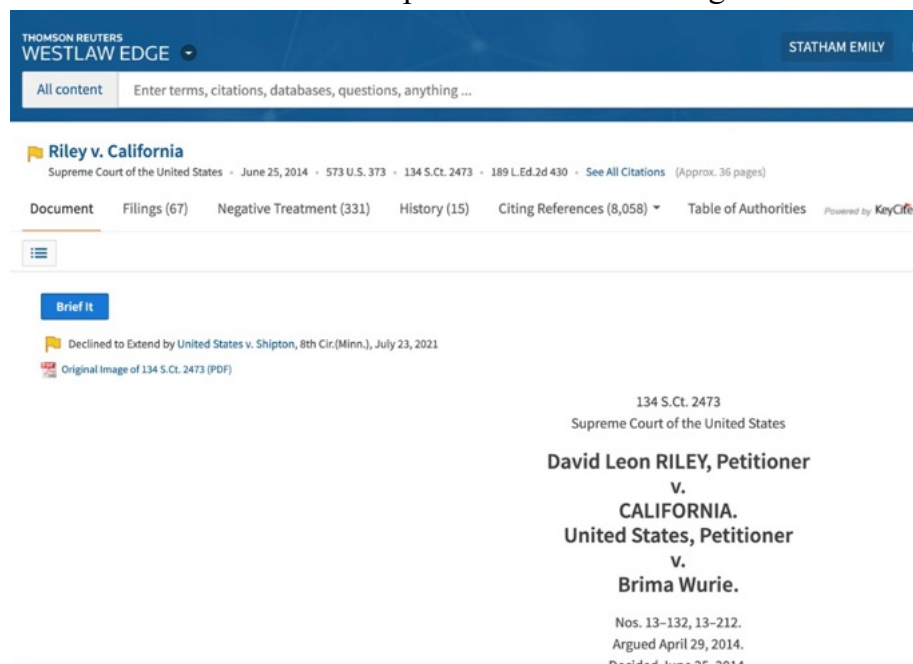


II. Westlaw

- Log into Westlaw.
- Type the citation into the search box at the top of the webpage. Ensure that you have selected "All State & Federal" as the relevant jurisdiction.
- When the appropriate case appears in the popup box below, click on it.



4. Select the PDF icon that says, “Original image of [citation] (PDF).” The icon appears in the upper left of the webpage. When you select the PDF icon, the case will automatically download to your downloads folder. Please rename the download to ensure that it complies with MLR naming conventions.



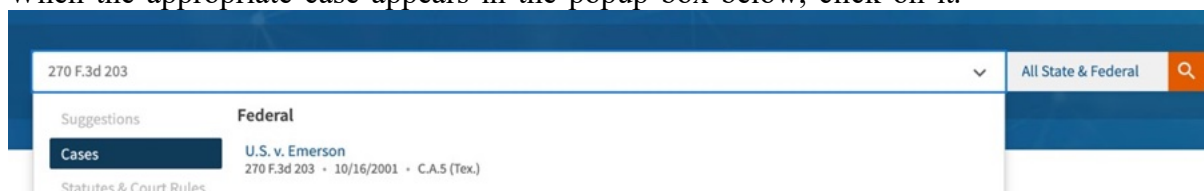
III. ILL

Sometimes, the PDF icon will not be available on Westlaw. When Westlaw does not give you the option to download the original reporter image, you must request the case through Interlibrary Loan (ILL). When requesting a scan of a case, put the title of the reporter in the “Book Title” field (e.g., Federal Reporter) and the citation in the “Chapter Title” field. Fill out the year of the case and any page number information (if known). Write the name of the MLR article you’re sourcegathering in the “Chapter Author” field in the format “for [MLR author name] article” (e.g., “for Jones article.”) Include the number of the ILL request in the “Problems and Details” column of the sourcelist.

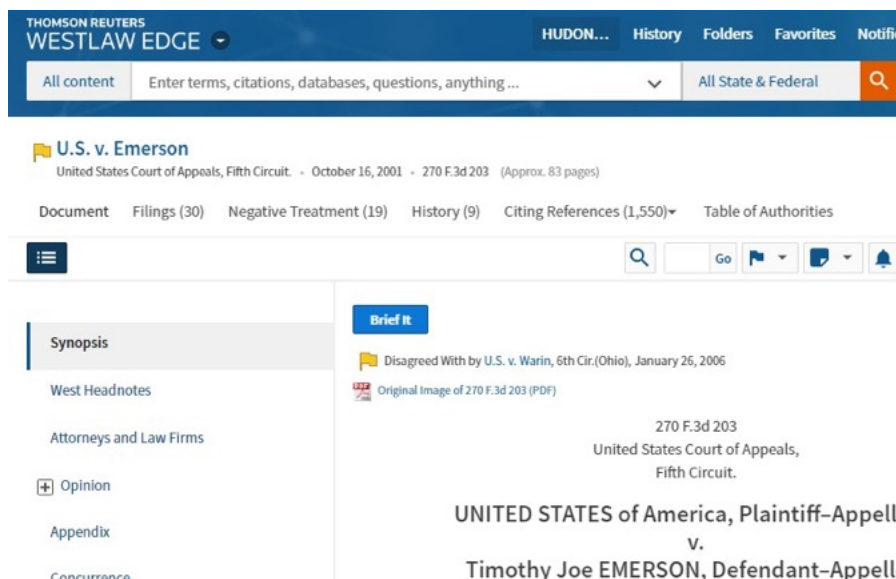
ii. Other Federal Court Decisions

I. Westlaw

1. Log into Westlaw.
2. Type the citation into the search box at the top of the webpage. Ensure that you have selected “All State & Federal” as the relevant jurisdiction.
3. When the appropriate case appears in the popup box below, click on it.



4. Select the PDF icon that says, “Original image of [citation] (PDF).” The icon appears in the upper left of the webpage. When you select the PDF icon, the case will automatically download to your downloads folder. Please rename the download to ensure that it complies with MLR naming conventions.



II. ILL

Sometimes, the PDF icon will not be available on Westlaw. When Westlaw does not give you the option to download the original reporter image, you must request the case through Interlibrary Loan (ILL). When requesting a scan of a case, put the title of the reporter in the “Book Title” field (e.g., *Federal Reporter*) and the citation in the “Chapter Title” field. Fill out the year of the case and any page number information

(if known). Write the name of the MLR article you're sourcegathering in the "Chapter Author" field in the format "for [MLR author name] article" (e.g., "for Jones article.") Include the number of the ILL request in the "Problems and Details" column of the sourcelist.

iii. State Court Decisions

I. Westlaw

1. Log into Westlaw.
2. Type the citation into the search box at the top of the webpage. Ensure that you have selected "All State & Federal" as the relevant jurisdiction.
3. When the appropriate case appears in the popup box below, click on it.



4. Select the PDF icon that says, "Original image of [citation]) PDF." The icon appears in the upper left of the webpage. When you select the PDF icon, the case will automatically download to your downloads folder. Please rename the download to ensure that it complies with MLR naming conventions.

THOMSON REUTERS
WESTLAW EDGE

STATAM EMILY

All content Enter terms, citations, databases, questions, anything ...

U.S. v. Emerson
United States Court of Appeals, Fifth Circuit. · October 16, 2001 · 270 F.3d 203 (Approx. 83 pages)

Document Filings (30) Negative Treatment (19) History (9) Citing References (1,550) Table of Authorities Powered by KeyCite

Brief It

Disagreed With by U.S. v. Warin, 6th Cir.(Ohio), January 26, 2006
Original image of 270 F.3d 203 (PDF)

270 F.3d 203
United States Court of Appeals,
Fifth Circuit.

**UNITED STATES of America, Plaintiff–Appellant,
v.
Timothy Joe EMERSON, Defendant–Appellee.**

II. ILL

Sometimes, the PDF icon will not be available on Westlaw. If Westlaw does not give you the option to download the original reporter image, you must request the case via Interlibrary Loan (ILL). When requesting a scan, put the title of the reporter in the “Book Title” field (e.g., *Federal Reporter*) and the citation in the “Chapter Title” field. Fill out the year of the case and any page number information (if known). Write the name of the MLR article you’re sourcegathering in the “Chapter Author” field in the format “for [MLR author name] article” (e.g., “for Jones article.”) Include the number of the ILL request in the “Problems and Details” column of the sourcelist.

iv. Unpublished Cases

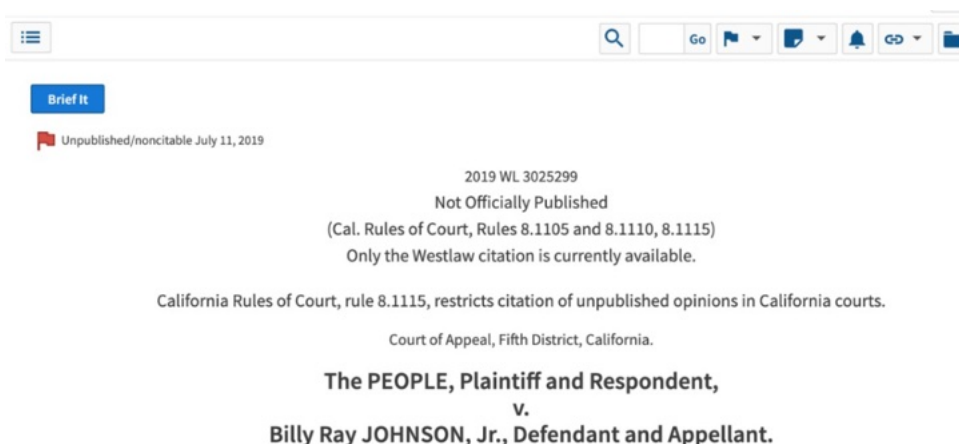
You may run across a case in the sourcelist whose reporter is either “WL” or “Lexis.” This denotes that the case has not been officially reported in a state or federal reporter.

I. Westlaw

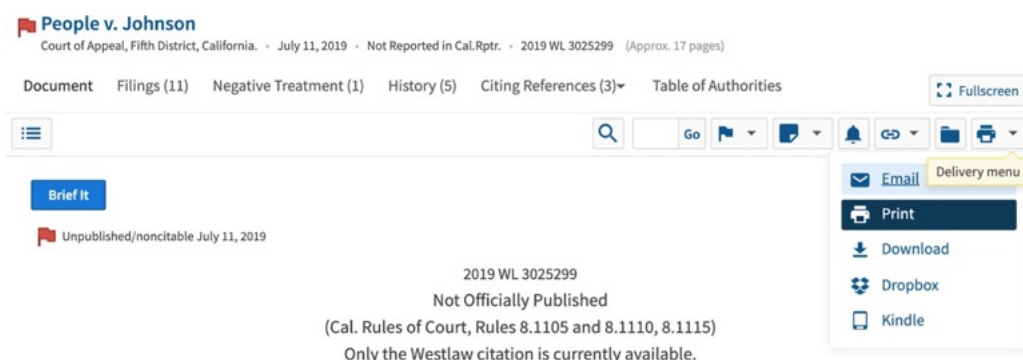
1. Log into Westlaw.
2. Type the citation into the search box at the top of the webpage. Ensure that you have selected “All State & Federal” as the relevant jurisdiction.
3. When the appropriate case appears in the popup box below, click on it.



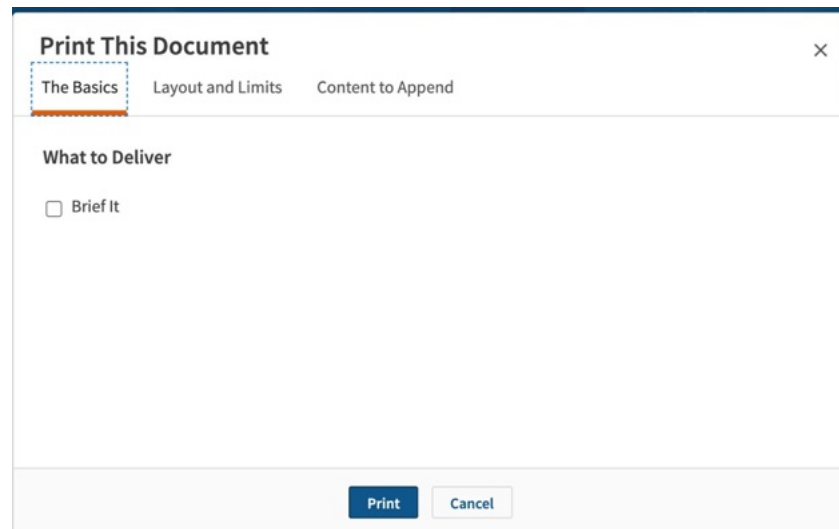
4. Ensure that the case has not been officially reported in a state or federal reporter. The case may only be cited to WL if it says “Not Officially Published” at the top of the case beneath the WL citation.



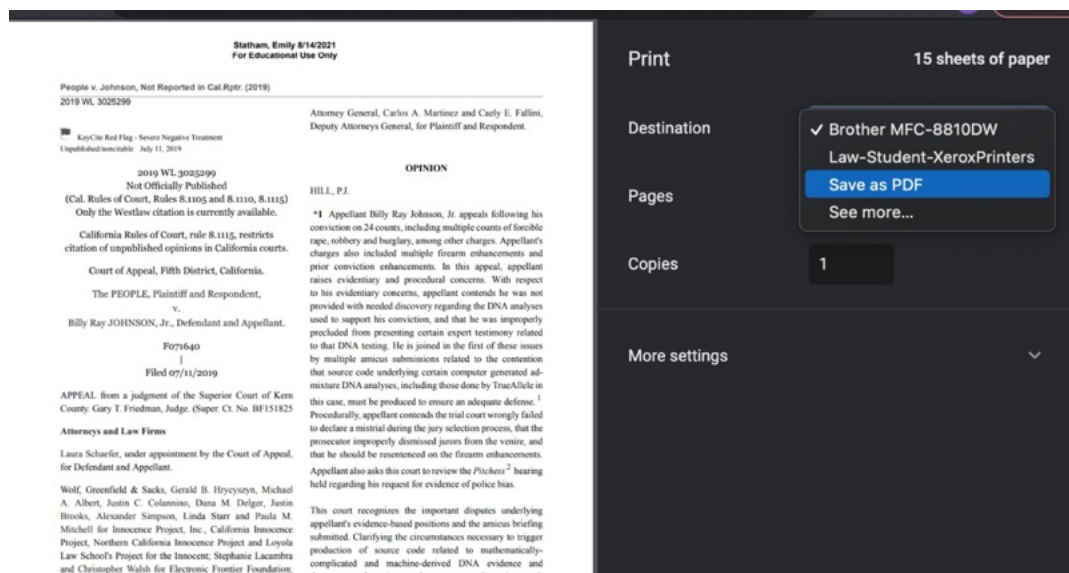
5. Select the printer icon in the upper righthand corner and select “Print” from the dropdown menu.



6. Select “print” again when a new box pops up on your screen.



7. When the popup window appears for you to select your printer, **do not actually print the case!** Instead, save the case as a PDF and name it according to MLR naming conventions.



vi. Amicus Briefs, Transcripts, Court Filings, and Slip Opinions

I. Westlaw

1. Log into Westlaw.
2. Identify the case in which the amicus brief was filed and type the citation into the search box at the top of the webpage. Ensure that you have selected “All State & Federal” as the relevant jurisdiction.

3. When the appropriate case appears in the popup box below, click on it.

Carpenter v. U.S.
 Supreme Court of the United States · June 22, 2018 · 138 S.Ct. 2206 · 201 L.Ed.2d 507 · 86 USLW 4491 · See All Citations (Approx. 97 pages)

Document Filings (50) Negative Treatment (135) History (19) Citing References (3,429) Table of Authorities

Fullscreen

Brief It

Declined to Extend by United States v. Shipton, 8th Cir.(Minn.), July 23, 2021
 Original Image of 138 S.Ct. 2206 (PDF)

138 S.Ct. 2206
 Supreme Court of the United States

Timothy Ivory CARPENTER, Petitioner
v.
United States.

4. Select “Filings” at the top of the screen. Westlaw will direct you to a page that displays all the briefs that were submitted.

Carpenter v. U.S.
 Supreme Court of the United States · June 22, 2018 · 138 S.Ct. 2206 · 201 L.Ed.2d 507 · 86 USLW 4491 · See All Citations (Approx. 67 pages)

Document Filings (50) Negative Treatment (135) History (19) Citing References (3,429) Table of Authorities

Filings (50) 1-20 > No items selected

| Content types | Search within results | | | | | | |
|------------------------------|-----------------------|--------------------------|---|---|------|---------------|-------|
| Appellate Court Documents 39 | | <input type="checkbox"/> | 3. Amicus Curiae Brief for National District Attorneys Association in Support of Respondent | — | U.S. | Oct. 02, 2017 | Brief |
| Trial Court Documents 7 | | | Carpenter v. United States of America 2017 WL 4417212 | | | | |
| | | <input type="checkbox"/> | 4. Brief of Amicus Curiae Michael Varco in Support of Respondent | — | U.S. | Sep. 29, 2017 | Brief |
| | | | Carpenter v. United States of America 2017 WL 4404091 | | | | |

5. Click on the proper brief and select the PDF icon. Name the PDF according to MLR naming conventions.

Amicus Curiae Brief for National District Attorneys Association in Support of Respon...
 2017 WL 4417212 · Carpenter v. United States of America · Supreme Court of the United States. (Approx. 32 pages)

Document Filings (49) Negative Treatment (135) History (19) Related Opinions/Dockets (3) Table of Authorities

Quick Check

Original Image of 2017 WL 4417212 (PDF)

2017 WL 4417212 (U.S.) (Appellate Brief)
 Supreme Court of the United States.

Timothy Ivory CARPENTER, Petitioner,
v.
UNITED STATES OF AMERICA, Respondent.

No. 16-402.

II. CourtLink (Lexis)

1. Input the docket number for the case, or search by case name and

Search for within

Save Courts as Template Court Information Court Availability

Keywords Docket Number

☐ Document Descriptions ONLY

Search for within

Save Courts as Template Court Information Court Availability

Keywords Docket Number

☐ Document Descriptions ONLY View formatting options

jurisdiction.

2. Click on the case in the search results to be taken to its docket.
3. Find the brief, filing, transcript, or court document you're looking for and download it by clicking "Free" next to the docket number.

| | | | | |
|--------------------------|----------------------|----|------------|---|
| <input type="checkbox"/> | Free | 30 | 03/25/2015 | ORDER granting 29 Notice of Voluntary Dismissal - The Clerk of the Court is respectfully directed to terminate Kings Park Manor, Inc. and Corrine Downing as Defendants. The Plaintiff is directed to file a separate document with an amended caption. So Ordered by Judge Arthur D. Spatt on 3/25/15. Party Kings Park Manor, Inc. terminated; Party Corrine Downing previously terminated, see DE 28 . (Coleman, Laurie) (Entered: 03/27/2015) |
| <input type="checkbox"/> | Free | 31 | 03/31/2015 | MOTION for Entry of Judgment under Rule 54(b) for Defendants KPM and Corinne Downing by Donahue Francis. (Attachments: # 1 Memorandum in Support , # 2 Exhibit Proposed Order , # 3 Exhibit Proposed Caption) (Smyth, Timothy) (Entered: 03/31/2015) |
| <input type="checkbox"/> | Free | 32 | 03/31/2015 | MOTION for Default Judgment as to Liability against Raymond Endres by Donahue Francis. (Attachments: # 1 Memorandum in Support , # 2 Exhibit Complaint , # 3 Exhibit Certificate of Default , # 4 Exhibit Proposed Order) (Smyth, Timothy) (Entered: 03/31/2015) |
| <input type="checkbox"/> | Free | 33 | 04/01/2015 | ORDER deferring ruling on 31 Motion for Entry of Judgment under Rule 54(b); granting in part and denying in part 32 Motion for Default Judgment; The Court hereby (1) reserves decision on the Plaintiffs motion pursuant to Fed. R. Civ. P. 54(b) until full briefing on that motion; (2) directs the Plaintiff to effectuate personal service of its Rule 54 motion on Downing and KPM and to file proof of such service on or before April 8, 2015; and (3) respectfully refers this matter to United States Magistrate Judge Gary R. Brown for a recommendation as to whether the motion for a default judgment against Endres as to liability only should be granted. The Clerk of the Court is to note the referral. So Ordered by Judge Arthur D. Spatt on 4/1/2015. Motion 32 |

c. Filling Out the Sourcelist and Uploading to Dropbox

All cases and court documents must be uploaded to Dropbox. Please name the document(s) according to the following naming conventions.

| Source Type | Naming Convention |
|--|--|
| U.S. Supreme Court decisions | [Reporter vol. no][Reporter abbreviation][First page of case] <i>442US375</i> (no spaces or punctuation) |
| Other federal court decisions (e.g., circuit courts, district courts, bankruptcy courts) | [Reporter vol. no][Reporter abbreviation][First page of case] <i>487F2d700</i> (no spaces or punctuation) |
| State court decisions | Same as above |
| Unpublished cases | [commercial database identifier] <i>2019WL3025299</i> (no spaces or punctuation)_ *note: this is the exact way that WL or Lexis names the case. You don't have to do anything fancy; you just have to use the identifier at the top of the case (omitting spaces and punctuation)! |
| Slip Opinions | [Court abbreviation][Case number] |
| Amicus Briefs | [commercial database identifier] Amicus Brief [Name of First Amicus] <i>2002WL481140 Amicus Brief Alabama</i> |
| Transcripts and court filings | [commercial database identifier] Or [Court abbreviation][Case number][Name of document] |

Constitutions

a. Where to Gather

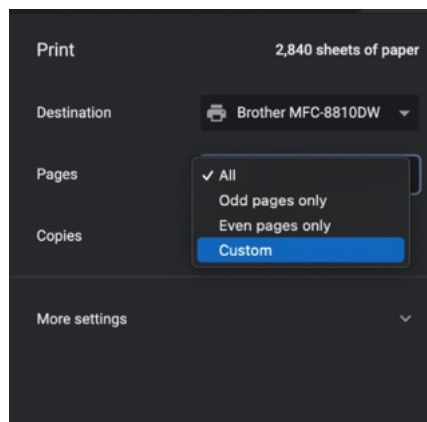
| Source Type | Resources (In Order of Preference) | Preferred Format |
|----------------------|---|------------------|
| Cases | | |
| U.S. Constitution | <ul style="list-style-type: none"> • GPO Website | Electronic |
| State constitution | <ul style="list-style-type: none"> • ILL | Electronic |
| Foreign constitution | <ul style="list-style-type: none"> • HeinOnline's World Constitutions Illustrated Database • Official country government website • ILL | Electronic |

b. How to Gather

i. U.S. Constitution

I. GPO Website

1. A PDF copy of the entire U.S. Constitution is available on the Government Publishing Office website. You can access it [here](#).
2. Select the printer icon and then select “custom” under page range. Be sure to include the first page (the title page) in your custom page range!



3. Under “Destination,” select “Save as PDF” from the drop-down menu and name the document according to MLR naming conventions.

ii. State Constitution

I. ILL

You should gather state constitutions through Interlibrary Loan (ILL). When requesting a state constitution, put the title of the state constitution in the “Book Title” field (e.g., *Arizona Constitution*) and put the cited provision(s) in the “Chapter Title” field (e.g., Amendments V-VIII). Write the name of the MLR article you’re sourcegathering in the “Chapter Author” field in the format “for [MLR author name] article” (e.g., “for Jones article.”) Include the number of the ILL request in the “Problems and Details” column of the sourcelist.

iii. Foreign Constitution

I. HeinOnline’s World Constitutions Illustrated Database

1. Log into HeinOnline’s [World Constitutions Illustrated Database](#).
2. Select the appropriate country from the provided list.

HEINONLINE

Search World Constitutions Illustrated...

Advanced Search | Search Help | Citation Navigator

Provided By: University of Michigan Law Library

Search All Database

Databases > World Constitutions Illustrated > LibGuide

Browse Constitutions by Country

All Titles

Books

Hearings

Bibliography

Scholarly Articles

Select a Country

Browse by Country

A

Afghanistan

Albania

Algeria

Andorra

Angola

Antigua and Barbuda

Argentina

Armenia

Australia

Austria

Azerbaijan

G

Gabon

Gambia

Georgia

Germany

Ghana

Greece

Grenada

Guatemala

Guinea

Guinea-Bissau

Guyana

P

Pakistan

Palau

Panama

Papua New Guinea

Paraguay

Peru

Philippines

Poland

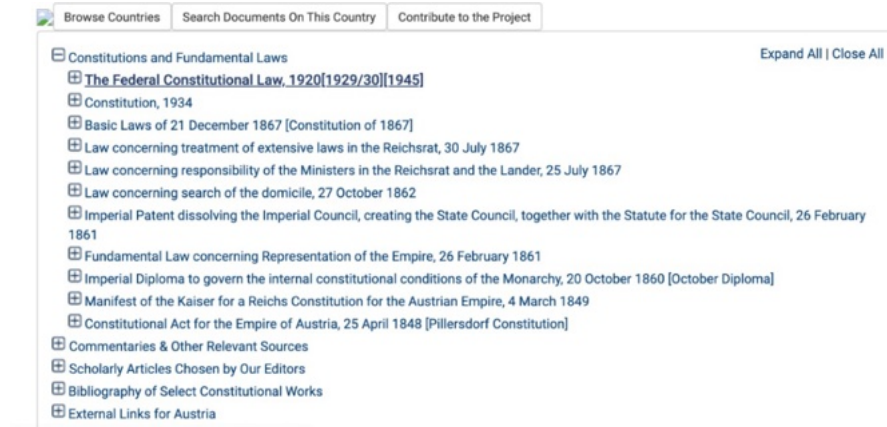
Portugal

Q

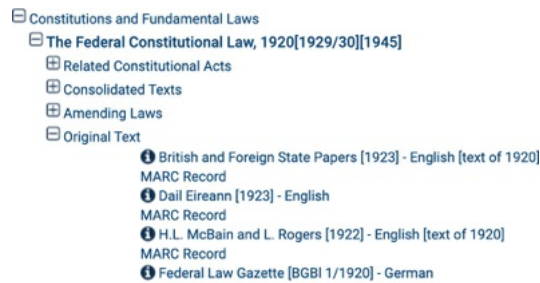
Qatar

Contribute to the Project

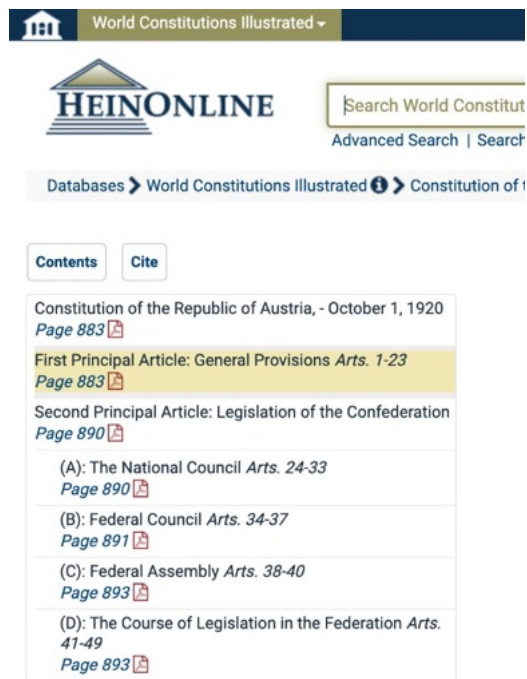
3. Navigate to the country’s constitution from the list of available documents.
The precise name of this document will vary country-to-country.



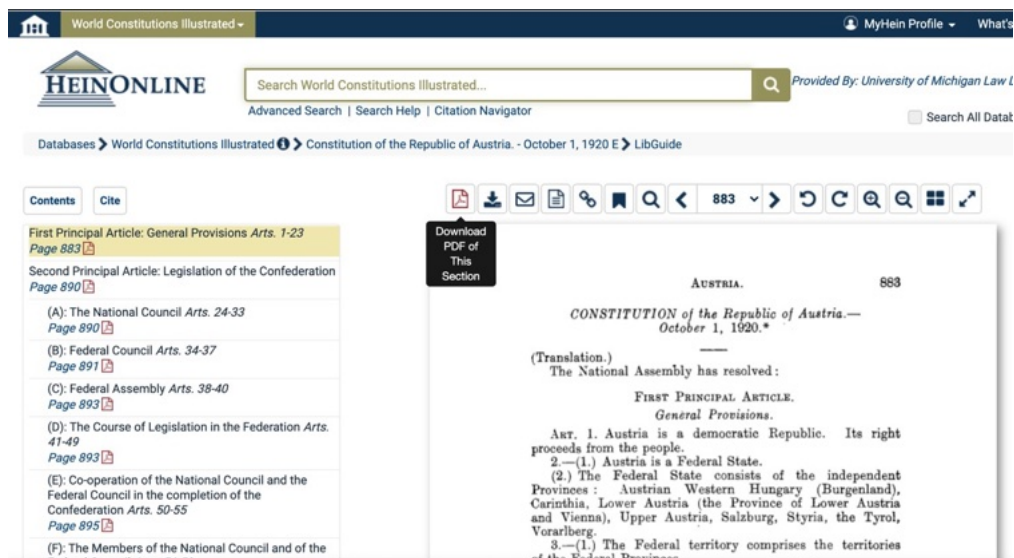
4. From the dropdown menu, select the English language version of the constitution's original text.



5. Select the proper chapter of the constitution from the left-hand menu.



6. Once you have selected the appropriate chapter, select the PDF icon at the top of the screen that says “Download PDF of This Section” when you hover over it. When you select the PDF icon, the case will automatically download to your downloads folder. Please rename the download to ensure that it complies with MLR naming conventions.



II. ILL

If the country’s constitution is not available in English through HeinOnline, you should gather it through Interlibrary Loan (ILL). When requesting a foreign constitution, put the title of the country’s constitution in the “Book Title” field (e.g., *Austria Constitution*) and put the cited provision(s) in the “Chapter Title” field (e.g., Amendments V-VIII). In the “Notes” field, write “please provide an English-language version of [country]’s official constitution. Thank you!” Write the name of the MLR article you’re sourcegathering in the “Chapter Author” field in the format “for [MLR author name] article” (e.g., “for Jones article.”) Include the number of the ILL request in the “Problems and Details” column of the sourcelist.

c. Filling Out the Sourcelist and Uploading to Dropbox

All constitutions must be uploaded to Dropbox. Please name the document(s) according to the following naming conventions.

| Source Type | Naming Convention | Additional Information |
|----------------------|--|---|
| U.S. Constitution | USConst[relevant provision, abbreviated] <i>USConstAmendV</i> <i>USConstArt1Sec8Cl17</i> | n/a |
| State Constitution | [State, abbreviated]Const[relevant provision, abbreviated] <i>ArizConstArt11Sec4</i> | Please note that you requested the constitution in the “Problems & Details” column of the sourcelist. |
| Foreign Constitution | [Country]Const[relevant provision, abbreviated] <i>AustriaConstArt1Sec2</i> | If you have to request from ILL, please note that in the “Problems & Details” column of the sourcelist. |

Statutes

a. Where to Gather

| Source Type | Resources (In Order of Preference) | Preferred Format |
|---|--|------------------|
| Official Codes | | |
| Federal Statutes | <ul style="list-style-type: none"> GPO U.S. Code collection HeinOnline’s US Code Database | Electronic |
| State Statutes | <ul style="list-style-type: none"> Official state government website Hard copy Westlaw + ILL | Electronic |
| Session Laws (uncodified statutes) | | |
| Federal Session Laws | <ul style="list-style-type: none"> GPO Public & Private Laws Database (104th Congress to present) HeinOnline’s Statutes at Large | Electronic |
| State Session Laws | <ul style="list-style-type: none"> HeinOnline’s State Session Laws Database | Electronic |

b. How to Gather

i. Federal Statutes

I. GPO U.S. Code Collection

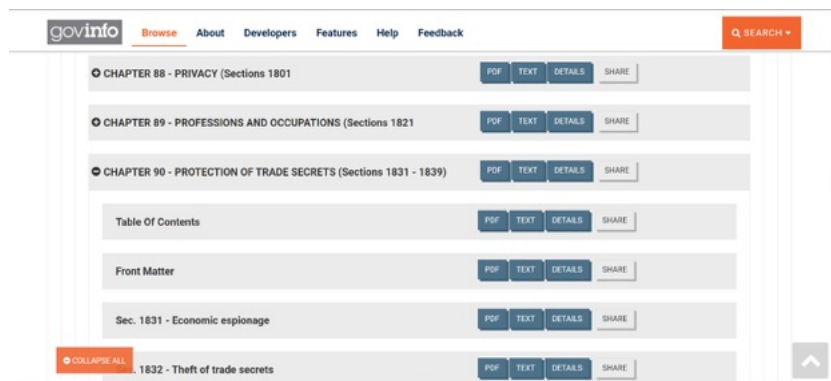
When you gather a provision of the US Code, you must gather 2 separate documents: (1) the title page for the cited statutory section and (2) the cited statutory section in its entirety (e.g., if the author cites 15 U.S.C. § 77k(a), gather the entirety of 15 U.S.C § 77k). section, if available in the most recent U.S. Code Supplement.

Here are step-by-step instructions for gathering 18 U.S.C. § 1833:

1. Visit GPO's [U.S. Code collection](#).
2. Because the author did not specify a year in parentheses in the sourcelist, gather the most recent version of 18 U.S.C. § 1833. Scroll down to “Browse the United States Code,” and expand the section for 2019.



3. Locate and expand the title the statute can be found in. Here, that would be Title 18. Then expand the Part and Chapter sections that contain § 1833.



4. Select the PDF icon next to the chapter that says “Front Matter.” When you select the PDF icon, the front matter will automatically download to your downloads folder. You will eventually combine this PDF with the other required documents, so make sure that it’s easy to locate on your computer!
5. Next, scroll to § 1833, and select the PDF icon to download the section.
6. Open all of the PDFs that you downloaded. You will always have 2 PDFs (the title page of the cited statutory section and the cited statutory section). You will not have to worry about a supplement, as the database updates each year.
7. Finally, combine the PDFs into a single PDF and name it according to MLR naming conventions.

II. HeinOnline’s US Code Database

When you gather a provision of the US Code, you must gather 4 separate documents: (1) the title page for the cited statutory section; (2) the cited statutory section in its entirety (e.g., if the author cites 15 U.S.C. § 77k(a), gather the entirety of 15 U.S.C § 77k); (3) the title page for the most recent U.S. Code supplement; and (4) the updated statutory section, if available in the most recent U.S. Code Supplement.








Here are step-by-step instructions for gathering 18 U.S.C. § 1833:

1. Log into HeinOnline’s [US Code Database](#).
2. Because the author did not specify a year in parentheses in the sourcelist, gather the most recent version of 18 U.S.C. § 1833. In the empty boxes at the top of the page, enter “18” in the title box and “1833” in the section box. Ensure that “2018” is the selected edition. Hit “Search.”








3. HeinOnline will automatically direct you to the chapter of the U.S. code that contains the proper section. Double-check that the proper chapter appears by looking at highlighted chapter on the left-hand navigation bar.

4. Select the PDF icon at the top of the screen that says “Download PDF of This Section” when you hover over it. When you select the PDF icon, the selected chapter will automatically download to your downloads folder. You will eventually combine this PDF with the other required documents, so make sure that it’s easy to locate on your computer!

5. On the left-hand navigation bar, select the appropriate title page for the cited statutory section (in the U.S. Code, this will be the title page for the Title in which the cited statutory section appears).

| |
|---|
| Crimes and Criminal Procedure Title 18 Page 749  |
| Sections 3 - 4 Page 759  |
| Sections 4 - 8 Page 760  |
| Sections 8 - 11 Page 761  |
| Sections 11 - 15 Page 762  |
| Sections 15 - 16 Page 763  |
| Sections 16 - 21 Page 764  |
| Sections 21 - 27 Page 765  |

6. Select the PDF icon at the top of the screen that says “Download PDF of This Section” when you hover over it. When you select the PDF icon, the selected chapter will automatically download to your downloads folder. You will eventually combine this PDF with the other required documents, so make sure that it’s easy to locate on your computer!
7. On the left-hand navigation bar, scroll up to the Title Page for the U.S. Code.

| |
|---|
| Title Page Page i  |
| Titles of United States Code Page iii  |
| Contents Page v  |
| Preface - 2018 Edition Page vii  |
| Editor's Note - 2018 Edition Page viii  |
| Table of Titles and Chapters Page ix  |
| Conservation Title 16 Page 1  |
| Sections 1901 - 2002 Page 3  |
| Sections 2002 - 2005 Page 4  |
| Sections 2005 - 2006 Page 5  |

8. Select the PDF icon at the top of the screen that says “Download PDF of This Section” when you hover over it. When you select the PDF icon, the selected chapter will automatically download to your downloads folder. You will eventually combine this PDF with the other required documents, so make sure that it’s easy to locate on your computer!
9. On the top of the screen, select “U.S. Code.” This will take you back to the landing page for HeinOnline’s U.S. Code database.
10. Select “2018 Edition.”

HEINONLINE

Search U.S. Code...

Advanced Search | Search Help

Databases > U.S. Code > LibGuide

All Titles United States Code Early Federal Codes & Compilations of Statutes

Title Section Edition

USC 2018 Search

Browse By

Editions | Titles

United States Code

Search this title Q Create eTOC Alert RSS

2018 Edition

2012 Edition

2006 Edition

2000 Edition

1994 Edition

1988 Edition

11. Scroll to the bottom of the page and select “Supplement I (2018).”

Supplement I (2018)

January 3, 2019 to January 25, 2020

12. On the left-hand navigation bar, select “Title Page.” Select the PDF icon at the top of the screen that says “Download PDF of This Section” when you hover over it. When you select the PDF icon, the selected chapter will automatically download to your downloads folder. You will eventually combine this PDF with the other required documents, so make sure that it’s easy to locate on your computer!

13. On the left-hand navigation bar, scroll down to the Title in which the cited statutory section appears. Look through the Title to see whether the cited statutory section appears. Note: often times, you will not see your cited statutory section in the 2018 Supplement. That’s perfectly fine! That just means that Congress has not amended the cited statutory section since 2018.

- a) If you do not see your cited statutory section, you don’t need to download anything else. **However, you must note in the “Problems & Details column of the sourcelist that the cited section does not appear in the 2018 supplement.** If you fail to do this, the ME for Production will email you asking whether you remembered to check

the 2018 supplement!

- b) If you do see your cited statutory section, select the PDF icon at the top of the screen that says “Download PDF of This Section” when you hover over it.

14. Open all of the PDFs that you downloaded. You will always have at least 3 PDFs (the title page of the cited statutory section, the cited statutory section, and the title page of the 2018 Supplement). You will only have a 3rd PDF if your cited statutory section appears in the 2018 Supplement!

15. Combine the PDFs into a single PDF and name it according to MLR naming conventions.

ii. State Statutes

I. Official State Government Website

1. Open [this google doc](#) and determine whether your state’s government website contains official government versions of state statutes.
2. If your state’s government website is official, click on the URL provided in the google doc. The URL will take you to the government website *or* directly to Lexis or Westlaw.
 - a) *If the URL takes you to the government website*, navigate to the cited section. Copy-paste the URL into the sourcelist.
 - b) *If the URL takes you directly to Lexis or Westlaw*, print the cited section to PDF and name it according to MLR naming conventions. You should also paste the Lexis or Westlaw URL into the Sourcelist. **You must take both of these steps**; do not merely copy-paste the Lexis or Westlaw URL into the Sourcelist without uploading the print-to-PDF version of the statute!

II. Hard Copy

1. If [the google doc](#) reveals that your state’s government website does not contain official state statutes, you must gather the statute in hard copy from the MLaw Library, scan the appropriate pages, and upload them to Dropbox.
2. Locate the cited codified state statute in Sub-2 of the library.
3. Scan the following 4 items:

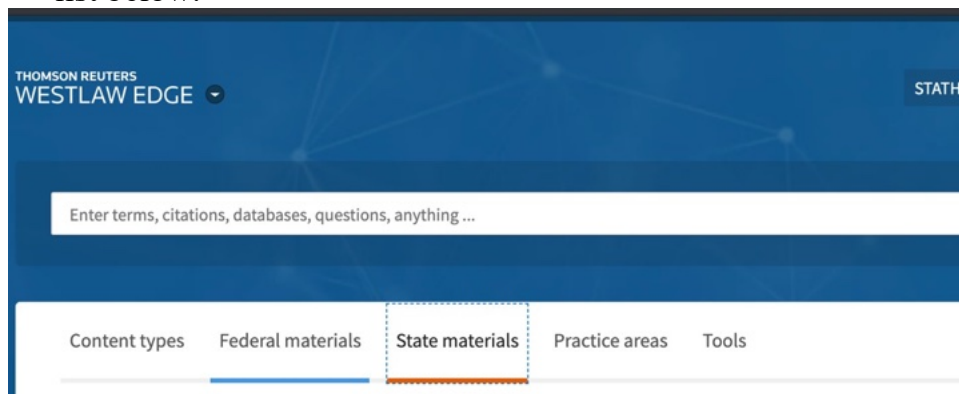
- a) The spine or title page of the main bound volume: this shows the year the original statute was codified.
- b) The cited statutory section in the main bound volume
- c) The spine or title page of the cumulative pocket supplement: the pocket supplement will appear in a sleeve inside either the front or back cover of the volume. The spine or title page of the pocket supplement shows the year of any amendments to the original statute.
- d) The cited statutory section in the cumulative pocket supplement:
 - i. If there have been no updates to the cited state statute, you do not have to scan anything else. **However, you must note in the “Problems & Details column of the sourcelist that the cited section does not appear in the cumulative pocket part.** If you fail to do this, the ME for Production will email you asking whether you remembered to check the pocket part!
 - ii. If there have been updates to the cited state statute, scan the relevant pages of the pocket part.

4. Name the scan according to MLR naming conventions.

III. Westlaw + ILL

If you are unable to locate the statute on an official website *and* you are unable to locate the statute in hard copy, you must gather the statute from Westlaw and submit an ILL request.

1. Log into Westlaw.
2. Select “State materials” on the homepage and select the proper state from the list below.



- Under the “Statutes & Court Rules” heading, select “[State] Statutes & Court Rules.”

☐ **Statutes & Court Rules**

Arizona Statutes & Court Rules

Arizona Rules of Civil Procedure

Local Rules of Practice Superior Court

United States Code Annotated (USCA)

Arizona Federal Court Rules

- Put that 1L Legal Research knowledge to use and navigate to the cited statute.
- Copy the URL and paste it in the Sourcelist.
- Submit an ILL request for the cited statute. In the “Book Title” field, write the name of the statute. In the “Chapter Title” field, write the cited provision(s). Be sure to include the year! In the “Notes” field, write “please scan the relevant section(s) of the most recent pocket part. Thank you!”
- In the “Problems & Details” column of the sourcelist, indicate that you provided the URL to the unofficial statute and that you have requested the official version via ILL, along with the ILL request number.

iii. Federal Session Laws

I. GPO [Public & Private Laws Database](#) (session laws from 104th Congress to present)

- Open the GPO Public & Private Laws Database.
- Scroll until you find the appropriate legislative session. Once you find the proper session of Congress, click the plus sign.
- Click the plus sign next to the numerical range in which the cited public or private law appears.
- Once you locate the cited session law, click “PDF” on the right-hand side.

Browse Public and Private Laws

117th Congress (2021 - 2022)

116th Congress (2019 - 2020)

Public Law (Pub. L.)

Public Law 116-102 - Building Blocks of STEM Act

PDF

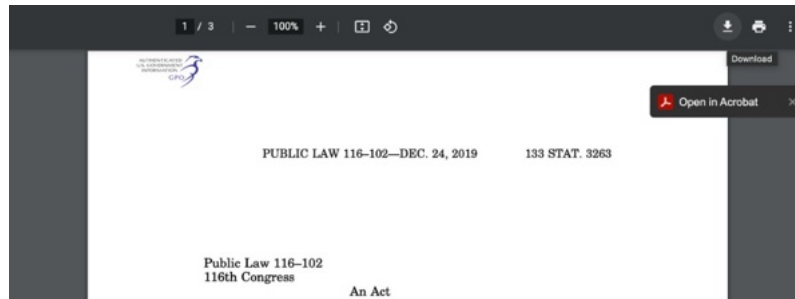
TEXT

USLM

DETAILS

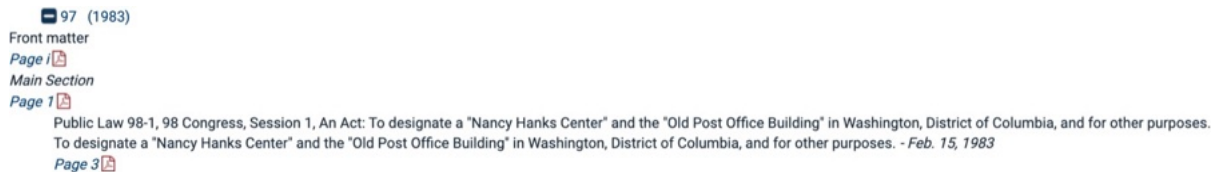
SHARE

5. Click the download arrow in the upper righthand corner. Ensure that the document is named according to MLR naming conventions.



II. HeinOnline's [Statutes at Large](#) (for session laws pre-104th Congress)

1. Open HeinOnline's Statutes at Large.
2. Scroll until you find the Volume whose year matches the year of the cited session law. Click the plus sign.



3. When you locate the cited session law, click the PDF icon that says “Download PDF of This Section” when you hover over it. Name the session law according to the MLR naming conventions.

iv. State Session Laws

I. HeinOnline's [State Session Law Database](#)

1. Open HeinOnline's State Session Law Database.

2. Scroll until you locate the proper state.

Session Laws Library

HEINONLINE

Search Session Laws Library...

Advanced Search | Search Help

Provided By: University of Michigan Law Lib

Databases > Session Laws Library > LibGuide

All Titles State Session Laws State Statutes Federal Laws Other Related Works

Session Laws Quick Locator

By Chapter Yr. Chapter/Act

State Search

By Page Yr. Page

State Search

Alabama 1818-2017; Including the Territory of Alabama (1818-1819)

Alaska 1913-2020; Including the Territory of Alaska (1913-1959)

Arizona 1864-2019; Including the Territory of Arizona (1864-1912)

3. Click on the state and navigate until you find the proper legislative session.
Click the plus sign. Navigate the pages until you find the cited session law.
Sometimes an author is really on top of their game and they provide you with the page on which the session law appears. Other times, you'll have to have a little treasure hunt and click on pages until you find the cited session law.
(Hint: if the statute has been codified, you'll find the chapter number in the historical note on Westlaw/Lexis.)

2012 vol. 1 (50th Legislature, Second Regular Session pp. 1-1370)

Title Page

Page I

Table of Contents

Page III

Arizona Elected State Officials

Page V

Fiftieth Legislature of Arizona

Page VII

Comment

Page XI

Order of Acts

Page XIII

Laws 2012

Page XXV

4. When you locate the cited session law, click the PDF icon that says “Download PDF of This Section” when you hover over it. Name the session law according to the MLR naming conventions.

c. Filling Out the Sourcelist and Uploading to Dropbox

| Source Type | Naming Convention | Additional Information |
|----------------------|---|--|
| Statutes | | |
| Federal Statutes | [Statute or Code Provision] <i>15USC1681</i> (no spaces or punctuation) | |
| State Statutes | [Statute Provision] <i>18ArizCrimCode26</i> (no spaces or punctuation) | If you can’t locate the statute on the official state website, indicate in the “Problems & Details” column of the sourcelist that you provided the URL to the unofficial statute and that you have requested the official version via ILL. |
| Session Laws | | |
| Federal Session Laws | [Congressional Session][PubL or PrivL][Session Law Number] <i>104thCongPubL98-1</i> <i>82ndCongPrivL102-6</i> | |
| State Session Laws | [Session laws citation (see BB T1.3/1.4)] <i>1994FlaLaws3296</i> | |

Legislative Materials

a. Where to Gather

| Source Type | Resources (In Order of Preference) | Preferred Format |
|-------------|------------------------------------|------------------|
|-------------|------------------------------------|------------------|

| Federal Legislative Materials | | |
|--|---|------------|
| Bills and Resolutions Hearings Reports, Documents, and Committee Prints Debates | <ul style="list-style-type: none"> • govinfo • HeinOnline | Electronic |

b. How to Gather

i. Federal Legislative Materials

1. Recent materials are available via [govinfo's citation search](#). Select the type of material you are gathering from the dropdown menu (e.g., “Congressional Bills”) and input the citation into the relevant fields:

The screenshot shows a search interface with the following elements:

- Dropdown 1: Congressional Bills (e.g. 110 H.R. 1234 Enrolled)
- Dropdown 2: 107th Congress (2001 - 2002)
- Dropdown 3: House Bill (H.R.)
- Text Input: 3162
- Dropdown 4: Select Version
- Button: SEARCH

2. Recent materials are also available at [congress.gov](#). Click on “Advanced” at the top of the page, and then you can either browse bills by number by selecting “Browse Legislation” or you can sort legislation by various categories, including “Legislation Types” and “Actions/Status.”

3. Older materials should be gathered through HeinOnline’s “U.S. Congressional Documents” database. Documents and reports can also be found at the “U.S. Congressional Serial Set” database also available through HeinOnline.

Databases > U.S. Congressional Documents > LibGuide

| | | | | |
|------------------------|-----------------------------|--------------------|---------------------------------|-------------------------|
| Congressional Record | Congressional Budget Office | Rules & Precedents | Other Works Related to Congress | Congressional Directory |
| Congressional Hearings | CRS Reports | Committee Prints | U.S. Congressional Serial Set | Additional Resources |

Congressional Record Daily to Bound Locator

| | |
|--|--|
| Annals of the Congress of the United States | 1st Congress to 18th Congress, 1st Session (1789-1824) All Published |
| Register of Debates in Congress | Vols. 1-14 (1824-1837) All Published |
| Congressional Globe | Vols. 1-46 pt. 3 (1833-1873) All Published |
|  Congressional Record | Vols. 1-161 pt. 13 (1873-2015) (43rd Congress, Special Session to 114th Congress, 1st Session) |
|  Updated Daily Congressional Record Daily | Vols. 126-167 (1980-2021) |
| Bills and Debates in Congress Relating to Trusts | 3v. Washington: U.S. Govt. Print. Off., 1903-1914 |
| Journals of the Continental Congress | Vols. 1-34 (1774-1789) All Published |

4. Gather the bound edition of the Congressional Record whenever possible. The latest bound edition of the Congressional Record was published in 2015. Citations to Congressional Record after 2015 should be cited to the daily edition. In all cases, gather the Congressional Record from HeinOnline, not the GPO.
5. If you can’t find a congressional hearing on HeinOnline, use ProQuest Congressional, a UM Law Library e-resource.

ii. State Legislative Materials

There’s no hard-and-fast rule for these. The first place to start is always with the state legislature’s website.

c. Filling Out the Sourcelist and Uploading to Dropbox

| Source Type | Naming Convention | Additional Information |
|------------------------------|---|------------------------|
| Legislative Materials | | |
| Bills and Resolutions | [legislative body][resolution designation, if applicable][bill number] <i>S557</i> <i>HRJRes1</i> | |

| | | |
|---|---|--|
| Hearings | [bill number]Hearing Or [number or year of legislative body]Hearing <i>115thCongHearing</i> <i>S2312Hearing</i> | *Use the first form when the hearing relates to a specific bill. |
| Reports, Documents, and Committee Prints | [legislative body][document type]No[number of legislative body]-[number of report] <i>HRRepNo101-644</i> | |
| Debates | [Volume number][reporter name][page number] <i>11AnnalsofCong75</i> | |

Executive Materials


a. Where to Gather

| Source Type | Resources (In Order of Preference) | Preferred Format |
|---------------------------------|---|------------------|
| Administrative Materials | | |
| Code of Federal Regulations | • eCFR | Electronic |
| Federal Register | • Federal Register website | Electronic |
| Other Administrative Materials | • Agency website | Electronic |
| Executive Materials | | |
| Executive Orders | • govinfo • HeinOnline • Federal Register | Electronic |
| Other Presidential Materials | • govinfo • HeinOnline | Electronic |

b. How to Gather

i. Code of Federal Regulations (CFR)

1. The easiest way to find recent sections in the CFR (other than Title 3—see Executive Orders, below) is through the CFR website. Type in the citation into the search box, or browse to the relevant provision.

| Go to CFR Reference <input type="text" value="ex: 1 CFR 1.1"/> <input type="button" value="Go"/> | | |
|--|--------------|------------------------------|
|  Titles | Last Updated | Recent Changes |
| Title 1 :: General Provisions | May 02, 2018 | |
| Title 2 :: Grants and Agreements | Jun 02, 2021 | view changes |
| Title 3 :: The President | Mar 17, 2015 | |
| Title 4 :: Accounts | May 01, 2018 | |
| Title 5 :: Administrative Personnel | Jul 13, 2021 | view changes |
| Title 6 :: Domestic Security | Aug 04, 2021 | view changes |
| Title 7 :: Agriculture | Aug 12, 2021 | view changes |
| Title 8 :: Aliens and Nationality | May 25, 2021 | view changes |
| Title 9 :: Animals and Animal Products | Jul 15, 2021 | view changes |
| Title 10 :: Energy | Aug 12, 2021 | view changes |
| Title 11 :: Federal Elections | Jan 11, 2021 | |
| Title 12 :: Banks and Banking | Aug 05, 2021 | view changes |
| Title 13 :: Business Credit and Assistance | Jul 29, 2021 | view changes |

2. When you've found the provision you're looking for, click on "Published Edition" in the sidebar. Download the relevant PDF from govinfo.

ECFR CONTENT

Table of Contents

Timeline

Go to Date

Compare Dates

Subscribe

Share

Published Edition

Display Options

Print

Developer Tools

§ 7.20 Classification and declassification authority.

(a) Top Secret original classification authority may only be exercised by the Secretary and by officials with a demonstrable and continuing need to exercise such authority and to whom such authority is delegated in writing by the Secretary. The Chief Security Officer, as the Senior Agency Official, is delegated authority to originally classify information up to and including Top Secret. No official who is delegated Top Secret original classification authority by the Secretary may further delegate such authority.

(b) The Chief Security Officer may delegate Secret and Confidential original classification authority to other officials with a demonstrable and continuing need to exercise such authority. No official who is delegated original classification authority by the Secretary or the Chief Security Officer may further delegate such authority.

(c) Persons who are delegated original classification authority shall attend mandatory classification training within 60 days of the delegation, and annually thereafter. Persons who fail to attend mandatory training shall have such authority suspended until such time as the training occurs.

(4) Except for suspensions of the Inspector General's classification authority, the Chief Security Officer shall ensure that all persons who are delegated original classification authority under this section receive the necessary training within the required time frame.

ENHANCED CONTENT - PUBLISHED EDITION

View the most recent official publication:

View Title 6 on govinfo.gov

View Title 6 Section 7.20 PDF

These links go to the official, published CFR, which is updated annually. As a result, it may not include the most recent changes applied to the CFR. You can learn more about the process [here](#).

3. If the provision isn't available, find it on HeinOnline's "Code of Federal Regulations" database. There are multiple options for finding the exact material you're looking for.

Browse By:

Years Titles Bindings Indexes and Finding Aids Code of Federal Regulations - List of Sections Affected

Code of Federal Regulations - Compilation of Sections Affected

Title/Part/Section Quick Locator:

Year: 2020

Title: 6 Domestic Security Go To Title

Part: 7 Classified national security information Go To Part

Section: Find Section

The CFR Citations Affected Locator is available for Federal Register issues published from 2015 to date. Your citation does not appear to be affected in the Federal Register during this time frame.

CFR Citation Locator:

| Revision Year | Title | Part | Section | |
|---------------|-------|------|---------|---------------|
| 2020 | 6 CFR | 7 | 2d | Find Citation |

ii. Federal Register

1. If the document was published in the Federal Register after 1994, navigate to the Federal Register's website and type the citation of the document you're looking for in the search bar (note the use of the abbreviation "FR" instead of "Fed. Reg.").

Search Federal Register Documents Since 1994

Find 85 FR 75112 20 documents

2. Click on the "Official Content" button in the sidebar and download the PDF.

PUBLISHED DOCUMENT

Start Printed Page 75112

AGENCY:
Commodity Futures Trading Commission and Securities and Exchange Commission.

ACTION:
Joint final rule.

SUMMARY:
The Commodity Futures Trading Commission ("CFTC") and the Securities and Exchange Commission ("SEC") (collectively, the "Commissions") are adopting

OFFICIAL CONTENT
View printed version (PDF)

DATES:
This rule is effective December 24, 2020.

FOR FURTHER INFORMATION CONTACT:

DOCUMENT DETAILS

Printed version:
PDF

Publication Date:
11/24/2020

Agencies:
Commodity Futures Trading Commission
Securities and Exchange Commission

Dates:
This rule is effective December 24, 2020.

Effective Date:
12/24/2020

Document Type:
Rule

Document Citation:
85 FR 75112

Page:
75112-75147 (36 pages)

CFR:
17 CFR 41
17 CFR 242

iii. Other Administrative Materials

The *Bluebook* requires that some administrative agency materials be cited to an agency's official reporter or compilation. For example, FTC decisions must be cited to the *Federal Trade Commission Decisions* compilation. Make sure you check T1.3 before gathering the source from an agency's website. Agency materials can be found in HeinOnline's "U.S. Federal Agency Documents, Decisions, and Appeals" database.

Documents, Decisions, and Appeals > Federal Trade Commission Decisions

Federal Trade Commission Decisions

Vols. 1-166 (1915-2018)

Federal Trade Commission

Search this title

- 166 (2018)
- 165 (2018)
- 164 (2017)
- 163 (2017)
- 162 (2016)
- 161 (2016)
- 160 (2015)
- 159 (2010)
- 158 (2014)

iv. Executive Orders and Proclamations

1. These should always be gathered from Title 3 of the CFR whenever possible. Go to HeinOnline's "U.S. Presidential Library" database and click on "Code of Federal Regulations – Title 3."

HEINONLINE Search U.S. Presidential Library... Provided By: University of Michigan Law Library

[Advanced Search](#) | [Search Help](#) | [Citation Navigator](#) ☐ [Search All Databases](#)

Databases > U.S. Presidential Library > Code of Federal Regulations - Title 3 > LibGuide

| | | | | | |
|-------------|--|---------------------|---------------|-------------------|---|
| All Titles | Compilation of Presidential Documents | Messages and Papers | Public Papers | Electoral College | E |
| Impeachment | Code of Federal Regulations - Title 3 | Other Related Works | Hearings | Additi | |

| | |
|---|---|
| Code of Federal Regulations: Title 3 | Washington: U.S. Government Printing Office, 1936-current |
| Code of Federal Regulations: Title 3 - The President: 1936-1938 Compilation | 1v. Washington: U.S. Govt. Printing Off., 1968 |
| Code of Federal Regulations: Title 3 - The President: 1938-1943 Compilation | 1v. Washington: U.S. Govt. Printing Off., 1968 |

2. Select the volume corresponding to the year the order or proclamation was issued. If the document isn't contained in one of the compilations, click on the first item in the picture above. (Note that the year listed compiles presidential materials from the previous year, e.g., the 2011 edition contains materials from 2010.)

Contents **Cite**

- Proclamations *Presidential Documents* Page 1
- Executive Orders *Presidential Documents* Page 187**
- Other Presidential Documents *Presidential Documents* Page 297
- Standards of Conduct Part 100 Page 396
- Public Information Provisions of the Administrative Procedure Act Part 101 Page 396
- Enforcement of Nondiscrimination on the basis of Handicap in Programs or Activities Conducted by the Executive office of the President Part 102 Page 396

Executive Orders **EO 13546**

against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person."

BARACK OBAMA

The White House,
June 22, 2010.

Executive Order 13546 of July 2, 2010

Optimizing the Security of Biological Select Agents and Toxins in the United States

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. It is the policy of the United States that:

(a) A robust and productive scientific enterprise that utilizes biological select agents and toxins (BSAT) is essential to national security;

(b) BSAT shall be secured in a manner appropriate to their risk of misuse, theft, loss, and accidental release; and

3. Search for the order or proclamation by number if known or browse if not

The screenshot shows the National Archives search interface. At the top, there are tabs for "Documents" and "Public Inspection" with a count of "0". Below this is a search bar with the text "Find EO 14018" and a magnifying glass icon. To the right of the search bar, it says "0 documents". Below the search bar are two links: "Show Advanced Search" and "Learn More".

Below the search bar, there is a message: "It looks like you were searching for the citation **EO 14018** ."

Below that, it says: "We've found the following document on page 11855 of volume 86."

The document title is "Revocation of Certain Presidential Actions".

Below the title, it says: "A Presidential Document by the [Executive Office of the President](#) on 03/01/2021
Pages 11855-11856 (2 pages)"

known.

4. If not yet published in the CFR, gather the document from the [Federal Register website](#). Search by number (e.g., "EO 14018") or Federal Register cite (e.g., "86 FR 11855").

The screenshot shows the National Archives website. On the left is a sidebar with the National Archives logo and a list of categories: "Agencies", "Topics (CFR Indexing Terms)", "Dates", "Public Inspection", and "Presidential Documents" (highlighted with three stars). Below these is a search bar with the text "Search Federal Register" and "Find".

The main content area is titled "EXECUTIVE ORDERS" with a "view" link. Below the title, it says: "The President of the United States manages the operations of the Executive branch of Government through Executive orders."

Below this, there are two entries:

- Executive Order 14038**
[Blocking Property of Additional Persons Contributing to the Situation in Belarus](#)
Wednesday, August 11, 2021
- Executive Order 14037**
[Strengthening American Leadership in Clean Cars and Trucks](#)
Tuesday, August 10, 2021

Below the entries, there is a section titled "PROCLAMATIONS" with a "view" link. Below the title, it says: "The President of the United States communicates information on holidays, commemorations, special observances, trade, and policy through Proclamations."

Below this, there is a section titled "OTHER PRESIDENTIAL DOCUMENTS" with a "view" link. Below the title, it says: "The President of the United States issues other types of documents, including but not limited to; memoranda, notices, determinations, letters, messages, and orders."

5. Alternatively, hover over "Browse" in the top menu, select "Presidential Documents," select the type of document, and click on the year it was issued.

v. Other Presidential Materials

1. Gather other presidential documents from the Public Papers of the Presidents database on govinfo. This contains documents from the Hoover administration through the last year of the Obama administration (excepting those from FDR's presidency).
2. More recent documents can be found in the Compilation of Presidential Documents database available on govinfo.

| | |
|---|--|
| Joseph R. Biden Jr. | |
| Joseph R. Biden Jr. issued 54 executive orders between 2021 and 2021. | |
| 2021 | EO 13985 - EO 14038 54 |
| Donald Trump | |
| Donald Trump issued 219 executive orders between 2017 and 2021. | |
| 2021 | EO 13971 - EO 13984 14 |
| 2020 | EO 13902 - EO 13970 69 |
| 2019 | EO 13857 - EO 13901 44 |
| 2018 | EO 13820 - EO 13856 37 |
| 2017 | EO 13765 - EO 13819 55 |
| Barack Obama | |
| Barack Obama issued 276 executive orders between 2009 and 2017. | |
| 2017 | EO 13758 - EO 13764 7 |
| 2016 | EO 13716 - EO 13757 42 |
| 2015 | EO 13687 - EO 13715 29 |
| 2014 | EO 13656 - EO 13686 31 |
| 2013 | EO 13636 - EO 13655 20 |
| 2012 | EO 13597 - EO 13635 39 |

| | | |
|-----------|--|--|
| EO 14019: | Promoting Access to Voting | PDF 5 pages Permalink |
| | Signed: 03/07/2021 Published: 03/10/2021 FR Citation: 86 FR 13623 FR Doc. Number: 2021-05087 | |
| | Partially supersedes: EO 12926 , September 12, 1994 | |
| EO 14018: | Revocation of Certain Presidential Actions | PDF 2 pages Permalink |
| | Signed: 02/24/2021 Published: 03/01/2021 FR Citation: 86 FR 11855 FR Doc. Number: 2021-04281 | |
| | Revokes: EO 13772 , February 3, 2017; EO 13828 , April 10, 2018; Memorandum of January 29, 2020; EO 13924 , May 19, 2020; Memorandum of September 2, 2020; EO 13967 , December 18, 2020; EO 13979 , January 18, 2021 | |

c. Filling Out the Sourcelist and Uploading to Dropbox

| Source Type | Naming Convention | Additional Information |
|---------------------------------|--|------------------------|
| Administrative Materials | | |
| Code of Federal Regulations | [title number]CFR[smallest subdivision] <i>6CFRPart7</i> <i>6CFR7.20</i> | |
| Federal Register | [volume number]FedReg[page number] <i>85FedReg75112</i> | |

| | | |
|--------------------------------|--|-----------------------------------|
| Other Administrative Materials | N/A | Name by analogy to other sources. |
| Executive Materials | | |
| Executive Orders | 3CFR[page number] Or [volume number]FedReg[page number] <i>3CFR86</i> | |
| Other Presidential Materials | [Year]PubPapers[page number] Or [year][Weekly/Daily]CompPresDocs[page number] <i>2021DailyCompPresDocs1</i> | |

Nonperiodic Materials

a. *Where to Gather*

| Source Type | Resources (In Order of Preference) | Preferred Format |
|------------------------|--|------------------|
| Books & Treatises | <ul style="list-style-type: none"> Online <ul style="list-style-type: none"> WorldCat UM Library Amazon/ Google Hard Copy ILL | Electronic |
| Reports | <ul style="list-style-type: none"> Online | Electronic |
| Restatements | <ul style="list-style-type: none"> HeinOnline's ALI Database | Electronic |
| Model Penal Code | <ul style="list-style-type: none"> Commonly Used Sources Folder on DropBox | Electronic |
| The Federalist Papers | <ul style="list-style-type: none"> Commonly Used Sources Folder on DropBox | Electronic |
| Black's Law Dictionary | <ul style="list-style-type: none"> Westlaw | Electronic |

| | | |
|--------------------|---|------------|
| Other Dictionaries | <ul style="list-style-type: none"> • Online <ul style="list-style-type: none"> ◦ WorldCat ◦ UM Library ◦ Amazon/ Google • ILL | Electronic |
|--------------------|---|------------|

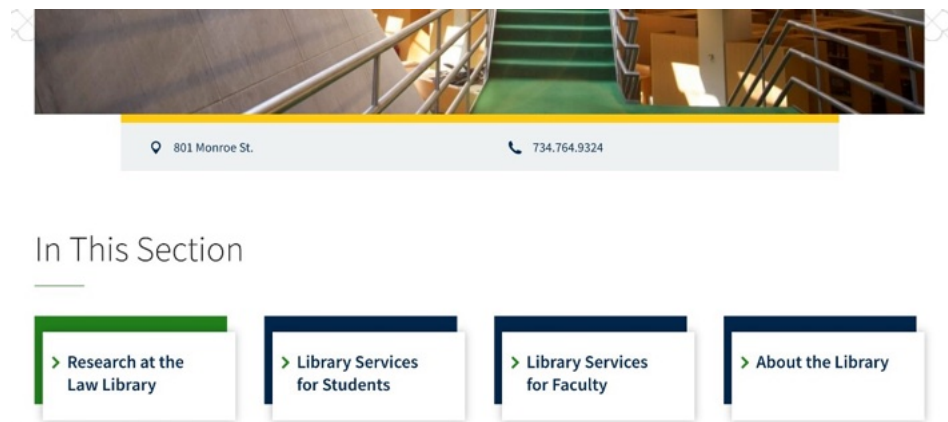
b. How to Gather

i. Books & Treatises

MLR prefers to gather books, reports, & treatises online, rather than in hard copy. Under no circumstances should you ever gather any of these materials from Westlaw, HeinOnline, or Lexis; you may only gather them from WorldCat, the UM Library, Amazon or Google preview, or via ILL request.

I. Worldcat

1. Open the Ready for SG PDF attached to your assignment email. Check to see which portions of the book, report, treatise, or restatement the author cites throughout the piece. Be sure to locate all citations using *infra*, *supra*, and *id.*! Make note of the pages and/or sections that the author cites, as this directly impacts your sourcegathering responsibilities.
2. Determine whether the cited book, report, treatise, or restatement is the **latest edition** of that source.
 - a) Navigate to Worldcat by going onto the [Law Library website](#). Select “Research at the Law Library” from the home page.



- b) Scroll down until you find the words “Find an Item Anywhere in the World.” When you click those words, Worldcat will automatically open.

Find an Item at the Michigan Law Library


Find an Item at the University of Michigan



Find an Item Anywhere in the World



- c) Once on Worldcat, type the title of the work along with whichever year of publication the author provides. Feel free to narrow your search by adding the author’s name.

 Subjects
  News
  Help

Search in database: WorldCat (Updated: 2021-08-13)
 OCLC catalog of books and other materials in libraries worldwide

Search for: Keyword 

and  Keyword 

and  Keyword 





Limit to: Year (format: YYYY-YYYY)

- d) The first result that pops up will likely be the work that the author cited. If it’s not, do some digging around to locate the version of the source that the author cited and click on that source.


WorldCat results for: kw: A and kw: tree and kw: grows and kw: br
Records found: 56 (English: 53) Rank by: Number of Libraries

Find related: Books etc. (WorldCat) Articles (ArticleFirst) Journal Articles (ECO) Previous Searches

Limit results: Any Audience Any Content Any Format Search

1.  [A tree grows in Brooklyn : a novel /](#)
Author: Smith, Betty, 1896-1972.
Publication: New York ; London : Harper & Bros., 1943
Document: English : Book : Fiction
[Libraries Worldwide](#): 975 (14 Committed to Retain)  OTHER UM LIBRARIES
More Like This: [Search for versions with same title and author](#) | [Advanced options ...](#)
[See more details for locating this item](#)
2.  [A tree grows in Brooklyn : a novel /](#)
Author: Smith, Betty, 1896-1972. Publication: Philadelphia : Blakiston Co., 1943
Document: English : Book : Fiction  Internet Resource
[Libraries Worldwide](#): 551 (7 Committed to Retain)
More Like This: [Search for versions with same title and author](#) | [Advanced options ...](#)
[See more details for locating this item](#)



- e) Under the “Find Related” heading, click the words “Search for versions with the same title and author.”

A tree grows in Brooklyn :
a novel /
Betty Smith
1943
English  Book : Fiction 3 preliminary leaves, 3-443, [1] pages ; 21 cm
New York ; London : Harper & Bros., ; ISBN: 9780061120077 0061120073 0060736267 9780060736262 006092988X 9780060929

The story of the Nolan family, including daughter Francie, and life in the Williamsburg slums of Brooklyn during the early part of the :

GET THIS ITEM

Availability: Check the catalogs in your library.

- [Libraries worldwide that own item](#): 975 (14 Committed to Retain)  OTHER UM LIBRARIES
-  [Search the UM Law Library Catalog](#)

External Resources:

- [Interlibrary Loan Requests](#)
- [View UM Law Full Text Options](#)
- [Cite This Item](#)

FIND RELATED

More Like This: [Search for versions with same title and author](#) | [Advanced options ...](#)

- f) Peruse the search results to see if there’s anything with a more recent publication date. When you come across a source with a more recent publication date, open it and figure out whether that source constitutes a new edition of the work. **Something only constitutes a new edition when the content of the work changes.** Therefore, re-

prints by different publishers (or even the same publisher as a celebratory anniversary edition) do not constitute new editions of a cited work. **Note: many authors cite to outdated restatements, treatises, and casebooks. If an author cites to the Restatement 2d of Torts, for example, always check whether Restatement 3d of Torts exists!**

g) Because WorldCat's publication dates are not always 100% accurate, you should also do a Google search to confirm whether there's a latest edition. Just type "[title] [author] editions" into Google. **If there is a more recent edition than the one the author cites, you must gather both the cited edition AND the latest edition!** Communicate the results of your search for the latest edition in the "Problems & Details" column of the sourcelist.

- See whether the cited and latest editions of the work are available in PDF format on Worldcat. Do this by filtering your Worldcat search results to "Internet" at the top of the page.

The screenshot shows the WorldCat search results interface. At the top, there are tabs for 'List of Records', 'Detailed Record', 'Marked Records', and 'Saved Records'. Below these are icons for various actions: Sort, Related Subjects, Related Authors, Limit, E-mail Bib, Print, Export, and Help. A search bar at the top right contains the text 'Go to page'. The main search results area displays 'WorldCat results for: (ti= "tree grows in Brooklyn") and (au= "Smith, Betty,") and c Records found: 46 Rank by: Number of Libraries'. Below this is a navigation bar with 'Prev' and 'Next' buttons, and a list of filters: All (554), Books (346), Sound (81), Visual (69), Internet (46), Scores (3), Archival (3), Computer (3), Articles (2), and Serials (1). The 'Internet' filter is currently selected. Below the filters is a 'Limit results: Any Type' dropdown and a 'Search' button. The first result is listed as '1. A tree grows in Brooklyn : original Broadway cast /' with a globe icon. The result details include the title, author (Schwartz, Arthur, 1900-1984.; Smith, Betty.; Abbott, George., and others), publication information (New York, NY : Sony Broadway, 1991, 1951), and document type (Internet Resource : Music Sound Recording Computer File).

- Click through the links until you find one that directs you to a source with original print pagination. If the link prompts you to enter a password, move onto the next link. Remember: **you may only gather a source electronically from Worldcat if that version of the source contains original print pagination.** That means that you cannot gather e-books with different pagination from the original work. Print pagination is necessary for

citecheckers to confirm that the author's cited page range supports their argument.

Disorder and sexuality, especially female sexuality, during the first half of the twentieth century.

Get This Item

Access: <http://libproxy.law.umich.edu:2076/id/10058826>

Availability: Check the catalogs in your library.

- Libraries worldwide that own this item: 1588
- Search the University of Michigan Library Catalog

External Resources:

- Request via Inter-Library Loan
- Get It! Availability at U-Michigan
- Cite This Item

Find Related

More Like This: Search for versions with same title and author | Advanced options...

Title: **Building a better race : gender, sexuality, and eugenics from the turn of the century to the baby boom /**

Author(s): **Kline, Wendy, 1968-**

Publication: Berkeley : University of California Press,

Year: 2001

Description: 1 online resource (xv, 218 pages) : illustrations

Language: English

Standard No: ISBN: 9780520939318; 052093931X; 9780520225022; 0520225023; 0520225023; National Library: 101134025; LCCN: 2001-27246

Abstract: **Wendy Kline's** lucid cultural history of eugenics in America emphasizes the movement's central, continuing interaction with popular notions of gender and morality. **Kline** shows how eugenics could seem a viable solution to problems of moral disorder and sexuality, especially female sexuality, during the first half of the twentieth century.

Contents: List of illustrations -- Acknowledgments -- Introduction -- Motherhood, morality, and the moron : the emergence of eugenics in America -- From segregation to sterilization : Changing approaches to the problem of female sexuality -- Sterilization without unsexing : eugenics and the politics of reproduction -- New Deal for the child : Ann Cooper Hewitt and sterilization in the 1930s -- Marriage is not complete without children : positive eugenics, 1930-1960 -- Epilogue : **Building a better family.**

Access: <http://libproxy.law.umich.edu:2076/id/10058826>

Materials specified: EBSCOhost:<https://libproxy.law.umich.edu:2076/ven.aspx?direct=cs&scope=site&directlink&db=erlib&AN=112975>

Materials specified: ProQuest Ebook Central:<https://libproxy.law.umich.edu:2076/choice/publicfullrecord.aspx?o=224649>

Materials specified: Table of contents:<http://catdir.loc.gov/catdir/loc/ucal042/2001027246.html>

Materials specified: Book review (H-Net):<http://www.h-net.org/review/show-abc.cfm>

Materials specified: Contributor biographical information:<http://catdir.loc.gov/catdir/bios/ucal052/2001027246.html>

Materials specified: Publisher description:<http://catdir.loc.gov/catdir/description/ucal042/2001027246.html>

<http://openlib.org/details/buildingbetter000kline> Note: Free eBook from the Internet Archive

<https://openlibrary.org/books/OL7710969M> Note: Additional information and access via Open Library

<http://libproxy.law.umich.edu:2076/ib/creative-ebooks/detail.action?docID=224649> Note: Connect to Ebook

<http://libproxy.law.umich.edu:2076/ib/berkeley/Doc?id=10058826> Note: Access provided by Berkeley Law Library

<https://libproxy.law.umich.edu:2063/ib/uvic/detail.action?docID=224649>

SUBJECT(S)

- If the correct edition(s) of the cited work are available electronically on Worldcat *and* they feature the original pagination, you may download the pages and name them according to MLR naming conventions. **Be sure to gather the title page, copyright page (with year and place of publication), and all the pages that the author cites.** In a perfect world, the entire book is available electronically via Worldcat. If that's not the case, be sure to gather the cited pages + 5-10 pages of buffer on either side.

II. UM Library

If the originally paginated source is unavailable electronically via Worldcat, you must next search the [UM library catalog](#).

- Click "Advanced" next to the search bar.

2. Enter your search fields (remember to make the search as narrow as possible!). **Be sure to select “Available online” under “Additional search options.”**

3. Look through the results, remembering to look only at those results that are available electronically. The UM library website denotes online resources with a link symbol.

4. Click through the results until you find one that directs you to a source with original print pagination. Be sure to gather all cited pages, including a 5-10 page buffer on each end. And remember to gather both the title and the copyright page!

III. Amazon and Google Preview

If both Worldcat and the UM Library have left you emptyhanded, you may turn to Amazon and Google preview. **You may only gather a source from Amazon or Google preview if the preview contains the title page, the copyright page, all of the cited pages, and original pagination.** Many previews on Amazon and Google are for e-books (which have bizarre pagination or no pagination at all), so be extra cautious!

IV. Hard Copy

If you're gathering books or other nonperiodic materials in hard copy, please see the detailed instructions in the Fundamentals of Gathering Source Materials below.

V. ILL

If all else fails, you will need to submit an ILL request. For information on how to submit an ILL request, see the Fundamentals of Gathering Source Materials below. In the "Pages Needed" field, enter the pincites with 5-10 pages of buffer **AND** request the front matter. For example: "front matter + pages 4-18, 51-75." If the requested pages are too long for the "Pages Needed" field, enter "see Notes below" and instead put the requested pages in the "Notes" section. Sometimes the library rejects ILLs for books because they believe an electronic copy exists. Sometimes they are right, which is helpful, and other times this results in delay and an inefficient back and forth between the requestor and the library. To avoid inadequate options, in the notes section, you might want to detail the search you've already conducted and what led you to place the ILL request, e.g. "I checked WorldCat, UM library, and Google preview for electronic copies of this edition with print pagination, but could only find e-books with different pagination (different pagination is not acceptable to MLR), and the UM library only had some of the chapters electronically." Write the name of the MLR article you're sourcegathering in the "Chapter Author" field in the format "for [MLR author name] article" (e.g., "for Jones article.") Include the number of the ILL request in the "Problems and Details" column of the sourcelist.

ii. Reports

Most authors provide a URL when citing reports. When an author does not provide a URL, you should Google the cited report and find the website where it's available in PDF.

1. When possible, download a version of the cited report directly. Name the PDF according to MLR naming conventions.



2. If there is no download option, save the webpage to PDF. Name the PDF according to MLR naming conventions.
3. Create a permalink for the report.

iii. Restatements

MLR also prefers to gather restatements online. Unlike, books, treatises, and reports, restatements can be gathered from HeinOnline. To find a restatement, visit HeinOnline's [American Law Institute Library](#), which contains HeinOnline's collection of restatements. You must gather both the copyright page and the relevant pages cited. Save these and upload them.

iv. Model Penal Code

The Model Penal Code can be found in the "[Commonly Used Sources](#)" folder on DropBox. Once you have located the particular file needed, link that file to the sourcelist.

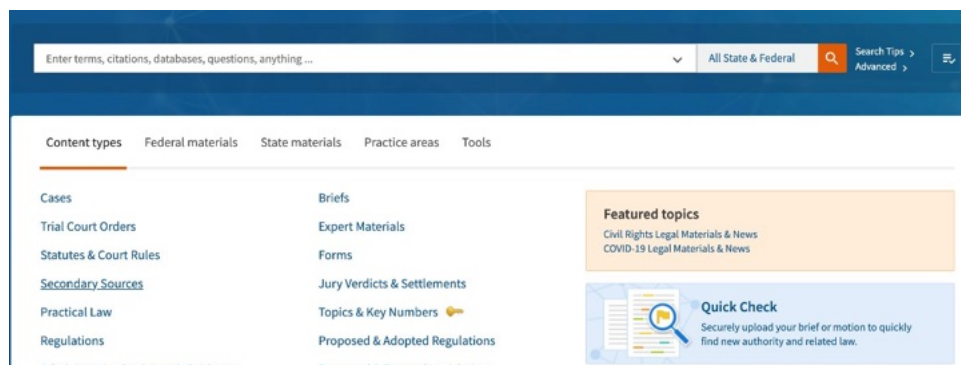
v. The Federalist Papers

The Federalist Papers are one of those strange sources that the *Bluebook* allows us to cite without any publisher information. In turn, you'll likely come across a source in the sourcelist that merely says, "Federalist No. 8." However, MLR has a preference for which edition is used for the sake of consistency. Just like with the MPC, you should gather the cited Federalist Paper by visiting DropBox, locating the "[Commonly Used Sources](#)" folder, and linking that file to the sourcelist.

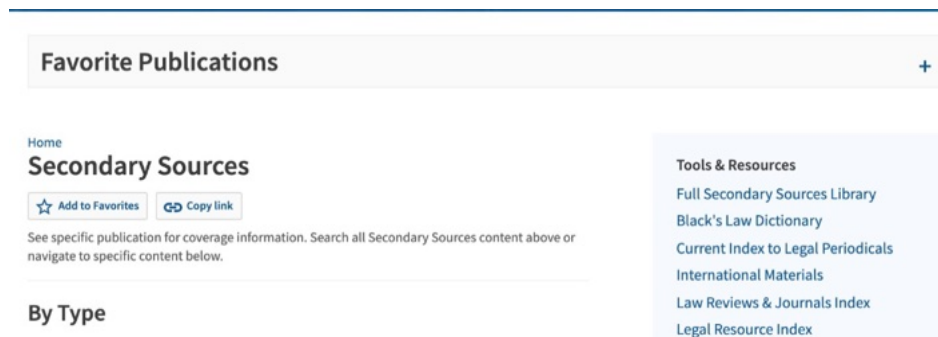
vi. Black's Law Dictionary

On occasion, an author will cite a legal term to Black's Law Dictionary. You may gather the cited term from Westlaw.

1. Log onto Westlaw.
2. Select "Secondary Sources" from the list under "Content types" on the homepage.



3. Under the "Tools and Resources" column on the righthand side, select "Black's Law Dictionary."



4. Type the cited term or phrase within quotation marks into the “Dictionary term” field. Press Enter.

Home > Secondary Sources > Black's Law Dictionary

Black's Law Dictionary

★ Edit favorites 🔗 Copy link

Current through the 11th edition (2019). ⓘ

Use at least one field to create a Boolean Terms & Connectors query.

Document Fields (Boolean Terms & Connectors Only)

Dictionary term (for single letter term, please use quotes: "A")

Definition text

5. Select the cited term or phrase from the list of results.
6. Print the definition page to PDF and name it according to MLR naming conventions.

vii. Other Dictionaries

You must gather all dictionaries other than Black’s Law Dictionary (Oxford English Dictionary, Collins English Dictionary, Samuel Johnson’s Dictionary of the English Language, historical dictionaries, etc.) in the same way that you would gather a book: by first checking Worldcat, then navigating to the UM Library, then checking Amazon and Google preview. **The one exception is Merriam-Webster.** When an author cites the definition of a term to Merriam-Webster, MLR treats the definition as an internet source, rather than a nonperiodic source. Please see the section on Internet Sources for guidance on gathering Merriam-Webster definitions.

c. Filling Out the Sourcelist and Uploading to Dropbox

| Source Type | Naming Convention | Additional Information |
|-------------|-------------------|------------------------|
|-------------|-------------------|------------------------|

| | | |
|---------------------------------------|---|--|
| Books, Treatises, and Restatements | [First Author's Last Name] [Title] [cited section (if a treatise or restatement)] <i>Smith A Tree Grows in Brooklyn</i> | |
| | <i>ALI Restatement 3d Torts 33</i> | |
| Reports | [First Author's Last Name] [Title] <i>ACLU Annual Report 2020</i> | |
| The Federalist Papers | Federalist [No.] <i>Federalist 12</i> | |
| Black's Law Dictionary | Black's Law Dictionary [cited term or phrase] <i>Black's Law Dictionary Collateral Estoppel</i> | |
| Other Dictionaries | [Dictionary] [cited term] Johnson's Dictionary <i>Boaster</i> <i>Collins Dictionary Dress</i> | |

Periodical Materials

a. Where to Gather

| Source Type | Resources (In Order of Preference) | Preferred Format |
|--|---|------------------|
| Consecutively and Nonconsecutively Paginated Journal Articles | <ul style="list-style-type: none"> • HeinOnline • Google • ILL | Electronic |
| Newspaper or Magazine Articles (print version) | <ul style="list-style-type: none"> • ProQuest • LexisNexis • Law Library • UM Library • Publication Website • ILL | Electronic |
| Unpublished or Forthcoming Articles | <ul style="list-style-type: none"> • SSRN | Electronic |

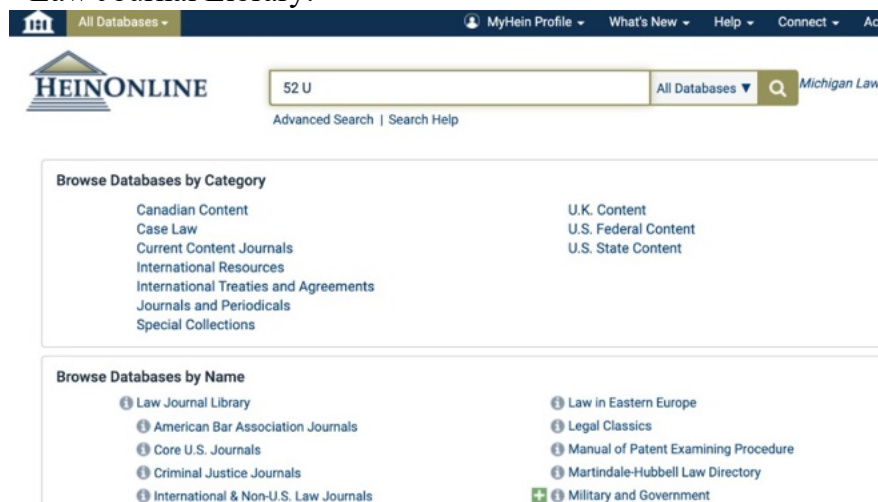
b. How to Gather

i. Consecutively and Nonconsecutively Paginated Journal Articles

Consecutively paginated journals are journals with pagination that spans the entire set of issues for a released volume. *MLR* is a consecutively paginated journal. Volume 119, issue no. 1’s final page is p. 230 and issue no. 2’s pagination starts at p. 231. Non-consecutively paginated journals are those in which each issue has its own pagination. Issue No. 1 may end on p. 230, but Issue No. 2 will restart its numbering at p. 1. If you’re confused about whether a journal is consecutively or nonconsecutively paginated, here’s a good rule of thumb: most legal journals are consecutively paginated. Most non-legal journals are nonconsecutively paginated. MLR keeps a running list of nonconsecutively paginated journals, available [here](#).

I. HeinOnline

1. Log onto HeinOnline
2. Scroll down until you see the “Browse Databases by Name” heading. Select “Law Journal Library.”



3. Navigate to the name of the periodical using the alphabetized tabs at the top of the screen.



4. Once you've located the proper periodical, click on it. Select the number of the volume in which the cited Article appears.



5. Locate the cited Article in the left-hand navigation pane and click on it.



6. Select the PDF icon at the top of the screen that says “Download PDF of This Section” when you hover over it. When you select the PDF icon, the selected article will automatically download to your downloads folder. You will eventually combine this PDF with the other required documents, so make sure that it’s easy to locate on your computer!
7. On the left-hand navigation bar, select the Table of Contents for the issue in which the cited article appears. **Sometimes, depending on the journal, all the TOCs for that volume will be at the very top of the “Contents” bar, rather than listed with each individual issue. If so, just scroll to the top**



- of the Contents bar and download the TOC for the issue that contains your article.** Select the PDF icon at the top of the screen that says “Download PDF of This Section” when you hover over it. When you select the PDF icon, the table of contents will automatically download to your downloads folder. You will eventually combine this PDF with the other required documents, so make sure that it’s easy to locate on your computer!
8. If the cited article appears in the first issue of the volume, you must also gather the table of contents of the second issue of the volume. This is a critical step, as it communicates pagination information to our editors! Scroll down the left-hand navigation bar until you reach the Table of Contents for the second issue. Select the PDF icon at the top of the screen that says “Download PDF of This Section” when you hover over it. When you select the PDF icon, the table of contents will automatically download to your downloads folder. You will eventually combine this PDF with the other required documents, so make sure that it’s easy to locate on your computer!

| |
|--|
| Civil Rights Enforcement Notes Zapana, Victor Page 227  |
| Issue 2 - Summer 2017 Page [i]  |
| Table of Contents Page [i]  |
| Beyond Earned Citizenship Ahmad, Muneer I. Page 257  |

9. Open all of the PDFs that you downloaded. You will always have at least 2 PDFs (the article and the table of contents from the issue where the article appears). You will only have a third PDF if the article appears in Issue 1!
10. Combine the PDFs into a single PDF and name it according to MLR naming conventions.

II. Google

If HeinOnline does not have the article, there are other places to look to find a PDF version of the original article. We recommend just doing a Google search of the title of the article and the author's name—often this is the easiest way to find it. Places that Google might direct you to include SSRN, JSTOR, and the publishing journal's website. You may gather the article from any of these places, so long as you obtain a PDF.

III. Publication Website

[The University of Michigan Central Student government provides free student subscriptions to the Wall Street Journal, New York Times, and Financial Times.](#) That page also explains how to access the Atlantic, the Washington Post. Make sure you select Print > Save as PDF to save your fellow editors from paywalls.

IV. ILL

If all else fails, you will need to submit an ILL request. You should only be requesting an Article through ILL if it is absolutely unavailable electronically—**ILLs require a great deal of work on the part of the library staff and should only be used as a last resort.** For instructions on submitting an ILL request, see the Fundamentals of Gathering Source Materials below. . Write the name of the MLR article you’re sourcegathering in the “Chapter Author” field in the format “for [MLR author name] article” (e.g., “for Jones article.”) Include the number of the ILL request in the “Problems and Details” column of the sourcelist.

ii. Newspaper or Magazine Articles

If you’re gathering an article in a newspaper or magazine, you may be gathering it online or in print, depending on how the author is citing it. **Unless otherwise specified, you should gather the electronic version of the article** (if the article is available both in print and online). Below are instructions for gathering *print* versions of newspaper or magazine articles. Instructions for gathering online versions are available in the internet sources section of the PM.

I. Law Library ProQuest Database

1. Navigate to the Proquest Database by going onto the [Law Library website](#).
Select “Research at the Law Library” from the home page.

In This Section



2. Scroll down until you find the words “Find a Database or Other Digital Resource.” Select “Search Online Resources.”

Find a Database or Other Digital Resource

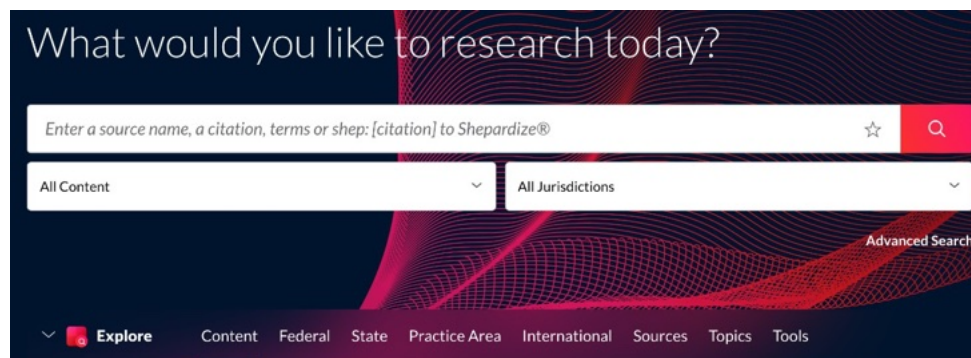
Search or browse through all available online resources

[Search Online Resources](#) 

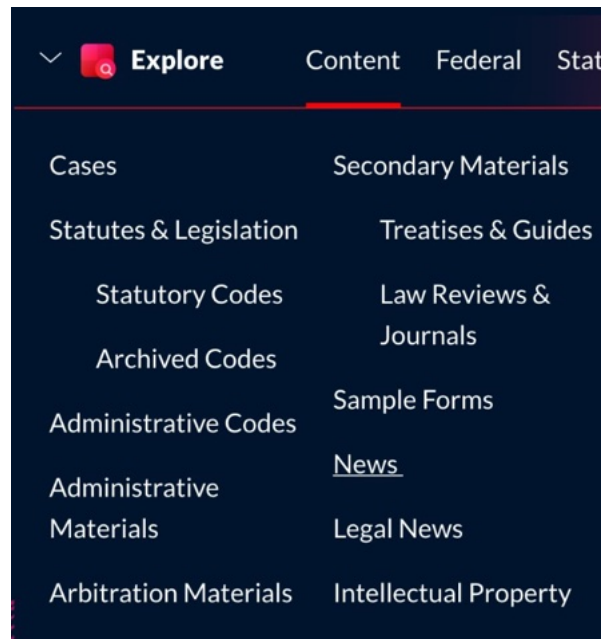
3. Select “ProQuest” on the homepage under the heading “Major Resources.”
4. Name the article according to MLR naming conventions.
5. You can then use the search bar to find your relevant publication/article and download the “Full text – PDF” version of the article. If the relevant article does not include publication information that would be needed in a citation, download the cover page of the publication as well. Note: Within Proquest you can also click the ‘Change Databases’ button to see all the newspaper-related databases that you are searching within. If you’d like to find the article with a tailored search, it may be worth only searching within the database for the particular paper you are interested in (e.g., Proquest Historical Newspapers: The Boston Globe (1872–1991)).

II. Lexis+ Database

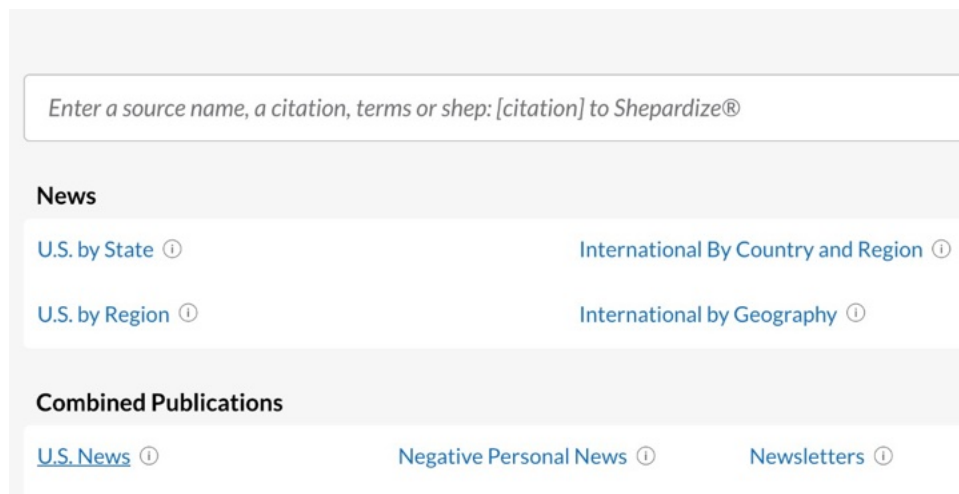
1. Log onto LexisNexis. On the home page, select “Content” beneath the search bar and next to the word “Explore.”



2. Select “News” from the list.



3. Select the proper category from the “Combined Publications” heading and search for the cited article.



4. Download the article and name it according to MLR naming conventions.

III. ILL

If all else fails, you will need to submit an ILL request. You should only be requesting an Article through ILL if it is absolutely unavailable electronically—ILLs require a great deal of work on the part of the library staff and should only be used as a last resort. For instructions on submitting an ILL request, see the Fundamentals of Gathering Source

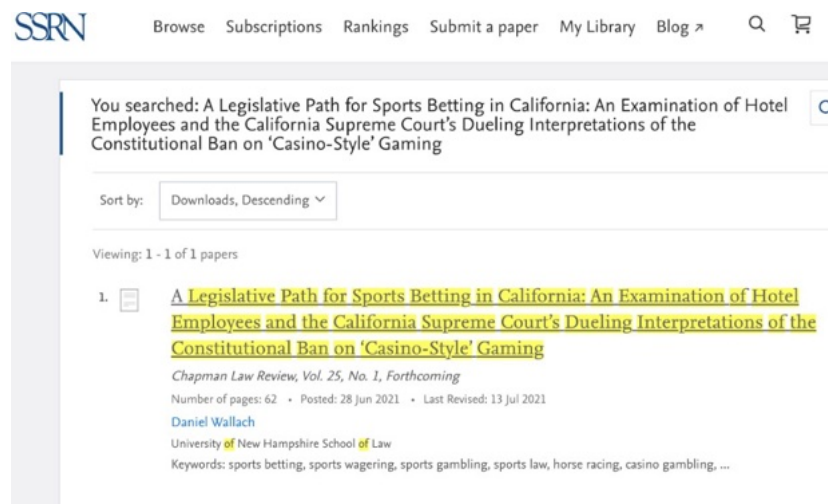
Materials below. Write the name of the MLR article you're sourcegathering in the "Chapter Author" field in the format "for [MLR author name] article" (e.g., "for Jones article.") Include the number of the ILL request in the "Problems and Details" column of the sourcelist.

iii. Unpublished or Forthcoming Sources

I. SSRN

Sometimes, authors cite articles that have not yet been published. Instead, they cite to drafts or articles that have been accepted for publication. Many forthcoming scholarly articles are available on the Social Sciences Research Network (SSRN).

1. Open [SSRN](https://ssrn.com).
2. Type the name of the forthcoming article in the search bar on the home page and hit Enter. Feel free to use the advanced search function! Matching results will pop up on screen.



3. Open the matching result and hit the "Download this Paper" button at the top of the screen. The paper will automatically download to your computer. Name the paper according to MLR naming conventions.



4. Copy-paste the URL from which you downloaded the paper into the sourcelist.
5. Create a permalink for the webpage containing the PDF. For instructions on creating permalinks, see the end of this manual.

c. Filling Out the Sourcelist and Uploading to Dropbox

| Source Type | Naming Convention | Additional Information |
|---|---|------------------------|
| (Non)consecutively Paginated Journal Articles | <p><u>If one author</u></p> <p>[Author Last Name][Citation] (no spaces or punctuation)</p> <p><i>Easterbrook52UChiLRev611</i></p> <p><u>If two authors</u></p> <p>[First Author's Last Name][Second Author's Last Name][Citation](no spaces or punctuation)</p> <p><i>SunsteinMortenson64YaleLJI542</i></p> <p><u>If more than two authors</u></p> <p>Use the naming convention for two authors and just provide the first two authors' last names!</p> | |
| Newspaper or Magazine Articles | <p>[Author Last Name][Newspaper or Magazine Title]</p> <p><i>Perry Wall Street Journal</i></p> | |

| | | |
|---|--|--|
| Unpublished or Forthcoming Articles | <p>[Author Last Name][citation]SSRN <i>Easterbrook52UChiLRev611SSRN (no spaces or punctuation)</i></p> <p>If the citation is unknown because the piece has not been selected for publication, use the following naming convention: [Author Last Name]SSRN <i>EasterbrookSSRN</i></p> | |
|---|--|--|

Internet Sources

a. Where to Gather

| Source Type | Resources (In Order of Preference) | Preferred Format |
|-------------|---|------------------|
| Website | <ul style="list-style-type: none"> The internet + perma.cc | Electronic |

b. How to Gather

If you're gathering a website/internet source, you're in luck! Gathering websites/internet sources basically just consists of (1) copy/pasting the URL into the sourcelist and (2) creating a permalink for the website.

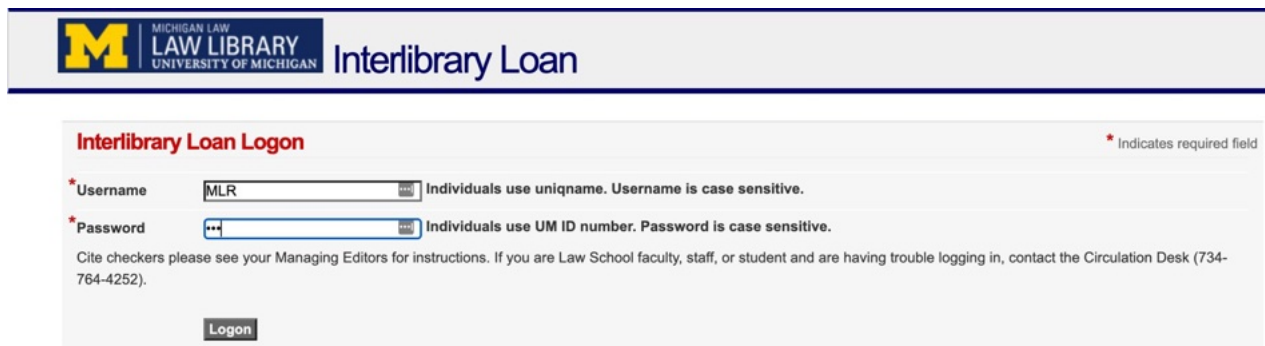
Fundamentals of Gathering Source Materials

ILL Requests

i. Submitting an ILL Request

You should only submit an ILL request as a last resort. **ILLs require a great deal of work on the part of the library staff and should only be used if an electronic version of the source is absolutely impossible to locate.** You may also consider describing in your ILL request how you have exhausted all other options/why the other options would not be adequate for MLR; such a description proactively heads off the library kicking your request back to you.

1. Open the [Interlibrary Loan](#) webpage.
2. Log in with the username “MLR” and password “MLR.” We have one ILL account for all of our articles, and so it’s imperative that you follow the steps outlined below so that the ME for Production will know which piece the source belongs to when the request is fulfilled.




Interlibrary Loan Logon * Indicates required field

* Username Individuals use username. Username is case sensitive.

* Password Individuals use UM ID number. Password is case sensitive.

Cite checkers please see your Managing Editors for instructions. If you are Law School faculty, staff, or student and are having trouble logging in, contact the Circulation Desk (734-764-4252).

3. Once you log in, click “Book Chapter” under “New Request” on the left sidebar. **Regardless of the type of source you are requesting (state statute, book, treatise, print article, etc.), you will submit a new request for a book chapter.**



MICHIGAN LAW
LAW LIBRARY
UNIVERSITY OF MICHIGAN

Interlibrary Loan

Choose an option from the choices below.

- **Logoff MLR**
- **Main Menu**
- **New Request**
 - Book Chapter
 - Journal Article
 - Newspaper Article
 - Loan of Book
 - Thesis or Dissertation

The default delivery format for articles and book chapters is PDF. You may choose paper as your personal default by changing your preference at Tools > Change User Information in the left column.

| Outstanding Requests | | | | |
|----------------------|------|-------|--------|--------|
| Transaction | Type | Title | Author | Status |
| No Requests | | | | |

4. You should enter as much information about the cited source as possible on the following page, including the title, author(s), publisher, publication year, and ISBN. If this information is not provided in the sourcelist, Google the source. 😊
5. Write the name of the MLR article you're sourcegathering in the "Chapter Author" field in the format "for [MLR author name] article" (e.g., "for Jones article.") Include the number of the ILL request in the "Problems and Details" column of the sourcelist.
6. **If a newer edition of the source exists, you must submit two separate ILL requests: one for the cited edition and another for the latest edition!**

Hard Copy Requests

When sourcegathering books or other nonperiodic materials, you should look for it first in the Law Library, then in the University of Michigan Library.

i. Submitting a Law Library Request

Always start by looking at the Law Library, which has many legal and non-legal texts and can turn around requests quicker than any of the other libraries.

To search for a book in the Law Library, go to their [website](#) and select "Research at the Law Library"

In This Section

> Research at the Law Library

> Library Services for Students

> Library Services for Faculty

> About the Library

Select “Find an Item at the Michigan Law Library,” then select “Search Now.”

Find an Item at the Michigan Law Library

Find any book, journal, treatise, or other material owned by the University of Michigan Law library using our catalogs.

For a Google-like search experience. Refine search results using a variety of facets, such as subject, jurisdiction, or location.


Search Now [↗](#)

For more advanced options, and to find exams and reserves by course or professor.

Advanced Search [↗](#)

Once you’re on the MLaw Library catalog home page, click “Login” in the upper right-hand corner.


My Saved Items (0 items) | [Login](#)

 MICHIGAN LAW
LAW LIBRARY
UNIVERSITY OF MICHIGAN

Catalog

Search

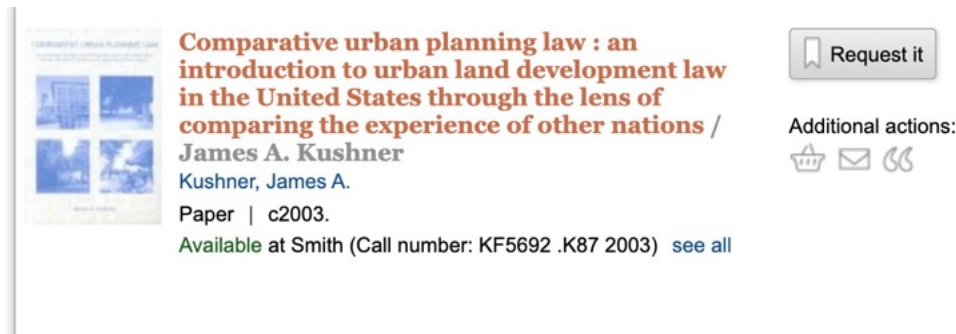
[Advanced Search](#)



Sign in using “MLR” as the username and “MLR” as the ID#. Once you are logged in, search for the item using the title, author, keyword, or ISBN. If the Law Library has the item you’re looking for, click “Request It” or “Submit.” (If you’re only requesting one volume from a set,

be sure you're requesting the right volume.) In the notes, please indicate the MLR piece for

which you're sourcegathering (e.g., "for Jones article,") and request that the library scan the page range cited, as well as a ~10-page buffer on either side. If the entire source is cited, please request a scan of the front matter and introduction or other pertinent parts. If you have questions about what to request, please seek assistance in the #sourcegathering channel on Slack.



The source will be scanned as an electronic copy, then delivered to the Information Desk in the Law Library, where citecheckers will be able to check it out for use in the library as needed.

Be sure to fill out the sourcelist accordingly: select "Law Library – Requested" in the "Location" column.

ii. Submitting a UM Library Request

If a source is not available through the Law Library, the next place to check is the general University of Michigan Library catalog. Almost every book you could possibly need will be available through this system, but books generally take slightly longer to get to us relative to requesting through the Law Library.

To search for a book in the UM Library, go to their [website](#). Click "Account" in the top right-hand corner of the page. Use mlrlibrary@gmail.com as the login ID and "ilovesub3" as the password. (Please make sure you are signed in to the MLR account and not your personal account when requesting a source. Otherwise, it will not get to us!)

Once you are logged in to the MLR Library account, search for the source using the title, author, keyword, or ISBN. Once you find the item you're looking for, click "Get This."

☐ 2. [Allow me to retort : a black guy's guide to the Constitution / Elie Mystal.](#)

Format  Book
 Main Author [Mystal, Elie, author.](#)
 Published/Created New York : The New Press, 2022

 Shapiro Shapiro Basement Compact Shelving · 1 item

[About location](#)

| Action | Description | Status | Call Number |
|--------------------------|-------------|------------|-------------------|
| Get This | | ✓ On shelf | KF 4550 .M97 2022 |

Then choose the option “Pick it up at the library” and choose Shapiro Library.

How would you like to get this item?

► [Find it in the library.](#)

Self Service (Immediate access to a physical copy when the library is open)

▼ [Pick it up at the library.](#)

Library-to-library (Expected availability 1-3 days)

Pickup location

Shapiro Library

Cancel this hold if item is not available before

10/18/2022

Get me this item

Policies and additional details

- Standard loan and renewal policies apply.
- Can't find your book on the shelf? Request it for pickup, and we will search for it.
- The Hatcher pickup desk in the North Lobby is less accessible than our other locations. We suggest you choose nearby Shapiro if you have mobility issues.

After making the request, email mlr.me.prod@umich.edu with the following information:

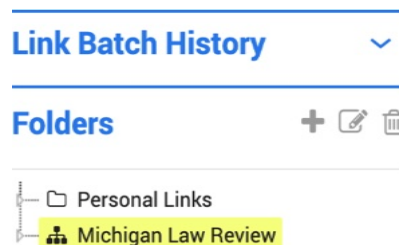
- Title and author of the source requested
- Name of MLR piece for which you are sourcegathering
- Page range needed (as well as a ~10-page buffer on either side. If the entire source is cited, please indicate that.

Be sure to fill out the sourcelist accordingly: select “Law Library – Requested” in the “Location” column.

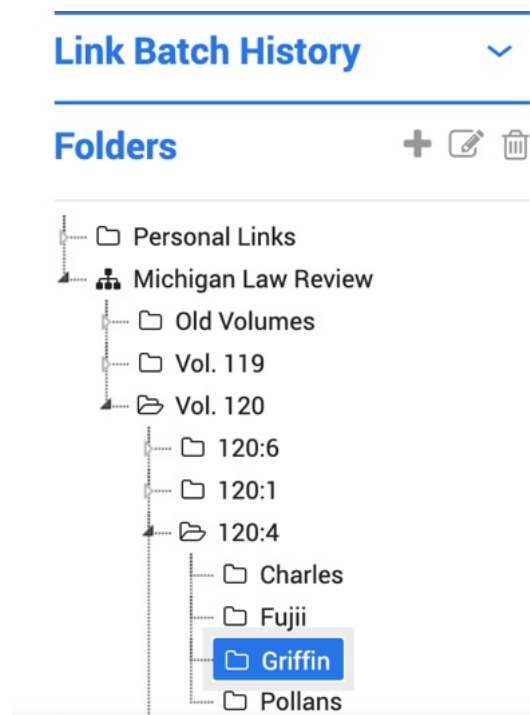
Creating and Troubleshooting Permalinks

i. Creating Permalinks

1. Navigate to the URL provided by the author and ensure that it links to the cited source.
2. Before copying the URL over to the sourcelist, trim any session variables from the URL. Session variables are usually the excess, jumbled characters at the end of a URL that can be deleted without affecting the link destination. One way to verify that you've only trimmed session variables is to simply delete those characters and copy and paste the URL into a browser—if it directs you to the same page, then you have the trimmed URL. You should always use the trimmed URL to make a permalink.
 - a) URL with session variables: <https://www.yourdomain.com/product.php?item=rodent-racing-gear &xyid=76345&sessionid=9876>
 - b) URL without session variables:
<https://www.yourdomain.com/product.php?item=rodent-racing-gear>
3. If the website is behind a paywall, it is fine if the permalink also shows the paywall message and does not let the reader read the full article. You do not need to upload an unpaywalled PDF. Rather, in this instance, the purpose of the permalink is merely to prove that the source ever existed.
4. Create a permalink!
 - a) Log into perma.cc using the following credentials:
 - i. Username: mlr.eic@umich.edu
 - ii. Password: **iloveMLR123!**
 - b) On the left-hand side of the screen, select “Michigan Law Review” under the “Folders” heading.



- c) Scroll down to the issue your piece is in (e.g., 123:1 is Issue 1 of Volume 123), then select the piece you've been assigned to—this ensures that your permalink will be associated with the correct piece.
- d) Once you've verified that you've selected the correct folder, paste the trimmed URL into the bar at the top and click “Create Perma Link.”



Create a new Perma Link

Enter any URL to preserve it forever.

Create Perma Link
or [create multiple links](#)

This Perma Link will be affiliated with

e) If the permalink works, a beautiful image of the website will appear.

[Show record details](#) **This is a Perma.cc record** Captured August 15, 2021 2:40 pm Looks wrong? [View the live page](#) [MLR Editors](#)

Success! Your new Perma Link is <https://perma.cc/SNZD-7KXV> [Edit link details](#) (Perma Links are permanent after 24 hours) [Make a new Perma Link](#)

[A](#) [Popular](#) [Latest](#) *The Atlantic* [Sign In](#) [Subscribe](#)

Partwork of three doctors looking at the reader, who is in the point of view of a patient being operated on.

Pola Haseli

POLITICS

‘HE THOUGHT’ WHAT HE WAS DOING WAS GOOD FOR PEOPLE’

Why is it so difficult to prevent unnecessary medical procedures in the U.S. health-care system?

f) Beneath the blue bar at the top of the screen, you’ll see a check mark and a sentence that says “Success! Your new Perma Link is__.” Copy the link and paste it to the permalink column on the sourcelist.

ii. Troubleshooting Permalinks

Sometimes perma.cc doesn’t give you a beautiful image. Instead, it gives you an error:

This is a Perma.cc record Captured August 15, 2021 2:47 pm Looks wrong? [View the live page](#) [MLR Editors](#)

[Show record details](#) [View the live page](#)

Success! Your new Perma Link is <https://perma.cc/52Q8-REHW> [Edit](#) [Make a new Perma Link](#)

We’re sorry, something went wrong.

It appears that our software experienced an error while playing back this record. This issue is likely temporary and specific to your browser.

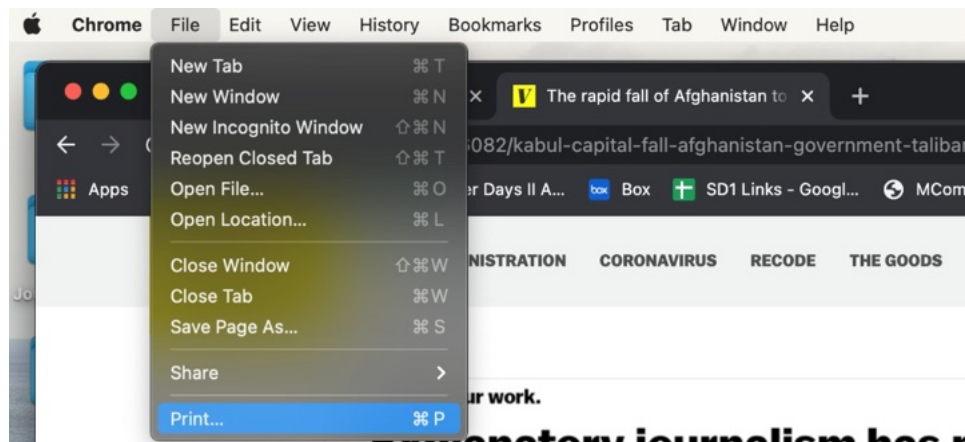
We suggest opening this Perma Link in a completely new browser or clearing your cache. If your issue persists please [contact us](#).

Don't panic! Follow the steps below to resolve the issue:

1. Select “Edit link details” next to the permalink. This will enable you to manually upload an image of the webpage.

✓ **Success!** Your new Perma Link is <https://perma.cc/P4LZ-S2CS> [Edit link details](#) (Perma Links are permanent after 24 hours)

2. Go back to the webpage that you’re trying to turn into a permalink and print the webpage to PDF.
 - a) If the article has a print icon, click that directly. This will give you the cleanest image capture.
 - b) If the article does *not* have a print icon, you’ll have to print the webpage the old-fashioned way. In the menu bar at the top of your screen, select file and print to PDF.



- c) Go back to perma.cc and select “choose file” under the “Upload file” heading in the bottom of the pop-up window.

This is a Perma.cc record

Captured August 15, 2021 2:54 pm Looks wrong?

See the Screenshot View

View the live page

Source page URL

https://www.vox.com/2021/8/15/22626082/kabul-capital-fall-afghanistan-government-taliban-forces

Title

The rapid fall of Afghanistan to Taliban forces, explained - Vox

Description

The collapse was the result of a demoralized military, Afghan officers say.

Notes (only visible to you and your organization)

Upload file *

This will replace the existing capture. GIF, JPG, PDF, and PNG up to 200.0 MB are allowed.

Choose File

No file chosen

Upload

Cancel

No file chosen

Delete record *

- d) Upload the PDF that you just saved.
- e) Copy-and-paste the perma.cc link in the URL bar to the sourcelist.

Filling out the Sourcelist

The “Problems & Details” column of the sourcelist is your best friend. This is where you communicate important information about the source materials to those who will be accessing those materials after you. Here are some examples of things that you should always put in the “Problems & Details” column:

- No table of contents is available for the periodical
- The date on which you submitted an ILL request
- Whether a recent edition of a book, report, treatise, etc. exists and, if so, whether you also gathered that source (hint: you always should!)
- The name of the source or author is incorrect
- Any ideas for how a tricky source should be Bluebooked

Congratulations!
You have reached the end of
the production manual!!!!



Above: A picture of Pooka wishing you good luck!



Volume 123

Application Procedures

for Electing and Selecting
the Volume 124 Editorial Board

Table of Contents

| | |
|--|----|
| Letter from the Executive Committee..... | 1 |
| Editorial Board Structure..... | 2 |
| Timeline..... | 3 |
| Application Checklist | 4 |
| Preferences Form | 5 |
| Resume | 6 |
| Personal Statement..... | 6 |
| Course List Form..... | 6 |
| Candidate Statement..... | 6 |
| Pageproof Exercise..... | 7 |
| Candidate Forum..... | 7 |
| Voting..... | 7 |
| Interviews..... | 7 |
| Other Considerations | 8 |
| Transition | 9 |
| Editorial Board Responsibilities | 9 |
| Position Descriptions | 9 |
| Editor-in-Chief..... | 10 |
| Managing Editor for Publication | 13 |
| Managing Editor for Production | 16 |
| Executive Development Editor | 18 |
| Deputy Editor-in-Chief..... | 20 |
| Executive Editor | 22 |
| Executive Articles Editor | 24 |
| Articles Editor..... | 26 |
| Executive Notes Editor..... | 28 |
| Notes Editor..... | 30 |
| Book Review Editor..... | 32 |
| Managing Online Editor..... | 34 |
| Executive Online Editor..... | 36 |
| Senior Editor | 37 |



MICHIGAN LAW REVIEW
UNIVERSITY OF MICHIGAN LAW SCHOOL
801 MONROE STREET, ANN ARBOR, MI 48109

December 8, 2024

Dear Associate Editor,

Thank you so much for your hard work and dedication to the *Michigan Law Review* this semester. Your contributions are what make this journal run smoothly, and we hear all the time from authors who say they've never had the level of editing that *MLR* provides.

Over winter break, you'll have an opportunity to apply to be on the Editorial Board for Volume 124. Serving on the Editorial Board is an incredible way to deepen your work with the journal and help shape the future of our organization.

The election and selection procedures for this year are laid out in this document. If you are interested in applying, please take a moment to review it and direct any questions to Emily Lovell at mlr.me.pub@umich.edu. This document also includes position descriptions and we *strongly* encourage you to get in touch with anyone who holds a position you are interested in to learn more.

We know running or applying can be daunting, but we hope that you throw your hat in the ring, as *MLR* is better served by a diverse set of viewpoints and skill sets. Thank you for considering this next step and we look forward to reviewing your applications!

Sincerely,

Michigan Law Review Executive Committee

Editorial Board Structure

This is the structure of the Editorial Board that will be elected and selected this year. The positions marked with asterisks are elected and the ones in blue serve on the Executive Committee. The current Editorial Board reserves the right to change this structure as needed during the selection process.

| Editor-in-Chief* | Managing Editor for Publication* | Managing Editor for Production* | Executive Development Editor* |
|---------------------------|-------------------------------------|--|----------------------------------|
| Deputy Editor-in-Chief | Executive Editor 1 | Executive Editor 2 | Executive Editor 3 |
| Executive Editor 4 | Executive Editor 5 | Executive Editor 6 | Executive Editor 7 |
| Executive Articles Editor | Executive Notes Editor | Book Review Editor 1 Book Review Editor 2 | Managing Online Editor |
| Articles Editor 1 | Notes Editor 1 | | Executive Online Editor 1 |
| Articles Editor 2 | Notes Editor 2 | | Executive Online Editor 2 |
| Articles Editor 3 | Notes Editor 3 | | Executive Online Editor 3 |
| Articles Editor 4 | Notes Editor 4 | | Executive Online Editor 4 |
| Articles Editor 5 | Notes Editor 5 | | |

Timeline

| Date | Description |
|--|---|
| Monday, December 23 – Tuesday, January 7 | The application window opens at 6:00 AM on Monday and the latest version of this document will be redistributed. The window closes at 11:59 PM on Tuesday. |
| Friday, January 3 | Editor-in-Chief candidates must have a call with Sunita so she can give them their CC score. |
| Friday, January 10 | On or before this date, offices will reach out to applicants to schedule interviews for the following week. The Articles Office will distribute the article that will be discussed with applicants in their interviews. |
| Tuesday, January 14 – Saturday, January 18 | Offices will interview applicants. |
| Wednesday, January 15 | Editor-in-Chief, Managing Editor for Publication, Managing Editor for Production, and Executive Development Editor candidates will speak to the journal about their platform and answer from a set list of questions. The forum will take place on Wednesday from 6:30–9:30 PM in Hutchins 250. |
| Thursday, January 16 – Saturday, January 18 | All journal members will vote on the elected positions. The vote or series of votes may be structured differently depending on the number of candidates, but the overall voting period will open on Thursday at 6:00 AM and close on Saturday at 12:00 PM. |
| Saturday, January 18 | The newly elected Editor-in-Chief, Managing Editor for Publication, Managing Editor for Production, and Executive Development Editor will go out to dinner from 6:00–9:00 PM with the current elected positions to prepare for selection the following day. |
| Sunday, January 19 | On Selection Day, the current Editorial Board, with the newly elected positions in attendance, will meet to pick the new Editorial Board. |
| Friday, January 24 | On Friday at 5:00 PM, the outgoing and incoming Editorial Boards will meet for dinner in Hutchins 250 for an orientation. |

Application Checklist

- ☐ Speak with current Editorial Board members whose contact information is [listed here](#).
- ☐ Access any forms or other documents [saved here](#).
- ☐ Complete required materials.
 - ☐ Preferences Form
 - ☐ Resume
 - ☐ Personal Statement
 - ☐ Course List Form (content office applicants only)
 - ☐ Candidate Statement (elected position candidates only)
 - ☐ Pageproof Exercise (Editor-in-Chief candidates only)
- ☐ Combine all materials into one PDF named “[Last Name], [First Name] Application.”
 - ☐ If you are submitting the Pageproof Exercise, please attach the Word version.
- ☐ Email to Emily Lovell at mlr.me.pub@umich.edu by Tuesday, January 7 at 11:59 PM.
- ☐ Receive a confirmation email back.

Preferences Form

We want Editorial Board members to enjoy their experience on *MLR* and to that end, we encourage you to apply for any position that interests you. The fillable Editorial Board Preferences Form asks you to rank the positions you are applying for and rate the degree to which you'd be willing to perform the role. If it's your goal to be on the Editorial Board, then we encourage you to apply for as many positions as you could enthusiastically and competently fill. The Preferences Form will be placed in the folder linked at the top of the Application Checklist.

As stated on the form, please follow these guidelines when applying:

- If you are applying to be the head of an office, you must also apply to be a member of that office.
- If you are running for Editor-in-Chief, you must also apply to be an Executive Editor.
- You may run for an elected position and apply to other Editorial Board positions.
- You may run for multiple elected positions.
- If you apply for a position in the Notes Office and also submit a Note to the January call, the Notes Office will follow up with you once selection decisions are made, regarding your candidacy. You will be given the opportunity to (a) continue your candidacy with the Notes Office or (b) withdraw if you would prefer to retain submission eligibility for Volume 124. This is because of the rule against in-office submissions, as well as the overlap of the January call with the Editorial Board Selection process.
- If being on the Editorial Board is important to you, we strongly encourage you to apply broadly.

If you are a dual-degree student or studying abroad, then please read the below policies and answer the additional questions on the Preferences Form.

Dual-Degree Students

If you are a dual-degree student, then you do not need to be enrolled in law school classes while serving on the Editorial Board, but you must be in Ann Arbor during that time. Otherwise, you must abide by the same policies as a study abroad applicant. The Preferences Form contains an additional question and required statement on this topic.

Study Abroad Students

If you are studying abroad in the upcoming winter or fall semester, then you are not eligible for an Executive Committee position but may apply to other Editorial Board positions. There is a presumption against applicants who are studying abroad, which is particularly strong against applicants studying abroad in the winter semester. Additionally, offices may decline to schedule an interview with study abroad applicants at their discretion. The Preferences Form contains an additional question and required statement on this topic.

Resume

Successful members of the Editorial Board combine excellent editing and interpersonal skills with creativity, dedication, enthusiasm, and attention to detail. Experience with editing, publishing, researching, writing, managing, and many other activities can help members make excellent contributions to *MLR*. As we primarily know you as Associate Editors, we ask that you submit a resume which highlights accomplishments, skills, and experiences that we might find relevant in evaluating the contribution you could make to the Editorial Board.

Please follow these guidelines:

- Your resume should be no longer than one page.
- Include your phone number at the top of your resume.
- Please do not include your law school GPA.

Personal Statement

Please submit a personal statement of no more than 250 words. This is your opportunity to share something that you believe is important for the Editorial Board to know but that might not otherwise come through during the application process. A personal statement may highlight qualifications that may not be apparent from your other materials, reveal why you are enthusiastic about joining the Editorial Board, explain why you ranked your Editorial Board preferences as you did, or include anything else that might be helpful in our evaluation.

Course List Form

For Articles, Notes, Book Review, and Online Office applicants only, please submit the Course List Form listing the classes you have *already* taken aside from your 1L required courses. Do not include any grade or GPA information. Content offices find it helpful to see what courses you have taken so they can have a balance of perspectives during content selection. The Course List Form will be placed in the folder linked at the top of the Application Checklist.

Candidate Statement

For Editor-in-Chief, Managing Editor for Publication, Managing Editor for Production, and Executive Development Editor candidates only, please submit a candidate statement of no more than 250 words for each elected position you are running for. These statements will be distributed to the journal at large and are your opportunity to explain to *MLR* members why you are running and

what you think would make you a good fit for the position. We may provide previous candidate statements for reference.

Pageproof Exercise

For Editor-in-Chief candidates only, please submit your completed Pageproof Exercise which will then be distributed to the journal along with a good-faith engagement score from the Executive Editor Office. Direct any questions to Sunita Ganesh at mlr.eic@umich.edu. The specific instructions and exercise will be placed in the folder linked at the top of the Application Checklist.

Candidate Forum

For Editor-in-Chief, Managing Editor for Publication, Managing Editor for Production, and Executive Development Editor candidates only, you will be required to participate in the Candidate Forum and all other journal members are encouraged to attend. At the forum, the candidates will have an opportunity to address the journal, introduce themselves, and explain why they are running. They will also be asked some questions from a set list distributed to them prior to the forum. Any candidates running for the same position cannot be in the room while the other candidate is speaking.

Voting

Voting on the elected positions will be held shortly after the Candidate Forum. All *MLR* members from both volumes will be allowed to vote. The exact voting procedures will be determined depending on how many candidates run for each position, but the overall voting window will remain the same. If no one runs for a position, the Executive Committee retains the right to solicit candidates after the application deadline.

The newly elected positions will be expected to attend the dinner with the current elected positions as well as Selection Day. The candidates who are not elected will still be considered for other Editorial Board positions they applied to.

Interviews

Offices will conduct interviews with everyone who applied to them. The only exception is students studying abroad as specified in the Preferences Form section.

For Articles Office applicants only, you will be asked to read a specific article beforehand and come prepared to discuss it in your interview. The purpose of this is to get a sense of how you would evaluate scholarship, what factors you might consider in advocating for the publication of a piece, and how you would engage with your peers when you disagree. The article will be distributed before the interview window.

Other Considerations

In addition to your application packet and interview performance, the current Editorial Board will consider among other things:

- Your performance on assignments, including an assessment from the Executive Editor Office on good faith engagement with assignments and improvement over time
- Your involvement in committees or other journal projects
- Your effort on the scholarship contribution
- Your articulated interest in the positions you've applied for
- Your contributions as a community member of *MLR* and the law school

On Selection Day, the current Editorial Board will gather to select the new Editorial Board. The newly elected positions will be present and encouraged to contribute, but will not have voting power. The current Editorial Board will decide on specific procedures prior to and on that day.

A strict confidentiality policy applies to Selection Day such that afterward, no one who was present may discuss anything said about a specific applicant or materials produced for the purpose of selection. Selection requires that the current Editorial Board have maximum information about an applicant which includes relationships they may have formed with others on *MLR* or at the law school. To ensure a fair process, applicants may identify current Editorial Board members that they do not want to be in the room when their application is discussed on Selection Day.

Additionally, current Editorial Board members must disclose any conflicts of interest and may optionally leave the room during the relevant applicant's consideration. Conflicts of interest include anything outside of friendships made while in law school and may include things like family ties, romantic relationships, or friendships made prior to law school.

At the end of Selection Day, all applicants will receive calls and be told whether or not they were accepted for a position. Shortly thereafter, the newly elected Editor-in-Chief will announce the Editorial Board to the journal.

Transition

After Selection Day, the outgoing and incoming Editorial Boards will meet for an orientation. Otherwise, positions and offices will individually train their successors and transition out of their responsibilities.

Editorial Board Responsibilities

Joining the Editorial Board is a commitment to being a leader on the journal. In addition to your position-specific responsibilities, all Editorial Board members must:

- Complete at least fourteen Summer Days with most Editorial Board members doing sourcegathering, citechecking, and incorping assignments
- Grade Write-On applications, together with the Senior Editors
- Attend and assist with orientation or training for new Associate Editors
- Improve the journal's processes and procedures to pass on to the next volume
- Evaluate and select applicants for the next Editorial Board
- Take on additional responsibilities at the Executive Committee's request
- Act in the best interest of *MLR* and help the journal thrive as an institution

We seek many characteristics in selecting Editorial Board members, but highest among them are a strong work ethic and a commitment to being a good teammate. Editorial Board positions require a significant dedication of time and energy, so we ask that you be mindful of your other commitments as you think about what positions you're interested in and what you commit to in the future. We value applicants with an eager and cooperative attitude, understanding that the success of the journal relies on the success of each member.

Position Descriptions

We hope that you find the following position descriptions helpful and we strongly recommend that you reach out to current Editorial Board members to learn more about their work. It is very common for candidates and applicants to have calls with current Editorial Board members over winter break to discuss their positions. We have included a list of contact information linked at the top of the Application Checklist.

Editor-in-Chief

Description

The Editor-in-Chief (EIC) oversees all aspects of the *Michigan Law Review*. The EIC participates in almost every stage of the production process and is ultimately responsible for the quality of every piece that the journal publishes. They work closely with the Articles Office and are the first contact an author has with *MLR* when the offer of publication is extended. The EIC works with the Managing Editor for Publication to foster positive author relationships and maintain *MLR*'s overall reputation in the legal academy. The EIC is also an important member of the Executive Committee and is, therefore, responsible for the overall administration and direction of the journal.

This role is ideal for someone who loves editing, is interested in legal scholarship, and is ready to put the journal first.

Responsibilities

The EIC's duties are broad but can generally be sorted into three categories: (1) management of *MLR*, (2) Articles selection and offers, and (3) editing. Editing duties comprise the vast majority of the EIC's work.

Editing

A majority of the EIC's duties are editing. They must have extremely strong writing, editing, and citechecking skills. After a piece is pageproofed by an Executive Editor, the EIC will make an additional round of edits, reviewing the Executive Editor's edits and making their own edits. This involves making suggestions on the above-the-line prose for both subjective style and objective grammar changes, using a variety of authorities. Once the edits have been sent to an author and they respond, the EIC incorporates any of those new changes to ensure the piece's quality.

After the pageproof stage, an Executive Editor does a final review which the EIC goes over. The goal is to look for typos, *Bluebook* errors, and any other objective changes, opening cited sources and correcting citations along the way. Then, the EIC incorporates their own changes with the Executive Editor's changes and puts them both into one document which goes to the author. Once the author responds, the EIC incorporates any of those new changes to ensure the piece's quality which sometimes requires multiple rounds of communication. The EIC also does a final review of all *MLR Online* pieces, the only stage at which they are involved in editing *MLR Online* pieces.

Once an issue has gone through the complete production process, the EIC is responsible for creating the cover, table of contents, masthead, and other front matter using Adobe InDesign. They then work with the Managing Editor for Publication and others to proof the entire issue before it is sent to the printer. Finally, they review the contract proofs sent back by the printer before the issue is officially printed.

Articles

The EIC works with the Articles Office to select content. They participate in every full read meeting where the final decision about whether to send an offer is made. In these meetings, the EIC represents the best interests of the journal, noting the perspectives of any editors who might have to work on the piece and any effect on the journal's institutional reputation. The EIC then makes any publication offers to prospective authors and negotiates with them in consultation with the Articles Office. The EIC is the ultimate decisionmaker for all policies related to *MLR*'s authors, including responsiveness, publication exclusivity, or any other specific needs or requests.

Management

The EIC is responsible for managing the entire journal. The responsibility that comes with being EIC is the best and worst aspect of the job. Being EIC is a powerful leadership position that offers tremendous opportunities for growth and rarely a boring day. The EIC works directly with authors and peers to improve their writing, becomes acquainted with the latest legal scholarship, and directly impacts the lives of members. Receiving gratitude from an author or hearing how much they enjoyed working with *MLR* is extremely rewarding.

The downside is that the work is time-consuming, stressful, and high stakes. *MLR* is a large, complex organization that affects the lives of hundreds of people each year as well as the law school's reputation. At the end of the day, the EIC must always put *MLR* first. To succeed, they must have an excellent eye for detail, learn to respond well to criticism, and be decisive yet flexible, approachable, supportive, and friendly. They should always see the big picture and avoid panicking when a lot goes wrong at once. The position requires a full-year commitment with no reservations. There will not be a day when the EIC is not working on or thinking about *MLR*.

The EIC serves as an important voice on the Executive Committee, helping to solve the day-to-day problems of *MLR*. They must be prepared to take on any additional work to maintain the quality of *MLR* and the happiness of its members. One of the most important responsibilities of the EIC is making sure the job gets done. Sometimes that will mean filling in for a member in a last-minute emergency and sometimes it means making difficult decisions when no one else wants to. Often it will just mean following through on small tasks, but at the end of the day, the EIC is responsible for *MLR*. Their attitude, approachability, trustworthiness, and reliability set the tone for the journal. The EIC is also a member of the Write-On Committee, Holistic Review Committee, Orientation Committee, and Disciplinary Action Committee. The EIC must also represent *MLR* externally, which often involves answering requests on behalf of the journal, representing the journal at events, and speaking in their official capacity.

Ultimately, the EIC is a figurehead position. Every aspect of the journal is their responsibility, but they command direct authority over no one. This means that first and foremost, they must lead by example, dedicate themselves to the work, and lift up the other members so that they feel empowered to make *MLR* the best it can be.

Journal Leadership

The EIC serves on the Executive Committee, helping the committee make decisions about how to direct the journal. The Executive Committee often serves as a weekly forum where office heads can check in, problem solve, and brainstorm. It also has the power to make important decisions for the journal and direct the Editorial Board to carry out the execution of its goals.

Commitment

In an average week, the EIC will devote fifty hours to *MLR*. Some weeks will demand more than seventy hours, especially in the first semester. Although the commitment is sometimes lighter in the summer, the work never stops and the EIC is busy all year.

Managing Editor for Publication

Description

The Managing Editor for Publication (MEPub) is the operational head of *MLR* and often, the face of the journal. They are responsible for the overall production schedule of the journal, including directly scheduling the second half of the production process. Some parts of the MEPub's role change over the course of the year as they are responsible for the Write-On competition, Associate Editor orientation, and Editorial Board selection. The MEPub also leads the Executive Committee and is thus responsible for the overall administration and direction of the journal.

This role is ideal for someone who is extremely organized, loves communicating with others, can solve problems quickly, and is ready to devote a majority of their free time to the journal.

Responsibilities

Management

The MEPub is responsible for the day-to-day operations of the whole journal, which includes leading Executive Committee meetings, calling masthead meetings, assigning tasks, maintaining morale, and addressing any other issues that arise. The role requires extremely strong interpersonal skills because the MEPub sets the tone internally and represents the journal externally. The MEPub schedules, coordinates, and leads the Executive Committee meetings each week, which helps set the tone for the journal at large. They are also responsible for facilitating any Editorial Board or masthead meetings which might occur throughout the year. The MEPub is the chair of the Disciplinary Action Committee of *MLR* and must therefore be prepared for tough conversations and difficult choices. They are also the chair of the Policy Committee which works on the journal's governing documents and other policies, particularly in the fall semester with the participation of the new Associate Editors. Finally, the MEPub holds any votes within the journal.

The MEPub also represents the journal externally. The MEPub is the primary point of contact for the law library, which facilitates many of the journal's operations. They are also often the primary point of contact, with the Editor-in-Chief, for the law school administration which can involve sensitive conversations. The MEPub also responds to external requests from organizations and publications inside and outside of the law school.

The MEPub must be prepared to take on any ad hoc responsibilities which can include completing Associate, Senior, or Executive Editor assignments. Even during the summer, the MEPub must be available by phone or email at all times and ready to take on any tasks that need doing. At the end of the day, the MEPub must be prepared to be the ultimate team player, filling in whenever and wherever necessary.

The MEPub role is immensely rewarding as it provides experience running a large organization. Yet, similar to the Editor-in-Chief, the MEPub must always put the journal first. They must be constantly

available to respond to the needs of the journal and are often the first person to hear of problems that must be solved quickly. The MEPub must maintain a cool head in the face of a never-ending workload, high-stakes situations, and a great deal of stress. Like the Editor-in-Chief position, it requires a year-long commitment without reservation. There will never be a day where they are not working on or thinking about *MLR*. While this can be intimidating, serving in this position is a deep honor and a unique opportunity to shape an institution.

Production

The MEPub is responsible for creating and managing the journal's entire production schedule, which involves setting and enforcing deadlines both for the content offices and the Managing Editor for Production. They also directly create the schedule for the Editor-in-Chief, Deputy Editor-in-Chief, and Executive Editors. The production schedule is complicated and requires accommodating authors and editors while pushing production forward with the goal of publishing on time. Maximizing the efficiency of the production schedule is complex and the MEPub must be ready to change it whenever needed to keep the journal running smoothly. Although the Online Office operates its own production process, the MEPub must be available to assist at any time to help the office meet its goals and add final reviews to the Editor-in-Chief's schedule.

Once a piece has entered production, the Managing Editor for Publication is the author's primary point of contact which involves sending rounds of edits, answering any questions they might have, and relaying any questions from the editing team. The MEPub will sometimes make contact with authors before the piece is ready for production in order to lay out the production process.

After the author is finished with the pageproof round of edits, the MEPub is responsible for the formatting of the piece using a macro from the publisher. After the final review is complete, the MEPub also works with the Editor-in-Chief and others to read through the entire issue before sending it to the printer. The printer will then return contract proofs which must also be reviewed and edited or approved.

Notes

The MEPub works with the Notes Office to select content. In these meetings, the MEPub represents the best interests of the journal, noting the perspectives of any editors who might have to work on the piece and any effect on the journal's institutional reputation.

Administration

The MEPub is responsible for the maintenance of all office spaces, equipment, and supplies. They may fulfill these duties as they see fit, but should strive for *MLR* members to have clean, organized spaces to work.

Write-On

The MEPub is responsible for facilitating the Write-On competition. This involves leading the Write-On Committee, deciding on dates, establishing internal deadlines, and assigning tasks. The MEPub must also support the Executive Development Editor with their recruitment efforts. The MEPub is ultimately responsible for creating the instruction packet and uploading all materials to the Write-On website. They are also responsible for answering all applicant questions during the Write-On process. Once the Write-On period is over, they must work with the library to retrieve the anonymized submissions and coordinate the grading of the applications. This is a complicated process and requires many hours during the summer months. The MEPub then works on the Holistic Review Committee with the Editor-in-Chief and Executive Development Editor to select the incoming class of Associate Editors. Once decisions have been made, the MEPub communicates with the library to receive the names of the accepted applicants and then drafts and sends all offer letters. They also coordinate the calling of applicants by current members.

Orientation

The MEPub will work with the Managing Editor for Production, Executive Development Editor, and others to plan the Associate Editor orientation in the late summer.

Selection

The MEPub is responsible for facilitating the Editorial Board election and selection process, which includes drafting the application procedures document, deciding on deadlines, and planning any Editorial Board recruitment events. They are then responsible for receiving and distributing the applications. The MEPub leads the meeting on Selection Day, deciding on specific procedures in advance.

Journal Leadership

The MEPub leads the Executive Committee, helping the committee make decisions about how to direct the journal. The Executive Committee often serves as a weekly forum where office heads can check in, problem solve, and brainstorm. It also has the power to make important decisions for the journal and direct the Editorial Board to carry out the execution of its goals.

Commitment

In an average week, the MEPub will devote forty hours to *MLR*. Some weeks will demand in excess of sixty hours. Although the commitment is sometimes lighter in the fall, the work never stops and the MEPub is consistently busy all year.

Managing Editor for Production

Description

The Managing Editor for Production (MEPro) oversees the first part of the production process and facilitates the work of the Associate and Senior Editors. They are also responsible for facilitating the Summer Days work of Editorial Board members. The first part of the production process includes the completion of sourcegathering, CC1, CC2, and incorp assignments. This requires significant coordination of physical sources and interactions with various libraries. The MEPro is responsible for planning the Associate Editor orientation or training with assistance from other Editorial Board members. The MEPro is also a member of the Executive Committee and is thus responsible for the overall administration and direction of the journal.

This role is ideal for someone who is extremely organized, loves logistics, can empathetically manage a large team, and enjoys communication.

Responsibilities

Associate and Senior Editor Management

The MEPro is responsible for the day-to-day operations of the Associate and Senior Editors, which includes sending out weekly assignments, granting extensions, enforcing deadlines, coordinating with other Editorial Board members, maintaining morale, and addressing any other issues that arise. The MEPro must stay organized at all times as they receive many questions from all areas of the journal and should reply promptly.

As the MEPro directly manages the largest number of people, it is crucial that they work on fostering a fun and social culture on the journal. This can include everything from setting a good tone with their weekly assignment communications to working with the Executive Development Editor to plan after-hours events. The MEPro preliminarily handles any disciplinary issue related to an Associate or Senior Editor, passing the issue on to the Disciplinary and Appointments Committee if the behavior continues. In this regard, they must be prepared to both give and take constructive feedback, having tough conversations when necessary and striving to be an empathetic manager.

Production

The MEPro is responsible for overseeing four stages of production: sourcegathering, CC1, CC2, and incorp. Prior to the sourcegathering stage, the MEPro makes a sourcelist for the piece and assigns members to complete the sourcegathering assignment. Afterward, they often coordinate with various libraries to get physical sources, keep the citechecking carrels organized, and return any books that are no longer needed. If a source cannot be located, the MEPro will need to work with the content offices to ask the authors for the source or find another creative solution.

Prior to the CC1 stage, the MEPro must divide the piece into smaller parts and assign a member to complete each part. As the assignments must go out every week, the MEPro must stay consistently organized. Creating the production schedule can be like a huge logic problem and optimizing for efficiency requires communication with other Editorial Board members and thinking ahead. There are often last-minute production fires to put out and the MEPro must be ready to think creatively and keep the production process moving. At the end of every week, the MEPro should check that all assignments were submitted to avoid any later delays.

During the CC2 stage, the MEPro must simply check that all of the assignments were turned in. They must also monitor whether CC scores were submitted and feedback emails were sent. This information is important for the Executive Editor Office and journal leadership, so they should regularly check that it is being done.

The incorp stage requires significant communication with the Managing Editor for Publication and management of who is assigned to the piece. The MEPro should strive to assign many people to this stage at some point and find out who enjoys and is skilled at it.

As every piece operates on a different timeline and the schedule includes most or all of these stages in any given week, the MEPro must be extremely diligent to make sure the process runs smoothly.

Orientation

The MEPro is responsible for planning orientation in conjunction with the Executive Development Editor, Deputy Editor-in-Chief, and Executive Notes Editor with help from other Executive Committee members. The MEPro may call for the meeting of the Orientation Committee early in the summer to begin the planning process and delegate tasks accordingly.

Journal Leadership

The MEPro serves on the Executive Committee, helping the committee make decisions about how to direct the journal. The Executive Committee often serves as a weekly forum where office heads can check in, problem solve, and brainstorm. It also has the power to make important decisions for the journal and direct the Editorial Board to carry out the execution of its goals.

Commitment

In an average week, the MEPro will devote thirty hours to *MLR*. Some weeks will demand in excess of sixty hours. The winter semester is lighter as there are fewer members to prepare assignments for. The work is busy around Summer Days and again around orientation. The work is heavier in the fall when there are more Associate and Senior Editors to prepare assignments for, although the processes go faster by that point. The MEPro must be especially available on weekends for assignments to go out and come in, which often also triggers many questions.

Executive Development Editor

Description

The Executive Development Editor (EDE) recruits the incoming class of Associate Editors, manages the budget, assists with orientation, builds community, and leads the journal's diversity, equity, and inclusion efforts. The EDE is crucial for establishing the journal's culture each year and the flexibility of their role allows them to be creative and autonomous. The EDE is also a member of the Executive Committee and is thus responsible for the overall administration and direction of the journal.

This role is ideal for someone who takes initiative, is passionate about equity issues, has experience managing processes and budgets, and enjoys community building. While management of processes and budgets can be learned, applicants without that experience would be benefitted by prior experience working with Michigan Law administration when it comes to things like navigating budgets, recruiting the new Associate Editor class, and event planning.

Responsibilities

Recruitment

The EDE is responsible for planning and facilitating *MLR*'s recruiting events in the winter semester and encouraging 1Ls to apply through the Write-On process. This planning involves significant coordination with Editorial Board members for *MLR*-specific events and with other journals at Michigan Law for a joint panel. It also involves reaching out to affinity groups to plan smaller events and *MLR* office hours. The EDE is encouraged to be creative in these endeavors, striving to recruit a broad and diverse number of applicants to the Write-On process. The EDE will also serve on the Write-On Committee and communicate frequently with other Editorial Board members about the process.

During the summer, the EDE also works with the Editor-in-Chief and Managing Editor for Publication to run the Holistic Review Committee, which evaluates and decides on Write-On applications.

Budget

The EDE is responsible for managing the journal's finances, which includes requesting a budget, allocating current funds, processing reimbursements, and accepting dues. This requires significant organization and frequent communication with other Editorial Board members to facilitate journal events. The EDE will often work with content offices to plan author talks and the Managing Editor for Publication to plan masthead meetings.

Orientation

The EDE is responsible for helping to plan the Associate Editor orientation or training that usually occurs in August. This will include assisting the Managing Editor for Production, Deputy Editor-in-

Chief, and Executive Notes Editor to facilitate food, rooms, etc. during that period of time. The EDE is also encouraged to plan any additional social events that would help welcome the Associate Editors to the journal and help them get to know each other.

Community Building

The EDE is responsible for community building on the journal, which includes sending a newsletter, planning social events, running committees, and leading the journal's diversity, equity, and inclusion efforts. The EDE will send a newsletter to the journal, usually weekly during the semester and occasionally during breaks. These newsletters communicate upcoming events, *MLR* news, and shoutouts between members. The EDE can be as creative as they want in these in order to facilitate a warm, welcoming culture inside the journal.

The EDE is also responsible for planning social events throughout the year, but especially during the fall semester. This can involve booking rooms or venues, providing food and drinks, and promoting the events to *MLR* members. In addition to these events, the EDE also plans the annual banquet which occurs sometime after transition in the winter semester and includes the outgoing and incoming volumes.

The EDE leads multiple committees including the Social Committee and the Diversity, Equity, and Inclusion Committee. They are also responsible for initiating the meeting or formation of other committees, particularly in the fall so that the Associate Editors can get involved with the journal.

The EDE, separately and in conjunction with the committee, is in charge of the diversity, equity, and inclusion efforts for the journal. The EDE should have a vision of diversity, equity, and inclusion within the journal and should facilitate it through recruitment, journal culture, and scholarship. The EDE is encouraged to bring this perspective to the journal in all areas.

Journal Leadership

The EDE serves on the Executive Committee, helping the committee make decisions about how to direct the journal. The Executive Committee often serves as a weekly forum where office heads can check in, problem solve, and brainstorm. It also has the power to make important decisions for the journal and direct the Editorial Board to carry out the execution of its goals.

Commitment

In an average week, the EDE will devote fifteen hours to *MLR*. Some weeks will demand in excess of twenty hours. The work is heaviest during recruitment in the winter semester and gets busy again in the fall semester with a larger journal. The work is lighter in the summer, but the EDE will still spend over thirty hours participating in the Holistic Review Committee and helping to plan orientation or training for incoming Associate Editors.

Deputy Editor-in-Chief

Description

The Deputy Editor-in-Chief (DEIC) leads the Executive Editor Office, which is responsible for the high-level editing of pieces that appear in the print version of the *Michigan Law Review*. The office is also responsible for creating the *Bluebook* Exercise portion of the Write-On competition and mentoring incoming Associate Editors. In addition to completing regular Executive Editor assignments, the DEIC assists the Editor-in-Chief in completing any assignments as coordinated by the Managing Editor for Publication. The DEIC is also a member of the Executive Committee and is thus responsible for the overall administration and direction of the journal.

This role is ideal for someone with extremely strong editing work, decisiveness, initiative, and team management skills.

Responsibilities

Office Management

The DEIC is responsible for the day-to-day operations of the Executive Editor Office, which includes assigning tasks, calling meetings, maintaining office morale, and addressing any other issues that arise. The Executive Editor schedule is created by the Managing Editor for Publication and the DEIC will have to be in frequent communication with them about the status of pieces and Executive Editors.

The DEIC will also help the Editor-in-Chief create the Pageproof Exercise as a part of Editorial Board election and selection.

Production

The DEIC is responsible for all of the same assignments as Executive Editors, as well as some Editor-in-Chief assignments. The Executive Editor Office performs four types of assignments with ad hoc projects taken on as needed. The first type is a final check which takes place in two stages. In the first and longest assignment, the office member reviews all of the comments made on a piece by Associate and Senior Editors, looking over the substantive support, fixing *Bluebook* errors, and reviewing author comments. A second office member then takes a few days to review the work of the first. The piece then goes to the author and then to the Associate and Senior Editors who incorporate any accepted changes into the Word document version. The second type of assignment is the incorp check which ensures that all accepted changes were incorporated and nothing else was changed in the document. The third type of assignment is a pageproof, where the office member works in Microsoft Word to make recommendations to improve the piece's grammar and style, often citing the *Chicago Manual of Style* or other authorities. The piece then goes to the Editor-in-Chief who does a second pageproof and sends the piece to the author. Once the piece is back and has changes incorporated, the Managing Editor for Publication then uses a macro from the printer to reformat the document. The fourth type of assignment is a final review where the office member

reads through the piece, usually on paper, and identifies any last errors. The piece then goes back to the Editor-in-Chief who does their own final review, sends it to the author, incorporates any changes, and issue proofs the entire issue before it is sent to the printer by the Managing Editor for Publication.

The DEIC may help with any of the Editor-in-Chief assignments and may also be asked to help issue proof the documents sent to the printer and then the contract proofs received back from them before the piece is officially printed. Additionally, the DEIC must manage the updating of the Maizebook and Production Manual. The former is a guide to *MLR*'s preferences not covered in or conflicting with the *Bluebook*. The latter is the guide for Associate and Senior Editors on how to perform their sourcegathering, CC1, CC2, and incorping assignments.

Bluebook Exercise

The Executive Editor Office is responsible for creating the *Bluebook* Exercise for the Write-On competition, which must be completed early in the winter semester. The DEIC has a substantial role in this process by establishing a timeline, delegating tasks, reviewing suggested sources, editing the purposefully flawed citations, formatting the final document, and overseeing the creation of any grading materials. This work will largely fall on the DEIC towards the end of the process. The DEIC will also serve on the Write-On Committee and communicate frequently with other Editorial Board members about the process.

Mentorship

Over the summer, the Executive Editor Office members are assigned as mentors to the incoming Associate Editors to guide them on their assignments for the journal. The DEIC is responsible for giving presentations during the Associate Editors' orientation or training in conjunction with the Executive Editors. The office members will need to be available to their mentees for support and timely feedback.

Journal Leadership

The DEIC serves on the Executive Committee, representing the Executive Editor Office and helping the committee make decisions about how to direct the journal. The Executive Committee often serves as a weekly forum where office heads can check in, problem solve, and brainstorm. It also has the power to make important decisions for the journal and direct the Editorial Board to carry out the execution of its goals.

Commitment

In an average week, the DEIC will devote twenty-five hours to *MLR*. Some weeks will demand in excess of forty hours. Assignments take between three and ten days each with an average of three to five hours per day assigned and usually a short break between assignments. The summer tends to be lighter, but the Executive Editor Office will still be grading the *Bluebook* Exercise during that time.

Executive Editor

Description

The Executive Editors (EEs) are responsible for the high-level editing of pieces that appear in the print version of the *Michigan Law Review*. The office is also responsible for creating the *Bluebook* Exercise portion of the Write-On competition and mentoring incoming Associate Editors. EE assignments include overseeing the citechecking work of Associate and Senior Editors, editing for grammar and style, and catching any last errors in a piece before it goes to the printer. Over the course of the year, the EEs become experts in above- and below-the-line editing, gaining extremely valuable skills that are highly transferable to any legal job.

This role is ideal for someone who wants to hone their legal writing skills, is a rigorous *Bluebooker*, enjoys creating polished, consistent, and finalized pieces, is interested in reading a wide range of scholarship, and works best doing independent work in a supportive team atmosphere. Each individual EE will end up working, in some capacity, on a large portion of all articles, notes, and book reviews that *MLR* publishes. The position is also ideal for those who want to read lots of diverse scholarship and gain a deep understanding of how *MLR* runs.

Responsibilities

Production

The Executive Editor Office performs four types of assignments with ad hoc projects taken on as needed. The first type is a final check which takes place in two stages. In the first and longest assignment, the office member reviews all of the comments made on a piece by Associate and Senior Editors. Edits at the final check stage include making judgment calls on all substantive support issues, fixing *Bluebook* errors, and reviewing author comments. A second office member then takes a few days to review the work of the first. The piece then goes to the author and then to the Associate and Senior Editors who incorporate any accepted changes into the Word document version. The second type of assignment is the incorp check which reviews the author correspondence on the final check document and ensures the incorp was performed correctly. The third type of assignment is a pageproof, where the office member works in Microsoft Word to make recommendations to improve the piece's grammar and style, often citing the *Chicago Manual of Style* or other authorities. The piece then goes to the Editor-in-Chief who does a second pageproof and sends the piece to the author. Once the piece is back and has changes incorporated, the Managing Editor for Publication then uses a macro from the printer to reformat the document. The fourth type of assignment is a final review where the office member reads through the piece, usually on paper, and identifies any last errors. The piece then goes back to the Editor-in-Chief who does their own final review, sends it to the author, incorporates any changes, and issue proofs the entire issue before it is sent to the printer by the Managing Editor for Publication.

Additionally, EEs update the Maizebook and Production Manual. The former is a guide to *MLR*'s preferences not covered in or conflicting with the *Bluebook*. The latter is the guide for Associate and Senior Editors on how to perform their sourcegathering, CC1, CC2, and incorpating assignments.

Bluebook Exercise

The Executive Editor Office is responsible for creating the *Bluebook* Exercise for the Write-On competition, which must be completed early in the winter semester. This includes gathering sources, creating flawed citations, and drafting instructions. The EEs grade the *Bluebook* exercise over the summer, which takes around twenty hours.

Mentorship

Once the incoming class of *MLR* editors are selected, EEs are assigned as mentors to a group of incoming Associate Editors to guide them on their assignments for the journal. . The office members will need to be available to their mentees for support and timely feedback, and hold open office hours throughout the year. EEs also provide training and presentations to new Associate Editors during the *MLR* orientation in the fall.

Commitment

In an average week, an EE devotes twenty hours to *MLR*. Infrequently, some weeks will demand more than forty hours. Assignments take between three and ten days each with an average of three to five hours per day assigned and usually a short break between assignments. The summer tends to be lighter (although grading the write-on *Bluebooking* exercise occurs during the summer). Each Executive Editor Office will work out their precise summer schedules with the Managing Editor for Publication, but summer work may entail a period of summer days at the beginning and end of the summer, but few or no assignments throughout the summer.

Executive Articles Editor

Description

The Executive Articles Editor (EAE) leads the Articles Office, which is responsible for selecting articles and providing substantive edits. Articles are pieces written by legal scholars or professionals that appear in the print version of the *Michigan Law Review*. Once a piece is accepted, the Articles Office is responsible for substantive above- and below-the-line edits, which the EAE must oversee. The EAE is also a member of the Executive Committee and is thus responsible for the overall administration and direction of the journal.

This role is ideal for someone who enjoys reading legal scholarship from many different areas of law, can thoughtfully run a close-knit team during periods of high workload, is very organized, and has strong editing work.

Responsibilities

Office Management

The EAE is responsible for the day-to-day operations of the Articles Office, which includes assigning tasks, calling meetings, maintaining office morale, coordinating with other Editorial Board members, and addressing any other issues that arise. The EAE ensures that the Office's work is completed quickly and that tasks are balanced appropriately among the Articles Editors. The EAE is also responsible for organizing the external operations of the office, such as opening and closing submission calls, communicating with authors, and enforcing deadlines. Finally, the EAE is responsible for routine IT and correspondence tasks for the Office such as updating the articles pages on the *MLR* website and Scholastica, maintaining the articles email, and coordinating social media posts with the Online office.

Selection

The EAE takes an equal share of the article selection responsibilities in the office. This consists of sorting submissions and reading articles. For a full explanation of these duties, please see the Articles Editor description.

After an Articles Office member has done a first read of a piece and recommends it for a second read, the EAE is responsible for assigning the second read to someone who will also perform a preemption check to make sure the scholarship is novel. If both readers recommend the piece move forward, then the EAE is responsible for scheduling a full read meeting with the entire office and Editor-in-Chief.

At the meeting, the office discusses the piece and each member must vote on whether to select the piece. Although all Articles Office members are involved in shaping selection, the EAE must be especially attuned to policy considerations, working with the Editor-in-Chief to monitor the type of scholarship selected. During the discussion, EAE must also be aware of the working relationships

between Articles Editors and ensure that everyone participates with respect to keep the office functioning in the long run. If the piece is selected, the EAE and Editor-in-Chief will extend an offer of publication to the author, which may involve further negotiations and strategizing.

Production

If an author accepts the offer, the EAE must coordinate with an assigned Articles Editor and the Managing Editor for Publication to schedule an initial video call with the author to discuss the production timeline. After the author sends *MLR* the latest version of the piece, the Articles Editor does an initial round of substantive edits. This includes both above- and below-the-line suggestions, which are deferential in nature. The EAE then does their own round of edits, discusses the piece with the relevant Articles Editor, and synthesizes both sets of edits into a single draft for the author along with a memo. After one or multiple rounds of edits, the EAE does a final read and then passes the piece to the Managing Editor for Production to begin the production process.

Throughout the selection and editing process, the EAE must work closely with the Editor-in-Chief, Managing Editor for Publication, Managing Editor for Production, and Deputy Editor-in-Chief. This involves making sure there are a sufficient number of pieces going into production and enforcing deadlines with the Articles Office and with authors.

Journal Leadership

The EAE serves on the Executive Committee, representing the Articles Office and helping the committee make decisions about how to direct the journal. The Executive Committee serves as a weekly forum where office heads can check in, problem solve, and brainstorm. It also has the power to make important decisions for the journal and direct the Editorial Board to carry out the execution of its goals.

Commitment

In an average week, the EAE will devote twenty hours to *MLR*. Some weeks will demand in excess of sixty hours. This workload varies more than any other position or office due to the nature of articles selection. The first call for submissions occurs around February including over spring break, requiring about thirty hours per week of normal Articles Office tasks and another fifteen hours of office management and journal leadership work. This often requires the setting aside of school or personal responsibilities during that time. The second call for submissions occurs around August, although it is typically somewhat lighter than the February call. Aside from these periods of time, the EAE will still be busy providing substantive edits, running the office, and serving on the Executive Committee.

Articles Editor

Description

The Articles Editors (AEs) are responsible for the selection and editing of articles, written by legal scholars or professionals that appear in the print version of the *Michigan Law Review*. There are two primary submission calls; the first occurs in February to early/mid-March and the second occurs in August. During these calls, AEs must devote all of their free time to *MLR*. Once a piece is accepted, Articles Editors are responsible for substantive above- and below-the-line edits.

This role is ideal for someone who enjoys reading legal scholarship, loves working on a small team, and enjoys substantive editing.

Responsibilities

Selection of Articles

The AEs are responsible for screening and sorting article submissions on their assigned days and times. AEs also receive and document “expedite requests” from authors to review their submission before an offer of acceptance from another journal expires. During this time, the AEs are continuously doing first reads of pieces and deciding whether to request a second read, which will be assigned to another AE by the Executive Articles Editor. The AE doing a second read will also perform a preemption check to make sure the scholarship is novel. If both readers recommend the piece move forward, then the Executive Articles Editor is responsible for scheduling a full read meeting with the entire office and Editor-in-Chief. At the meeting, the office discusses the piece and each member must vote on whether to select the piece. If the piece is selected, the EAE and Editor-in-Chief will extend an offer of publication to the author.

Production

If an author accepts the offer, the Executive Articles Editor works with the office members to assign an initial editor to the piece. That AE attends the initial video conference with the author, Executive Articles Editor, and Managing Editor for Publication to discuss the production timeline. Then, the AE does a round of substantive edits which includes both above- and below-the-line suggestions that are deferential in nature. The AE should also suggest ways to fix any weaknesses or gaps identified in the full read and draft a memo to accompany the edits. Each AE will complete substantive edits for around three pieces during their tenure. The Executive Articles Editor will then complete their own round of edits, combine the suggestions into one document for the author, and finalize the editing memo. After one or multiple rounds of edits, the Executive Articles Editor does a final read and then passes the piece to the Managing Editor for Production to begin the production process. AEs may be asked to help with occasional production issues during the year which may involve sourcegathering, citechecking, or pageproofing a piece.

Commitment

In an average week, an AE will devote twenty hours to *MLR*. Some weeks during the call period will demand in excess of sixty hours, but the heavy weeks will be offset by slower weeks after the call closes. This workload varies more than any other position or office due to the nature of articles selection. The first call for submissions occurs around February including over spring break, requiring thirty or more hours per week of *MLR* work. This often requires the setting aside of school or personal responsibilities during that time. The second call for submissions occurs around August, although it is typically somewhat lighter than the February call. Aside from these periods of time, the AEs will provide substantive edits, although the workload is typically much lighter in the second half of the spring semester and the fall semester—approximately ten to twenty-five hours spent on each of the articles the AE is responsible for editing.

Executive Notes Editor

Description

The Executive Notes Editor (ENE) leads the Notes Office, which is responsible for selecting notes, providing substantive edits, and mentoring *MLR* Associate Editors during their scholarship contributions, and constructing the Mini-Note packet for Write-On. Notes are pieces written by students or recent graduates and appear in the print version of the *Michigan Law Review* alongside articles written by legal scholars or professionals. Once a piece is accepted, the Notes Office is responsible for substantive above- and below-the-line edits, which the ENE must oversee. The ENE is also a member of the Executive Committee and is thus responsible for the overall administration and direction of the journal.

This role is ideal for someone who loves student scholarship and is willing to encourage students to pursue their intellectual projects, enjoys managing a team, is very organized, and has strong editing work.

Responsibilities

Office Management

The ENE is responsible for the day-to-day operations of the Notes Office, which includes assigning tasks, calling meetings, maintaining office morale, coordinating with other Editorial Board members, and addressing any other issues that arise. As discussed in detail in the next subsection, the ENE is responsible for the selection and editing of notes, such as opening and closing submission calls, communicating with authors, deciding on the timeline of edits, distributing tasks equitably, and enforcing deadlines. The production process will require frequent communication with the Editor-in-Chief, Managing Editor for Publication, Managing Editor for Production, and Deputy Editor-in-Chief.

The ENE is also responsible for leading the office's work on the Write-On packet and mentorship during members' scholarship contributions. The Notes Office schedule is complicated and requires managing many different deadlines at once, so the ENE must think ahead and stay organized.

Production

The ENE is responsible for ensuring that all submissions are reviewed and responded to in a timely manner. This includes distributing pieces, holding selection meetings to decide what pieces should be published, and scheduling full reads. The Notes Office provides feedback for notes that are not selected. Once a decision has been made, the ENE is responsible for notifying authors of decisions and passing on any feedback. Once a piece has been accepted, the Notes Office meets as a group to make substantive edits to shape the author's arguments and writing. This includes both above- and below-the-line suggestions. The ENE is then responsible for passing along those edits to the author. After multiple rounds of edits, the ENE does a final read and then passes the piece to the Managing Editor for Production to begin the production process.

Additionally, the ENE must manage the updating of the Tealbook, which is a guide to student scholarship distributed inside and outside of the journal to help students with writing and pursuing publication.

Mini-Note Packet

The Notes Office is responsible for creating the Mini-Note packet for the Write-On competition, which must be completed early in the winter semester. The ENE has a substantial role in this process by establishing a timeline, coordinating the selection of a topic, delegating tasks, reviewing suggested sources, redacting necessary sections, formatting the full packet, and overseeing the creation of any grading materials. This work will largely fall on the ENE towards the end of the process. The ENE will also serve on the Write-On Committee and communicate frequently with other Editorial Board members about the process.

Mentorship

The ENE is responsible for overseeing and facilitating Notes Editors' mentorship of members writing their scholarship contributions. This will include establishing the scholarship contribution requirements and deadlines, as well as planning events for Associate Editors.

Journal Leadership

The ENE serves on the Executive Committee, representing the Notes Office and helping the committee make decisions about how to direct the journal. The Executive Committee often serves as a weekly forum where office heads can check in, problem solve, and brainstorm. It also has the power to make important decisions for the journal and direct the Editorial Board to carry out the execution of its goals.

Commitment

In an average week, the ENE will devote fifteen hours to *MLR*. Some weeks will demand in excess of thirty hours. These hours will vary widely and increase greatly during submission calls and full reads, the former occurring around six times per year. Due to the Mini-Note packet, the winter semester is particularly heavy. The summer is lighter, but still requires time every week devoted to *MLR*. The fall semester is again busy due to submission calls and scholarship contribution deadlines.

Notes Editor

Description

The Notes Editors (NEs) are responsible for the selection and editing of notes, which are pieces written by students or recent graduates and appear in the print version of the *Michigan Law Review* alongside articles written by legal scholars or professionals. NEs are also responsible for creating the Mini-Note packet and mentoring Associate Editors of *MLR* with their scholarship contribution. The Notes Office gets the opportunity to work closely as a team, read student scholarship on a variety of niche topics, improve their own writing skills through editing, and shape the future of student scholarship.

This role is ideal for someone who is passionate about student scholarship, loves working in a close-knit team, and enjoys substantive editing.

Responsibilities

Production

The NEs are responsible for the selection and substantive editing of notes. After the Executive Notes Editor closes a submission call, NEs will read submissions, meet, and discuss the pieces. If a note is selected for publication, then it will move forward to substantive editing. If a note is not selected, then the Executive Notes Editor will gather feedback from the NEs which will be sent to the author with a notification about the piece's status.

Once a note is selected, the Notes Office works together in an in-depth editing process culminating in a full read meeting during which edits are made as a group to shape the author's arguments and writing. As a "heavy edit" office, this includes both above- and below-the-line suggestions. After these edits are reviewed by the author and incorporated, the NEs typically review a piece again before the Executive Notes Editor does a final read and then passes the piece to the Managing Editor for Production to begin the production process.

Additionally, NEs will update the Tealbook, which is a guide to student scholarship distributed inside and outside of the journal to help students with writing and pursuing publication.

Mini-Note Packet

The Notes Office has traditionally been responsible for creating the Mini-Note packet for the Write-On competition, which must be completed early in the winter semester. This includes researching, brainstorming and deciding on a topic, gathering and compiling sources, and drafting a prompt. Once the packet is put together, the NEs are also responsible for drafting any grading materials which sometimes include rubrics, source summaries, and model answers.

Mentorship

The Notes Office manages the scholarship contribution, which requires Associate Editors to work on a note, book notice, or online essay. They will decide on the requirements and deadlines which can vary greatly from year to year. Over the summer, NEs are assigned as mentors to the incoming Associate Editors to guide them on their scholarship contribution and welcome them to the journal. NEs will need to be available to their mentees for support and timely feedback.

Commitment

In an average week, an NE will devote five to fifteen hours to *MLR*. Some weeks will demand in excess of twenty hours. This will vary widely and increases greatly during submission calls and full reads. During calls, NEs will be required to read and evaluate around five to twenty pieces, then attend a one- to two-hour meeting to discuss the submissions. NEs will spend around five to ten hours reading and editing a piece before a full read meeting. Full read meetings typically last four to seven hours. The winter semester is typically quite busy, but the workload eases through the summer and fall semester.

Book Review Editor

Description

The Book Review Editors (BREs) solicit, select, and edit pieces for the *Michigan Law Review*'s book review issue. *MLR* is the only law review that publishes an issue solely dedicated to book reviews. Officially called “The Annual Survey of Books Related to the Law,” the Book Review Issue is highly anticipated in the legal academic community.

BREs occupy a unique role in *MLR*'s ecosystem. The role requires creativity and a strong commitment to bettering legal scholarship. The BREs are responsible for curating the issue by soliciting pieces from specific authors, typically with a book in mind, and selecting from among the book review submissions *MLR* receives. The issue also includes a Foreword and a “Classic Revisited”—both are short essays that frame the issue and are typically written by prominent scholars and/or practitioners. Particularly for solicited pieces, the BRE role involves significant author communication and management. The BREs are responsible for substantive above- and below-the-line edits. The BREs are also members of the Executive Committee and are thus responsible for the overall administration and direction of the journal.

This role is ideal for someone who enjoys:

- reading (!),
- engaging with diverse legal topics and creative forms of argumentation,
- offering thoughtful substantive feedback, and
- working in close collaboration with a partner.

Responsibilities

Office Management

The BREs are their own office heads and are thus responsible for their own day-to-day operations including dividing tasks, meeting frequently, and coordinating with other Editorial Board members. As a two-person team, it is crucial that the BREs are compatible, dedicated, and communicate frequently about work allocation and collective vision. As discussed in detail in the next subsection, they are responsible for the solicitation, selection, and editing of the issue, which should be divided equitably among them. The production process will require frequent communication with the Editor-in-Chief, Managing Editor for Publication, Managing Editor for Production, and Deputy Editor-in-Chief.

Production

Books that appear in the issue include traditional legal scholarship, novels, casebooks, or texts that can be analyzed through a legal lens. Some issues are organized around a central theme while others compile pieces on diverse issues. At the beginning of the winter semester, the BREs will collaborate with the Editor-in-Chief and Managing Editor for Publication to establish goals for the number of pieces, word counts, and production deadlines.

Book reviews may either be solicited or selected. Solicitation involves reaching out to scholars or professionals to see if they will write a review of a specific book or of a book of their choice. This model requires curiosity about the landscape of legal publishing, as well as stellar communication in order to clearly establish and enforce deadlines. By contrast, selection involves reviewing and responding to submissions—which can take the form of short proposals or complete drafts—in a timely manner. BREs are responsible for creating criteria for evaluating submissions.

Once a piece has been accepted for publication, the BREs make substantive edits to shape the author's arguments and writing. After multiple rounds of edits, the BREs pass the piece to the Managing Editor for Production to begin the production process.

Journal Leadership

The BREs serve on the Executive Committee, representing the Book Review Office and helping the committee make decisions about how to direct the journal. The Executive Committee is a weekly forum where office heads can check in, problem solve, and brainstorm. It also has the power to make important decisions for the journal and direct the Editorial Board to carry out the execution of its goals.

Commitment

In an average week, the BREs will devote fifteen hours to *MLR*. Some weeks will demand in excess of thirty hours. The commitment varies based on author deadlines. In the winter, BREs select books to be reviewed. The submissions window historically opens in late January or early February. Most pieces will be selected by the end of that semester. During the summer, BREs substantively edit pieces. The workload is typically lighter in the fall as the BREs complete substantive edits and get the last pieces into production.

Managing Online Editor

Description

The Managing Online Editor (MOE) oversees the *Michigan Law Review Online* and the journal's online platforms. The Online Office has two overarching missions: 1) publishing short, timely legal scholarship accessible to a general audience, and 2) spearheading innovations to promote and amplify *MLR*'s work via social media and other platforms. The MOE coordinates and participates in Online's production process from selection through publication. Regarding innovation, the Online Office has the opportunity to develop new initiatives, manage and expand *MLR*'s online presence, and substantially shape the office's direction. The MOE is a member of the Executive Committee and contributes to the overall administration and direction of the journal in that capacity.

The MOE role is ideal for someone who would enjoy working closely with a small team, managing projects, communicating with authors from a range of backgrounds, and conducting holistic edits.

Responsibilities

Office Management

The MOE is responsible for the Online Office's day-to-day operations. This includes assigning tasks, running meetings, maintaining office morale, and addressing any other issues that arise. As discussed below, the MOE is responsible for all aspects of *MLR Online*'s production process, including coordinating submission calls, communicating with authors, setting publication timelines, distributing tasks equitably, and enforcing deadlines. The MOE also distributes tasks related to the journal's online platforms (e.g., website updates and *MLR* social media account maintenance).

Publication

The MOE ensures that all submissions are reviewed, voted on, and responded to promptly. After a piece is accepted for publication, the Executive Online Editors suggest substantive edits to shape the piece's overall structure and argument above- and below-the-line. Online is a light-edit office; authors may accept or reject all subjective edits. Accordingly, the MOE ensures that all comments and edits are communicated in a constructive and deferential manner.

After the author responds to substantive edits, Executive Online Editors gather sources, citecheck, and pageproof the piece. After each round of these edits, the MOE performs a final check, which entails checking sources, reviewing citechecking, standardizing and finalizing comments, and making other changes as the MOE sees fit. After the office's edits are incorporated based on author input, the MOE conducts a final review for objective errors and formatting issues. The Editor-in-Chief then reviews the piece. After this review, the MOE returns the piece to the author and conducts a last read-through before publication on the website.

Online Platforms

The MOE helps set the tone for the journal's social media presence. This involves monitoring and updating social media, coordinating social media requests from other Editorial Board offices, and delegating specific tasks to the Executive Online Editors.

Special Projects

The MOE has the opportunity to facilitate and oversee special projects (past initiatives have included a newsletter, essay competitions, and social media projects).

Journal Leadership

The MOE serves on the Executive Committee. In this capacity, the MOE represents the Online Office and contributes to broader decision-making that affects the journal's direction. The Executive Committee has served as a weekly forum for office heads to provide updates and solve problems collectively. It also has the power to make important decisions for the journal and direct the Editorial Board to execute its goals.

Commitment

On average, the MOE spends twelve hours on *MLR* tasks each week. A typical week includes reading submissions, running Online meetings, attending Executive Committee meetings, monitoring social media, editing pieces, and responding to miscellaneous issues that arise. Heavier weeks could require up to thirty hours depending on publication workload and other tasks.

The distribution of the Online Office's workload throughout the year depends on publication schedules set by the office and how many submissions the office chooses to accept.

Historically, *MLR Online* accepted submissions on a rolling basis throughout the year, and future Online Offices will continue to have the flexibility to set their publication schedules and capacities. Volume 122 and 123 of the Online Office each accepted and published four pieces during their tenure; past offices have published more than ten pieces. Volume 123 opted to close its submissions inbox after it reached capacity and staggered publication dates throughout the year to balance its workload.

Like the rest of the Editorial Board, the Online Office has historically completed fourteen days of Summer Day assignments. Half (seven) of those Summer Days are allocated to the print journal; the other seven are devoted to Online assignments and tasks assigned by the MOE.

Executive Online Editor

Description

The Executive Online Editors (EOEs) run the *Michigan Law Review Online* and the journal's online platforms. The Online Office has two overarching missions: 1) publishing shorter, timely legal scholarship accessible to a general audience, and 2) spearheading innovations to promote and amplify *MLR*'s work via social media and other platforms. Publication-wise, EOE's are responsible for substantive above- and below-the-line edits, as well as sourcegathering and citechecking each piece. Regarding innovation, the Online Office has the opportunity to develop new initiatives, manage and expand *MLR*'s online presence, and substantially shape the office's direction.

This role is ideal for someone who enjoys substantive and technical editing of short, timely pieces. It is also a great fit for anyone who enjoys managing social media and working with a team to brainstorm and implement new initiatives to promote the journal.

Responsibilities

Production

The EOE's select and publish *MLR Online* pieces. The Managing Online Editor and EOE's monitor the Online inbox for submissions of interest. After an initial reviewer flags a submission of interest, the entire office reads, discusses, and votes on the piece. Each EOE provides substantive edits on every piece. After author responses are incorporated, the EOE's sourcegather, citecheck, and pageproof the piece as a team.

Online Platforms

The EOE's manage and update *MLR*'s website and social media at the Managing Online Editor's direction.

Special Projects

The EOE's may also initiate and carry out special projects to promote and amplify the journal's work (past initiatives have included a newsletter, essay competitions, and social media projects).

Commitment

An EOE spends approximately eight to fifteen hours each week on *MLR* tasks. Heavy weeks could require more than twenty hours of work (see the Managing Online Editor commitment description for more information on fluctuations in the Online Office's workload throughout the year).

Like the rest of the Editorial Board, the Online Office has historically completed fourteen days of Summer Day assignments. Half (seven) of those Summer Days are allocated to the print journal; the other seven are devoted to Online assignments and tasks assigned by the Managing Online Editor.

Senior Editor

Description

The Senior Editors (SEs) perform the sourcegathering, CC1, CC2, and incorp work for the journal. If Associate Editors do not apply for or are not selected for an Editorial Board position, then they will automatically become an SE. *MLR* is sustained by the work of the SEs who are an essential component of the production process. SEs, along with Editorial Board members, are responsible for grading Mini-Note submissions and may volunteer to be on the Holistic Review Committee in the summer to evaluate and decide on Write-On applications. SEs are also a crucial part of training incoming Associate Editors in the fall.

This role is ideal for someone who has enjoyed the work they've completed as an Associate Editor or who would like to somewhat limit the hours required by *MLR*.

Responsibilities

Production

The SEs are responsible for doing sourcegathering, CC1, CC2, and incorp work for the journal. Just like in the fall semester, sourcegathering involves gathering and saving sources for a piece. CC1 assignments involve checking each sentence for substantive support and correcting any citation errors. CC2 assignments require checking the CC1 member's work. Incorp requires putting any changes accepted by the author back into the Microsoft Word document version of the piece.

After becoming an SE and during the winter semester, the assignment length increases to compensate for the smaller number of editors. The assignment length then shortens in the fall semester once new Associate Editors have been onboarded.

The SEs are also required to complete three Summer Day assignments which usually involves finishing a full length assignment within a day.

Grading Mini-Note Submissions

During the summer, SEs as well as Editorial Board members are expected to assist in grading Mini-Note submissions from the Write-On competition.

Special Projects

Given their familiarity with *MLR*, the SEs are often well suited to take on special projects for the journal, sometimes in exchange for editing work. In the past, SEs have led committees, organized events, and participated in mentorship. The new Constitution and Bylaws also propose adding one or more Senior Editor Representative positions to the Executive Committee which would allow for more participation in shaping the direction of the journal.

Commitment

In an average week, an SE will devote five to ten hours to *MLR*. Some weeks will demand in excess of fifteen hours. The work is heaviest in the winter semester with longer assignments, light in the summer, and moderate in the fall semester.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Faculty, Alumni, and Students Opposed to Racial Preferences (FASORP)

(b) County of Residence of First Listed Plaintiff N/A
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Jonathan F. Mitchell, Mitchell Law PLLC, 111 Congress Avenue, Suite 400 Austin, TX 78701 (512) 686-3940; Benjamin M. Flowers, Ashbrook Byrne Kresge Flowers LLC, P.O. Box 8248, Cincinnati, OH 45249; Gene P. Hamilton, Ryan Giannetti, America First Legal Foundation, 611 Pennsylvania Avenue SE #231, Washington, DC 20003, (202) 964-3721

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

DEFENDANTS

Michigan Law Review Association; University of Michigan; Heather Jane Foster; Nathaniel B. Magrath; Delpha Carpenter; John Does Nos. 1-4; Jordan B. Acker, Michael J. Behm, Mark J. Bernstein, Paul W. Brown, Sarah Hubbard, Denise Ilitch, Carl J. Meyers, and Katherine E. White; Timothy G. Lynch
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|---|--|---|--|---|
| <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise | PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions | <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes |
| REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 448 Education PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement | | | |

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. § 1983; 42 U.S.C. § 1981; 28 U.S.C. § 2201

Brief description of cause:

Lawsuit challenging illegal race and sex preferences on the Michigan Law Review

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

DATE

June 18, 2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Jonathan F. Mitchell

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

1. Is this a case that has been previously dismissed?

☐ Yes
☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes
☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :
